APPENDIX J

THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 3

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September 28, 2018

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Director Dobruskin,

At its September 2018 monthly meeting, Community Board 3 passed the following resolution:

TITLE: CB 3 Response to the Two Bridges LSRD Draft Environmental Impact Statement

WHEREAS, the proposed actions considered in the Draft Environmental Impact Statement (DEIS) include modifications to the existing Two Bridges Large Scale Residential Development (LSRD) to facilitate the development of three new mixed-use buildings within the Two Bridges LSRD; and

WHEREAS, the proposed actions have separate developers, approvals, and financing, but are being considered together for the purposes of environmental review since all three project sites are located within the Two Bridges LSRD and would be developed during the same construction period, and thus are considered to have cumulative environmental impacts; and

WHEREAS, under the terms of the now-expired Two Bridges Urban Renewal Plan (TBURP) and the active Two Bridges LSRD, the area has been, since 1961, governed by regulations requiring the provision of low- and middle-income housing and site planning to facilitate the best possible housing environment, and requiring the distribution of bulk and open space to create a better design for the lots and surrounding neighborhood than would otherwise be possible; and

WHEREAS, the proposed actions would facilitate the construction of four towers across three separate buildings with heights of 1,008 feet (80-stories), 798 feet (69-stories), 748 feet (62-stories), and 730 feet (62-stories); and

WHEREAS, the proposed projects would contain 2,527,727 gross square feet (gsf) of residential space spread across 2,775 new residential dwelling units (DUs), 10,858 gsf of retail space, 17,028 gsf of community facility space, and would introduce, conservatively, more than 5,800 new residents to the project area; and

WHEREAS, the Two Bridges LSRD Draft Environmental Impact Statement (DEIS) was issued on June 22, 2018 and includes analysis, findings, and proposed mitigations that Community Board 3 considers inadequate;

THEREFORE, BE IT RESOLVED that Community Board 3 requests that the Lead Agency respond to, study further, and clarify the following:

WHEREAS, the identified purpose and need of the proposed actions hinges upon the advancement, through the creation of 694 affordable residential units, of a City-wide initiative to build and preserve 200,000 affordable residential units;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 does not find that the proposal for a mere 25 percent affordable units sufficiently advances this stated goal and purpose, and further finds that the introduction of an additional 2,081 market rate units and the substantial environmental impacts associated with these proposed actions place such a burden on the study area and Community District as to render the purpose null and in fact produce more severe and acute district needs; and

WHEREAS, the DEIS "Project Description" is insufficient in providing details of the specific minor modifications to the Two Bridges LSRD sites (Site 4A/4B, Site 5 and Site 6A) that constitute the proposed actions and exactly how they would enable the proposed developments to occur; and

WHEREAS, the DEIS only states that the minor modifications to the LSRD would "modify the approved site plans to enable the proposed developments to be constructed utilizing unused existing floor area," and it remains unclear what the unused existing floor area is and how it is being calculated;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the Lead Agency expand the description of the specific minor modifications being proposed and sufficiently detail the proposed modifications to the underlying Two Bridges LSRD site plan and zoning controls when describing the proposed actions; and

WHEREAS, the proposed actions to facilitate the developments are a deviation from previously approved Two Bridges LSRD plans and modifications, yet are being considered as minor modifications to the underlying LSRD controls pursuant to a determination by then City Planning Commission (CPC) Chair Carl Weisbrod, in a letter dated August 11, 2016, stating that the proposed modifications would not require new waivers and would not increase the extent of previously granted waivers due to compliance with governing criteria codified in Section 2-(6)(g)(5)(ii) of the Rule of the City of New York (RCNY); and

WHEREAS, despite this determination, in the same letter, CPC states in writing that "the development contemplated here is significant"; and

WHEREAS, Community Board 3 previously and explicitly requested that the CPC better explain and justify its decision on how the minor modification determination was made, both in a letter to the Department of City Planning (DCP) dated May 25, 2017 and at the public scoping meeting for the Two Bridges LSRD Environmental Impact Statement (EIS), held on May 25, 2017; and

WHEREAS, it remains unclear to Community Board 3 why guidelines in the RCNY for City Council Modifications would govern LSRD site planning and modifications proposed by private applicants; and

WHEREAS, there is nothing explicit in the RCNY, New York City Charter or the New York City Zoning Resolution (ZR) that requires the CPC to find that these proposed changes are minor modifications; and

WHEREAS, a number of prior Two Bridges LSRD site plan alterations made in years past, which constituted smaller changes, were not found to be minor modifications and instead required the granting of special permits and authorizations; and

WHEREAS, in the absence of further explanation, these findings appear to be arbitrary and capricious as well as precedent setting for City policy regarding special large scale development zoning provisions;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 again requests that the City clarify and explain in detail the aforementioned determination that the proposed actions constitute minor modifications to the Two Bridges LSRD; and

WHEREAS, it is unclear how the proposed actions, even if understood to be minor modifications, would comply with the ZR, particularly ZR § 78-313, outlining requirements for the authorization of minor modifications and requiring a number of prerequisite conditions for modification approval, including:

1) § 78-313 (a), which states that modifications should aid in achieving the general purposes and intent of the LSRD, including the facilitation of better site planning and the enabling of open space to be arranged to best serve active and passive recreation needs;

2) § 78-313 (b), which states that the distribution of floor area and dwelling units facilitated by a modification must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents;

3) § 78-313 (d), which states that modifications to the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion; and

4) § 78-313 (g), which states that modifications of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that the City clarify and expressly define how the proposed actions comply with these prerequisite conditions; and

WHEREAS, a number of Community Board 3 requests during the Two Bridges LSRD EIS Public Scoping period were left wholly unaddressed or insufficiently resolved upon issuance of the DEIS, including:

1) The request for an irregular study area shape for all analyses that extends further inland than a quarter-mile radius around the project sites, extending to Grand Street and following Bowery to Oliver Street and the East River shoreline;

2) The request for detailed explanation of the purpose and need of the proposed actions to justify the unprecedented scale of change being proposed in this specific area;

3) The request to disclose relocation plans for senior residents of the ten units at 80 Rutgers Slip, including how relocation costs will be addressed for those residents, the duration of time they will be relocated, where they will be housed and under what conditions, and what costs will be incurred and by whom. The Two Bridges LSRD Final Scope of Work for Preparation of a Draft Environmental Impact Statement

stated that the EIS would include a description of relocation plans for residents of 80 Rutgers Slip, yet the DEIS only indicates the applicant's intentions and does not disclose the details of the applicant's regulatory agreement with the U.S. Department of Housing and Urban Development (HUD), the details of which are necessary to understand the senior relocation plans;

4) The request to evaluate student generation for community facilities impacts more accurately, without lumping the entire borough of Manhattan together, and to instead be broken down by Community District or other sub-borough level of analysis to better reflect real-life conditions;

5) The request to study not only the size of businesses, but the populations that they serve and the choices those populations have if these businesses were to be displaced when analyzing indirect business displacement. As this analysis focuses on businesses that are "essential to the local economy," it must consider services for the linguistically isolated populations in this area;

6) The request to consider the unique impact of ride-hailing operations such as Uber when considering traffic impacts and determining the mode split for new residents, as they will likely not follow typical Manhattan patterns due to the proposed projects' distance from the subway and the projected median income of new residents;

7) The request to examine the adverse impacts that gentrification driven over-policing would have on existing low-income communities of color, particularly youth in the study area;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 reiterates these concerns and, again, requests they be addressed; and

WHEREAS, regarding public policy, there has been limited explanation as to how the CPC determined that the proposed actions constitute a minor modification to the existing LSRD, and without disclosure of when and how this policy was promulgated, it is assumed that the proposed actions themselves represent a significant material change to existing regulations and policy governing any and all future modifications to LSRDs, indicating that all future modifications will be considered to be "minor" if they do not need additional waivers; and

WHEREAS, if it is now in fact the CPC's position that all modifications to Large Scale special permits (including Large Scale Residential Developments, Large Scale General Developments, and Large Scale Community Facility Developments) in New York City may now be considered as "minor," without requiring Uniform Land Use Review Procedure (ULURP) if changes to the plan do not require further waivers, than that constitutes a significant change to the City's land use policy that needs to be evaluated; and

WHEREAS, the DEIS includes a questionable determination that the proposed actions are consistent with the overall development objectives of the Two Bridges LSRD; and

WHEREAS, the DEIS does not detail how long the regulatory agreements for the existing affordable units in the Two Bridges LSRD are for, nor does it disclose the terms of affordability, unit-type mix, and a definitive total number of new affordable units that would result from the proposed actions in the analysis of impacts on *Housing New York: A Five-Borough, Ten-Year Plan,* despite determining that the proposed actions would affirmatively advance this plan; and

WHEREAS, the DEIS does not consider impacts on the *NextGeneration NYCHA* plan, which includes development proposals for New York City Housing Authority (NYCHA) complexes within the ½-mile radius study area, including

La Guardia Houses, where infill is being proposed, and Smith Houses, where development has previously been considered;

WHEREAS, the DEIS does not consider impacts on and compliance with the Lower Manhattan Coastal Resiliency Project (LMCR) as prioritized in *One New York: The Plan for a Strong and Just City* despite the proposed projects proximity to the East River waterfront and location within the LMCR resiliency projects and waterfront improvement areas;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of applicable public policies insufficient and requests an expanded analysis that includes consideration of policy governing land use actions in LSRDs, more detailed consideration of consistency with *Housing New York: A Five-Borough, Ten-Year Plan*, and the addition of analysis of *NextGeneration NYCHA* and the LMCR Project; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a commitment to regular coordinating meetings with all appropriate agencies and stakeholders as an additional and necessary mitigation if non-compliance and adverse impacts related to the LMCR Project are identified; and

WHEREAS, regarding public policy, the DEIS does not sufficiently address the proposed actions consistency with a number of policies outlined in the City's *Waterfront Revitalization Program*, including:

1) Policy 1.2, requiring use and design features that enliven the waterfront and attract the public, as the DEIS identifies a number of private (not public) open spaces as examples of actions that will attract the public, as well as walkway improvements connecting to the waterfront adjacent to Site 5 without identifying if they will be publically accessible;

2) Policy 1.3, requiring adequate public facilities and infrastructure in coastal redevelopment, as the DEIS identifies that the proposed actions will produce unmitigated significant adverse impacts on community facilities, transportation and open space, resulting in inadequate public facilities and infrastructure, yet determines with little support that "With appropriate mitigation measures in place, it is assumed that public facilities and infrastructure would be adequate in the future With Action condition";

3) Policy 1.5, requiring the integration of climate change and sea level rise considerations into the planning of the proposed actions, as the DEIS identifies only protections against future flooding on the project sites, but does not disclose the proposed resiliency measures potential effects on the surrounding area, nor does the narrative even address climate change or sea level rise explicitly. In addition, such measures are not necessarily consistent with Policy 6, which requires that projects "minimize loss of life, structures, infrastructure, and natural resources caused by flooding." Policy 6 refers to not only the proposed project, but also the neighboring area. The DEIS discloses that the proposal includes, "structural considerations for stand-alone flood barriers or façades designed to be structurally resistant to flooding." These measures may protect this project, but could move flood waters from this area to other areas that are both less protected and which have structures that are less resilient than those proposed;

4) Policy 3.2, requiring the support and encouragement of recreational education and commercial boating, as the DEIS determines that the proposed actions are consistent with this policy only because they do not interfere with these potential activities, without identifying a proactive measure that encourages and supports such activities. This narrative is self-serving and technically incorrect, as the project is not consistent with this policy—it is simply not applicable;

5) Policy 4.8, requiring the maintenance and protection of living aquatic resources, as the DEIS does not consider the impacts on the fish and benthic community in the waters that will be shaded by the proposed developments;

6) Policy 6.1, requiring development to minimize losses from flood and erosion, as the DEIS does not explain how the proposed actions will address and minimize the potential for losses from flooding and coastal hazards in the surrounding area;

7) Policy 6.2 (d), requiring the identification of adaptive strategies to minimize losses from flood and erosion and requiring a description of how the project would affect the flood protection of adjacent sites, the DEIS does not at all explain how the proposed actions will address losses from flooding and coastal hazards in the surrounding area nor does it include any analysis in this determination, and simply states that "the proposed projects would not affect the flood protection of adjacent sites and would not conflict with other resilience projects currently under consideration in the area";

8) Policy 8.2, which requires the proactive incorporation of public access into new public and private development, as the DEIS does not identify how the proposed actions incorporate public access to the waterfront, only that they do not hinder it; and

9) Policy 9, requiring the protection of scenic resources that contribute to the visual quality of the New York City coastal area, as the DEIS determines that "the proposed projects would not obstruct views to the waterfront and the East River," yet does not include sufficient explanation, nor renderings and 3D drawings from areas upland of the development sites, from existing buildings in the LSRD, or from Brooklyn which clearly identify that the proposed actions would not obstruct views to prominent features such as the Manhattan Bridge and other bridges, the East River, and the Brooklyn waterfront;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of consistency with the *Waterfront Revitalization Program* in the DEIS to be insufficient and inaccurate, and requests detailed clarification of the aforementioned concerns; and

WHEREAS, regarding public policy, the DEIS does not consider a number of recent public policy initiatives, including but not limited to relevant policy on:

1) Fair Housing
On March 9th 2018, New York City Housing Preservation and Development (HPD) announced *Where We Live NYC*, a comprehensive fair housing planning process to study, understand, and address patterns of residential segregation. The DEIS does not include a discussion of fair housing in general nor how the proposed actions are consistent with the policy objectives of *Where We Live NYC,* or how any inconsistencies would be mitigated;

2) **Interbuilding Voids and Zoning**
In January 2018, Mayor de Blasio announced at a Town Hall on the Upper East Side that the City is developing policies that will address what are now known as "interbuilding voids." This was reiterated by the Mayor at a June 2018 Town Hall on the Upper West Side. An interbuilding void is a space in a building that may be nominally used for mechanicals or egress but which is largely empty space, devoid of residential, commercial or community facility floor area. One of the developments the proposed actions would facilitate (Site 4) has a large interbuilding void at the base that allows the building to rise

over an existing neighboring building. The DEIS does not discuss how this building will be consistent with DCP's changing policy on interbuilding voids or identify modifications or mitigations to ensure consistency with this policy. DCP's Manhattan Office has formed a working group that is developing policies that will prevent this building technique, and while these policies are not yet finalized, considering that DCP is the Lead Agency, the EIS should acknowledge the policy and how this building will be consistent with DCP's policy efforts; and

3) **Interbuilding Voids and Fire Safety and Operations**
On May 3, 2018, the Fire Department of the City of New York's (FDNY) Bureau of Operations cited both general and specific operational and safety concerns regarding a building planned with a 150-foot interbuilding void. One of the developments the proposed actions would facilitate has an interbuilding void that is larger than the one that caused the FDNY to express concern. It is therefore likely that they would have the same concerns with this proposed interbuilding void.[1] The DEIS does not analyze how this building will address the concerns the FDNY outlined as policy, despite §28-103.8 of the Building Code that allows the Commissioner of Buildings to deny a building permit based on such safety concerns;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the DEIS to be insufficient as the time between the close of the public scoping period and the issuance of the DEIS was excessive, lasting more than 12 months, and effectively limited the opportunity to incorporate any new policies promulgated in that period into the analysis scope; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of applicable public policies insufficient and requests an expanded analysis that includes consideration of City policy that was promulgated in the period between the public scoping comment period and the issuance of the DEIS; and

WHEREAS, regarding the analysis of socioeconomic conditions that looks at indirect business displacement, the DEIS concludes that the project would not result in significant indirect business displacement, yet it is reasonable that changing demographics in the study area could have a significant impact on local retail as new residents in the 2,081 private market DUs will have significantly higher incomes than current residents in the study area; and

WHEREAS, the DEIS identifies that in the past many predominantly Chinese businesses were in operation in the area (**Table 3-15**), with 20 out of 25 sites analyzed previously being the location of a predominately Chinese business, and with major turnover having occurred at eight sites, and medium turnover having occurred at six sites, the former and current retail in the area may uniquely serve a particular linguistically isolated population, and these retail businesses are particularly vulnerable to displacement despite the determination of no impact;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of indirect business displacement and the determination of no significant adverse impacts to be insufficient and inaccurate and

[1] The concerns the FDNY express are as follows:
- "Access for FDNY to blind elevator shafts… will there be access doors from the fire stairs.
- Ability of FDNY personnel and occupants to cross over from one egress stair to another within the shaft in the event that one of the stairs becomes untenable.
- Will the void space be protected by a sprinkler as a "concealed space."
- Will there be provisions for smoke control/smoke exhaust within the void space.
- Void space that contain mechanical equipment… how would FDNY access those areas for operations."

requests revised analysis, as well as the identification of adequate and detailed mitigation strategies if further significant adverse impacts are identified; and

WHEREAS, regarding the DEIS analysis of socioeconomic conditions that looks at indirect residential displacement, the definition of "vulnerable population" outlined in the *City Environmental Quality Review (CEQR) Technical Manual* limits the analysis to "privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rent," while excluding analysis of the market pressures on rent regulated units; and

WHEREAS, 88% of rental units in the study area are located in buildings that have received some form of government subsidy or have at least one unit protected by rent control, rent stabilization, or other government regulations; and

WHEREAS, this by no means indicates that 88% of all rental units in the study are protected—merely that they are located in a building where at least one unit is rent protected, yet the DEIS proceeds with this faulty assumption and excludes all residents of these buildings from consideration as a vulnerable population; and

WHEREAS, many actual rent regulated households in the study area have already experienced indirect displacement pressures and there has been a loss of 950 rent regulated units between 2007 and 2016 in the study area[2]; and

WHEREAS, recent research has documented a direct correlation between heightened housing market pressures and the loss of rent regulated units[3], and the Legal Aid Society's recent lawsuits against the City regarding the Bedford Union Armory and the East Harlem Neighborhood Rezoning have further documented this correlation; and

WHEREAS, despite the presence of rent regulated units, there were over 300 eviction cases filed in the study between January 2013 and June 2015, including 135 at 82 Rutgers Slip alone[4]; and

WHEREAS, the City has in fact acknowledged the reality that residents of rent regulated buildings can constitute a vulnerable population by launching the pilot program *Partners in Preservation*, with $500,000 in funding, to specifically protect rent-stabilized tenants from pressures generated by changes in market conditions; and

WHEREAS, without an analysis that includes an expanded vulnerable population which includes rent regulated tenants, as well as an accounting of government-subsidized buildings that are nearing the end of their regulated term agreements, and a consideration of the effect of proposed federal budget cuts on this regulated housing stock, then the City is continuing a trend of inadequate analysis and planning that undercounts the socioeconomic impacts of the proposed actions and all future actions; and

WHEREAS, the DEIS determines that the study area has already experienced a readily observable trend toward increasing house prices and changing characteristics of new residential development, and states that the proposed actions would not alter this trend, yet is not compelled by *CEQR Technical Manual* guidelines to conduct further analysis or identify mitigations;

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[2] As documented by data provided here: taxbills.nyc

[3] As documented by the data provided here: http://blog.johnkrauss.com/where-is-decontrol/

[4] As documented by data provided here: https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of socioeconomic impacts and the determination of no significant adverse impacts, as informed by *CEQR Technical Manual* guidelines, to be insufficient and inaccurate; and

THEREFORE, BE IT FURTHER RESOLVED that the Lead Agency and the City has a responsibility to the public to use the best reasonable methods for analyzing and mitigating impacts and disclosing those impacts and mitigation measures in an EIS; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests an expanded, detailed analysis of indirect residential displacement that considers market pressures on regulated units in the study area, including disclosure and analysis of eviction rates in the study area; disclosure and analysis of the amount of government-subsidized DUs in the area, including identification of those that are nearing the end of their regulatory agreements; and, if the revised data continues to show impacts, identify appropriate, adequate, and detailed mitigation measures; and

WHEREAS, regarding community facilities and services, a number of publicly-known projects are anticipated to be completed prior to and just after the proposed actions anticipated build year of 2021, including One Manhattan Square, which will add 1,020 new residential DUs to the study area; *NextGeneration NYCHA* residential infill at the La Guardia Houses campus, potentially including as many as 300 new residential units; Essex Crossing, which is will add 1,000 new DUs, 750 of which will be completed by 2021; and the proposed Grand Street Guild development which will add 400 new DUs at 151 Broome Street; and

WHEREAS, these developments are included in the analysis of public libraries but not in all analysis frameworks or proposed future scenarios considering impacts on community facilities and services;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds that without the inclusion of these publicly-known developments, the analysis framework for community facilities and services is insufficient and needs to be revised; and

WHEREAS, the DEIS examines the enrollment, capacity, available seats and utilization rates of public schools in both Community School District 1 (CSD1) and Sub-District 1 of CSD1, it is still uncertain the impact that the aforementioned additional DUs from other publically-known developments will have on public schools in the neighborhood; and

WHEREAS, the multipliers for student generation used to analyze impacts on public schools, as defined in the *CEQR Technical Manual,* are out-of-date and incorrect, drawing from the 2000 Census Public Use Microdata Sample (PUMS) file, data that is 18 years old; and

WHEREAS, this method is shockingly coarse, lumping together both neighborhoods within boroughs and unit types—suggesting for example, that a market-rate project with 300 studio apartments in Midtown would generate the exact same number of school children as a 100% affordable project with 300 3-bedroom units on Avenue D; and

WHEREAS, the conservative analysis scenario which does not include projected housing exclusively for use by seniors does represent the limitations of the proposed project accurately, as none of this senior housing is at this time guaranteed, and therefore does not reflect the full extent of child care and student impacts as the proposed actions are currently defined, and even with senior units excluded, the increase in utilization rises by more than 20% and the Sub-district would be at over 100% overutilization; and

WHEREAS, despite the inaccuracy of the analysis framework and student projection methodology, the DEIS still finds that the proposed actions would result in a significant adverse impact on public schools and publically funded child care facilities, for which no mitigations have yet been identified;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests an assessment of community facilities impacts using the most current and accurate data available, including multipliers generated from the most current American Community Survey data; the most recent school enrollment data (e.g. 2016-2017 data should be replaced with 2017-2018 data for the sub-borough area); assess overutilization within the Sub-District rather than on a District-wide level; eliminate the conservative analysis scenario which excludes housing exclusively for use by seniors, as it does not accurately describe the proposed projects' current unit mix; and, if the revised analysis continues to show impacts, provide appropriate, adequate, and detailed mitigation measures for overutilization in the Sub-District; and

WHEREAS, regarding shadows, the DEIS finds that out of 34 resources that will be affected by shadows, two—Cherry Clinton Playground and Lillian D. Walk Playground—would experience significant adverse shadow impacts; and

WHEREAS, the DEIS finds that the Cherry Clinton Playground will incur incremental shadows for more than two hours every day and for more than three hours in the summer months, and the health of the trees and playground property would be significantly affected by the shadows; Lillian D. Wald Playground will incur incremental shadow in the mid-afternoon for roughly two hours; Little Flower Playground will incur approximately five hours of incremental shadow; and Coleman Playground will incur more than two hours of incremental shadows in the morning in the summer months and nearly an hour in the spring and fall; and

WHEREAS, despite these significant adverse shadow impacts on crucial open space resources, the DEIS states only that mitigation measures for shadow impacts are being explored by the applicants and will be refined prior to the issuance of the FEIS; and

WHEREAS, the only mitigation measure identified thus far includes dedicated funding for enhanced maintenance at two playground sites;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that "dedicated funding for enhanced maintenance" be explicitly defined, including a detailed explanation of the amount of funding and length of time the dedicated funding will be provided, the regulatory agreement or restrictive declaration these funds will be secured through, and an explanation of how said funds will be used to mitigate the impact of irreversible shadow generation—including how "enhanced maintenance" will mitigate the irreversible loss of sunlight for vegetation, including cherry trees, and playground users; and

WHEREAS, the Greenstreet analysis is deficient in that it identifies "shade-tolerant and hardy plantings" without identifying what those plantings are;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests an inventory and identification of specific species, including a discussion and analysis of how much sunlight they need compared to how much sunlight they will receive under the proposed With Action conditions, with an evaluation of impacts based on this accurate and detailed inventory, as well as the identification of adequate and detailed mitigation strategies if further significant adverse impacts are then found; and

WHEREAS, there are significant omissions of many "sunlight sensitive resources" in the analysis. The following (***Figure 1***) is a reproduction of the map of the Tier 1 and 2 Assessment. The legend shows that the green areas are "Publicly Accessible Open Space" (as identified in DEIS Figure 6.1)

Figure 1 - Reproduction of DEIS Figure 6.1

In fact, when the areas shown in green are compared with New York City's Geographic Information System (GIS), they align perfectly with the layer labeled "Parks." Unfortunately, this layer does not contain all "publicly accessible open spaces" that will be impacted by the project. This layer omits many non-park publicly accessible open spaces, all of which are sunlight sensitive resources according to the definition in the *CEQR Technical Manual*; and

WHEREAS, the Two Bridges area was remade during urban renewal and not only contains many New York City parks, but also many additional publicly accessible open spaces that have the potential to be adversely impacted by shadows; and

WHEREAS, the following image (***Figure 2***) shows the magnitude of this difference by showing all the publicly accessible open space identified in New York City GIS's Open Space layer, on top of the DEIS's Tier 1 and 2 Assessment map. The areas identified by the GIS as non-park open space are shown in dark green below:

Figure 2 - Reproduction of DEIS Figure 6.1 altered to show NYC identified publicly accessible open spaces in dark green

The elements in dark green that are not studied in the DEIS include ballfields, school yards and school playgrounds, including PS 2 Yard/Playground, Murry Bergtraum Softball Field, Shuang Wen School Yard with Playground, Orchard Collegiate School Yard, a ball court at NYCHA La Guardia Houses, and tennis courts adjacent to the Cherry Clinton Playground; and

WHEREAS, this may not be all of the shadow sensitive resources as defined by the CEQR *Technical Manual*, as seen in the following (***Figure 3***), which reproduces altered DEIS Figure 6.1 and adds Community Gardens. The Community Garden data set is coarser, as it includes portions of lots that are not shadow sensitive, but this provides more evidence that even more receptors identified by the *CEQR Technical Manual* have been omitted from the analysis:

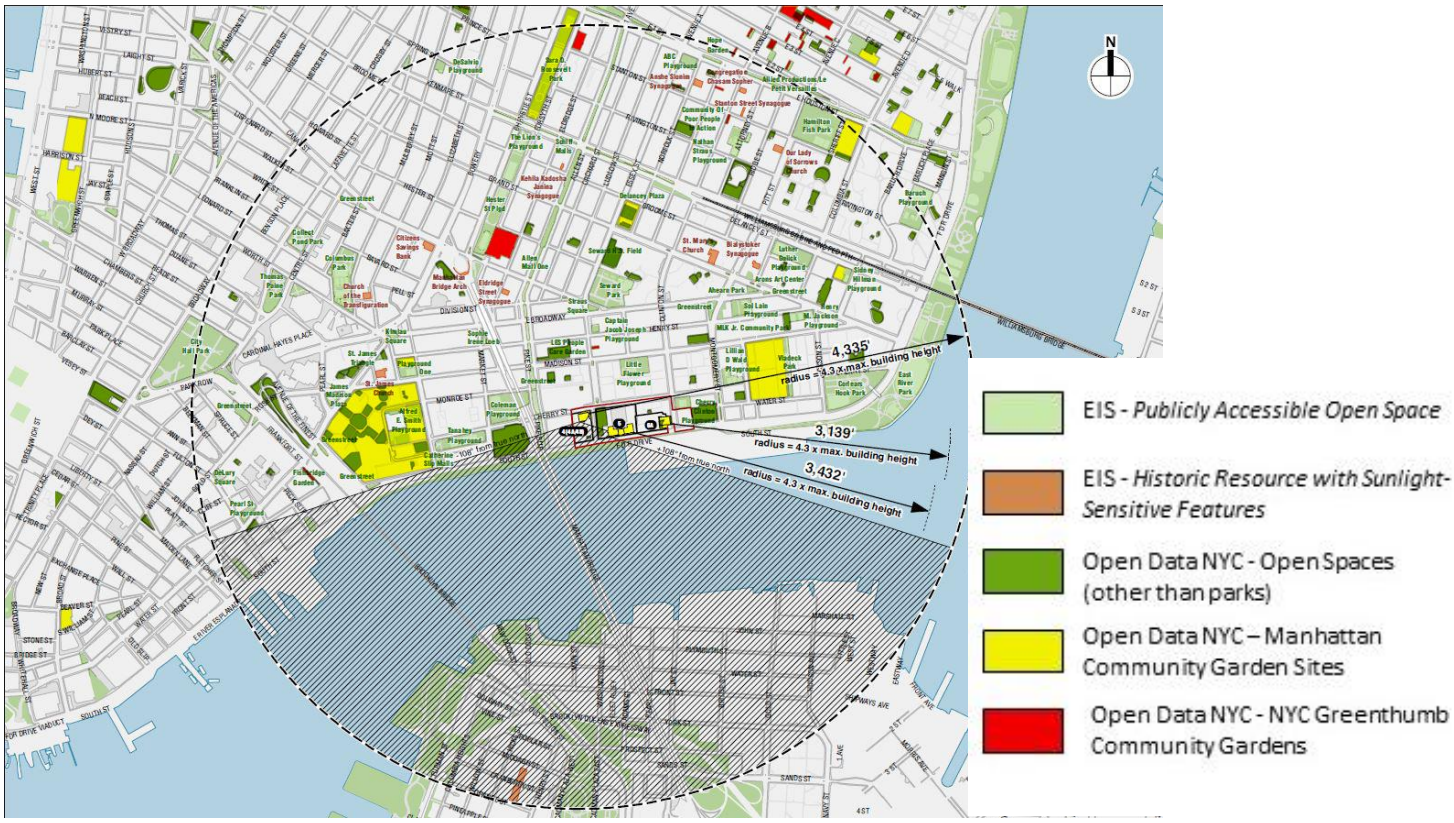

Figure 3 - Reproduction of DEIS Figure 6.1 altered to show publicly accessible open spaces and community gardens not studied in the DEIS

WHEREAS, taken together this data suggests that the DEIS could be missing as many as 41 sunlight sensitive resources in the study area: eight community gardens, and 33 publicly accessible open spaces. It is likely that not all of these sites are sunlight sensitive, but a quick review suggests that most of them are, and should have been included in the analysis; and

WHEREAS, it is likely that the above *still* underestimates the amount of publicly accessible open space that will have shadow impacts, as for example, most of the qualifying residential open space at the NYCHA La Guardia Houses *functions* as publicly accessible open space and has been functioning as publicly accessible open space for decades; and

WHEREAS, the *CEQR Technical Manual* instructs that sunlight sensitive resources include, "[a]ll public open space as identified in *Chapter 7*, 'Open Space,'" and *Chapter 7* instructs that 'Open Space' includes: "housing complex grounds, if publicly accessible,"; and

WHEREAS, the grounds at La Guardia Houses are open from the sidewalk and freedom of movement between the neighborhood and the open space is not impeded, and they are owned by a public authority, the areas used for recreation and green spaces should have been identified as a sunlight sensitive resource, as they are very large and are located directly to the north of the proposed project, thus experiencing some of the largest shadow impacts; and

WHEREAS, the DEIS does not evaluate shadow impacts on any NYCHA open spaces, and preliminary shadow analyses conducted by both the Municipal Art Society of New York (MAS) and George M. Janes & Associates have identified this significant shortcoming; and

WHEREAS, a demonstration of the magnitude of this omission prepared by George M. Janes and Associates is included as *Appendix A* to this document; and

WHEREAS, MAS has further identified that the proposed actions would generate shadow impacts on open spaces at:

1) The Rutgers Houses for approximately three hours daily during the May 6 and September 21 evaluation periods; and

2) The La Guardia Houses for approximately 7 hours daily during the May 6 and September 21 evaluation periods; and

WHEREAS, privately owned open spaces are exempt from shadow impact analysis under CEQR guidelines, yet the proposed actions inclusion of private open space to mitigate adverse impacts suggests that an evaluation of the shadow impacts on Rutgers Park would be appropriate, as again according to MAS analysis, it would also be impacted by shadows generated by the proposed actions for a significant portion of the day during both the May 6 and September 21 evaluation periods;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests expanded and corrected shadow analysis that includes all publically accessible open spaces, NYCHA open spaces, and private open spaces impacted in the study area, and the identification of adequate and detailed mitigation strategies if further significant adverse impacts are then found; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that mitigation measures be identified for all impacted sites; and

WHEREAS, regarding urban design and visual resources**,** the overall analysis framework for urban design is insufficient and requires a more robust level of analysis; and

WHEREAS, a number of view corridors and visual resources will be irreparably changed under the proposed With Action conditions, yet the DEIS does not identify changes to these resources that would trigger a determination of significant adverse impact; and

WHEREAS, a number of the With Action/No Action visual comparisons are not presented from the same vantage point and do not present buildings with enough contrast to disclose actual impacts, including DEIS images 50a and 50b, images 51a and 51b, 53a and 53b, and 56a and 56b; and

WHEREAS, a number of comparative photosimulations between existing conditions and proposed conditions show a different aspect ratio, shading, and colors of building and sky; and

WHEREAS, the proposed conditions will not change the color of the sky, remove shadows from the street, or lighten the color of the facades of existing buildings, making these images misleading and contrary to best practices in the production of photosimulations for environmental review; and

WHEREAS, conclusions in the urban design and visual resources analysis minimize visual impacts and justify determinations based primarily on comparisons and consistency with a single building, One Manhattan Square, without comprehensively assessing the totality of cumulative impacts the proposed actions will have on the study areas; and

WHEREAS, the DEIS claims that the project will "not eliminate any significant publicly accessible view corridors or completely block public views to any visual resources,"

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests revised With Action/No Action visual comparisons that accurately presents visualizations from the same perspective; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a revised analysis with a threshold for findings of significance that uses *impairment* of the quality of a viewpoint, rather than the *complete blockage* threshold to identify significant adverse impacts on visual resources; and requests the identification of adequate and detailed mitigation strategies if further significant adverse impacts are then found; and

WHEREAS, the DEIS makes assertions about wind conditions without presenting any data to support those assertions, stating that a study was performed that found the conditions the proposed projects would create would be "similar to those at comparable locations in the City,"

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of this study, including the identification of comparable locations in the City, the safety of wind conditions for pedestrians, the comfort of wind conditions for pedestrians, and if significant adverse impacts are found, the identification of adequate mitigation measures, including the potential placement and number of marcescent trees that would be needed, and how effective such mitigation measures would be; and

WHEREAS, regarding natural resources, the DEIS describes how nighttime migratory bird collisions are more likely to occur on buildings above 656 feet; and

WHEREAS, despite the fact that the proposed developments are between 730 feet and 1,008 feet tall, and despite the fact that the DEIS clearly identifies that the buildings would intersect the strata of airspace in which migrating birds most commonly fly—increasing the risk of bird collision—the DEIS ultimately downplays the impacts of the proposed development on bird collisions; and

WHEREAS, the DEIS describes methods (patterned or fritted glass) by which the proposed developments could reduce bird collisions which are being considered by the applicants, it does not indicate that any of these methods will be implemented;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of the design features being considered as well as their intended impacts and confirmation of the applicants' commitment to implementation; and

WHEREAS, regarding water and sewer infrastructure, the DEIS concludes there will not be an impact on either the City's water supply or sewage treatment systems, yet the DEIS does identify impacts on the drainage system during heavy rain events; and

WHEREAS, the DEIS identifies that the volume of sanitary sewage sent to combined sewer systems will more than double in the With Action scenario, with up to an additional 588,000 gallons flowing into the combined

sewer system in the heaviest rainfall scenarios, and indicates that storm water Best Management Practices (BMPs) would be required as part of the New York City Department of Environmental Protection (DEP) site connection approval process, the DEIS does not identify any concrete mitigation measures; and

WHEREAS, the project sites are within a combined sewer drainage area, where regulators permit up to a certain amount of "allowable flow" that the system can handle to go to large interceptor sewers that direct the combined wastewater to a wastewater treatment plant, and where, to avoid overloading a Waste Water Treatment Plant (WWTP) when the system contains more than the allowable flow, coastal outfalls can discharge the excess amount into local waterways rather than directing them to the WWTP; and

WHEREAS, given the realities of climate change and the estimation by DEP that New York City could potentially experience as much as 3.0 inches/hour of rainfall by 2065, and the fact that DEP already identified the spillage of more than 18 million gallons of raw sewage across 26 CSO events in 2016 at the outfall serving the combined sewer system in question; and

WHEREAS, during a high tide or storm surge event, river water can quickly enter the wrong end of an outfall with great force and fill nearby sewers to capacity, causing flooding that is difficult to mitigate and which could render the local drainage system useless, potentially causing the precipitation and sanitary sewage in the local drainage system to backup and surcharge into streets and properties; and

WHEREAS, the project sites and the local combined sewage drainage area are naturally vulnerable to many types of flooding as they are low lying and next to the coast, and during a storm event the drainage areas low lying points may need to simultaneously manage the compounded impacts of tidal flooding, extreme rainfall, sanitary sewage generation, and storm surge, resulting in a heightened and disastrous flood risk; and

WHEREAS, the proposed actions would result in total on-site sewage generation of 820,429 gallons per day (gpd), 3.30 times the volume of current sanitary sewage generation, resulting in that much less space for the local drainage area to simultaneously manage storm water during flash or tidal flooding, or a coastal storm event;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that to most clearly show the impacts of the anticipated increase in sanitary sewage on the local combined sewer drainage area, the principal conclusions in this analysis should include and represent these incremental increases as percentage values to illustrate the relative change in volume as measured in **Table 11-5**; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the analysis of scenarios that would be considered flash flooding or greater by the National Weather Service (NWS) (identified as rainfall of at least *1.0 to 1.5 in over 1 hour) in order to accurately assess and disclose the capacity of* drainage systems during heavy rain and coastal flooding events which the area is naturally predisposed to; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further revised analysis of infrastructural capacity and the identification of adequate and detailed mitigation strategies if further significant adverse impacts are identified; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests identification and disclosure of the BMPs that would be included in the proposed actions; and

WHEREAS, regarding transportation, 15 intersections are identified in the DEIS as having potential for significant adverse impacts under the proposed actions and a number of these have no proposed mitigation measures, including the intersections of South Street and Montgomery Street, and Chatham Square and Worth Street/Oliver Street; and

WHEREAS, the signal timing changes and lane restriping that is being proposed to mitigate impacts at the remaining 13 intersections are subject to New York City Department of Transportation (DOT) approval and the potential for unmitigated traffic impacts at these locations remains;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full mitigation of all identified traffic impacts, as well as disclosure of proposed signal timing changes and lane restriping plans with approval from DOT; and

WHEREAS, the DEIS estimates that only 1,069 vehicle trips to and from the area will be generated as a result of development despite the anticipated addition of over 2,000 market-rate residential DUs; and

WHEREAS, the DEIS does not disclose any substantial explanation of the methodology for calculating the impacts of the growing ride-hailing industry or the impacts of online-based vendor deliveries to the area, both of which may have an elevated impact in the study area under the proposed With Action conditions due to the higher anticipated income of new residents; and

WHEREAS, for travel demand assumptions, data was drawn from the Seward Park Mixed Use Development Project, which included a unique housing model with 50% of DUs set-aside as permanently affordable; and

WHEREAS, the study area has fewer mass transit options than are available in the Seward Park Mixed Use Development Project area; and

WHEREAS, due to these differences, assumptions from the Seward Park Mixed Use Development Project should not be applied to the proposed actions, as it can safely be assumed that higher income residents will have higher rates of car ownership and limited access to public transit will generate more automobile trips;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a revised estimation of vehicle trips generated with these potentially elevated impacts and ride-hailing impacts included; and

WHEREAS, the DEIS finds that the addition of more than 5,800 new residents to the area, with limited subway access, would not generate incremental bus trips at a level requiring detailed bus line-haul analysis and determines that the proposed actions would not significantly impact bus line-haul;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that a detailed bus line-haul analysis be conducted to address the unique conditions in the study area, including limited access to subway lines, that would differ from the standard Travel Demand Assumptions outlined in the *CEQR Technical Manual* regarding modal splits; and

WHEREAS, the DEIS finds that the addition of more than 5,800 new residents to the area as a result of the proposed actions would not significantly impact subway line service; and

WHEREAS, the DEIS analysis assigned only 5% of trips to the B-line and D-line Grand Street subway station and 95% of trips to the F-line East Broadway subway station, with limited explanation of the methodological decision; and

WHEREAS, anticipated MTA New York City Transit repairs to the Rutgers Tube slated for 2022 are expected to limit F-line service at the East Broadway subway station just after the proposed actions projected build year; and

WHEREAS, the only significant adverse impacts identified are for the F-line East Broadway subway station S1 stairway during weekday AM and PM peak hours, and the P3 stairway for the weekday AM peak hour, and therefore the only mitigations proposed are station accessibility and circulation-based; and

WHEREAS, the conceptual engineering studies for these mitigations have at this time been performed and are described as feasible in the DEIS, yet the details of these studies have not been disclosed and the potential for these adverse impacts to be unmitigated remains;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that subway line haul methodology and trip generation methodology be refined to more accurately reflect use patterns the proposed actions will influence, as well as reflect publically-known service interruptions that are expected to impact transit in the study area; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests any conceptual engineering and feasibility studies for mitigation measures be disclosed; and

WHEREAS, the following intersections were highlighted in the DEIS as having been the site of ten or more injuries during the study period between November 1, 2013 and October 31, 2016, including:

- Allen Street and Canal Street - 16
- Allen Street and Delancey Street - 37
- Allen Street and Division Street - 10 (1 fatality)
- The Bowery and Canal Street/Manhattan Bridge - 81
- Chatham Square/Park Row and Worth Street/Mott Street - 10
- Pike Street and East Broadway - 13
- Pike Street and Madison Street - 12
- Rutgers Slip and South Street - 11 (1 fatality); and

WHEREAS, the DEIS indicates that none of these intersections were found to have design deficiencies, yet a number of the intersections, such as Chatham Square/Park Row and Worth Street/Mott Street are very difficult to navigate and involve several turning movements and pedestrian crossings, which belies the relatively low number of accidents (10); and

WHEREAS, the DEIS determined that traffic impacts at Chatham Square/Park Row and Worth Street/Mott Street, as well as at the intersection of South Street and Montgomery Street, could not be mitigated;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further study of these intersections and requests a proposal for redesign as a necessary mitigation of the anticipated adverse impact; and

WHEREAS, the DEIS has identified significant parking shortfalls that will result from the proposed actions, yet the *CEQR Technical Manua*l does not designate parking shortfalls in the borough of Manhattan as constituting a significant adverse impact due to the magnitude of available alternative modes of transportation; and

WHEREAS, the study area in fact lacks a significant magnitude of alternative modes of transportation as exemplified by the transit analysis trip generation methodology that identifies 95 percent of residents in the study area are likely to use a single subway station and line, the F-line at the East Broadway subway station;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further study of these parking shortfalls and a reconsideration of the mitigation standards typically applied to Manhattan actions due to the unique circumstances of limited public transit access in the study area; and

WHEREAS, regarding the analysis of neighborhood character, half the study area is in the East River, which does not make a reasonable study area for neighborhood character; and

WHEREAS, the analysis of neighborhood character is self-serving and could be much more easily argued from the opposite position, as the reduction in open space ratio, the major increase to private open space usage, shadows, visual resources, land use/zoning policy, and changes in the socioeconomic conditions the proposed actions would facilitate, would create significant changes in neighborhood character; and

WHEREAS, the DEIS states that "the proposed actions would not result in significant adverse impacts associated with neighborhood character," the proposed actions will certainly *change* neighborhood character;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of changes in neighborhood character, and a detailed and specific explanation of how these changes in neighborhood character do not constitute significant adverse impacts; and

WHEREAS, regarding construction impacts, a large number of significant adverse construction-period traffic impacts, parking shortfalls during peak construction, and construction-period noise impacts will remain unmitigated; and

WHEREAS, study area residents have already endured unmitigated construction impacts during the construction period of the adjacent One Manhattan Square project; and

WHEREAS, the DEIS does not provide sufficient details about the mitigation measures to be employed during the projects' stated 30- to 36-month construction period;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a full disclosure of all mitigation plans and a detailed explanation of:

1) The process by which communication with the community would occur, including procedure for delivering construction updates and disclosure of dedicated hotline information;

2) Maintenance and Protection of Traffic (MPT) plans for temporary sidewalks, street closures, etc. during the entire construction period;

3) Pest management strategies that would be employed at the project sites during the construction period;

4) Emissions reduction strategies and best practices that would be employed during the construction period;

5) Specific noise control measures being proposed; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a commitment to regular coordinating meetings with all appropriate agencies and stakeholders as an additional and necessary mitigation; and

WHEREAS, during the construction period, 10 DUs in 80 Rutgers Slip would be removed and replaced in the new Site 4 (4A/4B) building, and an additional nine DUs in 80 Rutgers Slip would be renovated, resulting in the relocation of approximately 19 senior residents of 80 Rutgers Slip during the construction period; and

WHEREAS, approval for this relocation plan must be granted by HUD, and has thus far not included any consultation with the Community Board or local elected officials, nor has the regulatory agreement or relocation plan been disclosed in the DEIS;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of any regulatory agreements and relocation plans for the approximately 19 senior residents at 80 Rutgers Slip; and

WHEREAS, the only alternatives to the proposed actions that are considered in the DEIS are the required No Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative; and

WHEREAS, a Lesser Density Alternative was considered but ultimately excluded, citing that the reduction in density would significantly reduce the amount of permanently affordable housing delivered by the proposed actions and thus compromise the project description and objectives; and

WHEREAS, despite these findings, the total number of affordable units is not inherently contingent on project density or mitigation of environmental impacts;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a full consideration of at minimum, a Lesser Density Alternative, as well as any other reasonable alternatives that could reduce adverse environmental impacts; and

WHEREAS, the *CEQR Technical Manual*, and specifically the guidelines for the analysis of indirect residential displacement, are so insufficient and flawed that to evaluate and propose specific mitigations based on these findings would be inadequate and represent a dangerous level of irresponsible planning; and

WHEREAS, despite the flawed analysis of indirect residential displacement impacts, it is clear that in reality the proposed actions represent a type of large-scale, majority market rate waterfront development that has been documented to result in widespread residential and commercial displacement in other neighborhoods such as Greenpoint-Williamsburg; and

WHEREAS, the proposed actions introduction of a limited amount of regulated units at rental levels that far exceed real affordability for the majority of area residents, and over 2,000 market rate units will likely generate similar widespread indirect residential displacement in the absence of substantial changes to the proposed actions or comprehensive mitigations; and

WHEREAS, the provision of a limited number of rent regulated apartments at rental levels that far exceed real affordability for the majority of area residents does not in itself begin to appropriately mitigate this anticipated indirect residential displacement;

THEREFORE, BE IT RESOLVED that Community Board 3 requests a meaningful and accurate analysis of indirect residential displacement and the full and appropriate mitigation of all accurately identified impacts; and

WHEREAS, in addition, the proposed actions would likely result in significant adverse impacts to publically funded child care facilities, open space, shadows, traffic, transit, pedestrians, and noise during the construction period; and

WHEREAS, a number of these impacts, including shadows at Cherry Clinton Playground and Lillian D. Wald Playground; traffic impacts at the intersection of South Street and Montgomery Street and the intersection of Chatham Square and Worth Street/Oliver Street; and construction-period noise, would go unmitigated; and

WHEREAS, a number of mitigations are either wholly unidentified or lacking in substantive detail, and are anticipated to be defined between the current time and the completion of the FEIS, including mitigation measures for significant adverse impacts on public elementary school utilization rates and publicly funded child care facilities;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that all significant adverse impacts be fully mitigated and that no impacts be left unmitigated in the FEIS; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the proposal to define mitigations during the period between the issuance of the DEIS and the completion of the FEIS to be insufficient, as it denies the Community Board and the public an opportunity to fully review, vet, and comment on significant and necessary mitigation proposals prior to the CPC vote on the project applications; and

WHEREAS, the currently proposed square footage for community facilities outlined in the DEIS project description would not be adequate to accommodate the necessary mitigations for public school or child care facility impacts and no off-site locations have yet been identified; and

WHEREAS, the DEIS states that Restrictive Declarations for the proposed projects will be adopted requiring consultation with the New York City Administration for Children's Services (ACS) to mitigate publically funded child care facilities impacts, but no such Restrictive Declaration has been disclosed;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the identification of sites for the proposed public school and child care facility mitigations prior to the issuance of the FEIS; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the disclosure of written commitments and/or Restrictive Declarations for any mitigations of publically funded child care facilities; and

WHEREAS, a number of identified mitigations are expected to be further refined between the current time and the completion of the FEIS, including proposals for the dedication of publically accessible open space at Rutgers Slip, and the renovation of existing open spaces at Coleman Playground, Captain Jacob Joseph Playground, and Little Flower Playground; funding enhanced maintenance at Cherry Clinton Playground and Lillian D. Wald Playground; signal timing changes and lane restriping at 13 intersections; the installation of a new subway

entrance, platform widening, and the installation of ADA-compliant elevators at the F-line East Broadway subway station; and timing changes and crosswalk widening at several intersections;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the proposal for refinement of any identified mitigations during the period between the issuance of the DEIS and the completion of the FEIS to be insufficient, as it denies the Community Board and the public an opportunity to fully review, vet, and comment on significant and necessary mitigation proposals prior to the CPC vote on the project applications; and

WHEREAS, in each case where mitigations were identified, they may include significant public actions and costs, and are contingent on consultations with a number of City agencies as well as the findings of conceptual engineering and feasibility studies that have either not yet been conducted or are not included in the DEIS, and therefore there is a real potential for no mitigation of any identified adverse impacts; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the disclosure of written commitments and/or Restrictive Declarations for any major capital improvements to transportation infrastructure that are being proposed as mitigations; and

WHEREAS, the ratio of open space acres per 1,000 residents in the already underserved study area would decrease from 0.897 under the No Action condition to 0.831 under the
With Action condition; and

WHEREAS, the proposed mitigations for the loss of open space include the dedication of publically accessible but private open space at Rutgers Slip; the renovation of existing open spaces at Coleman Playground, Captain Jacob Joseph Playground, and Little Flower Playground; and funding enhanced maintenance at Cherry Clinton Playground and Lillian D. Wald Playground; and

WHEREAS, the proposed public space at Rutgers Slip is actually private space which serves as the entrance way to the residential building at 82 Rutgers Slip and the residents have expressed seious safety concerns with converting this into a public plaza;; and

WHEREAS, funding for existing open space renovations is not a sufficient mitigation for the loss of open space or the impact of shadows on vegetation and playground use; and

WHEREAS, despite the significant shadow impacts on crucial open space resources, the DEIS states only that mitigation measures for shadow impacts are being explored by the applicants and will be refined prior to the issuance of the FEIS; and

WHEREAS, there has been no disclosure of how these specific playgrounds have been selected for mitigation;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests assurances that proposed open space mitigations would be completed, including written commitments and/or Restrictive Declarations for any major capital improvements; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further explanation of the justification, decision-making, public outreach, and agency consultations that went into the selection of proposed open space and shadow mitigation locations; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of the details, including amount and length of commitment, for the funding of enhanced maintenance that is proposed as a shadow impact mitigation; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further explanation of the rationale behind enhanced funding being able to functionally mitigate the permanent imposition of shadows on vegetation and playground use; and

WHEREAS, there is no timetable or cost estimate provided for the F-line East Broadway subway station mitigation proposals, nor is there any evaluation of the impacts on subway line-service, traffic, and pedestrian circulation during the construction period; and

WHEREAS, there is no timetable or cost estimate for proposed parks renovations, nor disclosure of proposed temporary park closures and the temporary impact on open space ratio during that would occur during any renovation construction period;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further analysis of the construction impacts that an East Broadway subway station renovation would have on subway-line service, traffic, and pedestrian circulation during the construction period; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the disclosure of project timelines and cost-estimates for all proposed mitigations identified in the DEIS and FEIS; and

WHEREAS, regarding growth-inducing aspects of the proposed actions, the DEIS finds that the proposed projects are not expected to induce any significant additional growth beyond that identified the project description and analyzed throughout the EIS; and

WHEREAS, the proposed actions are anticipated to introduce more than 5,800 new residents and 2,081 market-rate DUs to the primarily low- and middle-income, and predominantly rent-regulated Two Bridges LSRD; and

WHEREAS, development in general, and the introduction of unregulated DUs, has never previously occurred on this scale in the Two Bridges LSRD; and

WHEREAS, a number of soft-sites would remain in the Two Bridges LSRD after the completion of the proposed actions, including significant unused floor area ratio (FAR) at Site 6B and Site 7, including parking lots and open spaces, as well as in the immediate adjacent area, including the Con Edison site at 220 South Street and open spaces on NYCHA properties at the La Guardia Houses, Rutgers Houses, and Smith Houses;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 questions the determination that the proposed projects are not expected to induce any additional growth and requests further and refined analysis of the growth-inducing aspects of the proposed actions;

WHEREAS, regarding irreversible and irretrievable commitments of resources, the DEIS does not evaluate and disclose the irreversible and irretrievable loss of visual resources from the proposed action sites as well as visual resources from upland and from Brooklyn; and

WHEREAS, the DEIS identifies additional resiliency measures the proposed actions would contribute to the area, it does not consider the irreversible and irretrievable loss of permeable surfaces, as well as the loss of trees and other vegetation from shadow impacts, that can function to absorb rain and flood waters;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further detailed analysis and disclosure of these additional irreversible and irretrievable commitments of resources; and

WHEREAS, overall, the DEIS displayed a lack of responsiveness to Community Board 3's comments on the Draft Scope of Work; and

WHEREAS, given the potential change in CPC policy regarding the approval process for modifications to Large Scale special permits that the proposed actions represents, in which ULURP is not triggered as long as proposals do not require further waivers; and

WHEREAS, recommendations by community boards for Large Scale developments and special permits granted by the CPC and City Council during ULURP are typically made with the understanding that even though a project may receive zoning waivers, other "trade-offs" can make those waivers more acceptable, which is fundamental to the land use decision-making process in New York City, especially at the community board level; and

WHEREAS, the CPC's determination that the proposed significant development should classified as a minor modification to the Two Bridges LSRD plan, suggests that applicants can always come back after special permits and waivers have been granted and build out projects with no community board review, as long as no additional waivers are sought; and

WHEREAS, this change brings into question every Large Scale special permit issued since 1961, as participants in the ULURP process, including community boards, are not likely to have made the same decisions regarding all Large Scale special permits if they understood that they would not have an opportunity to review the plans again even when significant amendments were being made; and

WHEREAS, there is no evidence that buildings even close to the scale proposed were discussed during any hearings or deliberations made by Community Board 3 prior to making recommendation on the granting of previous special permits for Large Scale Residential Development in Two Bridges;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that the minor modification determination be reconsidered and the proposed actions be subject to ULURP, as anything less undermines established community planning precedent and the role of community boards in the land use planning process in New York City; and

WHEREAS, the methodology guiding the DEIS analysis as outlined in the *CEQR Technical Manual* is inherently flawed and appears to have a strong bias against any finding of significant impact, regularly producing analysis across numerous study areas that is both inadequate and does not begin to capture the actual impact on the environment as required under State law; and

WHEREAS, the DEIS, as currently constituted, includes a large number of serious omissions, misrepresentations and errors, and ultimately does not fully disclose all the proposed actions' significant impacts; and

WHEREAS, given the methodological shortcomings and the large number of serious omissions, misrepresentations, and errors, the Lead Agency should not have accepted this DEIS as complete;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that the omissions, misrepresentations and errors outlined here be corrected in a Supplemental DEIS which includes appropriate, adequate, and detailed mitigation measures for all identified impacts; and

THEREFORE, BE IT FURTHER RESOLVED that if a Supplemental DEIS is not issued, than Community Board 3 requests that all the aforementioned requests for the correction of omissions, misrepresentations and errors be included in the FEIS.

APPENDIX A

Prepared for Manhattan Community Board 3 by George M. Janes & Associates

To demonstrate the magnitude of the omissions in the sunlight sensitive resources, we have prepared a series of images starting with the March 21, 10am shadow rendering that appears in the DEIS ***(Figure 4).*** The two areas marked in red are incremental shadows on shadow sensitive resources as identified in the DEIS:

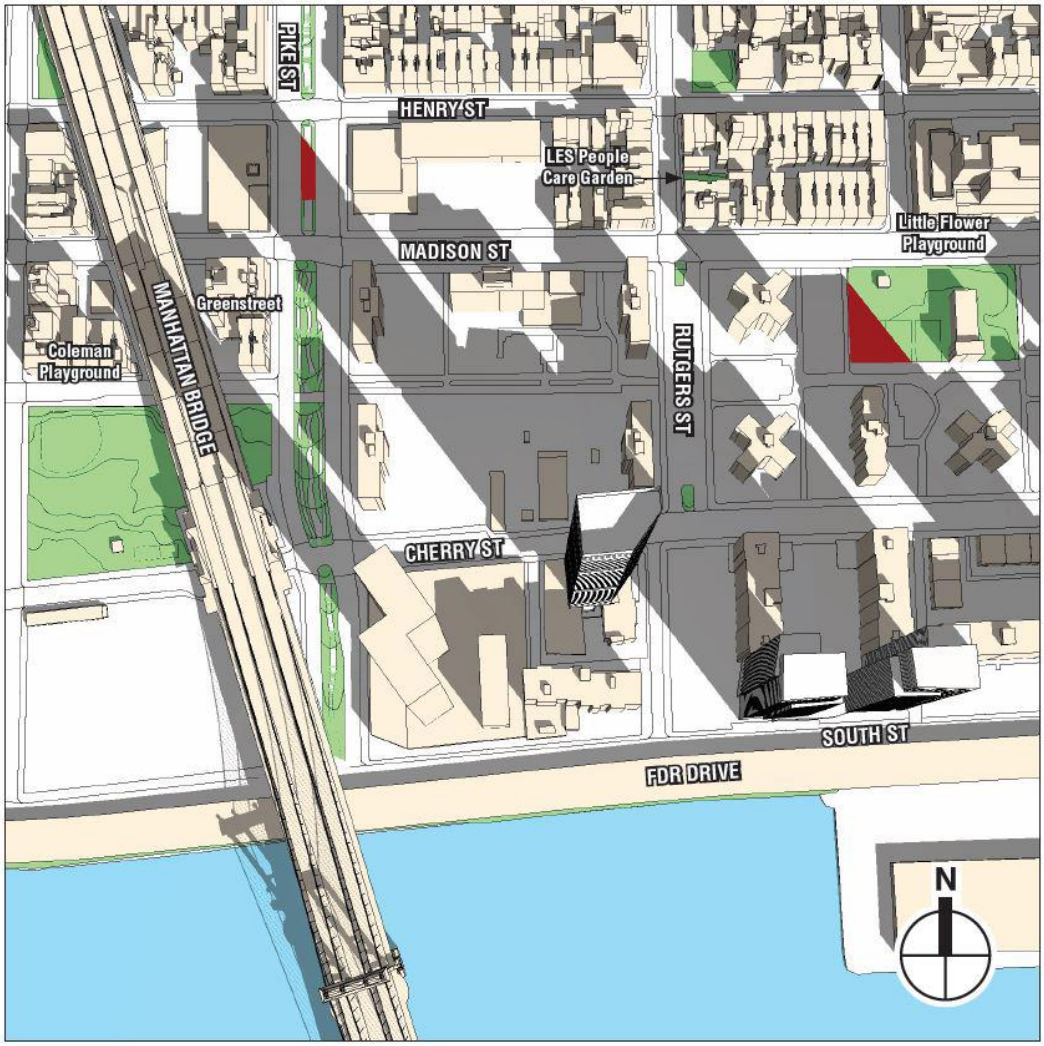

Figure 4 - Reproduction of March 21, 10am shadow rendering

The above omits several sunlight sensitive resources. The following is a plan for this area showing both the resources identified in the DEIS and publicly accessible open spaces added from New York City's GIS (***Figure 5***). The resources in the DEIS are in light green and the resources added are in dark green:

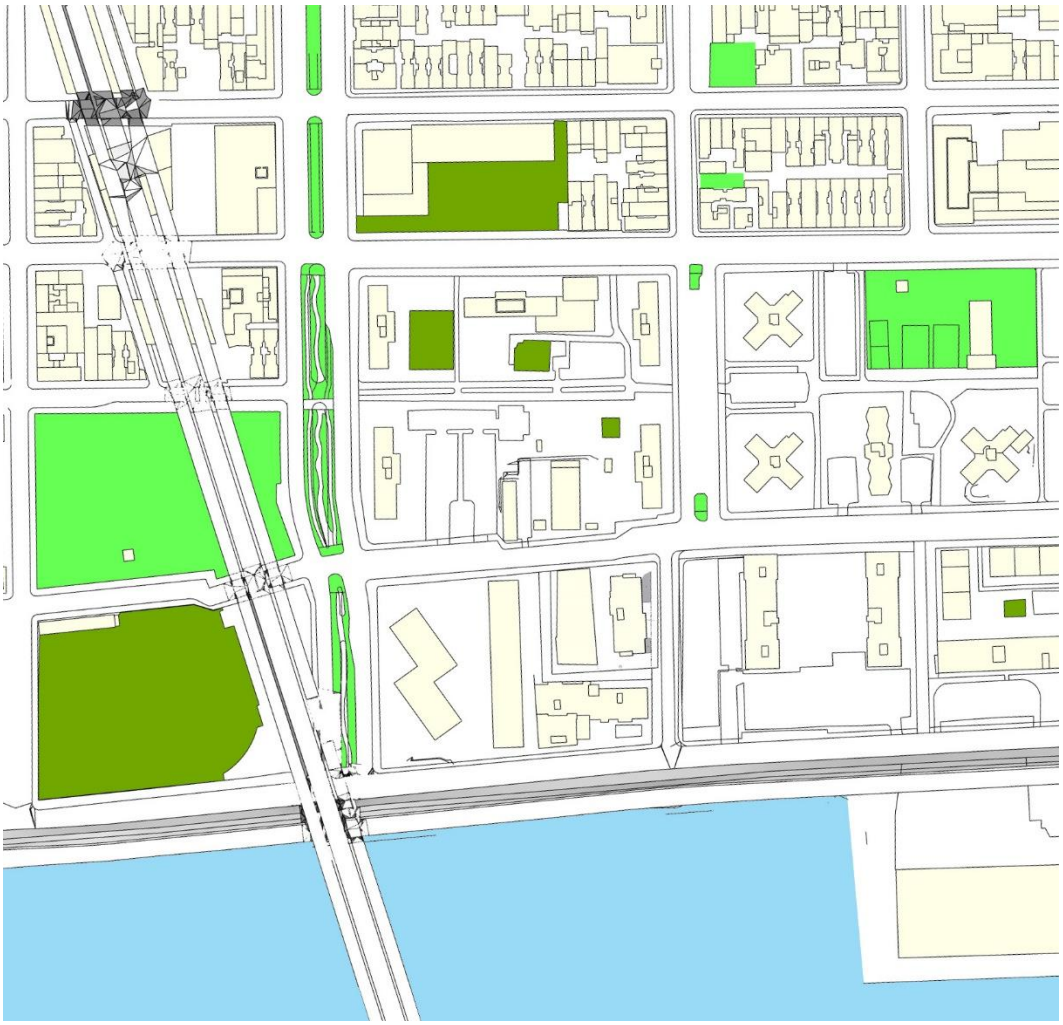

Figure 5 - Plan showing both identified sunlight sensitive resources (light green) and publicly accessible open spaces omitted (dark green)

To reexamine incremental shadow impact, we have taken models for the proposed building and rendered our own shadows for the day and time (***Figure 6***). There are trivial differences in the shadows that appear in the DEIS and the following renderings due to the differences in the 3D models used to render the shadows. The incremental shadow impacts identified in the DEIS are marked in red, while the incremental shadow impacts missing from the DEIS are shown in orange.

Figure 6 - March 21, 10am shadow rendering showing incremental shadow impact on parks identified in the DEIS (in red), and incremental shadow impact on publicly accessible open spaces not identified in the DEIS (in orange)

To be clear, this only marks the publicly accessible open spaces and community gardens identified in the New York City Open Space GIS layer, and does not include qualified residential open space on La Guardia Houses which is functional used as publicly accessible open space, but not identified as such. If that space is included, the incremental shadow impact is much larger ***(Figure 7).***

Figure 7 - March 21, 10am shadow rendering showing incremental shadow impact on parks identified in the DEIS (in red), incremental shadow impact on publicly accessible open spaces not identified in the DEIS (in orange), and incremental shadow impact on residential open space that functions as publicly accessible open space (in yellow)

With or without the open space impacts on La Guardia Houses, the DEIS understates sunlight sensitive resources that have a potential to be impacted. The omission is so large that the entire chapter needs to be redone in a supplemental DEIS.

###

Please contact the community board office with any questions.

Sincerely,

Alysha Lewis-Coleman, Chair
Community Board 3

MyPhuong Chung, Chair
Land Use Zoning, Public & Private Housing Committee

cc: Matthew Pietrus, Department of City Planning
Bob Tuttle, Department of City Planning
Tara Duvivier, Manhattan Borough President's Office
Paul Leonard, Office of Council Member Margaret Chin
Marian Guerra, Office of Council Member Margaret Chin
Venus Galarza-Mullins, Office of New York State Senator Brian Kavanagh
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Alysha Lewis-Coleman, Board Chair Susan Stetzer, District Manager

October 17, 2018

Manhattan Community Board 3 Comments for the City Planning Commission on the *Two Bridges LSRD* DEIS

Community Board 3 (CB 3) believes the Two Bridges Large Scale Residential Development (LSRD) proposal of more than 2,000 market rate units and only 694 units with any affordability requirements does not contribute enough to the projects' stated purpose of advancing the Housing New York plan. It also comes at the cost of displacing low-income tenants, affordable retail businesses and essential non-profit services. We have unfortunately seen this too often in our gentrifying community—it is the reason City Council has had to pass additional tenant harassment laws.

CB 3 held a public hearing on August 14, 2018. More than 100 residents attended but the single supportive speaker came from one union who has been promised jobs. Additionally, CB 3 is supporting land use actions for this area that are incompatible with this proposal.

Our community district (CD 3) has the second highest income inequality gap of all 59 districts, and this proposal will increase that gap. Our community is in need of many more deeply affordable housing units. Growing residential displacement and the continued loss of essential social services are of premier importance in the district. Although the number of low income families in the district has not decreased, we have already seen changing demographics result in the loss of important programming and services for children and families in the district over the past year.

This proposal provides for the owners to receive full Property Tax exemptions, but the rents for regulated units would still be too high for the majority of current residents to afford. Nearly 30 percent of residents here live below the poverty line and the median income for a family of three is just over $30,000.

We believe these projects would have a disproportionate impact on minority groups living in the area, as:

- 82 percent of residents are people of color;
- 18 percent are living with a disability; and
- 22 percent are 65 and older—and half of those seniors are also living with disabilities.

This is also an important immigrant community that would disproportionately suffer negative impacts, as:

- Nearly half the residents are Chinese and nearly one quarter are Hispanic/Latino;
- 46 percent are foreign born; and
- 41 percent have limited English proficiency.

CB 3 believes the proposed actions are illegitimate and would represent changes to the LSRD site plan and have impacts that are inconsistent with the LSRD objectives— which include the promotion of better site planning that does not alter open space access, adversely affect access to light and air, or create traffic congestion to the detriment of residents of the surrounding areas.

Because of this, CB 3 believes the proposed actions should not constitute minor modifications and should require a Special Permit, providing the public with additional opportunities to weigh in and allowing local elected officials to represent their constituents in the land use review process.

We believe that the findings issued in the DEIS were insufficient and filled with errors, and should not have been accepted as complete by the lead agency. Questions asked during the scoping period were left unanswered, and due to *CEQR* guidelines that don't reflect the reality of the New York City we currently live in, a number of serious impacts are under-measured. Many impacts from this proposal are just left unmitigated. Mitigations that *are* identified are plainly inadequate, or worse, are having details withheld until the completion of the FEIS, completely barring them from public review.

The Project Description in the DEIS does not clearly identify or provide sufficient details of the specific modifications to the Two Bridges LSRD and does not explain exactly how these modifications would enable the proposed developments to occur.

It is also not clear how the proposed actions comply with the criteria for modifications to an LSRD in the Zoning Resolution, which state that the distribution of floor area and dwelling units facilitated by a modification:

- Must *not* unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents
- Must *not* adversely affect access to light and air outside the LSRD or create traffic congestion;
- Must *not* impair the essential character of the surrounding area; and
- Must *not* have adverse effects upon access to light, air and privacy of adjacent properties.

The purpose and need of the proposed actions is based upon the advancement of the Housing New York plan. CB 3 does not find that a proposal for a mere 25 percent affordable units sufficiently advances this goal, as it is tied to 2,081 market rate units and additional environmental impacts that would produce more severe and acute housing needs in the area.

The public policy analysis is also flawed as it does not evaluate consistency with *NextGeneration NYCHA* policy and proposals at the adjacent La Guardia Houses, which are targeted for infill development and have had a publically issued RFP.

The DEIS also does not consider compliance with the Lower Manhattan Coastal Resiliency Project, despite the proximity to the East River waterfront and the resiliency project area, and it does not sufficiently address the proposed actions' consistency with a number of policies outlined in the City's *Waterfront Revitalization Program*.

The DEIS does not consider a number of recent new policy initiatives, including the *Where We Live* fair housing initiative, and new policy that DCP has been developing on zoning and fire safety for projects with inter-building voids, which one of these proposed projects would have. The excessive time between the end of the public scoping period and the issuance of the DEIS, lasting more than 12 months, prevented any new policies promulgated in that period from being included in the analysis scope, and therefore it cannot be considered accurate.

CB 3 also takes issue with the CEQR Technical Manual guidelines that informed the DEIS, which are so flawed that to evaluate impacts and propose specific mitigations based on these findings is not only inadequate, but irresponsible. CEQR guidelines have a strong bias against any finding of significant impact, regularly producing

analysis across numerous study areas that does not begin to capture the actual impact on the environment as required under State law.

The guidelines for measuring indirect residential displacement—a major concern for our residents—are particularly flawed. In this area, it does not consider the 88% of units in buildings that have at least one unit protected by rent regulation, and these tenants are not studied as a vulnerable population, despite a recent history of evictions and deregulation in the area, and therefore no significant impacts were found.

Yet it is clear that in reality, the proposed actions represent a type of large-scale, majority market rate waterfront development that has resulted in widespread residential and commercial displacement in other neighborhoods such as Greenpoint and Williamsburg.

Many rent regulated households in the project area have already experienced displacement impacts. There has been a loss of at least 950 regulated units in the area over the past decade[1]; and there were over 300 eviction cases filed since 2013, including 135 at 82 Rutgers Slip alone.[2]

With more than 2,000 units of market rate housing and only 25 percent regulated apartments, with rents higher than area residents can afford, the rent regulated housing in these proposals would not begin to appropriately address the displacement threat we would see unless there are substantial changes.

To mitigate these impacts, at least 50 percent of residential square footage must be made permanently affordable at levels below 80 percent AMI, with 20 percent of units set aside for residents earning between 30 to 50 percent of AMI and 20 percent set aside for residents earning less than 30 percent AMI. Further, the Two Bridges LSRD, at minimum, should be added to the "Certificate of No Harassment" pilot program, and ideally all of CD 3 would be added to protect at-risk residents across the district.

Any relocation and renovation plans for senior housing in 80 Rutgers Slip must be fully detailed and disclosed. The Final Scope of Work stated that the DEIS would include relocation plans for residents of 80 Rutgers Slip, yet it only indicates the applicant's *intention* to relocate, and does not include details of the regulatory agreement with HUD or details of the relocation plan. There has been no consultation on this issue with the Community Board or local elected officials on this issue.

When analyzing utilization rates at public schools in Community School District 1, the DEIS does not include population increases from publically known projects at One Manhattan Square, NYCHA infill at La Guardia Houses, Essex Crossing, or the Grand Street Guild. The multipliers for student generation are inaccurate, drawing from data that is 18 years old. This methodology lumps together different neighborhoods and different unit types, and excludes housing projected for senior use. But none of this senior housing is guaranteed at this time, therefore the analysis does not reflect the full extent of potential child care and student impacts that could occur here.

There are also significant omissions of many sunlight sensitive resources in the shadow analysis in the DEIS. There must be an expanded and accurate shadow analysis that includes all publically accessible open spaces, NYCHA open spaces, and private open space that would be impacted by new shadows. These are functionally accessible open spaces that are actually used by area residents even if they are not all formally public.

CB 3 believes that funding for "enhanced maintenance" is not enough to mitigate the irreversible loss of sunlight for vegetation and playground users in the area. While these projects would include some open space improvements, they do not add any new open spaces in the area and actually decrease the overall open space per resident while casting shadows over much of what is currently available.

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[1] As documented by data provided here: taxbills.nyc

[2] As documented by data provided here: https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909

The DEIS does not properly analyze impacts on drainage systems during heavy rain and flooding events. The project sites are naturally vulnerable to many types of flooding, and during a storm event the drainage areas may need to manage a combination of tidal flooding, extreme rainfall, sewage, and storm surge, resulting in a heightened flood risk. The proposed projects are all within the FEMA floodplain, and despite some proposed resiliency elements, little analysis has been done to evaluate the potentially disastrous impacts these measures could have on the surrounding area in a flood scenario.

The DEIS also underestimates vehicle trip generation and traffic impacts, and does not disclose in any meaningful detail the methodology for analyzing the effects of the growing ride-hailing industry or the impacts of online-based vendor deliveries to the area, both of which are likely to increase as demographics change to include higher income residents.

The DEIS finds that bringing more than 5,800 new residents to this area, with a single subway line and station, would *not* significantly impact bus line-haul or subway line service. It does not consider repairs to the Rutgers Tube slated for 2022 which are expected to limit F-line service just after the projects' anticipated build year. CB 3 believes this analysis does not reflect the reality of transit impacts in this neighborhood.

While an ADA-accessible East Broadway station is a welcome improvement, it is not enough to offset the impacts that more than 5,800 new residents would have on subway line service, station access, pedestrian circulation, automobile traffic, and bus line service.

CB 3 considers both the finding of significant impacts and mitigations identified in the DEIS to be insufficient. In many cases, impacts were either undercounted altogether, or when there were impacts found, in several cases no mitigations at all were identified at this time.

Mitigations for acknowledged impacts on public schools and publically funded child care facilities have not been identified in the DEIS. The currently proposed square footage for community facilities outlined in the project description would not be enough to accommodate the necessary seats to offset public school or child care facility impacts and no off-site locations have yet been identified.

Mitigations for open space impacts, including the conversion of private open space to public open space at Rutgers Slip, are lacking in details and would still result in a net loss of open space for the area. The proposals only include open space improvements, and do not add any new open spaces to the area to offset impacts.

We believe lot coverage should be limited to 40 percent of any lot where new development is taking place and should facilitate new, publically accessible open space that allows through access to the waterfront from upland blocks. In addition, height limits of 350 feet could also limit some of the shadow impacts while remaining consistent with the site planning and urban design goals of the LSRD, while also providing enough residential development capacity given the FAR on the zoning lots to still meet deep affordable housing goals that advance the Housing New York plan and are consistent with the needs of area residents.

We consider the funding for maintenance and the renovation of existing open spaces and playgrounds to be an insufficient mitigation for the overall loss of open space and the impact of shadows on vegetation and playground use. There has been no disclosure of how the specific playgrounds in the DEIS have been selected for mitigation. "Dedicated funding for enhanced maintenance" must be explicitly defined, including details of the amount of funding and length of time the dedicated funding will be provided for. Furthermore, CB 3 requests a detailed explanation of how temporary funding can be used to functionally mitigate the impact of irreversible and permanent shadows on our parks, playgrounds, streets, and residential buildings.

Analysis and mitigations for water, sewage, and resiliency in the DEIS are woefully lacking. The DEIS indicates that storm water Best Management Practices would be required, yet does not identify any concrete mitigation measures for the doubling of volume to the combined sewer system in heavy rainfall scenarios and does not detail what these best management practices would be. At minimum, all new open spaces in the area must require permeable surfaces and actively contribute to overall area coastal resiliency, as well as be consistent with all Lower Manhattan Coastal Resiliency Project plans, and these plans must be accurately disclosed prior to any approvals.

In the DEIS, 15 intersections are identified as having potential for significant adverse impacts and a number of these have no proposed mitigation measures. All identified traffic impacts in the area must be fully mitigated, and we must have the detailed disclosure of any proposed signal timing changes and lane restriping plans, with analysis and approvals from the DOT.

The only mitigations proposed for transit impacts in the DEIS are for subway station accessibility and pedestrian circulation. The engineering studies for the elevator installation at the East Broadway station have been performed, yet the details of these feasibility studies have not been disclosed and the potential for these impacts to go unmitigated remains. Any conceptual engineering and feasibility studies for mitigation measures must be shared publically.

The DEIS also does not provide clear details about the mitigation measures that would be employed during the construction period. There must be specifics about all construction mitigations with detailed explanations of how they will be implemented, and there must be a commitment to regular coordinating meetings with all appropriate agencies and area stakeholders as an additional and necessary mitigation.

CB 3 requests further explanation of the justification, decision-making, public outreach, and agency consultations that went into the selection of all proposed mitigations. There must be project timelines and cost-estimates for all mitigations with significant capital projects and changes to neighborhood infrastructure so their feasibility and impacts on the neighborhood can be understood.

Finally, CB 3 believes that any proposal to define mitigations during the period between today's hearing and the completion of the FEIS to be insufficient, as it denies the Community Board and the public a formal and guaranteed opportunity to fully review, vet, and comment on significant and necessary proposals prior to a CPC vote on the project applications. CB 3 strongly believes that all significant adverse impacts must have feasible mitigations disclosed in the DEIS and that these projects should not move forward if any significant impacts and burdens on the community remain.

Because of these issues, CB 3 believes the EIS is not accurately disclosing potential impacts and the land use actions cannot be evaluated properly or be considered appropriate for approval. After reviewing the land use applications, the DEIS, and hearing extensive feedback from community partners and many members of the public, Community Board 3 strongly and emphatically recommends to disapprove the proposed modifications.

Sincerely,

Alysha Lewis-Coleman

Alysha Lewis-Coleman, Chair
Community Board 3

ON SMALL BUSINESS
DEMOCRATIC MEMBER
ON FINANCIAL SERVICES
E ON HOUSING AND INSURANCE
SUBCOMMITTEE ON FINANCIAL INSTITUTIONS
AND CONSUMER CREDIT

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Statement by Congresswoman Nydia M. Velázquez (NY-7)
Two Bridges Draft Environmental Impact Statement
Before the New York City Planning Commission
Wednesday, October 17, 2018

As the Representative of New York's 7th Congressional District, that includes the communities of Lower Eastside, I write to express my concern with the proposed re-development.

The Two Bridges neighborhood has always been central to the Lower East Side of Manhattan. Housing in the neighborhood is a combination of tenement style walk-ups, mixed-income and affordable units, and NYCHA developments. It is an area that that has historically consisted of rent regulated apartments and a community that many immigrants have been proud to call home.

To date, the process for the proposed re-development of the Two Bridges neighborhood and the Draft EIS that we are considering here this morning have not allowed for sufficient community input, and Congresswoman Velázquez has grave concerns that the construction of these towers will threaten our community and harm our neighbors.

These "mega-towers" are completely out of scale for the Two Bridges community. Each building will be more than 700 feet tall, and combined, they are estimated to introduce more than 2,700 new residential units into our community—only 25 percent of which are expected to be affordable. Not only is this number far too small, but, perhaps worse, it remains unclear at what levels of affordability these units will be made available -- and for how long their affordability will remain in place.

Moreover, the influx of more than 2,700 market-rate units will increase displacement pressure on the neighborhood's current residents, particularly as the changing demographics generated by this proposal affect the area's retail markets and small businesses. In addition, residents have raised valid concerns regarding environmental appropriateness and the potential loss of sunlight.

We need a process that is open and transparent, considers community input, neighborhood character, and the residents who live here. Throughout the City, we are already seeing the harmful effects of oversaturation of luxury apartments and our neighbors in the Two Bridges community deserve better!

Thank you.

Congresswoman Nydia M. Velázquez

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Testimony of Assemblymember Yuh-Line Niou to the City Planning Commission (CPC) Regarding the Two Bridges Large Scale Residential Development (LSRD) Draft Environmental Impact Statement
October 16, 2018

My name is Yuh-Line Niou and I represent Manhattan's Two Bridges neighborhood in the New York State legislature. Thank you for the opportunity to submit comments regarding the Two Bridges Large Scale Residential Development (LSRD) in response to the Draft Environmental Impact Statement.

I submit these comments to register serious concern about the proposed luxury developments. The three developers seeking modifications to the LSRD are Cherry Street Owner, LLC (JDS Development Group and Two Bridges Senior Apartments LP, affiliate); Two Bridges Associates, LP (CIM Group and L+M Development Partners); and LE1 Sub LLC.

Since the announcement of these developments, the Lower East Side community, including Community Board 3, tenant associations and residents, have raised many questions regarding the LSRD plan. At multiple community meetings on these developments, residents have voiced their opposition to the LSRD plan and the proposed modifications. The City Planning Commission previously wrote that the proposed development was significant, yet still determined the plans as "minor modifications". The current proposal would result in over 2.5 million gross square feet of development with 2,775 mostly market-rate dwelling units entering our neighborhood, contained in three towering luxury high-rise buildings. Clearly, large development of this scale permanently changes our community. It should be as equally clear that the community deserves a clear, detailed mitigation plan that focuses on community-based planning because of the tremendous impact these developments have on our community.

Skipping the ULURP process by marking these modifications as 'minor' deprives the voices of the New Yorkers who reside in the development area and local electeds of official decision making power. This is unacceptable because in any land use decision, the most important part is community engagement which the City often sorely lacks.

More than 5,800 new residents are estimated to enter our community from this development. The Lower East Side has faced a construction boom in recent years, from Essex Crossing to the ongoing Extell developments at 250 South Street, among others. Essex Crossing includes 1,000 residential apartments, as well as commercial and community space. The Extell project is a large luxury development which includes residential and commercial space. In addition, the New York City Housing Authority (NYCHA) announced plans to develop market rate and affordable housing at LaGuardia Houses adjacent to the Two Bridges neighborhood. Together, these development projects will bring thousands of new residents to the neighborhood, further stressing the community's infrastructure like affordability, schools, parking, and transit. The DEIS fails to consider the severity of the strain on our community when including yet another luxury development, clearly evident in what little mitigation efforts the DEIS contains.

I. INFRASTRUCTURE

Many constituents have complained about the health and quality of life impacts that construction has on the community. The proposed construction period is between 2 ½ to 3 years for each building. Yet, the DEIS fails to commit clear, detailed mitigation efforts for many quality of life and health impacts both during construction and operation. For example, sanitation is one of the top complaints that our office receives near construction sites. We receive cases regarding piles of garbage bags, food from the construction workers thrown on the streets and sidewalks, and unidentifiable liquid pools near sites. Emissions from construction equipment in addition to dust and particulates floating around degrade air quality and exacerbate health problems. Construction noise is inevitable, and a top complaint which affects the quality of life for many residents, especially those who have jobs throughout the night. The proposed construction mitigations are vague and non-descript. They do little to assure our community that true mitigation will be provided. Our community deserves a transparent and detailed plan for construction mitigation in which we are engaged. The developers should not be allowed to proceed until they present a plan that reflects our needs, especially because construction is estimated to be at least 2 ½ years.

Given all of the development both proposed and already underway, the Lower East Side will see an increase in the number of families living in the community that our current schools, many already with capacity issues, will struggle to serve. The only proposed mitigation efforts remotely related to our schools are unclear funding for maintenance, and upgrades at various playgrounds. It should be obvious that maintenance and upgrades of playgrounds do little if anything at all to resolve or mitigate the core issues from the development such as overcrowding in classrooms and a dire lack of school resources. Higher student to teacher ratios means less quality education for each student which is detrimental to their futures. Our community needs real solutions to adequately meet the educational needs of our community, particularly in the

future if an influx of new families were to enter our school districts. Even the construction of Essex Street school is not certain. The need must be determined by the City and SCA. There is a clear need in our district, now more than ever from these projects, for quality school seats. At the very least, the City and SCA must commit to meeting our increased need if the City intends on proceeding with the plans in addition to other actual mitigation solutions.

Four towers, each over 60 stories with one reaching 80 stories, are planned for construction. These towers are unprecedented in size and will be the largest towers in our neighborhood. They will cast massive shadows on our NYCHA complexes and affordable housing developments. Constituents near the ongoing Extell Towers construction site call to file complaints about the massive shadows and construction impacts which severely degrade their quality of life and health. Lack of sunlight can cause significant health problems such as vitamin D deficiency, deterioration of mental health, or sleep issues. Without sunlight, greenlife, which is vital to air quality and quality of life, struggle to survive. The current mitigation impacts related to loss of sunlight merely affect select playgrounds and parks. These mitigation efforts are clearly not sufficient to address the permanent damages our community will experience, like the loss of sunlight for residents in nearby buildings, altered sightlines, or potential health problems. The plans must adhere to more community input and address the problems these shadows will cause.

The loss of the neighborhood's Pathmark supermarket, formerly located on Cherry and Pike Streets, was a heavy blow to the Two Bridges community. This supermarket offered affordable grocery options to the surrounding community, and many of our constituents relied on it for their daily shopping needs. Extell is now developing the site of the former Pathmark into a tower similar to the developments in this DEIS. The need for accessible, healthy food remains unaddressed. Furthermore, we continue to be concerned about small business displacement, potentially caused by these towers. The demographics of our neighborhood will change from this development and have a significant impact on the economy of the area. Many of the new residents will have higher income levels, with differing wants and needs. The analysis thus far does not take into account the value of our neighborhood's small businesses which provide language accessible services and our community's reliance on them. The City must propose solutions to prevent displacement of the shops that serve our community.

The City committed to a goal of 2.5 acres of open space per 1000 residents. However, the proposed projects lower the open space ratio from 0.897 acres per 1,000 residents to 0.831 per 1,000 residents. Clearly, this is far below the City's goals. Open space in Manhattan becomes scarcer and scarcer each day, largely in part due to the rampant overdevelopment. For metropolitan areas like New York City, more open spaces are linked to happier and healthier communities. The opportunity to hold community-oriented events, interact with others, or

exercise in an open space, is invaluable. Our community must preserve our current open spaces and create even more open spaces rather than take away what little we have.

Lower Manhattan, especially the Two Bridges community, was heavily impacted by Hurricane Sandy. Two Bridges and other parts of the Lower East Side experienced flooding, power outages, and additional disruptions due to the storm. Impacts on water infrastructure, including sewage treatment and storm drainage, also remain inadequately addressed. The lack of resiliency related efforts in the DEIS shows a failure to adhere to the ongoing efforts by the City's Office for Recovery and Resiliency. The current proposals do not adequately take into account the Lower Manhattan Coastal Resiliency and East Side Coastal Resiliency projects. The developments do not fit within our community in the slightest, even on this vital element.

II. TRANSIT

The proposed buildings have been found to impact our neighborhood's streets and transportation infrastructure. The already strained nearby subway stations will see an increase in usage as these projects come online, including the East Broadway subway station on the F line, and the Grand Street Station on the B and D line. East of Essex, there is only one real stop that can service the Two Bridges area. In addition, the Delancey/Essex station is the only station in the area with an elevator.

The only mitigation effort presented is the replacement of staircases and installations of ADA-accessible elevators at the East Broadway F train. Accessible transportation is an important priority to our community and surely a step in the right direction. However, it does little to resolve the core issues of our overburdened transit system. In fact, more accessible transportation results in heavier congestion and does nothing to solve the core issues at hand. Furthermore, many of our seniors and mobility-impaired community members frequently utilize our much over burdened bus-lines. Accessibility improvements on subway lines do not address the increased strain on our bus-lines in addition to increased usage of our roads. Our community also faces heavy automobile traffic congestion and parking space problems. Most new residents who live in the luxury towers will have much higher incomes than the residents who live here now. Higher incomes mean more flexibility with transit options. These new residents will not rely on public transit as our community does and may opt to drive cars or utilize ride sharing apps. Solutions to handle the consequences of increased automobile traffic like road repavement and repair or traffic congestion relief are not sufficiently addressed in the DEIS. While the elevators and replacement of staircases has been long requested, one stop with accessibility and improvements is not nearly enough, all of our public transportation options should be accessible and the mitigation efforts should allow our transportation infrastructure to handle both the current and future stress on our transit systems.

III. AFFORDABLE HOUSING

The proposed development would bring nearly 2,100 market-rate units to our community. Currently, only 25% of the total units, approximately 694 units, are expected to be 'affordable' with availability for households with incomes ranging from $37,560 to $112,680 a year. The median income in that area is $30,771. Even for the lowest range of 'affordable' options, it would be impossible for many of our families to even be eligible to apply. The City's Mandatory Inclusionary Housing (MIH) and Zoning for Quality and Affordability (ZQA) commits to building and preserving 200,000 affordable residential units. It is critical that the City protect the current stock of affordable housing and secure additional affordable housing units. But, the City should also take into consideration what affordability truly means. It seems obvious that units at the lowest bracket which is set significantly above the median income for a neighborhood cannot be considered as truly affordable. Not only do the minimum income requirements exclude our community, but the development of 2,100 market rate units versus 694 'affordable' units is an incredibly unsettling difference. Even disregarding the exclusionary income requirements, the City should not find this ratio acceptable if it is committed to preserving and building affordable housing.

In addition, plans for the relocation of the seniors in the affordable senior units remain unclear. The City should work to clarify the plans to preserve these senior affordable units and create a detailed, language-accessible plan for the 19 seniors at Rutgers Slip who will be displaced during construction. Displacing any person in such a manner can be jarring, but it is especially dangerous for seniors. In a scenario like this, our top priority must never be luxury development, it must be securing the well-being of our seniors. Furthermore, the near 2,100 market-rate units heighten residential displacement in our neighborhood. The lack of sufficient affordable housing included in the Two Bridges LSRD and the potential housing displacement it may cause, continue to be top community concerns that we share. The Lower East Side, particularly the Two Bridges area, already lacks the affordable housing needed to meet the demand of the neighborhood.

IV. CONCLUSION

I, along with our elected colleagues, have called on the City to apply ULURP to the current Two Bridges LSRD, because ULURP includes significant community engagement and the proposed modifications are not minor. Such calls have been turned down. In the absence of a thorough land use review process, we believe that the proposed developments have severe consequences for the community. Unaddressed damages to our quality of life, lack of feasible and clear mitigation efforts to alleviate pressure on our infrastructure like schools seats, transit, quality of life, or affordable housing, and a blatant disregard for community input must not be forgotten.

The CPC must not allow these projects to proceed. This EIS, and other work by the City, must deeply consider the consequences a massive development project like this has on our community. The city must further engage our community and meet our needs before proceeding. Big developers are not important than the people in our community.

Thank you for the opportunity to testify.

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Gale A. Brewer, Borough President

October 17, 2018

Testimony of Manhattan Borough President to the City Planning Commission on "Minor Modification" Application Nos. M180507CZSM, M180505AZSM, N180498ZCM, and M180506BZSM

Good Morning Chair Lago and Commissioners. Thank you for the opportunity to testify on these applications.

The idea that these immensely tall towers, bringing nearly 3000 units to an area the size of a city block, are a "minor modification" is appalling. The amount of units the proposed developments will bring to the neighborhood are comparable to the neighborhood rezonings we've seen in East Harlem, East New York, Jerome Avenue, Far Rockaway, and Inwood – areas that span entire sections of this city, not just one block. Those plans went through a real public review process: ULURP. The fact that these proposed developments are not subject to the same review is unjust. As a public servant dedicated to promoting positive impacts on all communities, I am horrified that the Department of City Planning (DCP) is allowing a project of this magnitude to proceed without adequate public review. ULURP, on the other hand, would allow the community and its elected officials to work with the applicants to develop a plan that would have minimal negative impacts and maximize the benefits to the community.

DCP believes that these applications constitute a "minor modification." However, this is a staff-level determination and the difference between a major and minor modification is not spelled out anywhere. The rules cited by DCP staff as to what constitutes a major vs. minor modification refer to what is permissible during ULURP, not after ULURP. Just because this is long-standing practice does not mean that it's correct. It certainly is not right.

Council Member Chin and I have been working on a more equitable solution: a zoning text amendment that would require any development in the Two Bridges Large Scale Residential Development to obtain a special permit, which would mean full public review via ULURP. We submitted this application to DCP in January of this year. In August we made requested revisions and submitted an EAS prepared according to a framework outlined by DCP in an earlier meeting. Unfortunately, we still have not had our application referred out for public review. The fact that this application is not being considered at the same time as these applications is unfair to everyone, including the Commission.

I would like to state again what I have been asking DCP for many months now: to refer out our zoning text amendment application for public review. Our text amendment would subject these proposed development to the public review they ought to have.

My office and the local elected officials who represent this community have been very vocal about our opposition to this so called "minor modification" process. We have communicated at length with the Department of City Planning about their determination that this is a "minor modification" and we do not believe that DCP's rationale is sufficient given the impact these projects will have on this neighborhood. The facts are unavoidable: these proposed developments will have a negative impact, and will drastically and permanently change this community.

This area, currently a Large Scale Residential Development, was also once governed by an Urban Renewal Plan that aimed to eliminate blight, provide housing for low and moderate income residents, and provide recreational, commercial, and community facility uses with high quality urban design and open space elements. When the Urban Renewal Plan was in effect, over 1300 units of affordable and senior housing, a supermarket, a pharmacy, and community centers were built. Since this plan expired in 2007, an 80 story luxury condo tower replaced the supermarket and pharmacy, which were the only ones in the neighborhood. Now developers are taking advantage of the FAR created when the Urban Renewal Plan expired to develop projects that are contrary to the goals of the original plan and do not meet the findings of the Large Scale Residential Development special permit.

DCP believes that the proposed developments require no new findings as they state that the proposed buildings would not require any additional height or setback waivers. However, the addition of three enormous towers fundamentally alters the nature of the LSRD. The City grants large scale development waivers based on an evaluation of the development as a whole, not based on individual buildings contained therein. Earlier waivers may no longer be appropriate given the proposed site plan modifications, which is precisely why this project is a major modification and should go through ULURP.

I would like to call your attention to the following findings that must now be met based on this proposal:

1. 78-313 (c)"Such distribution or location will not unduly increase the bulk of buildings, density of population, or intensity of use in any block, to the detriment of the occupants of the buildings in the block or nearby blocks."

   The proposed projects would bring over 5,000 new residents to this area. The Commission must find that the new, overall distribution and location of uses meets this finding.

2. 78-313 (d): The finding states: "Such distribution or location will not affect adversely any other zoning lots outside the development by restricting access to light and air or by creating traffic congestion."

   The Commission must find that the new, overall distribution and location of uses meets this finding. The DEIS details negative impacts on light and air as well as traffic on this

neighborhood. I find it hard to believe that you can make this finding given the significant adverse impacts.

3. 78-313 (g): The finding states: "The modification of height and setback will not impair the essential character of the surrounding area and will not have adverse effects upon the access to light, air, and privacy of adjacent properties."

   This neighborhood is a community of low and moderate income residents, senior and disabled populations housed in buildings that are moderate in height – none exceeding 26 stories. The proposed developments will be triple the height, and as mentioned in their own DEIS, will have adverse effects on the access to light due to the shadows they will cast on the surrounding area. The Commission must find that the new, overall distribution and location of uses meets this finding. I find it improbable that you will determine that the new site plan complies with this finding given the dramatic impacts on the character of the area.

DCP made a terrible mistake in determining that these proposed developments were a "minor modification." The proposed projects are not even remotely similar to what was previously approved and built on these sites and do not even meet the findings previously set in prior approvals.

The Lower East Side historically has been a home for many immigrant groups. The neighborhood has provided opportunities for these groups to live and grow in a city where it is increasingly difficult to survive. This community has a population that is largely people of color, with large numbers of disabled and elderly residents. The percentage of disabled and elderly residents in Two Bridges exceeds the rates in the rest of Manhattan as well as the five boroughs. These vulnerable groups will be very negatively affected if the proposed developments were to proceed. One of the new buildings will be cantilevered over a building of low-income seniors, enveloping this building and resulting in the permanent decommissioning of 10 senior units.

I will leave the discussion of specific mitigation measures to others. However, what has been proposed is entirely inadequate. Were this neighborhood rezoning with ULURP, the community would not only have a voice in the process, they also would be appropriately resourced to cope with the coming development. There is not nearly enough resource allocation to the surrounding community given the scale of these developments on a single city block. The Inwood rezoning, comprising of 59 blocks with several thousand units of new housing, 40% of which will be affordable, had a comprehensive plan to provide resources to the community.

- The rezoning will require HPD to spearhead an anti-displacement initiative to protect tenants, including free legal representation and affordable housing preservation;

- The rezoning will expand local hiring and Women and Minority Business Enterprise (W/MBE) opportunities and include workforce training in the healthcare, technology, and construction industries;
- The rezoning will result in over $200 Million dollars invested into the community

When viewed in this light, the minor modification process and the accompanying mitigation measures are not even close to adequate.

It is my understanding that there is no time limit as far as the Commission reviewing and voting on the proposed developments. Given the scale of these developments and the negative impacts that are sure to come as a result, and given what you will be hearing at length from the community at this hearing and in written comments, I ask that you take the time to carefully consider everything and not rush to vote on these applications, as these developments will have an impact that will affect this community forever.

In closing, I would like to again request that the Department of City Planning refer out our text amendment application for public review immediately, as our application is complete and should be considered alongside these applications.

DISTRICT OFFICE:
101 LAFAYETTE ST., SUITE 903
NEW YORK, NY 10013
212-587-3159
FAX: (212) 587-3158

CITY HALL OFFICE:
250 BROADWAY, SUITE 1762
NEW YORK, NY 10007
(212) 788-7259

THE COUNCIL OF
THE CITY OF NEW YORK
MARGARET S. CHIN
COUNCIL MEMBER, 1st DISTRICT, MANHATTAN

CHAIR
AGING

COMMITTEES
HOUSING AND BUILDINGS
CONSUMER AFFAIRS
RULES, PRIVILEGES, AND ELECTIONS
STANDARDS AND ETHICS
YOUTH SERVICES

Testimony of Council Member Margaret S. Chin
Hearing on Developer Applications – Two Bridges LSRD
City Planning Commission
Wednesday, Oct. 16 at 10 a.m.

I am here today as part of the fight to save a neighborhood. For decades, Two Bridges has been a low-to-midrise haven for immigrants and native New Yorkers of different cultures, religions and linguistic backgrounds. It is a special place – one of a dwindling number of neighborhoods that fully reflects the diversity of our City.

If approved, these applications would destroy this neighborhood. And it would do so without any real public review from the Community Board, the Borough President's Office or the City Council. The fact that such enormous developments did not require this kind of rigorous public review is the reason why I joined Borough President Brewer to pursue a Text Amendment.

Today, I ask that the Commission be given the opportunity to provide a pathway for the community and its elected representatives to have a say in the fate of the Two Bridges neighborhood.

Despite the diligent efforts of the City Council and the Borough President's office, the Department of City Planning has decided not to allow our application for a Text Amendment, which would establish a Special Permit that would require a ULURP, to move forward. I ask that the Department reconsider this decision, and give Commissioners the chance to weigh the merits of our proposal.

In stark contrast to our Text Amendment, the applications being heard today put Commissioners in a difficult position as the deciders of the fate of an entire neighborhood.

I believe the Environmental Impact Statement accompanying these applications does not adequately address the negative effects on the already strained infrastructure of an area underserved by transit, retail amenities and open space. Moreover, it does not begin to account for the wave of primary and secondary displacement that will ripple through surrounding neighborhoods for years to come. Of particular concern is the application for 247 Cherry Street, which would cantilever and pierce into an affordable building for seniors, eliminating an entire line of apartments and causing the displacement of a still-unknown number of elderly New Yorkers.

There is another way. Our Text Amendment to establish a Special Permit does not preclude reasonable development in this area. It merely gives this community a voice in the planning process for their neighborhood. In addition, it removes a dangerous precedent that should be of concern to other vulnerable neighborhoods in our City.

As you hear these applications, please keep in mind the application that you did not get to hear today. It is an option that remains available to you – if the Department of City Planning allows it to be considered. As an elected official and a longtime partner of this Administration in efforts to improve the lives of the people of my Council District, I still believe that this is possible.

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THE COUNCIL OF
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PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 9:15 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Alex Kitnick
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Please do not build these four towers! Once they are up they will be there for a long, long time! They will displace many people, and compromise the integrity of the neighborhood for the people left. Let's do great creative things to improve the quality of life for people currently living in Two Bridges--DON'T BUILD THESE TERRIBLE TOWERS!!

Members of the City Planning Commission:

I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans.

The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city's efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans.

We urge you to turn them down.

These towers are out-of-scale. They are not a modification. We need the permanent playground. Who is this City for? The people who live and work here? Or is it only for developers and speculators?

I appreciate your attention to this matter.

Katherine O'Sullivan

Inwood Preservation

Executive Committee

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Attachments
Tue, Oct 9, 6:14 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Katherine O'Sullivan
Zip: 10034

I represent:
Myself
A local community group or organization

Details for “I Represent”: Inwood Preservation

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
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Members of the City Planning Commission:

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We urge you to turn them down.

These towers are out-of-scale. They are not a modification. We need the permanent playground. Who is this City for? The people who live and work here? Or is it only for developers and speculators?

I appreciate your attention to this matter.

Katherine O'Sullivan

Inwood Preservation

Executive Committee

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Sep 27, 9:40 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Katherine O'Sullivan
Zip: 10034

I represent:
Myself
A local community group or organization

Details for “I Represent”: Moving Forward Unidos

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I will not waste my time attending a "hearing".. No doubt City Planning will approve this outrageously out-of-context development. Maybe one of the commission will even pretend to have concerns. This city is bought and sold by the real estate industry, developers and property speculators. Your approval of the Inwood Rezoning illustrated this as does this farce.

Amy Diehl Crader <acrader@akrf.com>

FW: Comments re: M 180505(A) ZSM - TWO BRIDGES

1 message

Evan Lemonides (DCP) <ELEMONIDES@planning.nyc.gov> Fri, Oct 12, 2018 at 1:20 PM
To: Amy Diehl Crader <acrader@akrf.com>

From: Public Hearing Comments (Do not reply) [mailto:PublicComments_DL@planning.nyc.gov]
Sent: Thursday, October 11, 2018 8:11 PM
To: Bob Tuttle (DCP) <BTuttle@planning.nyc.gov>; Evan Lemonides (DCP) <ELEMONIDES@planning.nyc.gov>; ManhattanComments_DL <ManhattanComments_DL@planning.nyc.gov>
Subject: Comments re: M 180505(A) ZSM - TWO BRIDGES

Re. Project: **M 180505(A) ZSM - TWO BRIDGES**

- Application Number: **M 180505(A) ZSM**
- Project: **TWO BRIDGES**
- Public Hearing Date: **10/17/2018**
- Borough: **Manhattan**
- Community District: **45**

Submitted by:

Name: **Catherine Y**
Zip: **10002**

I represent:

- **Myself**
- **A local community group or organization**

Details for “I Represent”:

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
Please see attached document.

Catherine_Testimony_Waterfront.docx
17K

My name is Catherine, and I am a volunteer for the Chinatown Tenants Union at CAAAV.

Since the 1980s, there has been an effort to partake in "revitalization" efforts for commercial profit and the re-appropriation of an urban environment that had been left to fend for itself after the 1950's-spurred flight of the middle-upper class privileged classes to suburban neighborhoods in Long Island, Westchester County, and more. In its abandonment, laws were passed that led to the inability for its remaining residents, the vast majority of whom were people of color, to participate in the ample opportunities that were given to their more privileged counterparts. Combined with the radical activism that fought for the civil rights that many of us take for granted as a result of the mistreatment that was directed towards those whom were less fortunate, these times were some of the most difficult for the abandoned residents who resided in New York City during the 1950s-1960s.

Nevertheless, with striving, imagination, and hope for a better tomorrow, the communities that remained grew and prospered with the passage of time, blooming into thriving communities built with the social and economic networks that allowed many a new American to set foot onto a harrowing but promising adventure to create a new life in a New World. And in exchange for that opportunity, these new Americans brought with them their skills, their knowledge, their perspectives, and most importantly, their willingness to contribute with their own hands to the foundation of making New York City into the great city that many of us are familiar with again.

This changed once we entered into the 1980's. The 1980's paved the way for a revival of Wall Street's resurgence as a powerful and domineering force, and with it, the beginnings of the predatory real estate market that many Americans are familiar with today. At the same time, having finally been able to defeat the Soviet Union during the late 1980's for global preeminence, a new world order has been re-set that placed the United States at the center of international politics, commerce, and trade, and to successfully maintain this important position, New York City was designated as its arbiter. And yet, having finally been designated to such an important role, the governing leaders of the city exhibited shame at the proliferation of the working communities of color which helped keep the city alive. Mayor Ed Koch had expressed that he feared the "filth" of the city was weakening the integrity of the city's reputation. Mayor Rudolph Giuliani had set out to make the city more "liveable" by targeting communities of color with police violence. All this done with the intention to project a more "amenable" image to the international community as New York City began to emerge as one of the world's most pre-eminent global economic hubs in the late 20th century and which it still attempts to fulfill as its role despite igniting the 2008 Great Recession which the world's economies are still trying to recover from.

The development of the Waterfront is merely one more piece to the majestic image which the governing architects have been striving to build for decades, repopulating the city once again with the modern-day equivalent of the old merchant aristocracy class which peaked in its influence during the Gilded Age. Like today, the Gilded Age saw pockets of diverse communities, primarily made up of ethnic immigrants who came to the country for economic opportunities and to escape war, famine and persecution. These immigrants, like the working, immigrant communities of color of today, saw rent prices that were barely manageable, working conditions that were practically intolerable, and the

instability of their status as undocumented immigrants. No attention was given to their pleas and cries for help for a greater part of the 19th century.

This changed, however, during the beginning of the 20th century. Fed up with the lack of attention paid to the working class as the many toiled away for the privileged few, militarized unions and far-left parties were formed in opposition to the group of politicians who were supposedly elected to represent the will of the people. Uprisings against landlords, factory owners, and the police were a normal occurrence. This extended not just to New York City, but to industrial hubs all around the country. Chicago and Pittsburgh, hubs to the expansive enterprises of John D. Rockefeller and Andrew Carnegie, witnessed the same types of developments, leading to the Haymarket massacre and the Pullman Strike with many participating protestors hurt or killed. This collective uprising eventually culminated with a march of over 4 million workers from all across the country descending onto Washington D.C. in the early 20th century, demanding for better housing and working conditions, as well as representation of the peoples' interests in the government. You can imagine what a truly terrifying sight it was for the unsuspecting politicians sitting on Capitol Hill.

Many mainstream outlets have dubbed our era of increasing inequality as the "New Gilded Age". And when we look at how our fellow Americans have suffered for the past few decades, we can see why it is named as such. I specifically recount this history to serve as a reminder to the politicians and those who profit off of these developments of the sordid past of their ideological ancestors who have also wronged so many for so long in the pursuit of their own short-sighted goals. Hubris and pride will only serve to blind those who are foolish enough to under-estimate the lessons that can be learned from the past and myopic enough to over-estimate the dangers of one's own perceived power and narrow pursuit of self-enrichment.

You are not special, and you are not as powerful as you think you are. Your power and peaceful way of life is less due to your own ability as much as to the never-ending patience of those whom you preside over which has been bestowed upon you. For years, the residents of New York City have pleaded with you, wrote proposals and testimonies to you, met with you in person, and have abided by every single mundane measure and policy that you throw out knowing full well that the intentions behind these rules are not to promote, but to stifle the very voices whom you claim that you will give equal consideration to. The people are not mindless drones of the masses, and they know full well what is happening to themselves, their loved ones, and their communities. They have exhausted and given out every olive branch to you for consideration in a non-violent, peaceful way. However, they are humans as well, and they will eventually give up on this process once they realize the futility of their attempts to reach out when the other side does not even attempt to properly reciprocate back. The only thing that I can say regarding what will happen next is to suggest to all of you to crack open a book about labor history during the Gilded Age or the Great Depression. That old adage, "History repeats itself," will truly take on a new meaning.

Make your decision, or else the people will make it for you.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 17, 5:12 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Anna Harsanyi
Zip: 10002

I represent:
Myself

Details for “I Represent”: I am a resident of the neighborhood that will be affected.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I signed up to speak at the public hearing today but because of my job I could not wait the several hours needed before my number was called. I have been a resident of the Lower East Side for the past 15 years, living in this neighborhood on Chrystie Street for 8 years. Our neighborhood is special and needs to be protected. It is a unique place with an ethnically and economically diverse population, each of whom contributes invaluably to the cultural life of the neighborhood. I believe that the building of these towers will effectively destabilize and erase the poor, working class and immigrant populations in our neighborhood and will set a precedent for aggressive real estate development and increased gentrification. Already, our neighborhood is not equipped with the necessary infrastructure and public facilities needed for additional major developments, as we’ve already witnessed with Essex Crossing. Our subway stations, already

crumbling and in serious need of systemic repair, are crowded to the brim. There are only two subway stations and two bus lines that service this entire area. Our sewage system is overloaded, as was evidenced in the sewage spill during the construction of Extell's tower last year. Traffic is backed up everyday. Building even more towers will only increase these over-taxed public facilities and will impact our most vulnerable neighbors the most. The developments offer little to no affordable housing, and they intentionally create luxury amenities that serve as privatized versions of public space: private basketball courts, playgrounds, and movie theaters. It is clear that these developments create a hostile relationship between their wealthy residents and the rest of this community. They do not plan to share or contribute to the public spaces and relationships of this neighborhood, they simply wish to live in literal glass towers while remaining distant from the daily life of this community. I depend on the small businesses in my neighborhood, whose livelihood and opportunities for business stability will be undermined. The people of this neighborhood are in need of ethical investment in our community, not private development which will tear away the already limited resources from those who have lived here for generations. Please listen to the voices of our neighbors. This community deserves better.

Testimony to City Planning Regarding Two Bridges DEIS
October 17, 2018

The DEIS did not study accurate data and recommendations do not properly reflect the negative impacts on this community:

1. The DEIS identifies several negative environmental factors that cannot be mitigated.
2. Proposed mitigation efforts are inadequate or inappropriate.
3. Environmental impacts were not accurately measured. A variety of subjective measurements were used to mine for favorable results:
   - To show how the development would not burden existing neighborhood resources the DEIS use a .25 mile study area but when they need to dilute the results to show positive correlations, the DEIS expands the study area to .5 to 1.5-miles.
   - The DEIS purposely uses the same data to prove mutually exclusive points. (see my comments on Ch. 14 and page 3).
   - The DEIS ignores the compounding negative environmental impacts of this proposed 2,775-unit development with the at least **3,550 additional units within a half mile of the LSRD currently in various stages of development** including 1,000 units at 1 Manhattan Square, 1,000 at Essex Crossing, 500 at LaGuardia Nextgen, 500 on the site of Beth, Hamedrash Hagodol, 400 at Grand Street Guild, 150 at Seward Park Coop, and several hundred more units spread across several smaller sites in the area.

<u>Chapter 3: Socioeconomic Conditions</u>

- **The DEIS offers no mitigation to protect existing residents from indirect displacement** in the surrounding neighborhood. The DEIS should have called on the City to extend its Certificate of No Harassment pilot program to cover the areas surrounding the LSRD to prevent unlawful displacement.
- **The DEIS provides no mitigation to protect existing businesses.** The DEIS notes: "*the additional population resulting from the proposed projects is not so large as to substantially transform the retail character of the neighborhood".* This non-scientific claim is a self-serving prediction. Rising rents will push out long-time businesses.

<u>Chapter 4: Community Facilities and Services</u>

- **The study does not evaluate Police or Fire protection because the developers do not deem 2,775 units a "sizable new neighborhood".** This claim is especially disingenuous in the context of not measuring the compounding effects of the additional 3,550 units previously mentioned. As per the CEQR, the Police and Fire Departments should have been contacted for their assessment of the project's effects to determine the potentially significant impacts to their operations. A written statement from these departments should have been obtained regarding their recommendations. **None of this was considered.**
- In regard to schools and child care, they find that the proposed projects would have an **unmitigated significant adverse impact** on publicly funded child care facilities. The DEIS provides only a vague promise to work with DOE and ACS to mitigate this.

<u>Chapter 5: Open Space</u>

The DEIS indicates that the development would result in a **significant adverse impact** on open space. Mitigation includes $15 million to improve local parks. Recent local park renovations cost $3-$7 million each. The promised $15 million is not adequate to mitigate the negative impacts.

<u>Chapter 6: Shadows:</u>

The DEIS indicates that the development would cause *"**significant adverse shadow impacts**….Potential mitigation measures for the shadows impacts are being explored by the applicants in consultation with DCP and NYC Parks, and will be refined between the DEIS and DEIS.*" This vague promise is to mitigate something you can't mitigate.

<u>Submitted By:</u> Sam Moskowitz, 25 Montgomery Street #14E NY, NY 10002, samuelkmoskowitz@gmail.com

Chapter 8: Urban Design

This is one of the only places in the DEIS where 1 Manhattan Square and Essex Crossing are even mentioned, and they were only used here in passing to compare their designs favorably to the proposed LSRD developments. **Acknowledging these developments here while implicitly denying their existence and cumulative impacts throughout the rest of the study is another example of the DEIS's selective results.**

Chapter 11: Water and Sewer:

The DEIS claims that the 588,000 gallons of sewage/wastewater these developments will generate daily will have no significant impact on our waterways. However, when it rains more than one-tenth of an inch, which it does in NYC an average of 75 days per year, all this sewage is dumped into our waterways. This project would thus result in the dumping of up to an additional 44 million gallons of sewage into our waterways each year. **Why is 44 million gallons of sewage dumped into our waterways not considered a significant adverse impact?**

Chapter 14: Transportation

The transportation section is wholly inadequate and rife with inaccuracies. According to a recent study by labs.localize.city, the LES is one 12 NYC neighborhoods (the only one in Manhattan) where pedestrians or cyclists are three times more likely to be injured or killed in a crash. **This project and others will add up to 20,000 additional residents to this area without a comprehensive, holistic study.**

1. Traffic- The DEIS claims only 10 traffic intersections and 4 pedestrian elements would be impacted and that we can just retime the lights and restripe the lanes. However, these cosmetic changes would have a minor impact on growing congestion. With more people in the area and more cars on the road, traffic just can't be mitigated. The DEIS also ignores any added congestion generated by the additional 3,550 units. Even after providing some thoughtless mitigation efforts the developers concede that two intersections will be left unmitigated.
2. Subway Improvements- $40 million dollars to upgrade one exit and add an elevator is inadequate as the average subway station rehab now costs $43 million.
3. Parking- The parking analysis is severely flawed. Several of the lots indicated in their study have closed or are in the process of closing including some that they know are closing because they are discussed elsewhere in the DEIS such as the 400-spot lot on Pier 42, which they know is turning into a park, and 257 spots at Essex Crossing. In whole, we are adding over 6,000 apartments and losing over 1,000 parking spots. **See following attached page for details.**

Conclusion:

At best, the mitigations recommended by the DEIS are half-hearted and careless. Showing disproportionately minor impacts, the DEIS ignores or refuses to address critical negative impacts, and there are several critical factors that offer no mitigation plan because the DEIS has identified them as unable to be mitigated.

At worst -and this is more likely the case as highly paid consultants, lawyers, lobbyists, and city planning experts do not make silly sloppy mistakes like this when hundreds of millions of dollars in profit is on the line- the DEIS presents false and misleading data in order to railroad approval for a project that would have devastating negative environmental impacts on the surrounding community. Many of the mitigations offered are inadequate or inappropriate, as they are based on sloppily gathered data and willful ignorance.

Submitted By: Sam Moskowitz, 25 Montgomery Street #14E NY, NY 10002, samuelkmoskowitz@gmail.com

Chapter 14, Page 14-30 (Table 14-18) and 14-65 (Table 14-49) highlighted yellow below directly contradict one another.
Chapter 14, Page 14-30 (Table 14-18) and 14-31 (Table 14-18 cont'd) highlighted red below directly contradict one another.

Table 14-18
No Action Projects Anticipated to be Complete by 2021

Map No.	Address/Name (Block/Lot)	Program	Transportation Assumptions	Build Year
400-Foot Study Area†				
1a	One Manhattan Square— 250 South Street-Extell (248/7501)	815 DU, 23,167 sf retail	Transportation assumptions from *CEQR Technical Manual, Seward Park Mixed Use Development Project FGEIS (2012), U.S. Census Bureau American Community Survey 2011–2015 Journey to Work estimates, and U.S. Census Bureau American Community Survey 2006–2010 Reverse Journey to Work estimates*	2021
1b	One Manhattan Square— 229 Cherry Street-Extell (248/1)	205 DU, 25,516 sf retail	Transportation assumptions from *CEQR Technical Manual, Seward Park Mixed Use Development Project FGEIS (2012), U.S. Census Bureau American Community Survey 2011–2015 Journey to Work estimates, and U.S. Census Bureau American Community Survey 2006–2010 Reverse Journey to Work estimates*	2021
2	P.S. 184 Playground (245/7)	Soccer field (1.15 acres)	Included in background growth	2021
3	Pier 35	0.02 acres open space	Included in background growth	2018
¼-Mile Study Area				
4	Pier 42	5.05 acres open space	Included in background growth	2020
5	[illegible] (285/14)	[illegible] retail	Included in background growth	2021
6	193 Henry Street (285/8)	5 DU, 1,355 sf retail, 384 sf CF	Included in background growth	2021
7	183 East Broadway (284/19)	20 DU, 2,035 sf retail, 1,279 sf CF	Included in background growth	2021
8	225 East Broadway (286/35)	22 DU	Included in background growth	2021
9	201 East Broadway (285/25)	10 DU, 3,617 sf retail, 1,968 sf CF	Included in background growth	2021
10	103 East Broadway (282/26)	1,738 sf retail	Included in background growth	2021
11	113 Division Street (283/92)	8 DU, 2,392 sf retail	Included in background growth	2021
12	2 Pike Street/100 East Broadway (282/58)	58,830 sf office, 4,900 sf CF	Included in background growth	2021
13	East River Waterfront Esplanade-Phase IV (240/6), btwn Catherine Slip and Pike Slip	Resurfacing, new seating, play equipment	Included in background growth	2021

Table 14-49
Existing Weekday Off-Street Parking Supply and Utilization
Approximately ½-Mile Study Area

Map No.	Name/Operator and Address/Location	License Number	Licensed Capacity	Utilization Rate				Utilized Spaces				Available Spaces			
				AM	MD	PM	ON	AM	MD	PM	ON	AM	MD	PM	ON
1	Imperial Parking LLC: Pier 42, South FDR	1446819	400	85%	85%	85%	85%	340	340	340	340	60	60	60	60
2	[illegible] 220 South Street	1134501	63	80%	85%	50%	50%	50	54	32	32	13	9	31	31
3	Kaylee Operating LLC: 148 Madison Street	1155046	66	80%	85%	50%	50%	53	56	33	33	13	10	33	33
4	Madison Street Operating Corp: 88 Madison Street	908352	50	80%	80%	50%	CLD	40	40	25	CLD	10	10	25	CLD
5	10 Street Parking Corp: 38 Henry Street	925245	150	75%	75%	80%	80%	113	113	120	120	37	37	30	30
6	Henry Operating Corp: 47 Henry Street	1057433	8	100%	100%	100%	CLD	8	8	8	CLD	0	0	0	CLD
7	Henry Operating Corp: 49-59 Henry Street	1039024	114	40%	70%	40%	40%	46	80	46	46	68	34	68	68
8	Champion Confucius: 2-68 Division Street	1146910	300	70%	85%	85%	50%	210	255	255	150	90	45	45	150
9	Bridge View Auto Service Center: 26 Forsyth Street	954225	42	90%	90%	90%	90%	38	38	38	38	4	4	4	4
	¼-Mile Area Only Totals		**1,193**	**75%**	**82%**	**75%**	**64%**	**898**	**984**	**897**	**759**	**295**	**209**	**296**	**376**
10	Area Garage LLC: (unlisted)	429851	457	40%	88%	60%	25%	183	402	274	114	274	55	183	343
11	Lower East Side District Mgmt. Assoc. - 135-163 Delancey Street	2008327	294	70%	90%	75%	55%	206	265	221	162	88	29	73	132
12	Chatham Parking Systems Inc. – 180 Park Row	368910	130	65%	85%	85%	65%	85	111	111	85	45	19	19	45
13	Quik Park Garage Inc. – 2-8 Elizabeth Street	1461597	140	60%	85%	60%	30%	84	119	84	42	56	21	56	98
14	T&K Park Inc. – 61 Christie Street	1344945	50	20%	90%	55%	25%	10	45	28	13	40	5	22	37
15	MTP Operating Corp. – 89-93 Christie Street	977117	116	80%	80%	60%	60%	93	93	70	70	23	23	46	46
16	59 Allen Street Garage Corp. – 59-63 Allen Street	1192853	200	65%	85%	75%	55%	130	170	150	110	70	30	50	90
17	Clinton Grand Parking LLC – 240 E. Broadway	2034514	505	60%	90%	60%	55%	303	455	303	278	202	50	202	227
	Total ½-Mile Area		**3,085**	**65%**	**86%**	**69%**	**53%**	**1,992**	**2,644**	**2,138**	**1,633**	**1,093**	**441**	**947**	**1,394**

Notes: MD = Midday; ON = Overnight; CLD = Closed
Source: Survey conducted by AKRF Inc. in February and September, 2016.

Table 14-18 (cont'd)
No Action Projects Anticipated to be Complete by 2021

Map No.	Address/Name (Block/Lot)	Program	Transportation Assumptions	Build Year
½-Mile / Census Tract Study Area				
14	9 Orchard Street (294/8)	60,000 sf office	Included in background growth	2021
15	10 Eldridge Street (293/2)	7,765 sf retail	Included in background growth	2021
16	61 Canal Street (299/35)	2,268 sf retail, 6,510 sf CF	Included in background growth	2021
17	50 Norfolk Street (346/1)	300 DU, 34,600 sf retail, 43,100 sf CF	Included in background growth	2021
18a	Seward Park Mixed-Use Development – Essex Crossing Program (Site 1: 236 Broome St)	55 DU, 6,933 sf retail, 43,100 sf	Transportation assumptions from *Seward Park Mixed Use Development Technical Memorandum 003 (2015)*	2021
18b	Seward Park Mixed-Use Development – Essex Crossing Program (Site 3)	97 DU, 72,758 sf retail, 107,902 sf office	Transportation assumptions from *Seward Park Mixed Use Development Technical Memorandum 003 (2015)*	2021
18c	Seward Park Mixed-Use Development – Essex Crossing Program (Site 4)	263 DU, 148,067 sf retail	Transportation assumptions from *Seward Park Mixed Use Development Technical Memorandum 003 (2015)*	2021
18d	Seward Park Mixed-Use Development – Essex Crossing Program (Site 5: 400 Grand Street)	211 DU, 72,743 sf retail, 75,000 sf CF, 0.34 acres open space	Transportation assumptions from *Seward Park Mixed Use Development Technical Memorandum 003 (2015)*	2021
18e	Seward Park Mixed-Use Development – Essex Crossing Program (Site 6: 178 Broome St)	100 DU, 7,000 sf retail, 62,547 sf CF	Transportation assumptions from *Seward Park Mixed Use Development Technical Memorandum 003 (2015)*	2021
18f	Seward Park Mixed-Use Development – Essex Crossing Program (Site 8)	24 DU, 9,216 sf retail	Transportation assumptions from *Seward Park Mixed Use Development Technical Memorandum 003 (2015)*	2021
19	86 Canal Street (292/16)	32 DU, 51 hotel rooms, 691 sf CF	Included in background growth	2021
20	35 Division Street (281/46)	14,203 sf CF	Included in background growth	2021
21	66 Allen Street (308/14)	8 DU	Included in background growth	2021
22	42 East Broadway (281/19)	11,485 sf retail	Included in background growth	2022
23	Citywide Ferry Landing (Grand Street) (262/25)	Landing to connect to shoreline	Included in background growth	2021
24	40 Allen Street (308/30)	8 DU, 2,200 sf retail, 2,200 sf CF	Included in background growth	2021
25	355 Grand Street (310/20)	2 DU, 1,958 sf retail	Included in background growth	2021
26	257 Delancey Street (331/95)	758 sf CF	Included in background growth	2021
27	91 Attorney Street (348/64)	44 DU	Included in background growth	2021
28	175 Delancey Street (347/46)	100 DU	Included in background growth	2018*
29	79 Eldridge Street (306/29)	48 hotel rooms, 1,243 sf CF	Included in background growth	2021
30	206 Delancey Street (343/68)	69 DU, 8,352 sf CF	Included in background growth	2021
31	EV/LES Rezoning—PDS #160 (348/70)	18 DU	Included in background growth	2021
32	EV/LES Rezoning—PDS #154 (343/63)	18 DU	Included in background growth	2021
33	EV/LES Rezoning—PDS #159 (348/33)	17 DU, 2,316 sf retail	Included in background growth	2021
34	98 Norfolk Street (353/47)	38 DU, 11,244 sf retail	Included in background growth	2021
35	77 Chrystie Street (304/34)	7 DU, 10,520 sf retail	Included in background growth	2021
36	EV/LES Rezoning—PDS #32 (353/75,79,80,82,83)	120 DU, 16,090 sf retail	Included in background growth	2021
37	8 Allen Street (294/7)	9,898 sf retail	Included in background growth	2021

Note:
* #28 175 Delancey Street (347/46) was completed in January 2018.

<u>Submitted By:</u> Sam Moskowitz, 25 Montgomery Street #14E NY, NY 10002, samuelkmoskowitz@gmail.com

10/17/18

MY NAME- Raquel Onestell ~~Rodriguez~~

TO; MY knowledge they Are doing WRONG by continusly making high rises, is unhealthy AND unfair to all of us. Specially All Minorities We been here many many years NOW they are taking our neighborhood thinkin ONLY in MONEY. I'm sure the are NOT thinking this is AN island WISH if the continue making so many huge bldgs. the island could SINK N many ~~time~~ ~~will~~ peoples life will NOT survive. it is really sad that they

didnt talk to us L.E.S. Neighborhood residents. knowing that if has beAN very unhealthy air quelity. we beAN getting sick young N old, its Not fair many years back NObody like to be arownd here NOW they wNt to cover us with plenty High Risers. If everyone dont get together N pray hard AND ask the owner of the universe wish Gods N eternal I dont think they (most high) got together AND ASK if they are right or Not about all this.

This are MY Words I have other ideas maybe So Me

else.
one will see that
all of this is wrong.
I live by Cherryst. and
Montgomery for 45
years and I never seen
anything like it, May
God have mercy we all
of us. Hope it will
get to the right mine
N ♡ AND think and do
the right thing.

Sincerely yours,

Raquel Questell-Rodriguez

COMMUNITY DEVELOPMENT PROJECT

Paula Z. Segal, Esq. | Equitable Neighborhoods Practice | 123 William Street, 16th Floor | New York NY 10038
psegal@urbanjustice.org | (646) 459-306

October 17, 2018

**COMMENTS TO THE CITY PLANNING COMMISSION
ON PROPOSAL TO ADD FOUR MEGATOWERS TO THE SITE PLAN OF THE TWO BRIDGES LARGE SCALE RESIDENTIAL DEVELOPMENT (LSRD) AS MODIFICATION OF PRIOR APPROVED LSRD SITE PLANS
M180506(B) ZSM, M180507(C) ZSM, M180505(A) ZSM**

AND ON PROPOSED CERTIFICATION TO MODIFY GROUND-FLOOR COMMERCIAL USE REQUIREMENT, N180498 ZCM

My name is Paula Z. Segal. I am a senior staff attorney at the Community Development Project (CDP), a non-profit legal services organization that works with grassroots and community-based groups in New York City to dismantle racial, economic and social oppression. My practice, Equitable Neighborhoods, works with directly impacted communities to respond to City planning processes and private developers, helping to make sure that people of color, immigrants, and other low-income residents who have built our city are not pushed out in the name of "progress."

I am submitting these comments today in my capacity as counsel to Good Old Lower East Side - GOLES, CAAAV: Organizing Asian Communities, Tenants United Fighting for the Lower East Side (TUFF-LES) and the Lands End One Tenants Association (LEOTA).

We urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated.

I will use my time here today to comment on the obfuscated and illegal process through which these applications reach you today. You will hear from my clients and their members about the devastation to the community that the proposed megatowers would bring if approved.

The Two Bridges LSRD site plan has been under the control of this Commission since the creation of the LSRD in 1972, when construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission in the newly cleared Two Bridges Urban Renewal Area, conditioned on the plans for the entire area submitted by the public agencies leading the development of the area.[1] It is significant that the LSRD was created after the 1961 Zoning Resolution of the City of New York (herein "ZR") initially assigned C6-4 zoning to the lots in the LSRD. The LSRD is more restrictive than the underlying zoning. The zoning resolution is clear that where there are two sets of regulations applicable to a particular lot, the more restrictive terms control.[2]

The LSRD is more restrictive and more recent than the underlying zoning, thus all development must comply with it. The ZR permits development in the LSRD area only as described in the original LSRD application and subsequent amendments.[3] Each amendment that has been made has included a site plan as part of the condition on which approval rest. The enormous buildings the applicants seek to build now were not part of the original LSRD plan as adopted in 1972, nor part of the amendments made for construction in later Authorized and Permitted Phases. We have gathered the plans that were part of conditions to the prior approvals and would be happy to share them with the Commission after the hearing if you cannot get access to them directly from the Department using the citations we have provided.

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[1] CP21885 (May 15, 1972 CPC approval includes this condition: "The premises shall be developed in size and arrangement as stated in the application and as indicated on the plans filed with this application").

[2] Zoning Resolution of the City of New York §§ 11-22 ("Whenever any provision of this Resolution and any other provisions of law, whether set forth in this Resolution or in any other law, ordinance or resolution of any kind, impose overlapping or contradictory regulations over the use of land... **that provision which is more restrictive or imposes higher standards or requirements shall govern**.")

[3] CPC21885 (June 15, 1973; CPC approval is subject to the same conditions enumerated in the May 15, 1972 approval); C760143ZLM (February 9, 1977 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on plans filed with the application"); N830316ZAM (December 8, 1982 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N850737ZAM (August 28, 1985 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N860727ZAM (March 17, 1986 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); C950078ZSM (January 18, 1995 CPC approval includes this condition: "The property that is the subject of this application (C950078ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by The Edelman Partnership/Architect, filed with this application and incorporated in this resolution: Drawing No. A-4, Zoning Data 9/20/94 and Drawing No. A-6, Site Plan, Site Sections 8/31/94").

All amendments to the LSRD must be Authorized by this Commission or granted a Special Permit by it after specific findings are made.[4] Private applicants are before you now asking for approval to drastically alter the previous site plans without seeking either a Special Permit or an Authorization. Although they have been engaging our clients, their elected advocates and their neighbors in a series of meetings over the last two years, the required findings were only published two days ago as part of the briefing materials for this hearing. These all contain rote recitals that "no new modifications are required" and "the previously granted [waivers or modifications] would not change," as the conclusion to each required finding for all three applications before you. The identical recital reveals that no true analysis has been done; more starkly, the statement that that previously granted approval would not change is a direct contradiction to the prior Commission approvals, each of which was conditioned on a site plan[5] which will change considerably should these megatowers be built.

The Department of City Planning has made an error here that does not bind the Commission when it arbitrarily and unlawfully classified these requested approvals to add four new towers as "minor modifications."[6] In fact the ZR does not allow for *any* modification of previously granted Authorizations and Special Permits in the Two Bridges LSRD.[7]

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[4] *See* ZR §§ 78-311, 78-312, 78-313. Special Permit applications must go through the Uniform Land Use Review Procedure (ULURP); City Council may "take up" Special Permit applications for an up or down vote. ULURP Rules, New York City Charter §§ 197-d(b)(2) - (3) & 197-c(a)(4). In the August 2016 letter, Department of City Planning's former Director referred to Section 2-06(g)(5)(ii) of the ULURP Rules in his letter outlining the Enhanced EIS process for approving a "minor modification" to an existing LSRD. The Rule the Director attempted to rely on does not belong in the approval process for changes to an LSRD. The Rule he cited has only been adopted for application in a specific context: when a Land Use application is altered in the midst of ULURP review after the CPC has voted on a prior version; the rule provides the standard for determining whether a new CPC vote is needed during the period for City Council review. The text of the Rule itself is clear: "The Commission shall receive from the City Council *during its fifty (50) day period for review* copies of the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and to determine… whether the modification requires the initiation of a new application." *See Windsor Owners Corp. v. City Council of City of New York*, 23 Misc.3d 490 (Sup. Ct., N.Y. Cty. 2009). Any other use of this rule is *ultra vires*: it is outside the scope of authority delegated to your Department pursuant to the requirements of the City Administrative Procedure Act. Any determination based on such a misuse of a rule is null and void. The applications filed by JDS Development Group, Two Bridges Associates, LP, and Starrett Development are not, at this time, going through ULURP; there has been no CPC hearing or vote. The rule former Director Weisbrod cited is irrelevant and its application here is unlawful. It cannot be used to circumvent the approval procedures mandated in the ZR.

[5] See citations in footnotes 1 and 2.

[6] Letter from DCP Director Carl Weisbrod to elected advocates, August 11, 2016, enclosed Exhibit A.

[7] Modification of previously granted LSRD Authorizations and Special Permits may only be sought and approved for three specifically identified LSRD parcels in the entire City: (1) vacant parcels in the West Side Urban Renewal Area, id. § 78-06(b)(2), (2) vacant parcels in Queens Community District 7, id. § 78-06(b)(4),

Where a "minor modification" has previously been granted and implemented on this LSRD, despite the prohibition, the change was truly minor and would not impact the character of the neighborhood: a change proposed by the original applicant (the public Housing and Development Administration, a precursor to the Department of Housing Preservation and Development) that slightly altered the number of units and stories in a building that had been previously approved due to a change in modular system to be used for construction;[8] Even then, before the change was allowed, the Commission had to determine that it would not to be "a substantial modification of the plans previously approved."[9] No such determination has been made here, nor could it be given the drastic nature of the proposed changes and the new, private, applicants seeking them.

A further irregularity in the process here is the sudden appearance of the second Starrett application. On page 362 of the briefing materials, we also learned that in addition to the "modification" of the previously approved plans for the LSRD, Starrett is also seeking a discretionary "Certification to Modify Ground-Floor Commercial Use Requirement" because 259 Clinton falls into a "high density Commercial District." There are separate findings listed for this Certification, as separately required by the ZR. This seperate Certification was not presented at earlier phases of the ad hoc approval process being used here; our clients and the Community Board have had no opportunity to comment on it.

Finally, the site where Starrett seeks to add a 700-foot building with 765 units on Clinton Street was mandated to be a permanent playground and open space when the Commission approved its use for staging for the Department of Environmental Protection's adjacent water tunnel project a mere ten years ago.[10]

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and (3) parcels used as open space for the term of the URA Plan in the Ruppert Brewery URA, id. § 78-06(b)(7). Two Bridges is not an LSRD plan that can be modified.

[8] See Letter from Roger Starr, Administrator, Housing and Development Administration, to John E. Zuccotti, Chairman, City Planning Commission, February 3, 1975, enclosed, Exhibit B; Letter from Peter D. Joseph, Deputy Commissioner, Housing and Development Administration, to City Planning Commission, January 29, 1975, enclosed Exhibit C.

[9] Letter from John E. Zuccotti, Chairman, City Planning Commission, to John Overback, Borough Superintendent, Department of Buildings, February 5, 1975, re: CP 21885 Amendment, enclosed Exhibit D.

[10] April 21, 2008 / Calendar No. 1 C 070212 PCM CPC report available at https://www1.nyc.gov/assets/planning/download/pdf/about/cpc/070212.pdf (the Two Bridges area "has a critical need for usable, well-maintained, high-quality open space, and therefore, strongly urges that D.E.P., or any subsequent city agency or other entity responsible for the playground, assures maximum public access and maintains it at a high standard") and enclosed Exhibit E. See *Two Bridges tower site was slated to be public playground*, August 10, 2018, The Village, available at http://thevillager.com/2018/08/10/two-bridges-tower-site-was-slated-to-be-public-playground/

Thank you very much for your time and attention to the process by which neighborhood change is being allowed to occur in the Two Bridges neighborhood. Clear and understandable, transparent processes are the prerequisite for public participation in our city's democracy.

EXHIBITS

A: Letter from DCP Director Carl Weisbrod to elected advocates, August 11, 2016.

B: Letter from Roger Starr, Administrator, Housing and Development Administration, to John E. Zuccotti, Chairman, City Planning Commission, February 3, 1975.

C: Letter from Peter D. Joseph, Deputy Commissioner, Housing and Development Administration, to City Planning Commission, January 29, 1975.

D: Letter from John E. Zuccotti, Chairman, City Planning Commission, to John Overback, Borough Superintendent, Department of Buildings, February 5, 1975, re; CP 21885 Amendment.

E: April 21, 2008 / Calendar No. 1 C 070212 PCM CPC report available at https://www1.nyc.gov/assets/planning/download/pdf/about/cpc/070212.pdf.

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE DIRECTOR

August 11, 2016

Hon. Margaret Chin
Council Member, District 1
250 Broadway, Suite 1882
New York, NY 10007

Hon. Rosie Mendez
Council Member, District 2
250 Broadway, Suite 1734
New York, NY 10007

Hon. Gale Brewer
Manhattan Borough President
1 Centre Street, 19th Floor
New York, NY 10007

Hon. Daniel Squadron
NYS State Senator, District 26
250 Broadway, Suite 2011
New York, NY 10007

Hon. Alice Cancel
NYS Assembly Member, District 65
250 Broadway, Room 2212
New York, NY 10007

Hon. Nydia Velazquez
U.S. Congresswoman, District 7
500 Pearl Street, Suite 973
New York, NY 10007

RE: Pre-Application Statements (PAS) for Two Bridges
Manhattan Blocks 246, 247 and 248

Dear Council Member Chin, Council Member Mendez, Borough President Brewer, Senator Squadron, Assembly Member Cancel, and Congresswoman Velazquez:

I appreciate your concerns regarding the proposed changes to the existing Two Bridges Large Scale Residential Development (Two Bridges LSRD) within the former Two Bridges Urban Renewal Area, as expressed in your letter to me dated June 22, 2016. I agree that the development contemplated here is significant when each proposed development is considered individually, and that the potential impacts to the surrounding neighborhood require unique consideration when the three proposed projects are assessed cumulatively.

As you are aware, the City Planning Commission created the Two Bridges LSRD in 1972 to support the Two Bridges Urban Renewal Area approved by the Commission in 1967. Through the LSRD regulations, the Commission granted waivers for distribution of permitted rooms without regard for zoning lots or district boundaries; for yard, height, and setback regulations wholly within the development; and for height and setback regulations on the periphery of the development. In 1995, the Commission granted additional waivers for height and setback regulations wholly within the development and for minimum distance between buildings.

The determination of whether a modification to a prior special permit is "major" or "minor" is based on whether the proposed modification would require new waivers or zoning actions or increase the extent of any previously granted waivers. The criteria governing this determination are those codified in Section 2-(6)(g)(5)(ii) of the ULURP Rules (attached). Here, because the proposed modifications will not require any new waivers or zoning actions or increase the extent of previously granted waivers, the modifications will be treated as "minor".

However, although these proposals will not be reviewed as major modifications, the Department of City Planning is committed to working with you closely as we review the applications for these developments. We are requiring the completion of an Environmental Impact Statement (EIS) in conjunction with these applications, and are pleased that the applicants have agreed to a coordinated review of the proposals, to ensure that both any cumulative and project-specific potential impacts are identified and addressed through the public process mandated by CEQR,

We are committed to ensuring that the proposed projects are reviewed in accordance with urban design principles that result in, among other things, an improved streetscape and pedestrian condition along both South Street and Cherry Street and attention to the relationship between existing and new buildings on the project sites. We will also closely examine the affect the proposed buildings will have on light and air in the surrounding area, as well as the neighborhood consequences related to increased density (such as the need for schools), among many other factors.

I know that the development of this area is of significant consequence to you and the neighborhood. We appreciate your engagement with these important land use matters and look forward to working closely with you as we review these proposals. Please feel free to reach out to us with any questions at any time.

Best regards,

Carl Weisbrod

Encl: *Section 2-06 City Planning Commission Actions*

Section 2-06 - City Planning Commission Actions

...

(5) Review of Council Modifications

The Commission shall receive from the City Council during its fifty (50) day period for review copies of the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and to determine:

(i) in consultation with the Office of Environmental Coordination and lead agency as necessary, whether the modification may result in any significant adverse environmental effects which were not previously addressed; and

(ii) whether the modification requires the initiation of a new application. In making this determination, the Commission shall consider whether the proposed modification:

(A) increases the height, bulk, envelope or floor area of any building or buildings, decreases open space, or alters conditions or major elements of a site plan in actions (such as a zoning special permit) which require the approval or limitation of these elements;

(B) increases the lot size or geographic area to be covered by the action;

(C) makes necessary additional waivers, permits, approvals, authorizations or certifications under sections of the Zoning Resolution, or other laws or regulations not previously acted upon in the application; or

(D) adds new regulations or deletes or reduces existing regulations or zoning restrictions that were not part of the subject matter of the earlier hearings at the community board or Commission.

If the Commission has determined that no additional review is necessary and that, either, no significant impacts will result, or that possible environmental impacts can be addressed in the time remaining for Council review, it shall so report to the Council. The Commission may also transmit any comment or recommendation with respect to the substance of the modification, and any proposed further amendment to the modification which it deems as necessary or appropriate.

If the Commission has determined that the proposed modification will require a supplementary environmental review or the initiation of a new application, it shall so advise the Council in a written statement which includes the reasons for its determination.

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Reorder No. 5128

The City of New York

HOUSING AND DEVELOPMENT ADMINISTRATION
100 GOLD STREET, NEW YORK, N. Y. 10038

ROGER STARR, Administrator

21885 - AMDT #2

February 3, 1975

CP 21885

Hon. John E. Zuccotti, Chairman
City Planning Commission
2 Lafayette Street
New York, New York 10007

Re: Land's End Housing Co. Inc. (HO 73-16)
Amended "Plan and Project"

Dear Mr. Zuccotti:

In connection with your calendaring this development's Large-Scale Plan amendment for today's Executive Session, we wish to also bring to your attention the following changes which have taken place subsequent to your earlier approval (CP-22359, June 15, 1973), which in turn updates our November 21, 1974 correspondence with your agency.

1. The modular construction method employed initially was the Shelley System; owing to excessive construction costs associated with such system, we and the Sponsor/Developer have jointly agreed to substitute the less-costly CAMCI System. This latter system has been approved by HUD as an acceptable "Operation Breakthrough" alternative.

2. The apartment distribution for the 252 units (originally 251) is as follows:

0-BR: 14%
1-BR: 36%
2-BR: 29%
3-BR: 21%

Even with the elimination of the 4-BR unit (originally 5%), we have managed to maintain nearly a 4.5 rooms/ apartment ratio.

3. Balconies on most apartments have been added as integral to the CAMCI System.

4. The number of stories of the single-slab structure has been raised to 19 floors from its original 16.

We trust you are now in possession of sufficient data to permit you to approve such development's Large-Scale Plan.

Sincerely,

PETER D. JOSEPH
Deputy Commissioner

FACT SHEET

LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN
Two Bridges Urban Renewal Area - Site 6A

	SHELLEY (Submitted 6/11/73 & approved)	PROPOSED CAMCI	ZONING CAPACITY Zone C6-4 (R-10)	
Lot Area	69,048	71,359	71,359	
F.A. Total	276,000	263,000	713,590	
Residential	276,000	263,000	713,590	
F.A.R.	4.00	3.69	10	(without Bonuses)
Lot Coverage	17,200	14,000	---	
% Lot Coverage	24.1%	19.6%	---	
Height Factor	16	19	19	(Assumed)
Open Space	51,848	57,359	---	
Open Space Ratio	18.8	21.8	---	
Zoning Rooms	1,125	1,065	2,378	(Without Bonuses)
Dwelling Units	260	252	---	
Parking Spaces	59	35	---	

No Additional Waivers Required

1/22/75
DL
~~RHR~~:al

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Reorder No. 5128

The City of New York

HOUSING AND DEVELOPMENT ADMINISTRATION
100 GOLD STREET, NEW YORK, N. Y. 10038

ROGER STARR, Administrator
Commissioner of Development

21885

January 29, 1975

City Planning Commission
2 Lafayette Street
New York, New York 10007

Re: Large Scale Residential
Development Plan
Two Bridges Urban Renewal-Parcel-6A

Gentlemen:

Submitted herewith for your approval is a proposed minor change to the Subject Plan which was approved by the Commission May 17, 1972 CP-21885 Cal. No. 43 and by the Board of Estimate May 25, 1972 Cal. No. 208.

This change consists of a minor adjustment in the project statistics and the site plan resulting from the conversion of the project to be built on Parcel 6A from a Shelley system to a CAMCI system. Attached are revised pages 1, 2, 3, 4, 6 and 7 of the Large Scale Plan which incorporate the necessary modifications. Also attached is a fact sheet indicating the comparative statistics of the Shelley vs. CAMCI projects.

No new zoning authorizations are necessary. Please note that coverage, floor area, and zoning rooms have decreased and that open space has increased. The height of the buildings has increased from 16 to 19 floors. The slight increase in site area is merely due to a statistical error in the previous submission.

A minor change to the Mitchell-Lama brochure is being submitted under separate cover.

Your earliest consideration will be appreciated.

Sincerely,

Dep. Admr.

for Roger Starr
Administrator

THE CITY OF NEW YORK
HOUSING AND DEVELOPMENT ADMINISTRATION

TWO BRIDGES URBAN RENEWAL PROJECT

FEBRUARY, 1972
Revised: June, 1973; January 1975

APPLICATION FOR LARGE SCALE RESIDENTIAL DEVELOPMENT

LARGE SCALE RESIDENTIAL DEVELOPMENT

Total

Lot Area	8.3 Acres
Zoning Rooms	7,000
Dwelling Units	1,400

Stage I

Parcel 7

Lot Area	0.73 Acres
Zoning Rooms	1,280
Dwelling Units	256

Stage II

Parcel 6A

Lot Area	1.64 Acres
Zoning Rooms	1,065
Dwelling Units	252

TWO BRIDGES URBAN RENEWAL AREA

APPLICATION FOR LARGE SCALE RESIDENTIAL DEVELOPMENT

The attached tables and site plans contitute the large scale residential development plan for the redevelopment area of the Two Bridges project. This plan conforms with the Two Bridges Renewal Plan and proposed controls now before the City Planning Commission.

The intention of the Large Scale Plan is to provide the best possible housing environment in terms of the analysis of the actual site and future development plans of the city. The proposed development of the site, which emerged after discussions with community groups and potential sponsors, remove all the existing substandard and blighting structures replacing them with a comprehensive and coordinated project of needed residential and community facilities, as well as related uses. The proposed redevelopment is consistent with and complimentary to other developments within the neighborhood.

The Large Scale Residential Development has been divided into 6 parcels: Parcel 8 is to be developed as a Public Park, Parcels 4 and 7 with Low-income housing, and Parcels 5,,6A and 6B with moderate income housing.

TWO BRIDGES U.R.A.

AUTHORIZATION REQUESTED UNDER ARTICLE VII

CHAPTER 8 OF THE ZONING RESOLUTION

Table 1 describes the proposed development in terms of building bulk, density and off-street parking requirements under the Urban Renewal Controls and as related to the capacity permitted by the Zoning Resolution. As shown in the table, the proposed overall development is within the limits established by the Zoning Resolution.

The zoning capacity and the proposed bulk and zoning rooms for each parcel requiring waivers is shown on Table 2.

Table 3 summarizes the authorizations requested with respect to the distribution of bulk, zoning rooms, parking, height and setback, and minimum spacing between buildings requirements as shown on the site plan which is attached.

The proposed development requires a transfer of bulk zoning rooms within the four housing parcels. The total development proposed in terms of building bulk, zoning rooms parking and commercial and community facilities floor area is as permitted by zoning.

Authorizations have previously been granted to permit sky exposure plane penetration on the exterior and interior streets. The parcels have been planned as a unit to derive the maximum benefit from the available open space and views with a minimum adverse effect on surrounding property.

THE AUTHORIZATIONS PREVIOUSLY REQUESTED FOR STAGE I ARE:

1. Section 78-311 (a) to permit the distribution of zoning rooms without regard for zoning lot lines and district boundary lines as required by Section 23-223.
2. Section 78-311 (d) to permit the location of buildings without regard for yard regulations as required by Section 23-47 and 23-53.
3. Section 78-311 (e) to permit the location of buildings without regard for height and set back regulations on the interior of the project as required by Sections 23-632 and 23-64.

The special permit authorization previously requested for Stage I is:

4. Section 78-312 (d) to permit the location of buildings without regard for height and set back regulations, on the periphery of the project as required by Section 23-632 and 23-64.

The authorization previously requested for Stage II Parcel 6A was:

5. Section 78-311 (d) to permit the location of buildings without regard for yard regulations as required by Sections 23-47 and 23-53.

TWO BRIDGES URBAN RENEWAL AREA

LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

TABLE I

Proposed Maximum Development Versus Zoning Capacity

Zoning District	L.S. Plan C6-4(R10)	and	Capacity R72
Lot Area	362,963		362,963
Floor Area (S.F.) Total	1,626,700		3,629,630
Residential	1,545,500		
Community Facilities	44,500		
Commercial	43,300		
Lot Coverage (S.F.) Total	132,505		
Residential			
Community Facilities			
Commercial			
Height Factor	12		12
Floor Area Ratio	4.48		10.0
Open Space	230,458		-
Open Space Ratio	14.2		-
Residential			
Lot Area (S.F.)	354,205		354,205
Height Factor	12		12
Floor Area Ratio	4.08		10.0
Open Space	221,700		-
Open Space Ratio	14.3		-
Zoning Rooms	7,000		11,807
Dwelling Units	1,400		-

TWO BRIDGES URBAN RENEWAL AREA

LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

TABLE 2

PROPOSED MAXIMUM DEVELOPMENT VERSUS ZONING CAPACITY

	PARCEL 6A		PARCEL 7	
	L.S. PLAN	CAPACITY	L.S. PLAN	CAPACITY
Zoning District	C6-4 (R10)	C6-4(R10)	C6-4 (R10) &	R7-2
Lot Area	71,359	71,359	31,735	31,735
Floor Area (S.F.) Total	263,000	690,480	300,000	317,350
Residential	263,000	690,480	296,500	
Community Facilities	-	-	3,500	
Commercial	-	-	-	
Lot Coverage (S.F.) Total	14,000	-	11,400	
Residential	14,000	-	11,400	
Floor Area Ratio	3.69	10.0	9.45	10.0
Residential				
Lot Area (S.F.)	71,359	71,359	31,385	31,385
Height Factor	19	19 (ASSUMED)	26	26
Floor Area Ratio	3.69	10.0	9.44	10.0
Open Space	57,359	-	19,985	-
Open Space Ratio	21.8	-	6.7	-
Zoning Rooms	1,065	2,378	1,280	1,046
Dwelling Units	252	-	256	-
Parking Spaces	35(BSA Application Required)	59	30	30

TWO BRIDGES UNASSISTED URBAN RENEWAL AREA

LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

TABLE 3

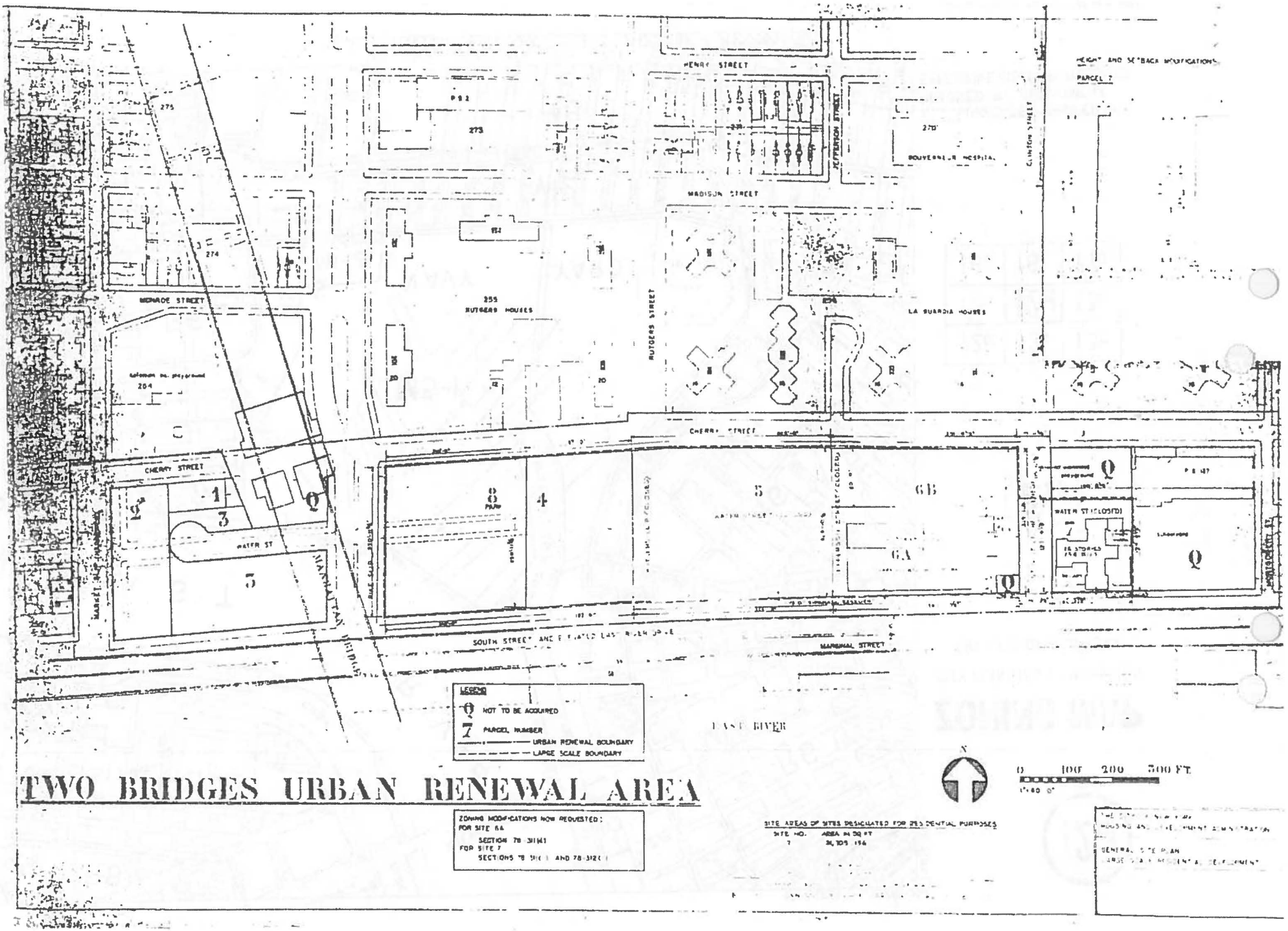
Authorizations Requested Under Large Sclae Development Provisions

A. Distribution of Bulk, and Zoning Rooms

	Parcel 6A C6-4(R10)	Parcel 7 C6-4(R10) & R7-2
Lot Area (S.F.)	71,359	31,735
Lot Coverage Total (S.F.)	14,000	11,400
Lot Coverage Residential	14,000	11,400
Floor Area (S.F.) Total	263,000	300,000
Residential	263,000	296,500
Commercial	-	-
Community Facilities	-	3,500
Zoning Rooms	1,065	1,280

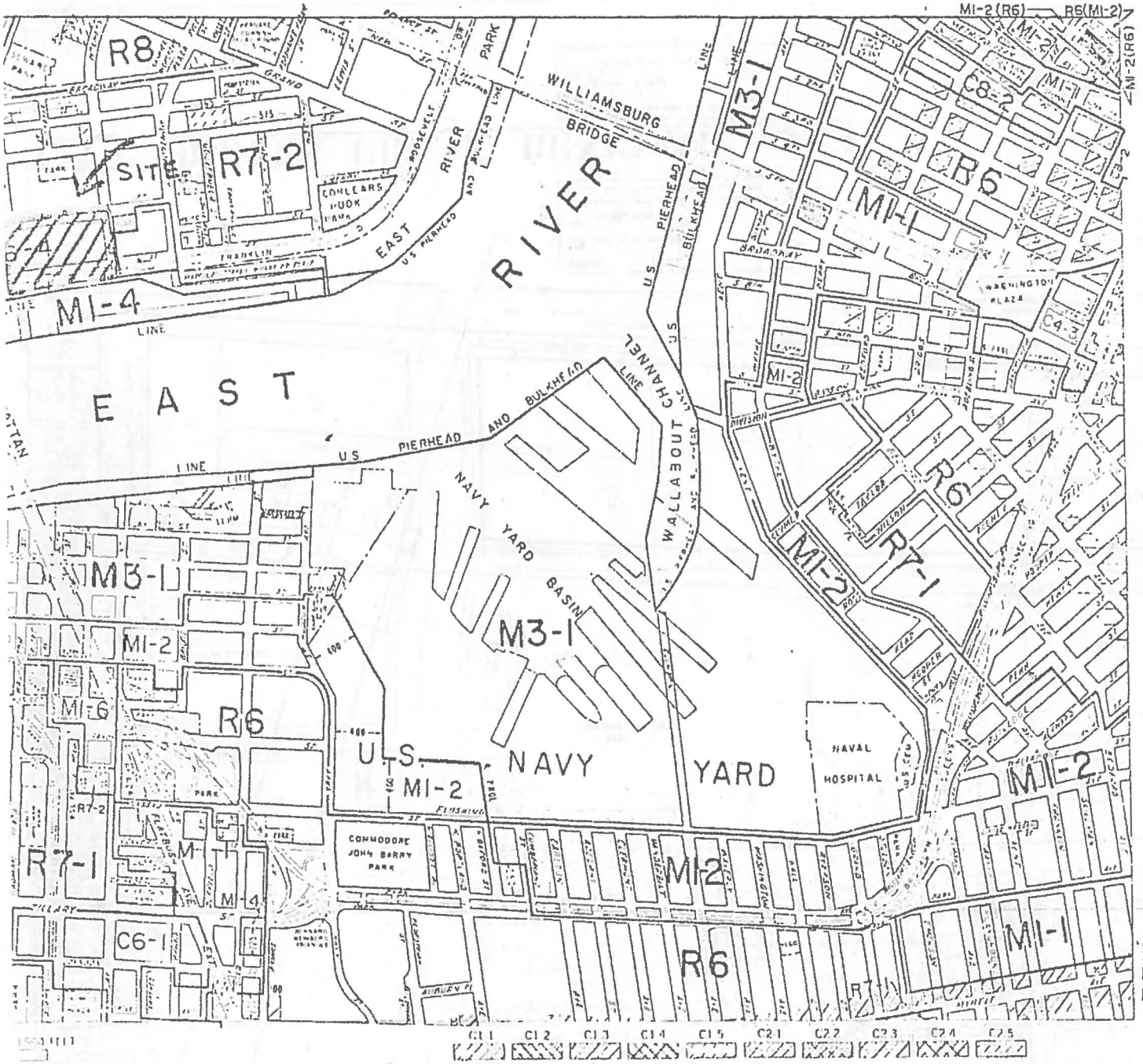
B. Height and Setback Requirements

Buildings	Minimum Front Setback (Feet)	Location of Front Wall	Sky Exposure Plane Penetration Proposed
Parcel 7	None	Clinton St.	155 ft.
	None	South St.	157 ft.



TWO BRIDGES URBAN RENEWAL AREA

GENERAL SITE PLAN



ZONING MAP

CITY PLANNING COMMISSION

THE CITY OF NEW YORK

12a	12c	13a
12b	12d	13b
16a	16c	17a

INDICATES PROPERTY REZONED BY AMENDMENT EFFECTIVE: DECEMBER 28, 1973
...A-1147

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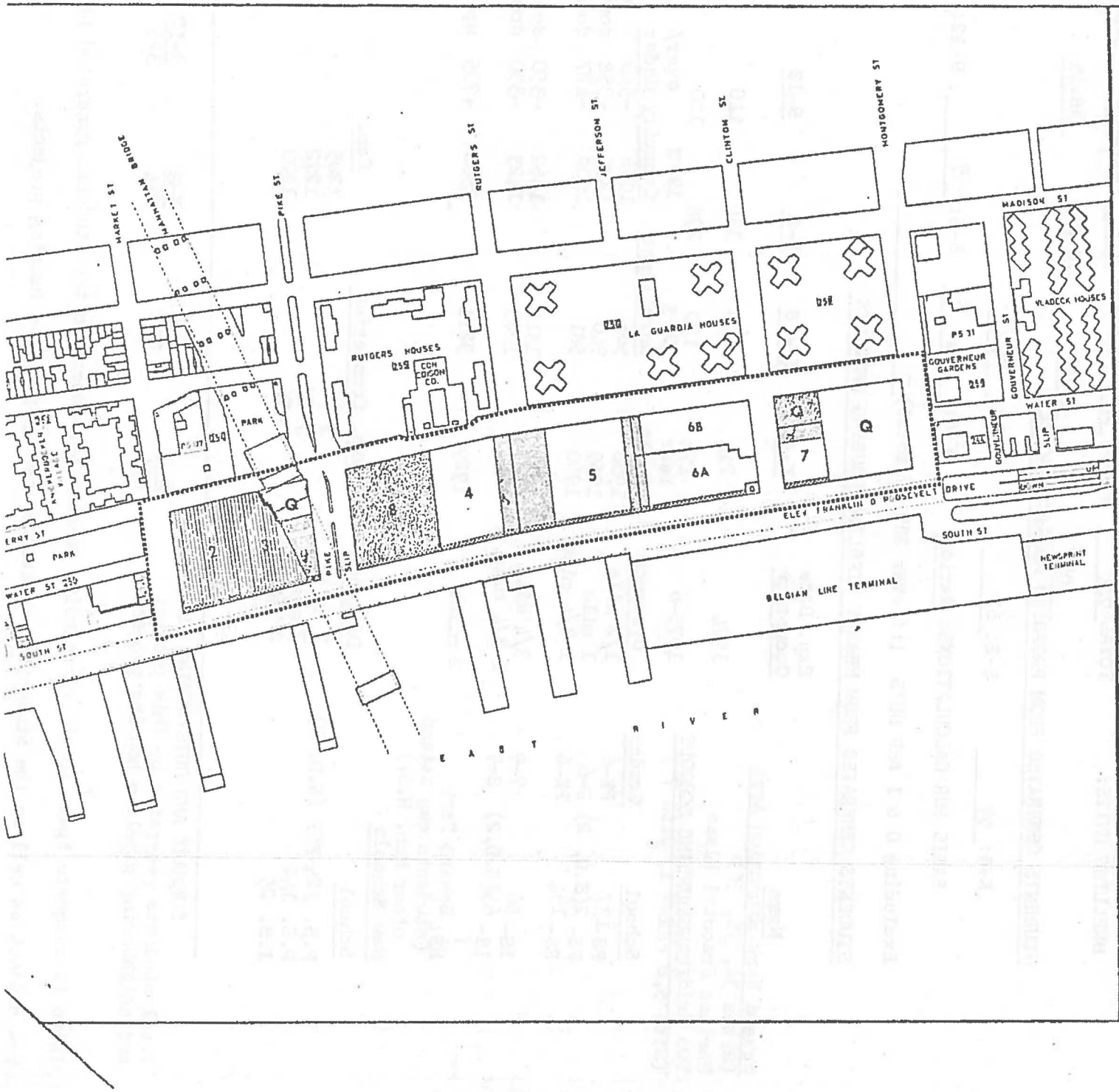
LAND USE PLAN



- RESIDENTIAL
- MANUFACTURING/COMMERCIAL
- PUBLIC (PARK)
- ACCESS EASEMENT
- UTILITY EASEMENT (NOT TO SCALE)
- SIDEWALK EASEMENT (NOT TO SCALE)
- RESERVED FOR BRIDGE REINFORCEMENT
- Q NOT TO BE ACQUIRED

- PROJECT BOUNDARY
- 5 PARCEL NUMBERS

TWO BRIDGES
URBAN RENEWAL AREA
FINAL PROJECT REPORT (URBAN RENEWAL PLAN)

THE CITY OF NEW YORK
HOUSING AND REDEVELOPMENT BOARD

VICTOR GRUEN ASSOCIATES
ARCHITECTURE • ENGINEERING • PLANNING

PROJECT NO. N.Y. R-111
DATE: MAY 27 1965 CODE NO: R 2 1
REVISED SEPT 23, 1965 SLIGHTLY REVISED

Social Services
1974

POTENTIAL HOUSING IMPACT ON PUBLIC SCHOOLS

3

SCHOOL DISTRICT: 1

NAME OF PROJECT: Lands End II (HO 7S-3)
LOCATION: Two Bridges URA-Clinton St., Cherry St., South St., and Rutgers St.
SPONSOR: National Kinney Corp. and Two Bridges Settlement Housing Corp.
FINANCING: City Mitchell Lama/236
DWELLING UNITS: TOTAL 704 0-BED 34 1-BED 128 2-BED 270 3-BED 2

100% 4.8% 18.2% 38.4% 38

STUDENTS GENERATED FROM PROPOSED HOUSING PROJECT

K-4: 99 5-8: 63 9-12: 63

BASIS FOR CALCULATIONS: Ratios K-4: 14 5-8: 9 9-12: 9

Excluding 0 & 1 BED DU'S (if over 30% of total) -

STUDENTS GENERATED FROM NEARBY PIPELINE HOUSING PROJECTS

Name	Exp. Date Occupancy	K-4	5 - 8	K-8	9-12
Seward Park Extension Area (Sites 3A, 3B, 3C) Mariana Bracotti Plaza	1974	214	140	354	140
Two Bridges SURROUNDING SCHOOLS (Site 5,6 Phase 1) Site 7	1975-6	178	120	298	120

School	Grades	Distance	Year Built	1973 Enrollment	1973 Capacity	over/ Under	Enr Tre
PS 137	PK-6	1/2 mile	1966	566	1076	-510	dow
PS 2(S.D. 2)	K-6	1 mile	1959	946	1304	-358	down sl
PS 134	PK-6	1 1/4 mile	1960	581	1008	-427	down sl
IS 56	7-9	3/4 mile	1968	1312	1662	-350	down sl
IS 65(S.D.2)	8-9	1 3/4 mile	1906	1073	1423	-350	down sl
HS. Seward Park (students can attend other Man. H.S.)		2 miles	1929	3211	2506	+705	up sli

New Schools

School	Distance	Exp. Completion	Cap.
P.S. 124 ECF (S.D. 2)	2 miles	1-76	1205
P.S. 142	2 miles	7-75	1272
I.S. 25	2 3/4 miles	7-76	1800

SUMMARY AND OUTSTANDING ISSUES

	K-4	5-8	K-8	9-12
Total students generated by this project and neighboring pipeline housing projects	491	323	814	323

There is adequate space in the surrounding schools to accomodate the students generated by thi new project as well as the students generated by nearby pipeline housing projects.

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Reorder No. 5128

(CP-21885)

February 5, 1973

Borough Superintendent
Department of Buildings
Municipal Building
New York, N. Y. 10007

Re: M.S. 29/1973

ATTENTION: Mr. John Overbeck

Dear Sir:

On July 26, 1972, in connection with M.S. 57 and 58/1971, you were advised that the application of the Housing and Development Administration pursuant to Sections 78-311(a), 78-311(d), 78-311(e) and 78-312(d) of the Zoning Resolution for the grant of a special permit and special permit authorizations, involving a large-scale residential development within the Two Bridges Urban Renewal Area, on property bounded generally by Pike Slip, Cherry Street, Montgomery Street, and South Street, Borough of Manhattan, was approved by the City Planning Commission and subsequently approved by the Board of Estimate on May 25, 1972 (Cal. No. 208) on which date said resolution of approval became effective.

THESE SPECIAL PERMITS AND AUTHORIZATIONS WERE APPROVED SOLELY PURSUANT TO SECTIONS 78-311(a), 78-311(d), 78-311(e) AND 78-312(d) OF THE ZONING RESOLUTION AND WERE SUBJECT TO VERIFICATION BY THE DEPARTMENT OF BUILDINGS FOR COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION.

A copy of the application (CP-21885) together with a site plan referred to in the application and a copy of the Board of Estimate resolution of approval were enclosed for your information.

On June 13, 1973 (Cal. 86), the City Planning Commission adopted a resolution, approving the application of the Housing and Development Administration for the grant of an additional authorization, pursuant to Section 78-311(d) of the Zoning Resolution involving Parcel 6A of the above large-scale residential development.

The Housing and Development Administration has submitted a revised application, dated January 28, 1975, reflecting changes in the design of the project to be built on Parcel 6A. A copy of the revised application is enclosed for your information.

The Commission has determined that the enclosed revisions do not constitute a substantial modification of the plans previously approved, and are consistent with the original approval pursuant to Sections 78-311(a), 78-311(d), 78-311(e) and 78-312(d) of the Zoning Resolution.

It is noted that the number of accessory off-street parking spaces on Parcel 6A has been reduced to less than the minimum amount now required by Section 36-352 of the Zoning Resolution. The Commission nevertheless approves the enclosed revisions with the understanding that the parking deficiency can be resolved in one of two ways:

1. An amendment of the Zoning Resolution, which would reduce the off-street parking required in residential buildings south of 110th Street in Manhattan, is now under consideration. If enacted, it might enable the project, as now proposed, to conform with regard to parking.

2. If the above amendment of the Zoning Resolution is not enacted, the Housing and Development Administration may apply to the Board of Standards and Appeals for a variance to reduce the amount of parking required.

Sincerely,

John E. Zuccotti
Chairman

Enc.

RR:bl

cc: Mr. Robert Reach Office of Design, Room 9240 Housing & Development Administration
100 Gold St. N.Y. 10038
Arleen Hauptman Room 1408
Mr. Harold Edelman Edelman & Salzman 434 Sixth Ave. N.Y. 10011
Mr. Geoffrey Fulton Schuman & Lichtenstein 200 E. 42nd St. N.Y. 10017

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Reorder No. 5128

CITY PLANNING COMMISSION

April 21, 2008 / Calendar No. 1 C 070212 PCM

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 257 South Street (Block 246, p/o Lot 1), Borough of Manhattan, Community District 3, for use as a maintenance and construction staging area for City Water Tunnel No. 1.

This application (C 070212 PCM) was filed on November 17, 2006, by the Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services (DCAS) for acquisition of privately owned property located at 257 South Street, Community District 3, Borough of Manhattan, for use as a maintenance and construction staging area during tunnel operations at Shaft 21 of City Water Tunnel No. 1.

BACKGROUND

The Department of Environmental Protection (DEP) proposes to use privately owned property located at 257 South Street (Block 246, part of Lot 1) as a maintenance and construction staging area during tunnel operations at Shaft 21 of City Water Tunnel No. 1. Both the proposed acquisition area and the site of Shaft 21 on the adjacent Lot 13 are on a block bounded by Cherry, South, Rutgers and Clinton streets, in the Lower East Side near the East River, in Manhattan Community District 3.

The 19,792-square-foot portion of the lot proposed for acquisition is located in a C6-4 zoning district in the Lower East Side section of Manhattan, Community District 3, and is the site of a former playground for an adjacent residential development, which has been closed since 1997.

The proposed acquisition area is irregularly shaped and has street frontages on South and Cherry streets, located just west of the FDR Drive viaduct. The former playground area was closed by the site's owner due to disrepair and is closed off with chain-link fencing.

The City of New York currently receives water through two primary routes: City Water Tunnel (CWT) No. 1, completed in 1917 and which supplies parts of the Bronx, downtown Brooklyn, and Manhattan; and City Water Tunnel No. 2, which began operating in 1936, supplying the rest of the Bronx and Brooklyn, Queens, and Staten Island. To avert problems caused by the potential failure of one or both existing water tunnels (neither of which has ever been closed for repairs), and to ensure that the City's future water needs are met, the Board of Water Supply in 1966 proposed a new water-supply system consisting of four stages, collectively referred to as City Water Tunnel No. 3. Each stage consists of the planning, approval process and construction of a designated number of shaft sites.

Stage 1 is completed, Stage 2 is under construction, and Stages 3 and 4 are being planned. After the completion of CWT No. 3, in approximately ten years, DEP will take CWT No. 1 off-line for inspection and rehabilitation. DEP would then do the same with CWT No. 2 and then alternate inspections and repairs among the three tunnels at ten-year intervals.

The proposed acquisition site is critical to the future maintenance operations on CWT No. 1, since it is located directly adjacent to Lot 13 (Shaft No. 21 reaches CWT No. 1's deepest point). The acquisition site would be enclosed by fencing and would serve primarily as a maintenance and construction staging area for personnel and equipment; no tunnel-related construction or excavation is planned. Additionally, such maintenance would not occur until CWT No. 3 is fully

operational, in approximately ten years. The actual operations would include the removal/draining of water from the tunnel (to the East River via existing underground distribution systems) and would facilitate the eventual inspection, maintenance and reconstruction as needed, of CWT No.1.

The proposed acquisition site is an approximately 20,000-square-foot portion of Lot 1, which is an approximately 71,000-square-foot lot generally located at the corner of South Street and Clinton Street. Lot 1 is currently improved with a 19-story residential building, a surface parking lot for approximately 35 cars, trees and landscaping and the inactive playground area. Lot 1 is coterminous with zoning Lot 13, an approximately 2,000-square-foot corner lot located at the intersection of Cherry and Clinton streets. Lot 13 is occupied by a one-story building, housing mechanical equipment and the entry point for Shaft 21 of CWT No. 1. The acquisition area would generally be limited to the inactive playground area immediately adjacent and surrounding Lot 13.

In the interim period before CWT No. 3 becomes fully operational and work on CWT No.1 begins (in approximately ten years), DEP proposes to restore the playground area with new equipment and landscaping for use by the community. During work on CWT No. 1, the playground equipment and landscaping would be removed. Upon completion of shaft-related work the playground space and equipment would be restored, but DEP would retain control of the site.

The remainder of the subject block includes a mix of low- and high-rise residential buildings making up the Lands End Housing complex as well as additional surface parking and open

space uses. On the blocks to the north of the subject block are two public housing development sites occupying three large blocks, the La Guardia Houses and Vladeck Houses. On the block directly across Clinton Street to the east are a high-rise residential building, P.S. 137 and two student playgrounds. Further east along the FDR Drive and past Pier 36 is the East River Park, which extends north to East 15th Street. South Street and the elevated portion of the FDR Drive are immediately to the south (waterside) of the site.

ENVIRONMENTAL REVIEW

This application (C 070212 PCM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05DEP044M. The lead agency is the Department of Environmental Protection.

After a study of the potential environmental impacts of the proposed action, a negative declaration was issued on August 15, 2006.

UNIFORM LAND USE REVIEW

This application (C 070212 PCM) was certified as complete by the Department of City Planning on November 13, 2007, and was duly referred to Community Board 3 and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 3 held a public hearing on this application on December 11, 2007, and on December 18, 2007, by a vote of 32 to 3 with one abstention, adopted a resolution recommending approval of this application subject to the following conditions:

- the proposed open space and play area is maintained as such for all periods over the course of the project that construction is not taking place, and
- DEP commit to funding the playground in perpetuity.

Borough President Recommendation

The application was considered by the Borough President, who issued a recommendation on February 19, 2008, approving the application

City Planning Commission Hearing

On February 13, 2008 (Calendar No. 14), the Commission scheduled February 27, 2008 for a public hearing on this application (C 070212 PCM). The hearing was duly held on February 27, 2008 (Calendar No. 33). There were three speakers in favor of the application.

Two Project Managers for DEP spoke in favor of the application while also addressing the concerns raised at the Community Board public hearing. They stated that DEP would continue to explore options for creating a maintenance plan for the proposed playground area.

The Deputy Director of Land Use for the Manhattan Borough President re-iterated his office's recommendation for approval of the project and restated the request by the Community Board that a maintenance plan be instituted for the proposed playground area.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that the application for acquisition of privately owned property located at 257 South Street (Block 246, part of Lot 1), for use as a maintenance and construction staging area during tunnel operations at Shaft 21 of City Water Tunnel No. 1 is appropriate.

The completion and eventual operation of CWT No. 3 will meet the 1966 goals of the Board of Water Supply and help ensure that the city's future water demands are met. It is one of the City's largest and most critically important infrastructure projects. In bringing a level of redundancy to the existing water supply system, the new tunnel will allow DEP to perform inspection, maintenance and repairs as required on CWT No. 1 and CWT No. 2, which have operated without interruption since 1917 and 1936, respectively.

The proposed site is adjacent to the access point to Shaft 21 of CWT No. 1; because Shaft 21 marks the tunnel's lowest point, future operations involving the removal of water from Tunnel No. 1 are centered there. The proposed acquisition area would be used as a staging and access area only, and only during the periods of scheduled work on the tunnel.

The proposed acquisition area is a part of a larger zoning lot which is partially occupied by a residential building, a surface parking lot adjacent to the residential building and a closed playground area. The proposed acquisition area is limited to the area generally occupied by the closed playground area, which has not been open for use since 1997. As part of the DEP's use of the site, DEP proposes to install new safety surfaces, playground equipment and landscaping in order to create a usable public open space, which would be available before and after the conclusion of tunnel operations, anticipated to begin in approximately 2017.

In response to concerns about the maintenance of the proposed playground, the Commissioner of DEP, in a letter dated April 7, 2008, stated that "DEP will be responsible for maintaining the site until responsibility is transferred to another agency or appropriate entity."

The Commission notes that this community has a critical need for usable, well maintained, high quality open space and, therefore, strongly urges that DEP, or any subsequent city agency or other entity responsible for the playground, assures maximum public access and maintains it at a high standard.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of New York City Charter, that based on the environmental determination and consideration described in this report, the application (C 070212 PCM) of the Department of Environmental Protection and

the Department of Citywide Administrative Services for site selection and acquisition of property located at 257 South Street (Block 246, part of Lot 1), for use as a maintenance and construction staging area for City Water Tunnel 1, Community District 3, Borough of Manhattan, is approved.

The above resolution, duly adopted by the City Planning Commission on April 21, 2008 (Calendar No. 1), is filed with the office of the Speaker, City Council, and the Borough President of Manhattan in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,
JOHN MEROLO, Commissioners

Daisy Echevarria | Lands End One Tenants Association | TUFF-LES 275 South Street Apt 10H | New York NY 10002
Lesdaisy2004@yahoo.com | (212)349-6330

October 17, 2018

**COMMENTS TO THE CITY PLANNING COMMISSION
ON PROPOSAL TO ADD FOUR MEGATOWERS TO THE SITE PLAN OF THE TWO BRIDGES LARGE SCALE RESIDENTIAL DEVELOPMENT (LSRD) AS MODIFICATION OF PRIOR APPROVED LSRD SITE PLANS
M180506(B) ZSM, M180507(C) ZSM, M180505(A) ZSM**

"The time has come when effort should be made to regulate the height, size and arrangement of buildings to arrest the seriously increasing evil of the shutting off of light and air from other buildings and from the public streets, to prevent unwholesome and dangerous congestion both in living conditions and street and traffic transit and to reduce peril to life"

This is a declaration by the Manhattan Borough President, of 1913, when establishing the reason for the existence of the zoning committee. And this was done in response to a 40 story building!

Carl Weisbrod,Director of the Planning Department and Chairman of the Planning Commission called that zoning resolution **Genius** in accepting common law doctrines that **landowners are not entirely free to create nuisances around them and that local governments may police their conduct in the name of public health, safety and welfare.**

Your founders would hang their heads in shame if they knew what abominations you intend on allowing in the Two Bridges LSRD.

Mr. Weisbrod, the architect of the overhaul of the zoning codes that gave allowance to these Monstrous Towers threatening the city, also seems to have forgotten his past words and approved the Minor Modification status for these developers. He left soon after, to work.... for a real estate consulting firm. This does not sit right with any of us from the Two Bridges Neighborhood. Neither does DeBlasio's close ties with developers, real estate and the former president of the Real Estate Board of NY! The shadow of impropriety this casts should stop this process and you should make these developers go through the ULURP. It seems that DCP has forgotten why it was founded. The Two Bridges LSRD was created in 1972 and was intended for affordable housing. Past applications have required a special permit & ULURP. Why have you given these developers a pass? They have become emboldened. We just learned from reading the DEIS, that Starrett is also seeking a 'Certification to Modify Ground Floor Commercial Use Requirement'. Where did this come from? What are you going to do about this? These landowners shouldn't be allowed to run roughshod through the rules. **They are not free to create nuisances around them.** It's time for DCP to **start policing these landowners** and protect **US.** And to protect us at Two Bridges, you should support the Manhattan Borough President and Council Woman Chin's text amendment, include Community District 3 in the 'Certificate of No Harassment' legislation, and you should approve The Chinatown Working Group's Rezoning plan and if you still feel it's too large of an area then support the Rezoning of Subdistrict D.

My name is Daisy Echevarria, and I'm a Tenant Leader at Lands End One at 275 South Street and a member of TUFF-LES.

"The time has come when effort should be made to regulate the height, size and arrangement of buildings to arrest the seriously increasing evil of the shutting off of light and air from other buildings and from the public streets, to prevent unwholesome and dangerous congestion both in living conditions and street and traffic transit and to reduce peril to life"

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我的名字是. 我今天的目的是要求您们城市计划委员会投票"NO"，反对水边的高级公寓大楼建议。
My name is Xue Liang Ming. My purpose today is to ask you, the City Planning Commission, to vote "No" and oppose the proposal for luxury towers along the waterfront.

我是唐人街的居民和唐人住客协会的会员。我住在53 Monroe街，在这里住了二十多年。我的公寓是租金稳定公寓。
I am a Chinatown resident and a member of the Chinatown Tenants Union. I live at 53 Monroe Street, and I have lived there for more than twenty years. My apartment is rent-stabilized.

我们在这边，以前是很稳定的。现在，因为有贵族化，有很多房东骚扰，去干涉我们。虽然环境影响声明的结论是租金稳定的租户不会受到间接住宅转移的影响，但我知道这是不对的。我们这些周围社区低收入租户会受非常大的影响。
For those of us who live along the waterfront, life used to be very stable. But now, because of gentrification, there is a lot of landlord harassment and displacement. Although the Environmental Impact Statement concluded that rent-stabilized tenants are not impacted by indirect residential displacement, I know this is false. Low-income residents in the community are deeply impacted by these issues.

2015年的时候，有一位新房东买了我们两个楼宇，51 和53 Monroe。我看到他们买了楼宇以后有很大的改变。他们做了很多装修，也开始骚扰住客赶他们走。
In 2015, a new landlord purchased our two buildings, 51 and 53 Monroe. I saw enormous changes occur after they purchased the building. They started doing a lot of construction, and they began harassing tenants in order to encourage people to leave.

我们楼里面有15个单元。以前，都是租金稳定住客。我们很多都相互认识。现在2018年，已经有8个家庭搬走了。新搬进来 的住客每月租金3千以上。所以贵族化对我们租金稳定的住客会有很大的影响。
There are 15 units in our building. In the past, they were all rent-stabilized tenants. We all knew each other. Now, in 2018, eight families have moved away. New tenants pay upwards of $3,000 per month in rent. This shows the impact gentrification has had on rent-stabilized tenants.

我们周围有很多小孩和老人. 我有两个小孙子，一个是5岁，一个是3三岁多。如果您决定支持这三个高级公寓大楼，他们将会受到影响。
In our community there are many children and seniors. I have two young grandchildren, one five years old and one a little bit more than three years old. They are the ones who will be impacted if you approve these three luxury towers.

施工期间会有很多灰尘。我们社区学校本来已近很难找到位子。 一旦新楼建成并且许多人搬进来，它将变得更加困难。
There will be significant dust during construction. In our community, it is already difficult to get a spot in schools for children. Once the buildings are built and many people move in, it will become even more of a challenge.

出于这些原因，我请你投票No并否决这个提案。 谢谢。For these reasons, I ask you to vote no and turn down the proposal. Thank you.

CAAAV
ORGANIZING ASIAN COMMUNITIES

Testimony of Liang Ming Xue to the City Planning Commission
On Two Bridges LSRD

October 17th, 2018

我今天的目的是要求您们城市计划委员会投票“NO”，反对水边的高级公寓大楼建议。
My purpose today is to ask you, the City Planning Commission, to vote “No” and oppose the proposal for luxury towers along the waterfront.

我是唐人街的居民和唐人住客协会的会员。我住在 53 Monroe 街，在这里住了二十多年。我的公寓是租金稳定公寓。
I am a Chinatown resident and a member of the Chinatown Tenants Union. I live at 53 Monroe Street, and I have lived there for more than twenty years. My apartment is rent-stabilized.

我们在这边，以前是很稳定的。现在，因为有贵族化，有很多房东骚扰，去干涉我们。虽然环境影响声明的结论是租金稳定的租户不会受到间接住宅转移的影响，但我知道这是不对的。我们这些周围社区低收入租户会受非常大的影响。
For those of us who live along the waterfront, life used to be very stable. But now, because of gentrification, there is a lot of landlord harassment and displacement. Although the Environmental Impact Statement concluded that rent-stabilized tenants are not impacted by indirect residential displacement, I know this is false. Low-income residents in the community are deeply impacted by these issues.

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出于这些原因，我请你投票 No 并否决这个提案。 谢谢。For these reasons, I ask you to vote no and turn down the proposal. Thank you.

Two Bridges Mega Towers Proposal

I grew up in the Rutgers housing Projects until College. After college I pursued an art career & participated in developing "grass root" non-profit art centers in LES. They were 7 Loaves, CityArts, Charas, Basement Workshop, Chinatown Food Co–Op, Nuyorican Poets Café, ABC No Rio, A Gathering of the Tribes, Bowery Poetry Café, and finally, the last bastion, 12 hour/day drawing center, Spring St. Studio in Soho. Presently, Minerva's Drawing Studio aka Spring St. Studio, a small business for artists had been relocated to a smaller space on Broome St near Chinatown. The move was heart breaking after 25+ years in Soho for Minerva Durham who nurtured over "1,000 NY area artists", plus 500 International artists attending her studio. After the move, Minerva suffered a stroke where she is handicapped and needs a crutch to mobilize. Now just last month, we celebrated her 80th Birthday and she is in the midst of fundraising while in her 80s.

So, I am her proxy and will speak out. I also, am a displaced LES artist now situated in Gowanus Superfund. All non–profits arts organizations, especially the socio–economic murals by CityArts for social change of the 70s to 90s had disappeared from LES. What remains are cold steel, glass towers for the rich to replace poorer families. Unfortunately, as artists, we had envisoned a downtown "free" art institute to thrive in a once diverse ethnic community. We are against Mega Towers that will environmentally impact and force the poor working–class families out of their homes, small businesses, and be culturally deprived.

ASSOCIATION FOR NEIGHBORHOOD & HOUSING DEVELOPMENT, INC

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COMMENTS TO THE CITY PLANNING COMMISSION ON TWO BRIDGES LSRD PUBLIC HEARING

October 17, 2018

Good morning. My name is Chris Walters and I am the Rezoning Technical Assistance Coordinator for the Association for Neighborhood and Housing Development (ANHD). ANHD is a coalition of community groups across the city working to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers.

I know you'll be hearing compelling testimony today on the numerous reasons why these proposals should be voted down, including vital questions as to the legality of the process the City is following here in seeking approval. But even setting these questions aside the significant displacement risk these proposals pose to the surrounding neighborhood and the failure of the DEIS to accurately capture them should be reason enough alone to vote no.

The analysis of indirect residential displacement in the DEIS is flawed on several levels. I will touch upon them in brief.

1. The DEIS over estimates the number of units that are under some form of rent protection.
    a. In addition to identifying numbers for rent stabilized units and NYCHA households, the DEIS states that there are over 5,000 units in buildings containing one or more units under some form of rent-protection in the study area.[1] But this does not mean that all of these 5,000 plus units are themselves rent protected – they are simply the number of units in buildings where at least *one unit* is rent protected. The number of rent protected units may be far fewer; in fact it could be as little as one rent protected unit per building. The analysis is inconclusive because the Furman Center data doesn't break this out further. If such a breakdown does not exist than it is essentially meaningless to refer to these buildings and units as being rent protected, significantly reducing the number of units that should be included in this category.

[1] DEIS, p. 3-18

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2. The DEIS fails to take into consideration the numerous ways that rent protected units can leave protection and cease to be affordable
    a. Rent stabilized units can leave stabilization and rent-protected units can come to the end of their affordability requirements, yet the EIS still treats these units as free from displacement concerns. Within the study area alone an estimated 950 units left rent stabilization between 2007 and 2016 (17% of the total rent stabilized housing stock).[2]11 buildings with rent protection, containing 839 units, will reach the end of their affordability requirements by 2021, while an additional 1,782 units in 19 properties will expire by the end of 2028.[3] In addition there were over 300 evictions cases filed in the study area between January 2013 and June 2015, alone – including 135 at 82 Rutgers Slip – showing the displacement risks that rent protected households can still face.[4] Lastly, the number of rent stabilized apartments with preferential rents in the study area is a looming problem. While not calculated by census tract, within zip code 10002, 2,086 units - representing 31.5% of stabilized apartments - have a preferential rent.[5] This means 2,086 units that are not protected from a steep and rapid rent increase. By treating all rent protected units as safe from displacement pressures and failing to take a more detailed look, the DEIS drastically undercounts the number of households who might be at risk.
3. The DEIS fails to consider race and ethnicity as part of its analysis
    a. Over 90% of residents in the study area are people of color, with 50% identifying as Asian; 33% as Latino, and 11% as Black. 57% of residents are foreign born.[6] These are the households facing the displacement pressures these proposed towers will bring. It must be acknowledged that these proposed developments will have a disproportionate negative impact on a number of minority groups in the area.

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[2] taxbills.nyc
[3] Furman Center, Coredata.nyc
[4] https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909
[5] ProPublica, *Preferential Rents in NYC,* https://projects.propublica.org/graphics/preferential-rents
[6] U.S. Census Bureau, *American Community Survey* (2015).

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4. The DEIS fails to acknowledge the accelerated displacement pressures that 2,081 new market rate apartments will bring to the study area
    a. The DEIS explicitly acknowledges that new market rate development is contributing to rent increases in the study area, stating: "The nature of new residential developments in the study area differs from what has traditionally existed in the study area and has contributed to the trend of rapid rent increase since 2000." (DEIS 3-14) Yet a look at the data shows that the amount of development in the study area since 2000 has amounted to 1,650 units in 25 developments (PLUTO); 10 of those developments, containing 1,171 units in total, are buildings with at least one unit under some form of rent protection. This means that far fewer than 2,000 new market rate units have been built in the study area since the year 2000. If this smaller number of market rate units over the past 17 years has contributed to the trend of rapid rent increases it must be acknowledged how much more significant an impact 2,081 new market rate apartments in just 3 years will have on the neighborhood. The EIS uses the fact that rents are already rising in the study area to discount the need for a displacement analysis without acknowledging how the proposed developments will only accelerate that trend.

This failure to present an accurate picture as to the significant impacts of these developments should make a vote of approval by the City Planning Commission impossible. If the DEIS accurately reflected the displacement pressures these proposed developments will bring I believe the commission would be compelled to vote no and I strongly urge them to do so.

Thank you very much for your time and consideration.

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3. The DEIS fails to consider race and ethnicity as part of its analysis
    a. Over 90% of residents in the study area are people of color, with 50% identifying as Asian; 33% as Latino, and 11% as Black. 57% of residents are foreign born.[6] These are the households facing the displacement pressures these proposed towers will bring. It must be acknowledged that these proposed developments will have a disproportionate negative impact on a number of minority groups in the area.

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[2] taxbills.nyc
[3] Furman Center, Coredata.nyc
[4] https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909
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This failure to present an accurate picture as to the significant impacts of these developments should make a vote of approval by the City Planning Commission impossible. If the DEIS accurately reflected the displacement pressures these proposed developments will bring I believe the commission would be compelled to vote no and I strongly urge them to do so.

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COMMENTS TO THE CITY PLANNING COMMISSION FOR TWO BRIDGES LSRD PUBLIC HEARING, M 180505(A) ZSM

October 17, 2018

My name is Chris Walters and I am the Rezoning Technical Assistance Coordinator for the Association for Neighborhood and Housing Development (ANHD). ANHD is a coalition of community groups across the city working to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers.

I know you'll be hearing compelling testimony today on the numerous reasons why these proposals should be voted down, including vital questions as to the legality of the process the City is following here in seeking approval. But even setting these questions aside, the significant displacement risk these proposals pose to the surrounding neighborhood and the failure of the Draft Environmental Impact Statement (DEIS) to accurately capture them should be reason enough alone to vote no.

The analysis of indirect residential displacement in the DEIS is flawed on several levels:

1. The DEIS over estimates the number of units that are under some form of rent protection
2. The DEIS fails to take into consideration the numerous ways that rent protected units may leave protection and cease to be affordable
3. The DEIS fails to consider race and ethnicity as part of its analysis
4. The DEIS fails to acknowledge the accelerated displacement pressures that 2,081 new market rate apartments will bring to the study area

I will touch upon each of these flaws in brief.

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1. The DEIS over estimates the number of units that are under some form of rent protection.

The DEIS states that, "In total, there are an estimated 16,728 units (representing 88 percent of renter-occupied housing units) that are within rent-protected buildings in the study area."[1] This includes:

- 4,771 units in rent-stabilized buildings per the Division of Housing & Community Renewal (DHCR)
- Approximately 6,388 NYCHA households
- And an estimated 5,569 renter-occupied units in buildings containing one or more units under some form of rent protection as per the NYU Furman Center - that is, units in buildings that "have received some form of government subsidy from the City, state, or federal government."

However, as the DEIS states but does not make explicitly clear, not all of these 5,569 units identified by Furman Center are rent protected. These are merely the number of units in a building where at least *one* unit is rent protected. The number of rent protected units may be far fewer; in fact it could be as little as one rent protected unit per building. The analysis is inconclusive because the Furman Center data doesn't break this out further. A closer, building by building and unit by unit analysis is required to substantiate a claim that the "vast majority" of renters are living in protected units. If such a breakdown does not exist than it is essentially meaningless to refer to these buildings and units as being rent protected, significantly reducing the number of units that should be included in this category.

[1] DEIS, p. 3-18; https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/two-bridges/03-deis.pdf?r=1

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2. The DEIS fails to take into consideration the numerous ways that rent protected units can leave protection and cease to be affordable

Rent stabilized units can leave stabilization and rent-protected units can come to the end of their affordability requirements, yet the EIS still treats these units as free from displacement concerns. Rent stabilized units are currently eligible to leave regulations if they rent for $2,733.75 or more at the time of a new lease signing. This gives unscrupulous landlords an incentive to reach this rent level through dubious Individual Apartment Improvements (IAIs) or Major Capital Improvements (MCIs) and by encouraging the turnover of tenants. This turnover is often achieved by the raising of preferential rents to levels beyond the tenant's means or by illegal harassment. This is a reality that rent stabilized tenants and community groups throughout the city know all too well - and one that you will hear in testimony throughout the day. This is a reality the City itself acknowledges in creating its anti-displacement programs, including in rezoning neighborhoods facing an influx of new market development. And yet the EIS continues to treat all these units as if they're free from displacement concern. Yet within the study area alone an estimated 950 units left rent stabilization between 2007 and 2016 (17% of the total rent stabilized housing stock).[2] In addition there are thousands of rent stabilized units in the neighborhood that pay a preferential rent. While not calculated by census tract, within zip code 10002, 2,086 units - representing 31.5% of stabilized apartments - have a preferential rent.[3] This means 2,086 units that are not protected from a steep and rapid rent increase.

This failure to consider how rent protected units can leave affordability applies to buildings taking government subsidy as well. There are 11 buildings with rent protection in the study area,

[2] taxbills.nyc
[3] ProPublica, *Preferential Rents in NYC,* https://projects.propublica.org/graphics/preferential-rents

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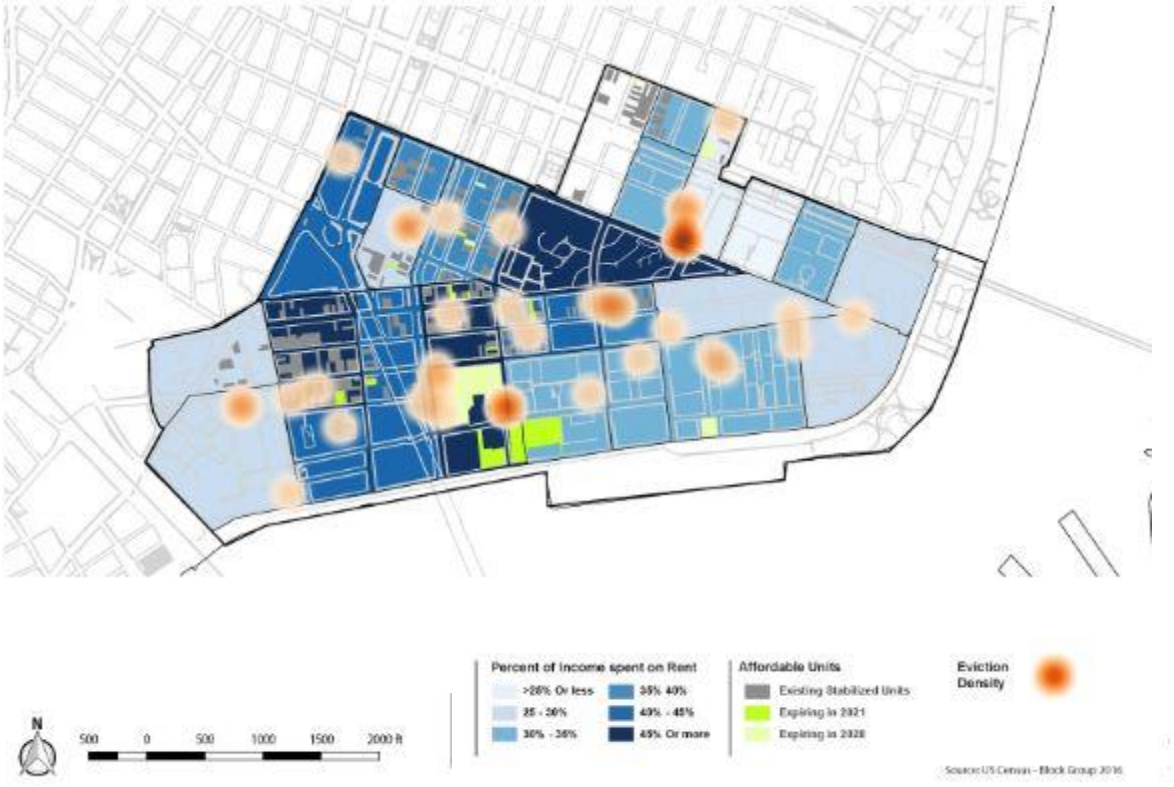
containing 839 units, which will reach the end of their affordability requirements by 2021; there are 19 buildings, containing 1,782 units, which will expire by 2028.[4]

Lastly there were over 300 evictions cases filed in the study area between January 2013 and June 2015, alone – including 135 at 82 Rutgers Slip – further emphasizing the displacement risks that rent protected households can face.[5]

By treating all rent protected units as safe from displacement pressures and failing to take a more detailed look, the DEIS drastically undercounts the number of households who might be at risk.

Figure 1. Rent Stabilized Buildings, Expiring Affordability, Evictions & Rent Burden



[4] Furman Center, Coredata.nyc
[5] https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909

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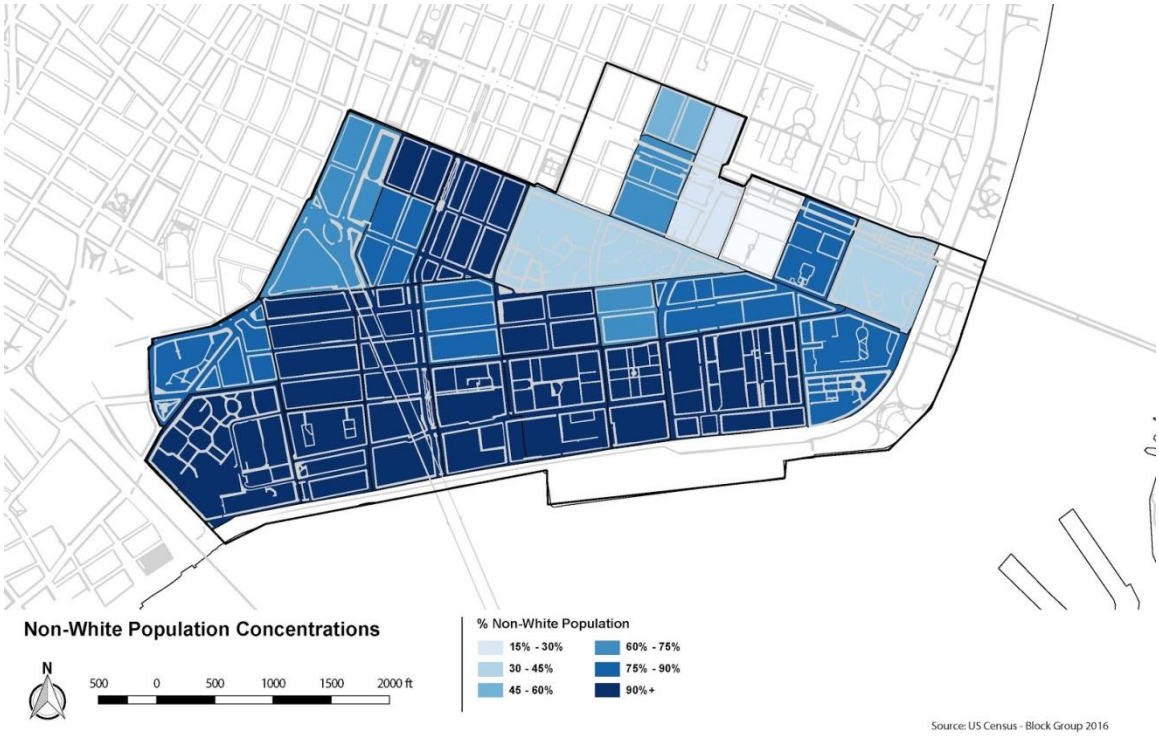
3. The DEIS fails to consider race and ethnicity as part of its analysis.

Over 90% of residents in the study area are people of color, with 50% identifying as Asian; 33% as Latino, and 11% as Black. 57% of residents are foreign born.[6] These are the households facing the displacement pressures these proposed towers will bring. Yet the DEIS fails to consider these statistics or acknowledge in any fashion that these proposed developments will have a disproportionate negative impact on a number of minority groups in the area.

Figure 2. Non-White Population Concentrations



[6] U.S. Census Bureau, *American Community Survey* (2015).

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4. The DEIS fails to acknowledge the accelerated displacement pressures that 2,081 new market rate apartments will bring to the study area

The proposed action would create a neighborhood-altering 2,081 market rate units in a three year period - vastly more units than have been created in the entire study area since 2000. This is significant in that the secondary displacement analysis is supposed to consider whether the proposed action will accelerate a trend of changing socioeconomic conditions. In at least two place the DEIS explicitly acknowledges that new market rate development is contributing to rent increases in the study area: "The nature of new residential developments in the study area—including density, physical characteristics, and level of amenities—differs from what has traditionally existed in the study area and has contributed to the trend of rapid rent increase since 2000;"[7] and, "Rents have traditionally been comparatively low in Chinatown and Two Bridges neighborhoods, with market-rate DUs primarily within pre-war, walk-up buildings lacking amenities, but the recent influx of market-rate development is characteristically different from typical developments and is changing the nature of residential development in the study area."[8] Yet a look at the data shows that the amount of development in the study area since 2000 has amounted to 1,650 units in 25 developments[9]; 10 of those developments, containing 1,171 units in total, are buildings with at least one unit under some form of rent protection.[10] This means that far fewer than 2,000 new market rate units have been built in the entire study area since the year 2000. If this smaller number of market rate units over the past 17 years has contributed to the trend of changing socioeconomic conditions it must be acknowledged how much more

[7] DEIS, p. 3-14
[8] Ibid
[9] PLUTO data, MN_18v1
[10] Furman Center, Coredata.nyc

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significant an impact 2,081 new market rate apartments in just 3 years will have on the neighborhood. The EIS uses the fact that rents are already rising in the study area to discount the need for a displacement analysis without acknowledging how the proposed developments will only accelerate that trend further.

Taken in total this failure to present an accurate picture as to the significant impacts of these developments should make a vote of approval by the City Planning Commission impossible. If the DEIS accurately reflected the displacement pressures these proposed developments will bring we believe the commission would be compelled to vote no and we strongly urge them to do so.

Thank you very much for your time and consideration.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Attachments
Fri, Oct 26, 3:36 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Christopher Walters
Zip: 10004

I represent:
Other

Details for “I Represent”: A citywide member based organization with CBO members impacted by the proposed developments

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
My name is Chris Walters and I am the Rezoning Technical Assistance Coordinator for the Association for Neighborhood and Housing Development (ANHD). ANHD is a coalition of community groups across the city working to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers. I know you’ll be hearing compelling testimony today on the numerous reasons why these proposals should be voted down, including vital questions as to the legality of the process the City is following here in seeking approval. But even setting these questions aside, the significant displacement risk these proposals pose to

the surrounding neighborhood and the failure of the Draft Environmental Impact Statement (DEIS) to accurately capture them should be reason enough alone to vote no. The analysis of indirect residential displacement in the DEIS is flawed on several levels: 1. The DEIS over estimates the number of units that are under some form of rent protection 2. The DEIS fails to take into consideration the numerous ways that rent protected units may leave protection and cease to be affordable 3. The DEIS fails to consider race and ethnicity as part of its analysis 4. The DEIS fails to acknowledge the accelerated displacement pressures that 2,081 new market rate apartments will bring to the study area I will touch upon each of these flaws in brief in the attached document.

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COMMENTS TO THE CITY PLANNING COMMISSION FOR TWO BRIDGES LSRD PUBLIC HEARING, M 180505(A) ZSM

October 17, 2018

My name is Chris Walters and I am the Rezoning Technical Assistance Coordinator for the Association for Neighborhood and Housing Development (ANHD). ANHD is a coalition of community groups across the city working to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers.

I know you'll be hearing compelling testimony today on the numerous reasons why these proposals should be voted down, including vital questions as to the legality of the process the City is following here in seeking approval. But even setting these questions aside, the significant displacement risk these proposals pose to the surrounding neighborhood and the failure of the Draft Environmental Impact Statement (DEIS) to accurately capture them should be reason enough alone to vote no.

The analysis of indirect residential displacement in the DEIS is flawed on several levels:

1. The DEIS over estimates the number of units that are under some form of rent protection
2. The DEIS fails to take into consideration the numerous ways that rent protected units may leave protection and cease to be affordable
3. The DEIS fails to consider race and ethnicity as part of its analysis
4. The DEIS fails to acknowledge the accelerated displacement pressures that 2,081 new market rate apartments will bring to the study area

I will touch upon each of these flaws in brief.

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1. The DEIS over estimates the number of units that are under some form of rent protection.

The DEIS states that, "In total, there are an estimated 16,728 units (representing 88 percent of renter-occupied housing units) that are within rent-protected buildings in the study area."[1] This includes:

- 4,771 units in rent-stabilized buildings per the Division of Housing & Community Renewal (DHCR)
- Approximately 6,388 NYCHA households
- And an estimated 5,569 renter-occupied units in buildings containing one or more units under some form of rent protection as per the NYU Furman Center - that is, units in buildings that "have received some form of government subsidy from the City, state, or federal government."

However, as the DEIS states but does not make explicitly clear, not all of these 5,569 units identified by Furman Center are rent protected. These are merely the number of units in a building where at least *one* unit is rent protected. The number of rent protected units may be far fewer; in fact it could be as little as one rent protected unit per building. The analysis is inconclusive because the Furman Center data doesn't break this out further. A closer, building by building and unit by unit analysis is required to substantiate a claim that the "vast majority" of renters are living in protected units. If such a breakdown does not exist than it is essentially meaningless to refer to these buildings and units as being rent protected, significantly reducing the number of units that should be included in this category.

[1] DEIS, p. 3-18; https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/two-bridges/03-deis.pdf?r=1

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2. The DEIS fails to take into consideration the numerous ways that rent protected units can leave protection and cease to be affordable

Rent stabilized units can leave stabilization and rent-protected units can come to the end of their affordability requirements, yet the EIS still treats these units as free from displacement concerns. Rent stabilized units are currently eligible to leave regulations if they rent for $2,733.75 or more at the time of a new lease signing. This gives unscrupulous landlords an incentive to reach this rent level through dubious Individual Apartment Improvements (IAIs) or Major Capital Improvements (MCIs) and by encouraging the turnover of tenants. This turnover is often achieved by the raising of preferential rents to levels beyond the tenant's means or by illegal harassment. This is a reality that rent stabilized tenants and community groups throughout the city know all too well - and one that you will hear in testimony throughout the day. This is a reality the City itself acknowledges in creating its anti-displacement programs, including in rezoning neighborhoods facing an influx of new market development. And yet the EIS continues to treat all these units as if they're free from displacement concern. Yet within the study area alone an estimated 950 units left rent stabilization between 2007 and 2016 (17% of the total rent stabilized housing stock).[2] In addition there are thousands of rent stabilized units in the neighborhood that pay a preferential rent. While not calculated by census tract, within zip code 10002, 2,086 units - representing 31.5% of stabilized apartments - have a preferential rent.[3] This means 2,086 units that are not protected from a steep and rapid rent increase.

This failure to consider how rent protected units can leave affordability applies to buildings taking government subsidy as well. There are 11 buildings with rent protection in the study area,

[2] taxbills.nyc
[3] ProPublica, *Preferential Rents in NYC,* https://projects.propublica.org/graphics/preferential-rents

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containing 839 units, which will reach the end of their affordability requirements by 2021; there are 19 buildings, containing 1,782 units, which will expire by 2028.[4]

Lastly there were over 300 evictions cases filed in the study area between January 2013 and June 2015, alone – including 135 at 82 Rutgers Slip – further emphasizing the displacement risks that rent protected households can face.[5]

By treating all rent protected units as safe from displacement pressures and failing to take a more detailed look, the DEIS drastically undercounts the number of households who might be at risk.

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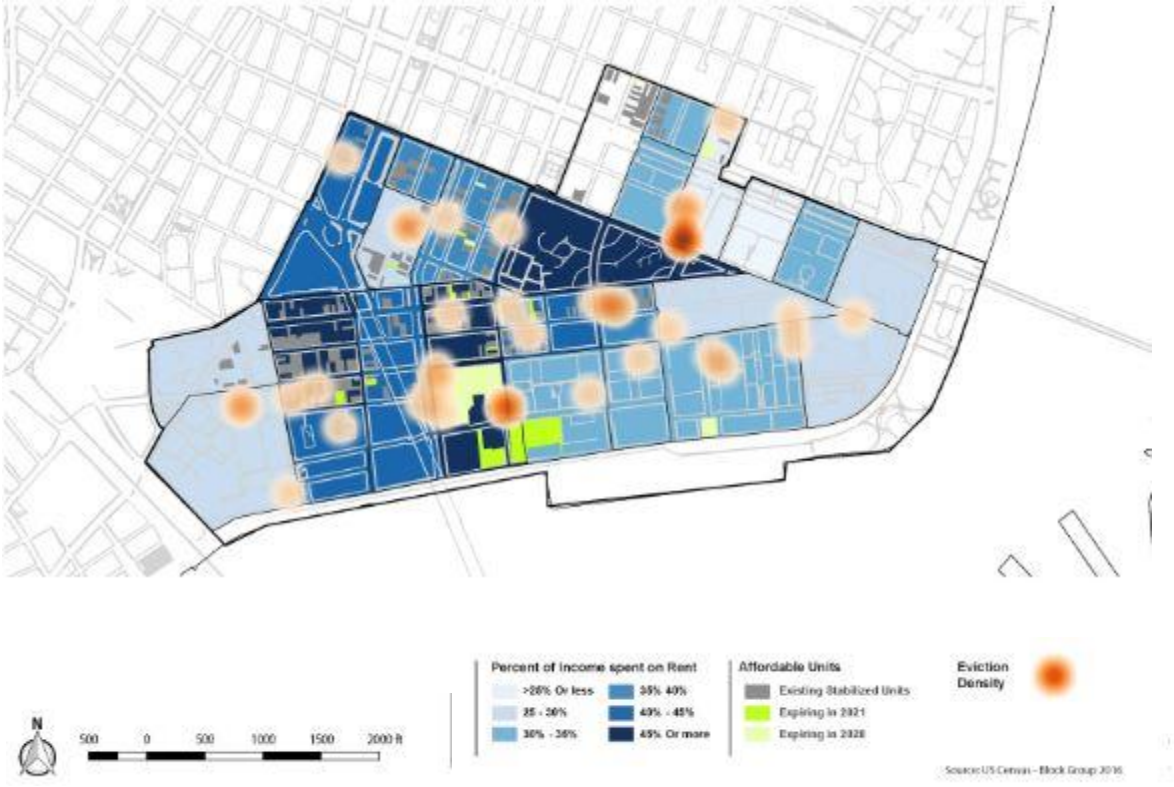

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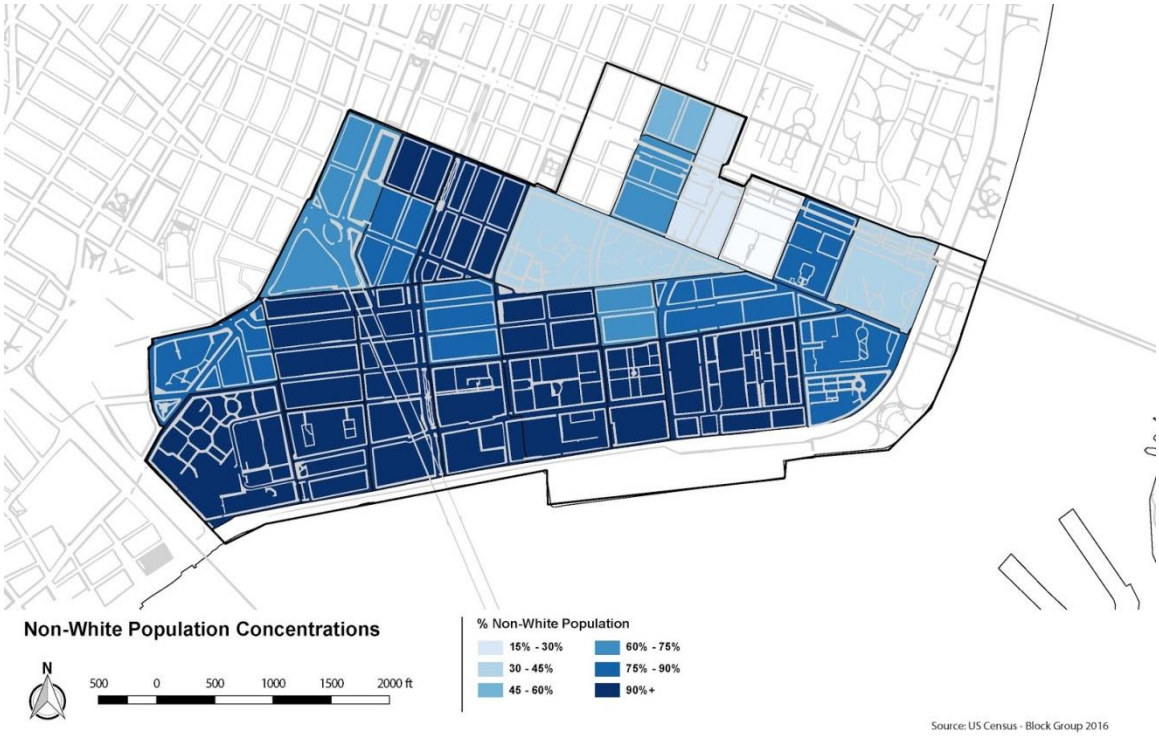

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Taken in total this failure to present an accurate picture as to the significant impacts of these developments should make a vote of approval by the City Planning Commission impossible. If the DEIS accurately reflected the displacement pressures these proposed developments will bring we believe the commission would be compelled to vote no and we strongly urge them to do so.

Thank you very much for your time and consideration.

Testimony on the LES Two Bridges Developments, October 17, 2018
Lynn Ellsworth, Human-scale NYC, www.humanscale.nyc

In the cases of these towers on the LES, the Department of City Planning has clearly exceeded and abused its discretionary authority and purposely violated the purpose, spirit and intent of the zoning code, even if not the letter. While the Brewer/Chin text amendments might ~~also~~ provide a limited check on these kind of abuses in the future, the larger question is how an unelected regulatory agency such as DCP dares to behave as if it is more powerful than the citizens and members of our elected City Council. If ~~they~~ it were run right, DCP would simply be back down on the "minor modification" claim and finding ways to stop these towers. Why doesn't DCP do that? It should be clear that we have a classic example of "regulatory capture" in which a public agency can no longer regulate in the public interest, but instead does the bidding of the sector it is supposed to oversee. For that reason, we support all avenues of legal action against DCP and the individual decision-makers who set this mess in motion, and we call on the City Council and the Attorney General's office to launch an investigation into the undue influence of REBNY's members ~~on DCP~~ within DCP.

Developers managed to run riot with both the 1916 and the 1961 zoning codes. Definitions were changed to suit them. Getting discretionary actions out of City Planning, or even a "minor modification" became an insiders game of developers, their lawyers, and the staff at city planning who do their bidding. Jerold Kayden tells us as far back as 1993 that "the zoning ordinance has almost always given real estate developers what they have wanted" and that "the net effect of zoning was that anyone could build anything anywhere." This must stop.

In 2012, one of real estate's favorite land-use lawyers died, Samuel Lindenbaum. *The New York Times* obituary noted that Lindenbaum was famous for "interpretations that contradicted the plain meaning of the resolution" and that he could "bend the zoning resolution to his client's will without breaking it." His professional success implies total failure of the code to be a planning tool in the interest of the public good. We've known that for a long time.

So what does that mean for Carl Weisbrod's ethically and legally questionable attempt to pass off the many horrifying glass towers on the LES as discretionary "minor modifications?"

We could rewrite the code and fix it from a technocratic point of view, but what also needs fixing is REBNY's coup d'état inside Department of City Planning. DCP must back down on these projects and in the long run be reformed so it understands that the people of New York are more powerful than REBNY. Let the REBNY bullies sue if they don't like that outcome. They won't win.

Thank you.

Testimony on Two Bridges LSRD DEIS before the NYC Planning Commission
by Olympia Kazi
Wednesday October 17th, 2018

Thank you for the opportunity to testify here today.

Seventeen months ago I testified regarding the Draft Scope of Work for this very project (before the Environmental Assessment and Review Division of DCP). I am disheartened by how this process evolved and where it got us today. I still have the same concern as I had seventeen months ago. What is happening here is clear: A very problematic mega development that normally would require a ULURP (Uniform Land Use Review Procedure) is treated as a "minor modification" due to some misguided legal definition.

I want to appeal to the individual members of the City Planning Commission today to consider your responsibility as civic servants who have the power to right this wrong. It is within your power to require that this predominantly luxury mega development--in the heart of a low income community where 82 percent of the residents are people of color--undergoes a substantive public review. Please work with Manhattan Borough President Brewer and Council Member Chin and require this application to go through ULURP.

We have the responsibility to intervene when legal definitions and guidelines become loopholes or worse systematic tools for the worst kind of real estate speculation. Beyond reconsidering the designation of this application as a 'minor modification' I also would like you to address the fact that the CEQR (City Environmental Quality Review) Technical Manual guidelines that informed this DEIS (Draft Environmental Impact Statement) are so flawed that the actual impacts of this mega development are not even mentioned. I am appalled by the way this DEIS conceals the displacement threat to this low income community. If this development has to go forward it needs to offer real and greater affordability in relation with the local AMI.

This process theoretically allowed for responses to the developers' proposals and public input. However, we have to face the reality that this game is rigged. The Two Bridges residents and the community board members did not have access to the same resources and support that the developers had. We need to increase resources for real community input and actual community planning. We need to stop using zoning as a replacement for planning. I urge you to study the "Inclusive City" report released this past January by a working group facilitated by the office of Council Member Reynoso, Manhattan Borough President and the Regional Plan Association that advocated among other things for the establishment of an Office of Community Planning.

In conclusion, all New Yorkers have the right to be part of the conversation about the future of our city. The Two Bridges LSRD (Large Scale Residential Development) residents are not lesser New Yorkers. Please allow them to have a say on what their neighborhood should look like in the future and most importantly enable them to be part of that future.

Thank you,
Olympia Kazi Mobile: 917-254-1545 / Email: olympiakazi@gmail.com

Comments to the City Planning Commission on Two Bridges LSRD

October 17, 2018
Emily Mock

Thank you to the Commission. Thank you to the folks from GOLES, TUFF-LES, Chinatown Tenants Union, and other directly impacted residents of Two Bridges who are here today.

My name is Emily Mock. I am the Chinatown Tenants Union Membership Organizer at CAAAV: Organizing Asian Communities, which has was formed in 2005 because rent-regulation laws do not adequately protect tenants from displacement and harassment.

I am urging the Commission to vote no on the applicants' proposals and in my testimony would like to focus on some of the findings in the Draft EIS.

In Chapter 3 on Socioeconomic Conditions, the Draft EIS uses methodology from the CEQR Technical Manual, which mistakenly reasons that because there are some laws protecting rent-regulated tenants that they are not a vulnerable population. This is how the applicants are weighing rent regulation. Chinatown Tenants Union members are forced to bear a much heavier weight: landlords frequently refuse to renew rent-stabilized leases which they are required by law to offer 90-150 days before expiration, repairs are neglected for decades in rent-stabilized units. Those same tenants who have ceilings of black mold, or no heat and hot water since February 2018, whose apartment burned up two months ago from faulty wires that date to the early 20th century are increasingly forced to pay additional rent on top of their rent-stabilized or even SCRIE rates. How is this happening? There are New York State laws that allow landlords to apply to increase rent after they have made a Major Capital Improvement, often useless things like a new boiler to replace an older working boiler, fancy intercoms that are only installed on market rate units. There is a recent law that only allows landlords and their representatives to offer buyouts to tenants once every six months. This still happens with much greater frequency than once every six months. Rent regulation laws are not adequate protection. Massive indirect residential displacement will happen if the Commission ~~allows the applicants~~ approves the application to build these towers.

The Draft EIS says about indirect residential displacement: "While the proposed projects would add new population, which, in the aggregate, would have a higher average household income than the average household income in the study area, the proposed projects would not introduce or accelerate the existing trend of changing socioeconomic conditions." Then it makes the claim that "there is already an observable trend toward higher incomes and new market-rate residential development in the study area." The logic here should be very evidently faulty. This reminds me that AKRF, Inc. the firm that conducted the Draft EIS, is a business which holds a "commitment to client satisfaction." This reminds me that these landlords who harass Chinatown Tenants Union members own property for profit. The applicants are primarily building luxury units – they are building property for profit.

This proposals before you today are based on a false standard set by the CEQR Technical Manual. They ignore the facts of devastating displacement and gentrification, which are trends that the applicants' towers would accelerate.

Thank you for your attention today. I urge you to listen and truly consider what the rent-regulated tenants here today have to say and that you turn down the proposals.

Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

RE:
Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

October 17, 2018

Dear City Planning Commission,

My name is Francisca Benitez, I am an artist, I live and work in Chinatown in Manhattan.
I am here testifying on behalf of our tenants' association of 62 East Broadway, in opposition to the proposed luxury towers at Two Bridges.

If DCP's mission is to "make all of New York a better place to live, to maintain what works and improve what doesn't" then it should not be granting a permit for this out-of-scale development to be built in the Two Bridges LSRD, a flood zone A.

I implore you to honor your mission and start planning for the common good and not for the welfare of developers at the expense of every one else.

In Chinatown and the Lower East Side we have been asking DCP for years to implement a plan to protect our neighborhood from luxury overdevelopment and the resulting displacement of low income residents. The Chinatown Working Group was formed in 2008 to create a community-led rezoning plan which was finished and published in 2014. We are still waiting to be heard.

The existing median household income in the Two Bridges area is currently $30,771 for a household of three, or roughly 30% of the Area Median Income (AMI) for the New York City region. Even the affordable units in the proposed developments would be inaccessible for the majority of current area residents. Community District 3 already has the second highest income disparity of all Community Districts in New York City.

I'm horrified at your contempt for low income residents. In spite of being poor, we do contribute in many ways to the vibrancy of this city, and the proof is right here in our neighborhood, one of the most marvelous places on earth I am so happy to call home and so proud to be part of. But we are not even in your radar, we are non existing in your plans. The fact that there are no relocation plans upfront for the seniors that will be displaced is unacceptable.

These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience,

and neighborhood character. They would also accelerate exponentially direct and indirect displacement of residents and small businesses.

LSRD regulations:

LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These clear negative findings must be issued before any change to LSRD zoning.

Sunlight and shadows:

The proposed new towers would cast significant shadows on sunlight-sensitive resources such as publicly accessible open space and natural areas.

36 playgrounds and parks in the neighborhood would be affected by these shadows, being the Cherry Clinton and the Lillian D. Wald playgrounds the most severely impacted. They will never see the sun again.

The DEIS fails to treat affected Public Housing as sunlight-sensitive resources. Shadows assessment must meet the standards of ZR § 78-313 and show no adverse effects to light and air at adjacent properties. The DEIS improperly assesses and totally misstates Cumulative Impacts. CB3 conducted its own independent shadow study and concluded that the real effects would be significantly worse than estimated in the EIS put forward by the developers.

The obstruction of sunlight not only negatively impacts public resources, it also hinders and punishes the efforts our community is doing to use less fossil fuels. This looms largely undressed and unaccounted for in the DEIS.

In our building for example, each tenant is responsible for providing and maintaining their own heating system. Our live/work space faces South and more than 50% of our heating in winter comes from direct sunlight. With the construction of the One Manhattan Square (a.k.a. Extell tower) we have experienced a loss of 1 hour of sunlight a day during winter, which is a big blow to our heating method and it forces us to go back to use more hours of fossil fuel powered heating system.

These proposed luxury towers are not minor modifications, their construction would accelerate the displacement of the predominantly low income communities that live here. I urge you to deny the permit.

Furthermore, please consider the adoption of the Chinatown Working Group Plan as a 197a plan and protect one of the last working class neighborhoods still standing in Manhattan.

Thank you,

62 East Broadway Tenants' Association
Francisca Benitez, 62 East Broadway #5 New York NY 10002, +1 917.449.5187

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 11:52 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Francisca Benitez
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? Yes
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
If DCP’s mission is to “make all of New York a better place to live, to maintain what works and improve what doesn’t” then it should not be granting a permit for this out-of-scale development to be built in the Two Bridges LSRD, a flood zone A. I implore you to honor your mission and start planning for the common good and not for the welfare of developers at the expense of everyone else. In Chinatown and the Lower East Side we have been asking DCP for years to implement a plan to protect our neighborhood from luxury over development and the resulting displacement of low income residents. The Chinatown Working Group was formed in 2008 to create a community-led rezoning plan which was finished and published in 2014. We are still waiting to be heard. I’m horrified at your contempt for low income residents. In spite of being

poor, we do contribute in many ways to the vibrancy of this city. But we are not even in your radar. We are non existing in your plans. The fact that there is no relocation plans upfront for the seniors that will be displaced is unacceptable. The existing median household income in the Two Bridges area, which is currently $30,771 for a household of three, or roughly 30% of the Area Median Income (AMI) for the New York City region. Even the affordable units in the proposed developments would be inaccessible for the majority of current area residents. Community District 3 already has the second highest income disparity—the gap between our lowest income and highest income residents—of all Community Districts in New York City. These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of residents and small businesses. The primary governance of the use, mass and plan of this site is the LSRD, not the underlying zoning. Considering the scale of the change proposed, the determination that this action is a minor modification of the LSRD should not rest solely on the underlying zoning. The amendment of the LSRD plan is not a minor modification. I urge you to deny the permit. Furthermore, please consider the adoption of the Chinatown Working Group Plan as a 197a plan and protect one of the last working class neighborhoods still standing in Manhattan.

Testimony on the Development Proposal for 2 Bridges LSRD – Oct. 17, 2018

My name is Eva Hanhardt and I am an urban and environmental planning consultant. I have also taught City Planning at Pratt Institute and, in the past, worked as a planner at the Department of City Planning for nearly 15 years.

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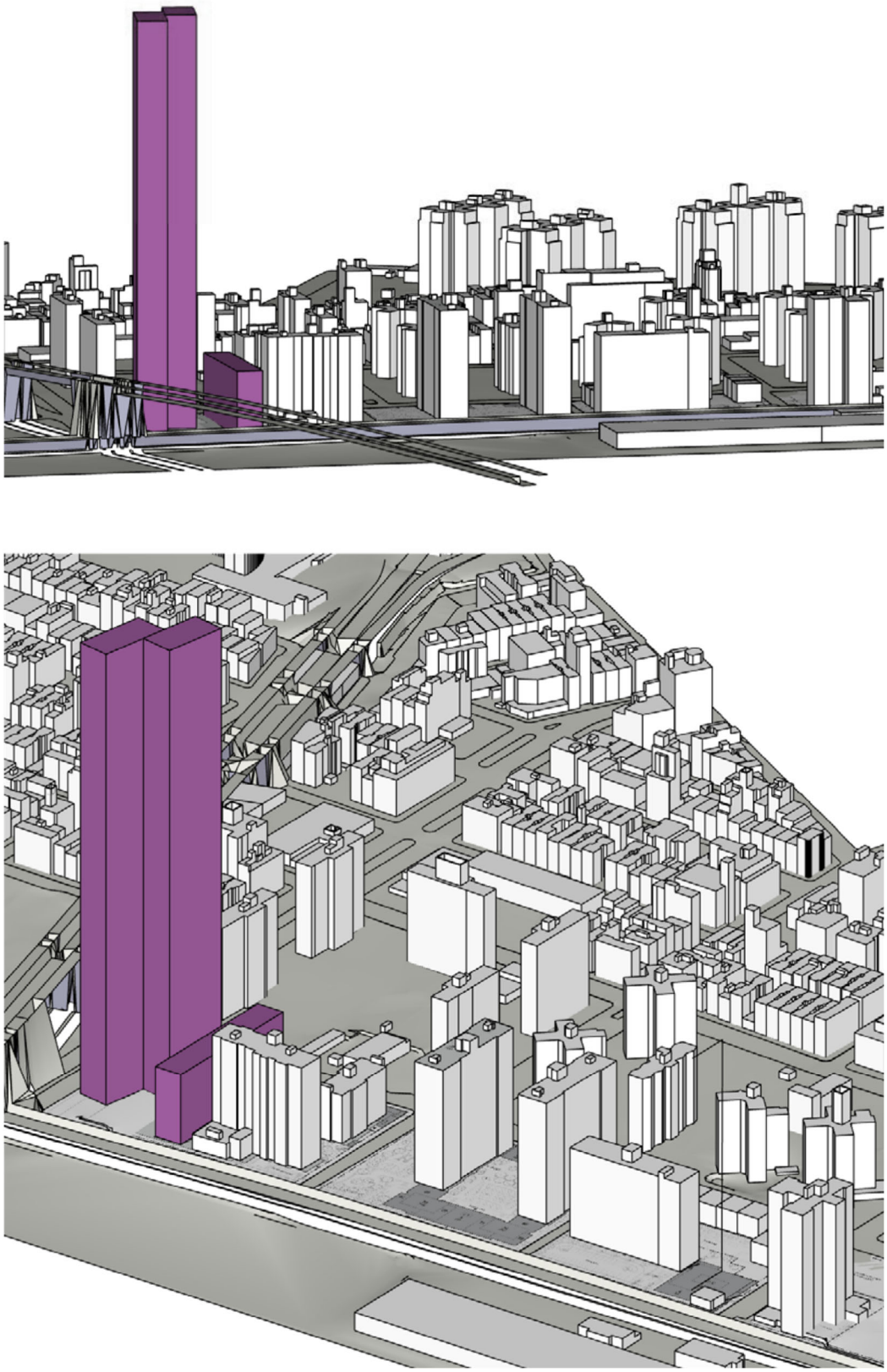

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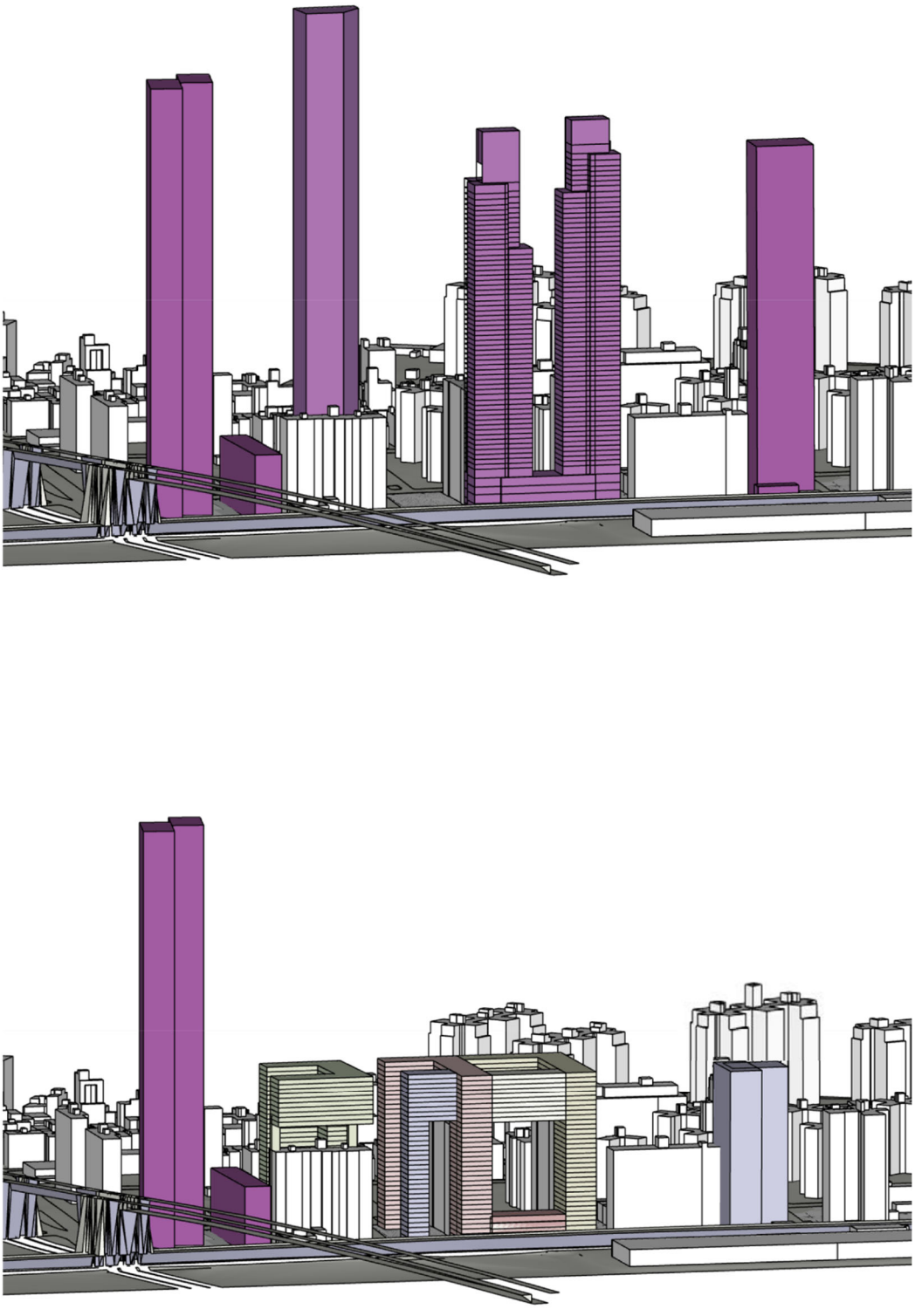

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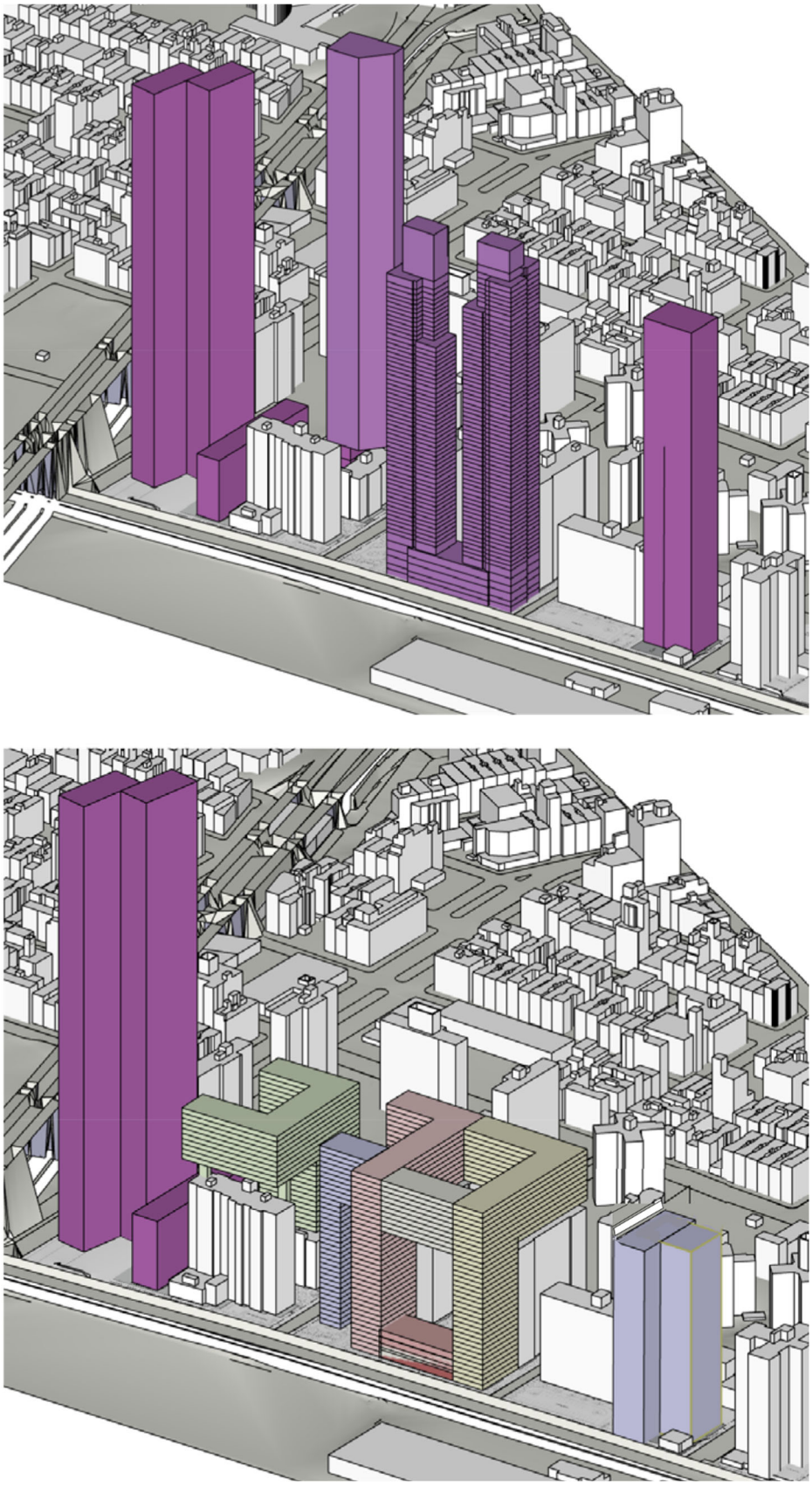

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While the DEIS notes possible significant impacts requiring additional schools and day care, and even states that mitigation might involve providing space for them in the new developments, there is a only limited amount (17,028 sq ft) of community facility space proposed in the new developments.

Trends

The DEIS identifies Sites 6B and 7 as not being included in the proposed developments. While site 7 is developed with 250 units, site 6B has only 57 and has significant unused FAR. The DEIS does not consider that the approval of the proposed developments could accelerate a future decision to develop Site 6B.

Corrections:
The Zoning map - Figure 2.2 - does not indicate the zoning on the Murry Bergtram Field (not Playground) which, while an open space, is zoned M1-4 and is primarily used for Murry Bergtram high school sports.

Public Policy
Under the no action scenario the DEIS does not include the new development at NYCHA's LaGuardia Houses. The DEIS should also consider if the Next Generation policy will be proposing additional development on other NYCHA developments within the ½ mile radius such as Smith Houses (where development was proposed in the past)

The DEIS treats the application by Brewer and Chin to require a special permit for modifications to the LSRD as a footnote and questions if it will be approved. The implications of this application should be fully considered in the DEIS as part of the Public Policy section.

WRP Consistency
The WRP review is included in the DEIS but does not address WRP Policy 4.8 to maintain and protect living aquatic resources and consider the impacts on the fish and benthic community in the waters that will be shaded by the proposed developments

In addition, while the WRP review notes that walkways on the east and west of site 5 will be help connect the private open space to the waterfront it is unclear if these will be publically accessible walkways.

Clearly given the unmitigated significant adverse impacts on community facilities, transportation and open space, there are NOT adequate public facilities and infrastructure existing or to be built and thus the proposed developments are not consistent with WRP Policy 1.3.

The WRP consistency review does not fully explain how the developments will address losses from flooding and coastal hazards in the surrounding area , not just properties in the LSRD, as stipulated in WRP Policy 6.1.

WRP Policy 8.2 is not about hindering public access but about incorporating it in public and private development. The DEIS does not respond to this and should not be considered consistent with this Policy.

The DEIS does not explain how in relationship to Policy 9, the "development of the proposed projects would not obstruct prominent views to the waterfront and East River…." 3D Drawings showing how views from areas upland of the development sites, existing buildings in the LSRD, and views from Brooklyn are not obstructed to prominent features such as the Manhattan Bridge and other Bridges, to the East River and to the Brooklyn Waterfront and other prominent views.

Alternatives –
Chapter 23 of the CEQR Manual states that a description and evaluation of the range of reasonable alternatives to the action that have the potential to reduce or eliminate a proposed project's impacts and are considered feasible should be considered in the EIS.

The only alternatives that are considered are the required No Action Alternativeand a No Unmitigated Significant Adverse Impacts Alternative. The DEIS also discusses consideration of a Lesser Density Alternative and concludes that it would significantly reduce the number of affordable units and would substantially compromise the projects' stated goals and objectives.

Most comments on the Draft Scope of Work had called for consideration of the Chinatown Working Group Plan – Subdistrict D -as an alternative and in the response to these comments in the Final Scope it was stated that the CWG Plan would, in fact, be considered. Yet, in the DEIS it is not considered – not even evaluated and deemed to be infeasible.

The CWG Plan's Subdistrict D does not propose a reduction in density although it would lower the permitted heights thus requiring a different massing of the bulk. The resulting buildings would reduce, although not eliminate the significant adverse shadow impacts. The Plan would require that ground floor space be provided for community facilities such as schools or daycare thus mitigating the significant adverse impacts on schools and daycare. The Plan would also increase both the percentage and the number of permanently affordable units and would specify that they be affordable based on local AMi thereby meeting both the proposed development's stated goals and objectives and the City's public Policy goals.

For these reasons the CWG plan is a "reasonable alternative " that should be added as an alternative considered and fully evaluated in the FEIS. (see the CWG Plan

Mitigations
In addition to the review of the mitigations in each subject area in the DEIS , this Section of the DEIS discusses possible Mitigations for each of the significant adverse impacts. In each case the mitigations are a series of options that have not been fully determined. In each case the mitigations may include significant public actions and costs. The DEIS says that a final determination will be made between the DEIS and

the FEIS. It is unclear why specific mitigations have not been determined in the DEIS thus allowing the public to assess and respond to them.

Although in the case of both the schools and day care facilities the DEIS considers possible mitigations to be determined with the DOE and ACS states that space might need to be provided in the proposed developments, however, the currently proposed square footage for community facilities would not be adequate. The EIS further states that a Restrictive Declaration for the projects will be adopted.

There is discussion of the significant adverse impact on open space by reducing the already inadequate open space ratio but again the actual mitigations proposed are not determined but are "being discussed" with the Dept of City Planning and the the Dept of Parks.

Furthermore, the mitigations identified for the significant adverse impact of shadows on 2 playgrounds and trees are again not fully determined although it is unclear how better maintenance of the Playgrounds would mitigate the adverse impacts of the shading. Nor is there adequate analysis on the shading of existing buildings and streets in the surrounding area in addition to the 2 playgrounds.

Many of the possible mitigations relating to Transportation depend on city actions such as signal timing and often involve costly imrovements such as new subway entrances. Even if some of these are implemented there are locations where the DEIS states that traffic impacts are not able to be mitigated.

Construction impacts and possible mitigations are detailed but are identified as temporary. However, during the time of construction Noise impacts are considered to be unmitigated.

In summary, while listing possible mitigation options relating to each of the identified significant adverse impacts, the DEIS ultimately states that specifics will be negotiated with relevant agencies but will not not be determined until the FEIS.

Permutations

The DEIS appears to be relatively thorough in describing the effects if one or another of the proposed developments is delayed indefinitely or not pursued. It would however, be good to know definitively that the minor modification relating to that development and site would no longer be in effect.

The Unmitigateble significant adverse impacts

This section essentially repeats exactly what was described in the mitigations section. This underscores that there are some impacts in certain circumstances that will remain unmitigated under the developments.

Growth inducing Aspects

The DEIS does not consider the implications of the increase of market rate housing as it relates to the desirability of building on the soft sites identified in the CWG Plan within the larger ½ mile area.

Although in the indirect residential displacement section the DEIS indicates that market changes are already taking place, it is impossible to conclude that an addition of 2,081new super luxury dwelling units will not accelerate the rate of gentrification.

Furthermore the DEIS should consider how by introducing 6,000 – 7,000 new residents the new developments will induce the addition or new construction of additional retail and other services.

At a site-specific basis the DEIS should consider the potential influence on the development of the Edison site at 220 South Street.

Irretrievable Commitments of Resources

The DEIS should also list the views as a natural resource both from the upland and from Brooklyn that will be lost.

Finally, the DEIS should consider the loss of permeable surfaces that can function to absorb rain and flood waters

Comments relating to City Planning Commission on "Minor Modification" Applications Nos. M180507CZSM, M180505AZSM, N180498ZCM and M180506BZSM

Submitted by Eva Hanhardt

At the Public Hearing on Oct 17, 2018 I presented brief oral testimony relating to the above reference Applications. I have attached that testimony here as Attachment 1.

After my testimony Commissioner Anna Levin asked if I had any urban design models showing the feasibility of development on the LSRD sites as recommended in the Chinatown Working Group – Sub-district D Plan.

I have attached as Attachment 2, preliminary urban design alternatives to the proposed Mega-towers on LSRD sites 4,5 and 6A that should be considered by the Commission as they show that lower height alternatives are, in fact, feasible.

Paula Segal has also submitted these design alternatives that are based on the Chinatown Working Group Plan – in response to Commissioner Levin's request. These were created for a community coalition that includes GOLES, CAAAV, Tuff-LES by Meta Brunzema of the Collective For Community, Culture and Environment.

While these are basic and preliminary massing diagrams, the CCCE's urban designers are currently in the process of refining them to show that there are alternatives where the full C6-4 (C10, R12, CF10) FAR 12 Residential (as of right) can fit with the CWG 350ft height cap. The Collective would be happy to share those with the Commission.

Finally, in my Oct 17th, 2018 oral testimony I stated that I would provide additional more detailed comments. These are attached as Attachment 3.

Again, I urge the Commission NOT to approve the development applications before them.

Thank you for your consideration!

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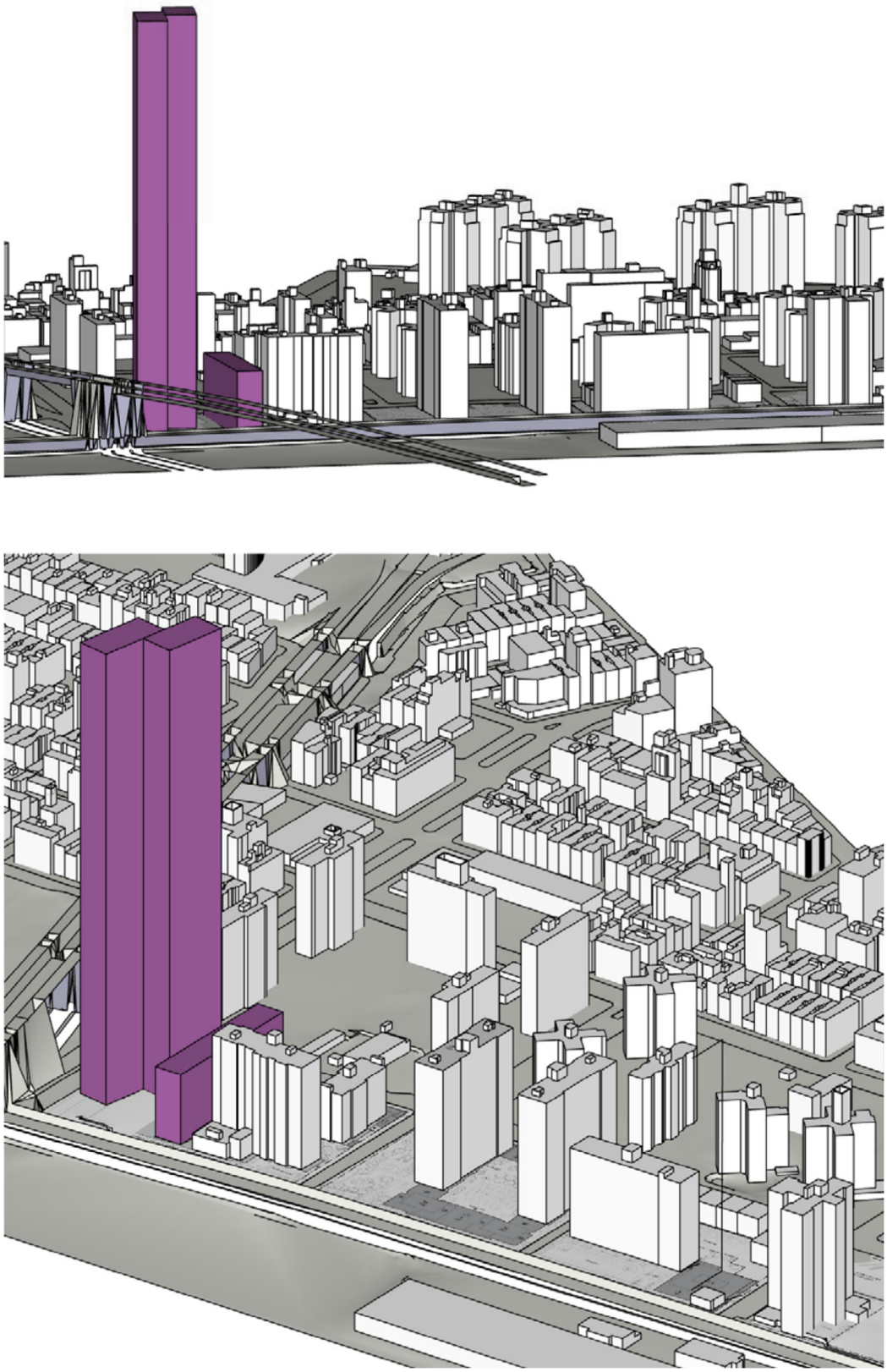

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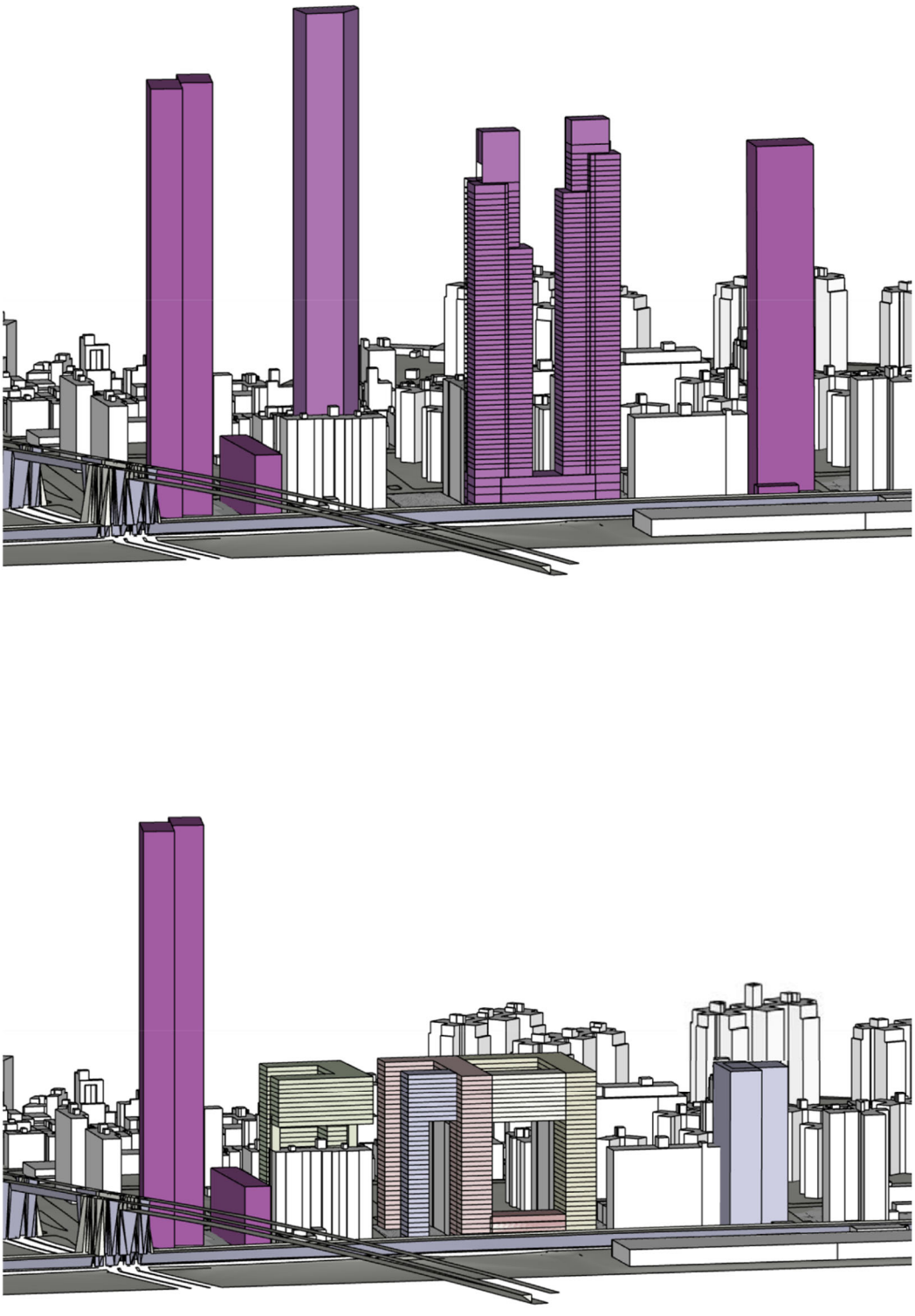

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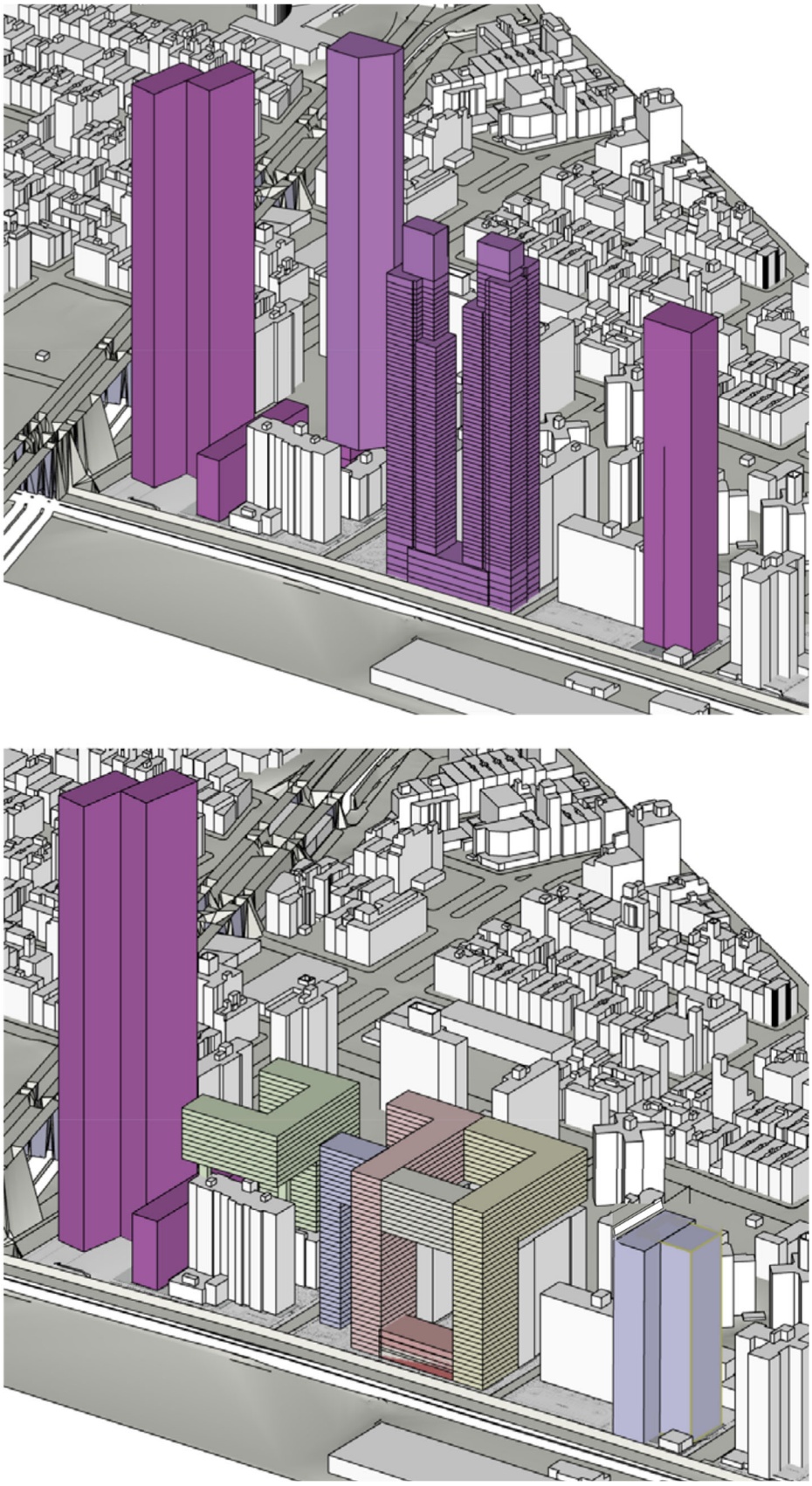

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While the DEIS notes possible significant impacts requiring additional schools and day care, and even states that mitigation might involve providing space for them in the new developments, there is a only limited amount (17,028 sq ft) of community facility space proposed in the new developments.

Trends

The DEIS identifies Sites 6B and 7 as not being included in the proposed developments. While site 7 is developed with 250 units, site 6B has only 57 and has significant unused FAR. The DEIS does not consider that the approval of the proposed developments could accelerate a future decision to develop Site 6B.

Corrections:
The Zoning map - Figure 2.2 - does not indicate the zoning on the Murry Bergtram Field (not Playground) which, while an open space, is zoned M1-4 and is primarily used for Murry Bergtram high school sports.

Public Policy
Under the no action scenario the DEIS does not include the new development at NYCHA's LaGuardia Houses. The DEIS should also consider if the Next Generation policy will be proposing additional development on other NYCHA developments within the ½ mile radius such as Smith Houses (where development was proposed in the past)

The DEIS treats the application by Brewer and Chin to require a special permit for modifications to the LSRD as a footnote and questions if it will be approved. The implications of this application should be fully considered in the DEIS as part of the Public Policy section.

WRP Consistency
The WRP review is included in the DEIS but does not address WRP Policy 4.8 to maintain and protect living aquatic resources and consider the impacts on the fish and benthic community in the waters that will be shaded by the proposed developments

In addition, while the WRP review notes that walkways on the east and west of site 5 will be help connect the private open space to the waterfront it is unclear if these will be publically accessible walkways.

Clearly given the unmitigated significant adverse impacts on community facilities, transportation and open space, there are NOT adequate public facilities and infrastructure existing or to be built and thus the proposed developments are not consistent with WRP Policy 1.3.

The WRP consistency review does not fully explain how the developments will address losses from flooding and coastal hazards in the surrounding area , not just properties in the LSRD, as stipulated in WRP Policy 6.1.

WRP Policy 8.2 is not about hindering public access but about incorporating it in public and private development. The DEIS does not respond to this and should not be considered consistent with this Policy.

The DEIS does not explain how in relationship to Policy 9, the "development of the proposed projects would not obstruct prominent views to the waterfront and East River…." 3D Drawings showing how views from areas upland of the development sites, existing buildings in the LSRD, and views from Brooklyn are not obstructed to prominent features such as the Manhattan Bridge and other Bridges, to the East River and to the Brooklyn Waterfront and other prominent views.

Alternatives –
Chapter 23 of the CEQR Manual states that a description and evaluation of the range of reasonable alternatives to the action that have the potential to reduce or eliminate a proposed project's impacts and are considered feasible should be considered in the EIS.

The only alternatives that are considered are the required No Action Alternativeand a No Unmitigated Significant Adverse Impacts Alternative. The DEIS also discusses consideration of a Lesser Density Alternative and concludes that it would significantly reduce the number of affordable units and would substantially compromise the projects' stated goals and objectives.

Most comments on the Draft Scope of Work had called for consideration of the Chinatown Working Group Plan – Subdistrict D -as an alternative and in the response to these comments in the Final Scope it was stated that the CWG Plan would, in fact, be considered. Yet, in the DEIS it is not considered – not even evaluated and deemed to be infeasible.

The CWG Plan's Subdistrict D does not propose a reduction in density although it would lower the permitted heights thus requiring a different massing of the bulk. The resulting buildings would reduce, although not eliminate the significant adverse shadow impacts. The Plan would require that ground floor space be provided for community facilities such as schools or daycare thus mitigating the significant adverse impacts on schools and daycare. The Plan would also increase both the percentage and the number of permanently affordable units and would specify that they be affordable based on local AMi thereby meeting both the proposed development's stated goals and objectives and the City's public Policy goals.

For these reasons the CWG plan is a "reasonable alternative " that should be added as an alternative considered and fully evaluated in the FEIS. (see the CWG Plan

Mitigations
In addition to the review of the mitigations in each subject area in the DEIS , this Section of the DEIS discusses possible Mitigations for each of the significant adverse impacts. In each case the mitigations are a series of options that have not been fully determined. In each case the mitigations may include significant public actions and costs. The DEIS says that a final determination will be made between the DEIS and

the FEIS. It is unclear why specific mitigations have not been determined in the DEIS thus allowing the public to assess and respond to them.

Although in the case of both the schools and day care facilities the DEIS considers possible mitigations to be determined with the DOE and ACS states that space might need to be provided in the proposed developments, however, the currently proposed square footage for community facilities would not be adequate. The EIS further states that a Restrictive Declaration for the projects will be adopted.

There is discussion of the significant adverse impact on open space by reducing the already inadequate open space ratio but again the actual mitigations proposed are not determined but are "being discussed" with the Dept of City Planning and the the Dept of Parks.

Furthermore, the mitigations identified for the significant adverse impact of shadows on 2 playgrounds and trees are again not fully determined although it is unclear how better maintenance of the Playgrounds would mitigate the adverse impacts of the shading. Nor is there adequate analysis on the shading of existing buildings and streets in the surrounding area in addition to the 2 playgrounds.

Many of the possible mitigations relating to Transportation depend on city actions such as signal timing and often involve costly imrovements such as new subway entrances. Even if some of these are implemented there are locations where the DEIS states that traffic impacts are not able to be mitigated.

Construction impacts and possible mitigations are detailed but are identified as temporary. However, during the time of construction Noise impacts are considered to be unmitigated.

In summary, while listing possible mitigation options relating to each of the identified significant adverse impacts, the DEIS ultimately states that specifics will be negotiated with relevant agencies but will not not be determined until the FEIS.

Permutations

The DEIS appears to be relatively thorough in describing the effects if one or another of the proposed developments is delayed indefinitely or not pursued. It would however, be good to know definitively that the minor modification relating to that development and site would no longer be in effect.

The Unmitigateble significant adverse impacts

This section essentially repeats exactly what was described in the mitigations section. This underscores that there are some impacts in certain circumstances that will remain unmitigated under the developments.

Growth inducing Aspects

The DEIS does not consider the implications of the increase of market rate housing as it relates to the desirability of building on the soft sites identified in the CWG Plan within the larger ½ mile area.

Although in the indirect residential displacement section the DEIS indicates that market changes are already taking place, it is impossible to conclude that an addition of 2,081new super luxury dwelling units will not accelerate the rate of gentrification.

Furthermore the DEIS should consider how by introducing 6,000 – 7,000 new residents the new developments will induce the addition or new construction of additional retail and other services.

At a site-specific basis the DEIS should consider the potential influence on the development of the Edison site at 220 South Street.

Irretrievable Commitments of Resources

The DEIS should also list the views as a natural resource both from the upland and from Brooklyn that will be lost.

Finally, the DEIS should consider the loss of permeable surfaces that can function to absorb rain and flood waters

To the Department of City Planning, thank you for conducting this hearing today.

My name is Wei Hong Zeng and I'm a resident of 275 South St. NY, NY 10002. I write this to ask you to not agree to the proposal of building the mega towers in our Two Bridges neighborhood.

I have lived here with my family since we've immigrated here over 20 years ago. My family is able to to remain here due to affordable housing that was possible because of what community organizations like AAFE (Asians Americans For Equality) and currently – GOLES and CAAVE have been doing in our neighborhood. If we didn't have such, it would be impossible to live in the neighborhood currently. My wife and I are hard working immigrants, doing our best to provide for our kids, with limited economic opportunities due to language. Still, we make our best and we do not complain with what we have.

However, with what we are have witness of development over the years of change, we are beginning to feel the challenge of affordable living slowly taking place. If not for Chinatown markets and restaurants, we would not be able to afford food and such needs. You know, we don't ever go into any of the new restaurants or shops because they're simply unaffordable for us; nor do they cater to us language wise.

Beyond my personal stance, I want to point out environmental challenges we are facing and will continue to experience negatively. We are already overcrowded but with the additional mega towers, we will expect roughly 2700 units here! That's outrageous! We don't have enough schools or mass transit options or even parking! Yes, parking in the Chinatown area is horrendous and people who come into town generally try to look for parking right by our section of Rutgers, South, Montgomery Sts. Will there be any space at all, even for local resident. The traffic problems that will result will have a rippling effect of other problems for us here. There's also the high potential flooding because of the hot-zone label we've been given due to hurricanes and storms! I'm certain that with the added mega towers, we'll be closer to greater flooding problems more so than ever! Likely my wife and I will remain in the neighborhood since our parents are still here. We love the open space for daily walks, the sunlight due to many low level buildings and overall remaining green spaces. We just don't see how this will continue to be available to us if these buildings are to be built. The impact on our mental and physical health will be drastically poorer.

This concern and among a list of many others are NOT adequately addressed in the DRAFT EIS. And more so, I learned that its UNLAWFUL to classify this application as a "minor modification" using the rule CPC has claimed. I urge you to vote NO.

Thank you for your consideration.

Wei Hong Zeng

Wei Hong Zeng

- Mi nombre es Elvia Fernandez. Soy miembro de NMASS.

- Yo vivo en NYCHA, vivienda publica, en La Guardia, en Loisaida. He vivido allí por 15 anos.

- Si contruyen estas 4 torres de lujo que la ciudad quiere permitir seria una violación de la ley de la ciudad. Ellos mismos van a violar sus propias leyes?!!

- Yo vivo una cuadra del sitio donde quieren poner algunos de estos rascacielos. No los queremos!

- Si suben estas torres, danaria nuestra salud. Bloquearia el sol y el aire. La construcción haria mucho polvo, enfermándonos.

- Y ademas, subiría la renta, los precios de los productos. Cortarian programas de escuelas--como de snacks, y programas de after school.

- Los trenes y buses estarían bien congestionados.

- Y si las 4 torres suben, la ciudad va a querer construir mas edificios privados en NYCHA, como quieren hacer donde yo vivo, en el parqeo de La Guardia. No queremos este tampoco!

- Paren las mega-torres!

- De Blasio: Pare de ayudar a los desarolladores a ser mas ricos con nuestros recursos!

BASTA YA!!!!

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

October 17, 2018

Re: Proposed Minor Modifications to the Two Bridges Large Scale Residential Development (ULURP Nos: M 180507 C ZSM; M 180505 A ZSM; M 180506 B ZSM; N180498 ZCM)

Director Lago and City Planning Commissioners,

ULURP needed.

These extremely out of scale build-ups would apparently introduce more than 5,800 new residents to the area known as "Two Bridges".

In order to ensure sufficient planning a ULURP would be necessary for a change of this magnitude. These projects as currently envisioned would drastically increase bulk and density, alter open space access, adversely affect access to light and air, and create yet more traffic congestion to an already burdened lower Manhattan to the detriment of residents and businesses in the area and the nearby financial district.

With climate upheaval only set to increase in severity and unpredictability the lack of deliberative consideration in such a vulnerable area boggles the mind.

Planning for our vulnerable coastline is no longer merely about "land use" questions, but must be expert and engaged on the issues of sea rise and storm surge which – as we learned with Sandy – we were entirely unprepared for. For instance, we now learn the plan for East River Park, developed after four years of community and city input and study, is to be wholly re-envisioned. This area also is extremely vulnerable to sea level rise and storm surge. Evacuation studies, mitigation studies, emergency services studies, actually mitigations in nearby coastlines and the effects of those mitigations are simply not done or not done to the degree needed. This will mean a massive influx of residents to a coastline that will be underwater

The proposal's "mere 25% affordable units does not sufficiently advance the projects' stated goal and purpose, and the introduction of an additional 2,081 market rate units and the substantial environmental impacts associated with these proposed actions would place such a burden on the community as to produce more severe and acute district needs, particularly in regard to residential affordability and heightened residential displacement pressure".

Lastly, designating these buildings of such scale and nearly unprecedented nature as "minor modifications" is an insult to the community and to common sense.

Thank you for your time.

Yours,

K Webster
Resident of CB3 and Park volunteer for decades

246 Bowery
NY NY 10012

Delivered orally in person, in part on October 17th, 2018.

Good afternoon City Planning Commission.

Let me say first thanks for moving this hearing back to allow our community some more time to enjoy the summer and to better prepare for testimony today. But I have to say I'm hard pressed to imagine a more inconvenient and arcane process for average working class folks to fully & effectively participate in shaping their communities. I've been fortunate enough to have the flexibility to take time off to be here without concern for being docked pay or using my precious little time off as many of my hard working neighbors do. Not to mention the intimidating prospect of getting up here in front of you all to argue the finer points of CEQR manual areas of study and how we disagree with the minimization of potential impacts cited in those areas.

There are about 1500 units along the stretch between Cherry & South Streets, Montgomery & Market Streets. Even if you extend that area to Madison Street including all the public housing along the same stretch you have only about 2500 units. These 3 developments will essentially double the size of this community within the same space by virtue of adding nearly 2800 new units on two adjacent blocks. I've heard characterizations from folks in the department of city planning (and please forgive me as I didn't have time to properly cite the article and the person) – but they described this city as having a "Housing Crisis" as an argument for why we need such overdevelopment. So let me get this straight; these proposals which seek to add 2,775 new units within a two block area… a proposal that would provide 1 affordable unit for every 3 luxury, market rate units; so in other words for about 690 'so called' affordable units we get nearly 2100 unaffordable units. It seems to me that those of us who need affordable rent actually have the housing crisis and it's no wonder considering we're willing to build 3 to 1, luxury to affordable that the crisis continues throughout this city unabated. And let me be very clear who I'm referring to that needs 'Affordable Housing' – about 95% of us do!! It's only that upper 5% to 10% for which money is no object and the sky is literally the limit.

My building left the Mitchell-Lama Program in 2004, which was targeted to middle/working class income residents. For context, a 700 SQF 2 bedroom apartment in my building now goes for about $4100 a month. If I made $100k a year that's 50% of my gross salary before I spent a dime. In two bridges the median income is $30,771 a year and as I understand it the affordable units are targeting those who make between $37.5k &

$112.6. We've seen in recent years how creative landlords are in getting well above the 30% standard long set by HUD as the percentage of one's salary one should pay for rent.

I find it astonishing how we can consider putting one of these developments on a site where we once had open space while simultaneously admitting we can't mitigate the impact of insufficient open space.

- **Somehow improving existing open spaces and actually making some private open spaces public, in the minds of developers give us more open space as opposed to actually drawing in more people into them without adding a single square foot.**
- **Somehow adding nearly 2100 luxury apartments to an existing 800 or so at Extell (which isn't considered part of the existing area studied in the EIS) won't impact the economics of the community such that it will produce secondary displacement or we simply don't care to know that it will.**
- **Somehow adding a conservative estimate of as much as 6,000 new residents to perhaps as much as 8,000 or more (not counting Extell's two buildings of course) will only require us to add 16 new seats to our local area public schools.**
- **Somehow it makes sense to add an accessibility elevator to the East Broadway entrance which is farthest from the proposed developments instead of the closer Madison Street entrance where there is an actual choke already during morning & evening rush.**
- **This is all to say nothing of no relief of overall adverse impacts to transit, traffic, shadows, childcare, schools, senior citizen relocations and the lack of community input regarding mitigations.**

My name is Marc Richardson. I'm a member of the Land's End One Tenants Association and Tenants United Fighting For Lower East Side, or TUFFLES. Most importantly, I'm a father, lifelong New Yorker and 39 year resident of the Two Bridges Community. Support the council member's text amendment or at the very least vote no and submit these proposals to ULURP to ensure the two bridges community has real input and the ability to shape land use actions in our community. More importantly support the community's rezoning plan which seeks to codify some long term community protections and provide clear parameters for appropriate development in Two Bridges. Thank you and please do something courageous today and vote for the people for a change.

Marc S. Richardson
275 South Street, Apt 19A

New York, NY 10002
646-345-5275

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 25, 6:25 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: laure travers
Zip: 10002

I represent:
A local business

Details for “I Represent”: I live on grand street and own a shop on canal street

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
the LSRD zoning specifies that for a project to be permitted, it needs to not increase the density of the area to the detriment of the occupants of buildings in the block or nearby blocks. however, the density of the 3 blocks would be increased by 263% (currently there are 1053 apartments on these 3 blocks; if these building where added, then the number of apartments would be increased to 3828). multiplying the number of residents on 3 adjacent blocks by 3.6, so that there would be approximately 8039 residents on 3 adjacent backs will be detrimental to the occupants of buildings in the block or nearby blocks and hence illegal.

Yanin Pena <ypena.armstrong@gmail.com>
Attachments
Mon, Oct 29, 4:47 PM
to 17DCP148M_DL

Att: Environmental Assessment & Review Division Department of City Planning 120 Broadway New York, NY 10271

My name is Yanin Pena a student and organizer with the Youth Against Displacement one of the various groups that comprise the Coalition to Protect Chinatown and LES. I'm giving testimony on behalf of the young people ages 4-25, who reside in the Lower East Side, and the greater NYC area. I recently spoke at the DEIS hearing on October 17. I'm submitting these comments to reaffirm my opposition to these towers, and urge you not to approve them.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

It has been demonstrated that the proposed towers would violate each of these qualifications and therefore cannot meet the requirements necessary to secure the authorizations and/or special permits under Zoning Resolution Article VII, Chapter 8.

The proposed, the developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the surrounding community.

All projects that are adding sewage load to the NC sewer shed are cumulative to the proposed project, and the entire sewer shed must be evaluated for cumulative impacts to the NC treatment plant, the sewage infrastructure (registers, pipes), receiving waters under NC's State pollution discharge permit, combined sewer overflow on both sides of the East River, and possible interference with CWA compliance

The DEIS should also evaluate the socioeconomic impact to other Newtown Creek sewer shed areas and neighborhoods whose future development capacity may be curtailed if Manhattan projects take up all the available growth capacity

Furthermore these developments would be catastrophic to the economic, social, and environmental fabric of our community, and would further compound the homeless youth crisis in our city. A project that is bringing in approximately 7,000 new luxury units into our neighborhood would overburden an already populated school district, and result in a significant loss of much needed funding and services for low income students in our community.

As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,
Yanin Pena

Brian N <bjn65extraemail@gmail.com>
Sun, Oct 21, 11:42 AM
to 17DCP148M_DL

I am opposed to the Two Bridges LSRD project and seriously doubt the claim that the project will not result in significant adverse socioeconomic impacts due to residential or business displacement.

Brian Neff
54 Orchard Street

To: NYC Planning Commission
Re: Two Bridges Land Use DEIS
From: Margarett Jolly, past President Seward Park Coop Board and current resident

In 2008 the Lower East Side and Chinatown communities were told by the Planning Commission that their neighborhoods - with more mixed Asian, Latino, and Hassidic representation - would be given the same height and affordability zoning consideration that the northern whiter neighborhoods had finalized through negotiations with the City. Those left out of the zoning decision should just wait and be patient. Today high end extremely tall towers for the extremely wealthy are being built, and with more proposed – based on the wildly outdated zoning that our neighborhood is still subject to. The proposed super towers with apartments mostly for the super wealthy are guaranteed to decimate the existing vibrant communities which have been, and continue to be, a pounding heart and diverse soul of our City. **This is your opportunity to address a promise to support the Lower East Side communities.**

The Two Bridges neighborhood within the Lower East Side is home to the many small businesses and restaurants, rich cultural heritage, and a birthplace to new ideas that have made our City the home that we have chosen, and that I came to New York to live and thrive in, and participate with.

Strong communities have evolved out of **those displaced to the previously undesirable waterfront**, and we are now threatened with a second displacement from this now desirable waterfront real estate. The super tall towers for the wealthy are completely out of context to the outdated current zoning status. It is in this context that I am responding to the DEIS.

The Towers are considered a 'minor modification' ONLY because of outdated zoning not yet addressed by the Planning Commission does not reflect the current non-industrial reality of the Two Bridges neighborhood. How does the doubling of population of the Two Bridges neighborhood reflect a minor impact on the local environment?

The proposed mitigations to: doubling the population, reducing light, increased traffic, increased subway use, heavier sewage load, and greatly increasing the already glaring income disparity (adding only the very very rich to a neighborhood with an average $20k family income) are not mitigations – they are embarrassing attempts at a cheap cash out.

Porter union interests claim that 50 additional jobs will result from the building of these three massive towers – 50 jobs? Is that worth selling out a neighborhood? This is the only voice 'for' the building – other than raw disinterested real estate land grabs taking advantage of the ridiculous zoning.

The process of evaluating the development of our neighborhood must include the existing community voice and not pretend that the waterfront is still an industrial wasteland in need of wealthy real estate renovation – as if there is no existing community. The zoning and the DEIS response are relics of a past reality and current abuse of lingering and seemingly racist and classist loopholes. **The DEIS must be completely refuted as useless and irrelevant to the current requirements of appropriate community development.**

Thank you for your consideration.
Margarett Jolly

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Attachments
Sun, Oct 28, 11:30 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

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Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Margarett Jolly
Zip: 10002

I represent:
Myself

Details for “I Represent”: and past Board President Seward Park Housing Corp

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
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From: Margarett Jolly, past President Seward Park Coop Board and current resident

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Thank you for your consideration.
Margarett Jolly

COLLECTIVE FOR COMMUNITY, CULTURE AND ENVIRONMENT
collectiveforcce.com

COLLECTIVE MEMBERS

Patricia Barrera
Jen Becker
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Wendy Brawer
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Radhi Majmudar
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Ellen Neises
Jina Porter
Beth Rosenthal
Peg Seip
Yvette Shiffman
Martha Sickles
Evren Uzer
Ayse Yonder
Patricia Voltolini

October 26, 2018

Paula Z. Segal, Esq.
Equitable Neighborhoods Practice
Community Development Project at the Urban Justice Center
123 William Street, 16th Floor
New York, N.Y. 10038

Re: City Planning Commission on "Minor Modification" Application Nos. M180507CZSM, M180505AZSM, N180498ZCM, and M180506BZSM

Dear Paula:

CCCE would like to offer visualizations of height and bulk alternatives to the proposed Megatowers on LSRD sites 4, 5 and 6A, in response to Commissioner Anna Levin's request - following Eva Hanhardt's testimony about community alternatives to the Megatowers at the City Planning Commission's public hearing on October 17th, 2018.

These visualizations are based on the following zoning and height limits prescribed by the Chinatown Working Group (CWG) plan:

- (C10, R12, CF10) FAR 12 residential (as of right)
- Max. 350' height
- These preliminary visualizations are bulk diagrams designed to show feasibility – they are not architectural designs. They will require further development, as well as more community input and review.

These alternatives require some horizonal bridge-buildings and assume that some of the bulk is located on top of existing residential structures. While the attached visualizations show one configuration – many additional variations and spatial arrangements are possible within the same height limits listed above.

We assume that by using off-site prefabricated light-weight structures, it will be possible to achieve this type of configuration – and diminish shadows, impact on existing residents, and prevent loss of open spaces and preserve most of the existing mature trees.

This type of bridge-structure is no longer uncommon in New York City – in fact, several buildings at the Domino Sugar site - just across the East River - have a similar "bridge-like" bulk arrangement. See attached precedents on page 5.

Sincerely,

Meta Brunzema RA, LEED AP
Collective for Community, Culture and Environment, LLC
Architect and Urban Designer
T: 212 643 0218
E: mbrunzema@collectiveforcce.com

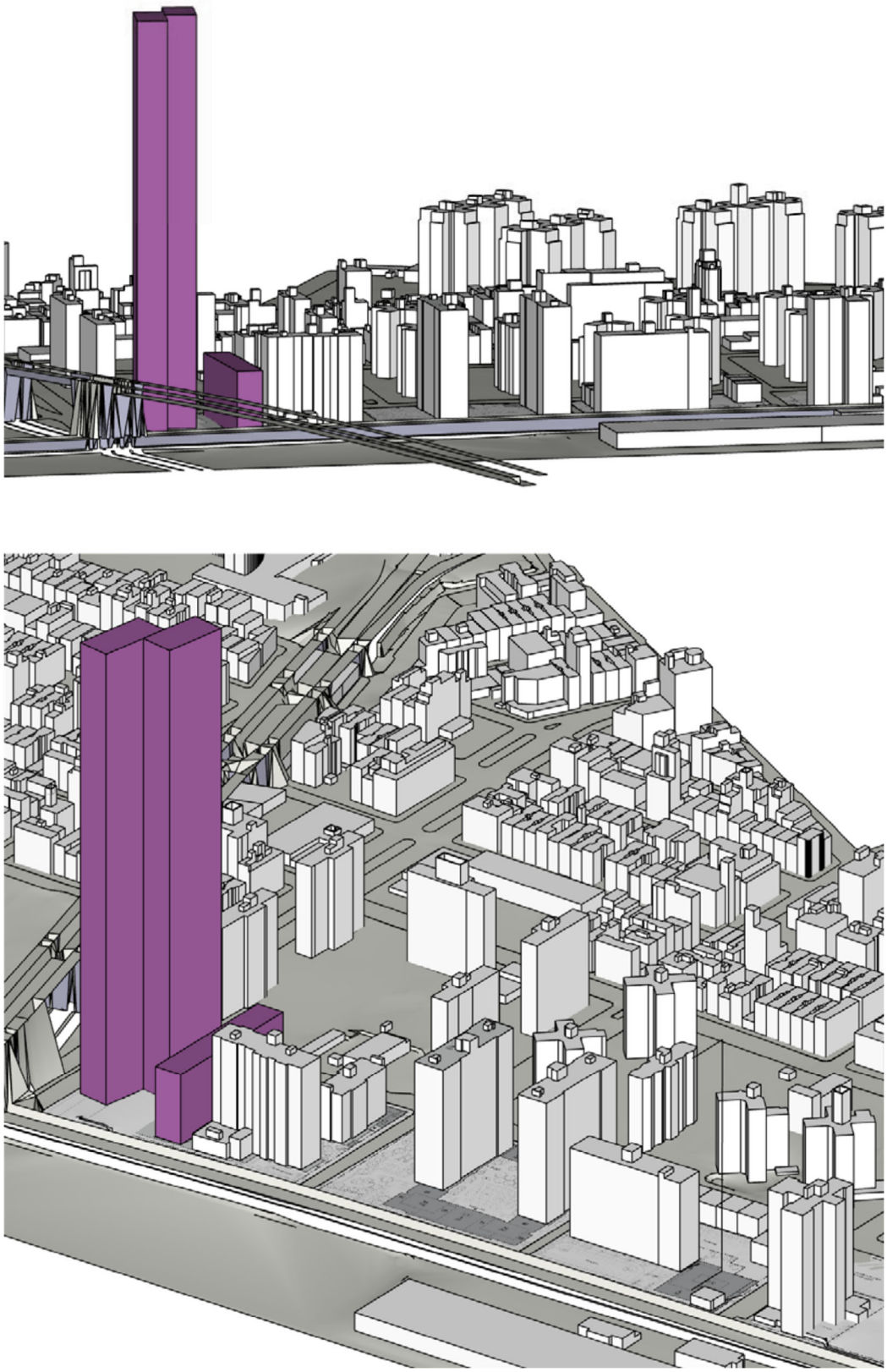

Fig. 1: **EXISTING CONDITION** showing:
NEW 252 SOUTH STREET EXTELL TOWER (72 STORIES – 852 FEET)
AND EXISTING LSRD BUILDINGS AND SURROUNDING LOW-RISE BUILT CONTEXT

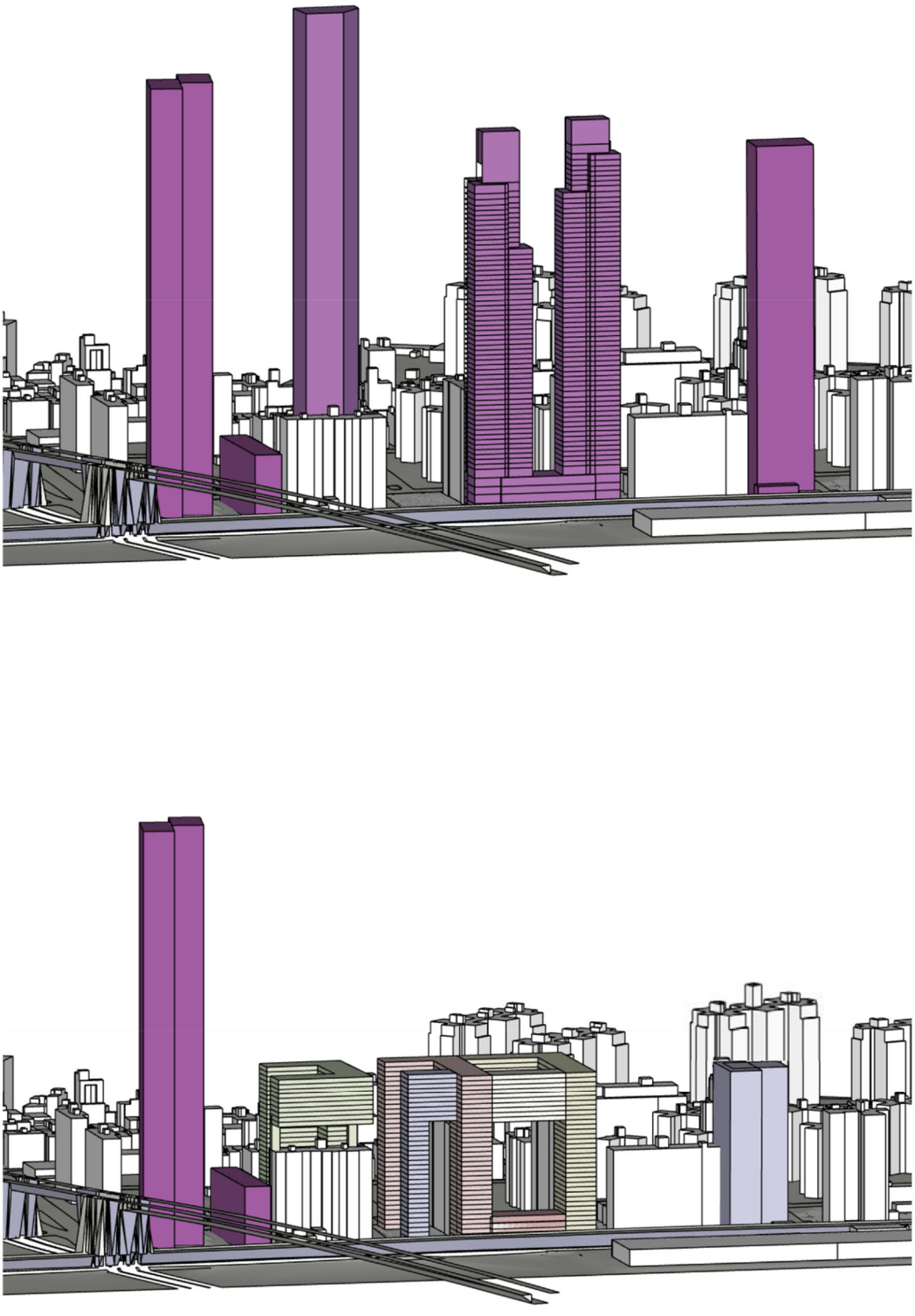

Fig. 2: **COMPARISON BETWEEN DEVELOPER PROPOSALS & LOWER BULK/HEIGHT ALTERNATIVE #1**:
250 SOUTH STREET (EXTELL) and PROPOSED LSRD DEVELOPMENTS: SITES 4= 1008'; 5= 798'; 6A= 724'
AND ALTERNATIVE BULK/HEIGHT SCENARIO #1: SITES 4= 350'; 5= 350'; 6A= 350'

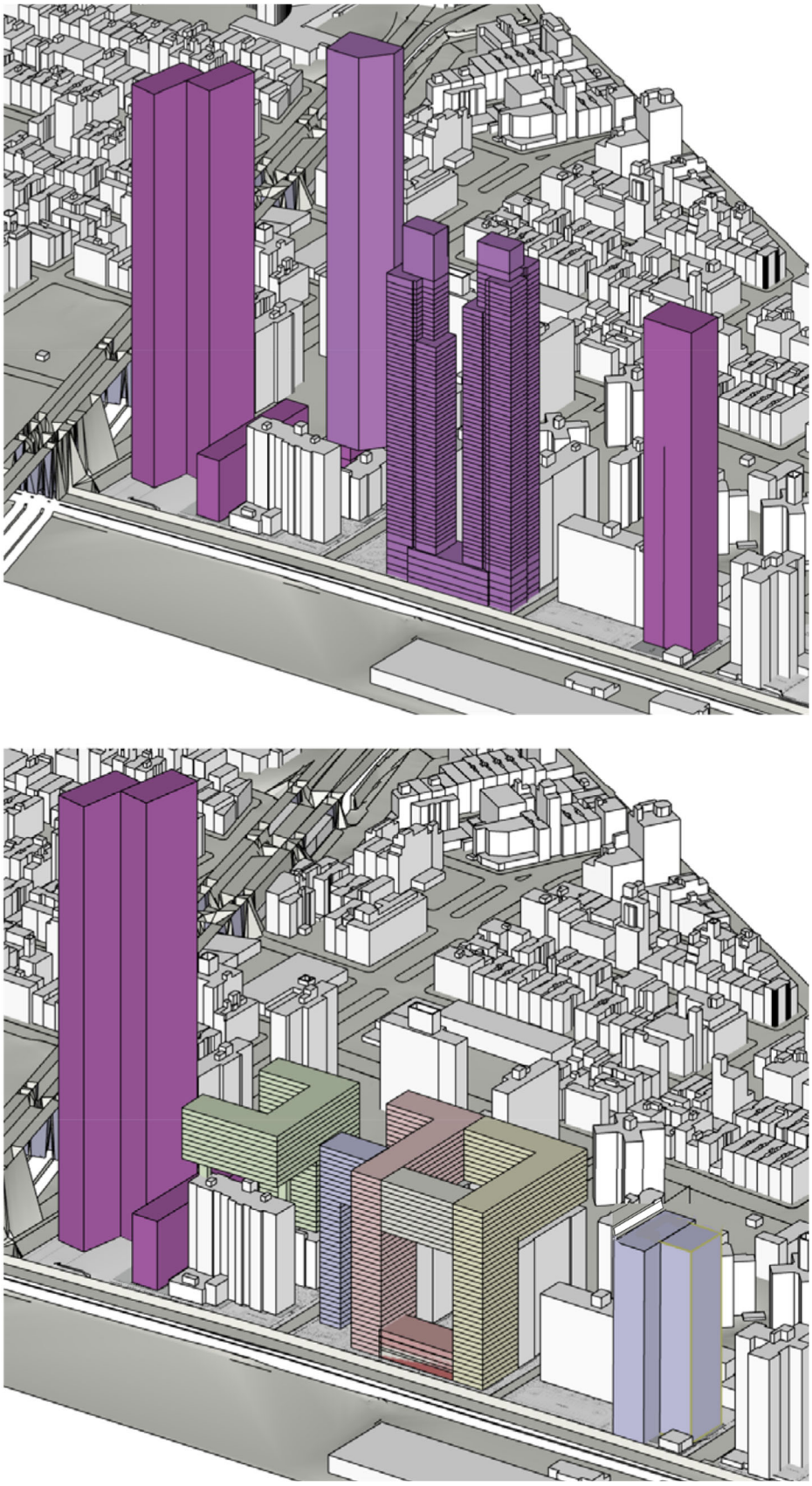

Fig. 3: COMPARISON BETWEEN DEVELOPER PROPOSALS & LOWER BULK/HEIGHT ALTERNATIVE #1:
(Same as Figure 2 – just different view angle)
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Fig. 4: URBAN DESIGN PRECEDENTS – DOMINO SUGER MASTER PLAN, BROOKLYN, NY

Master Plan (SHoP Architects) - rendering
325 Kent Avenue (SHoP Architects) - completed building

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Attachments
Fri, Oct 26, 8:07 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Paula Segal
Zip: 10038

I represent:
A local community group or organization
Other

Details for “I Represent”: I am a senior staff attorney at the Community Development Project (CDP), a non-profit legal services provider. CDP submits this additional document as counsel to Good Old Lower East Side (GOLES), CAAAV: Organizing Asian Communities, Tenants United Fighting for the Lower East Side (TUFF-LES) and Lands End One Tenants Association (LEOTA).

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? Yes
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
Attached, please find the alternative massing for development in the Two Bridges LSRD that would generate an equivalent number of units of housing while following the rules agreed-upon

during the Chinatown Working Group planing process, as requested by the Commission at the October 17 hearing.

COLLECTIVE FOR COMMUNITY, CULTURE AND ENVIRONMENT
collectiveforcce.com

COLLECTIVE MEMBERS

Patricia Barrera
Jen Becker
Leslie Boden
Wendy Brawer
Meta Brunzema
Jocelyne Chait
Paula Luria Caplan
Devyani Guha
Jill Hamberg
Eva Hanhardt
Zehra Kuz
Radhi Majmudar
Mercedes Narciso
Ellen Neises
Jina Porter
Beth Rosenthal
Peg Seip
Yvette Shiffman
Martha Sickles
Evren Uzer
Ayse Yonder
Patricia Voltolini

October 26, 2018

Paula Z. Segal, Esq.
Equitable Neighborhoods Practice
Community Development Project at the Urban Justice Center
123 William Street, 16th Floor
New York, N.Y. 10038

Re: City Planning Commission on "Minor Modification" Application Nos. M180507CZSM, M180505AZSM, N180498ZCM, and M180506BZSM

Dear Paula:

CCCE would like to offer visualizations of height and bulk alternatives to the proposed Megatowers on LSRD sites 4, 5 and 6A, in response to Commissioner Anna Levin's request - following Eva Hanhardt's testimony about community alternatives to the Megatowers at the City Planning Commission's public hearing on October 17th, 2018.

These visualizations are based on the following zoning and height limits prescribed by the Chinatown Working Group (CWG) plan:

- (C10, R12, CF10) FAR 12 residential (as of right)
- Max. 350' height
- These preliminary visualizations are bulk diagrams designed to show feasibility – they are not architectural designs. They will require further development, as well as more community input and review.

These alternatives require some horizonal bridge-buildings and assume that some of the bulk is located on top of existing residential structures. While the attached visualizations show one configuration – many additional variations and spatial arrangements are possible within the same height limits listed above.

We assume that by using off-site prefabricated light-weight structures, it will be possible to achieve this type of configuration – and diminish shadows, impact on existing residents, and prevent loss of open spaces and preserve most of the existing mature trees.

This type of bridge-structure is no longer uncommon in New York City – in fact, several buildings at the Domino Sugar site - just across the East River - have a similar "bridge-like" bulk arrangement. See attached precedents on page 5.

Sincerely,

Meta Brunzema RA, LEED AP
Collective for Community, Culture and Environment, LLC
Architect and Urban Designer
T: 212 643 0218
E: mbrunzema@collectiveforcce.com

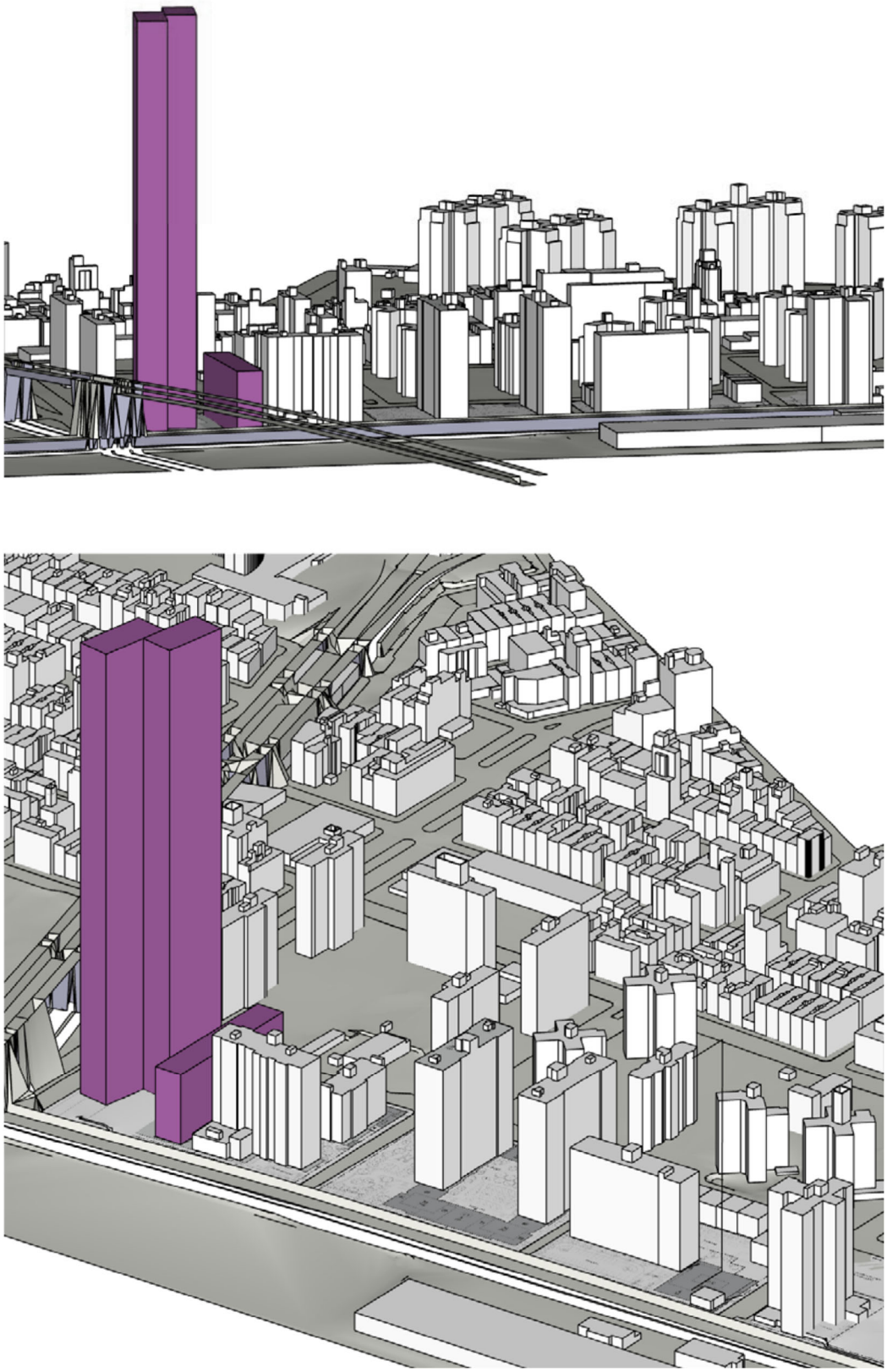
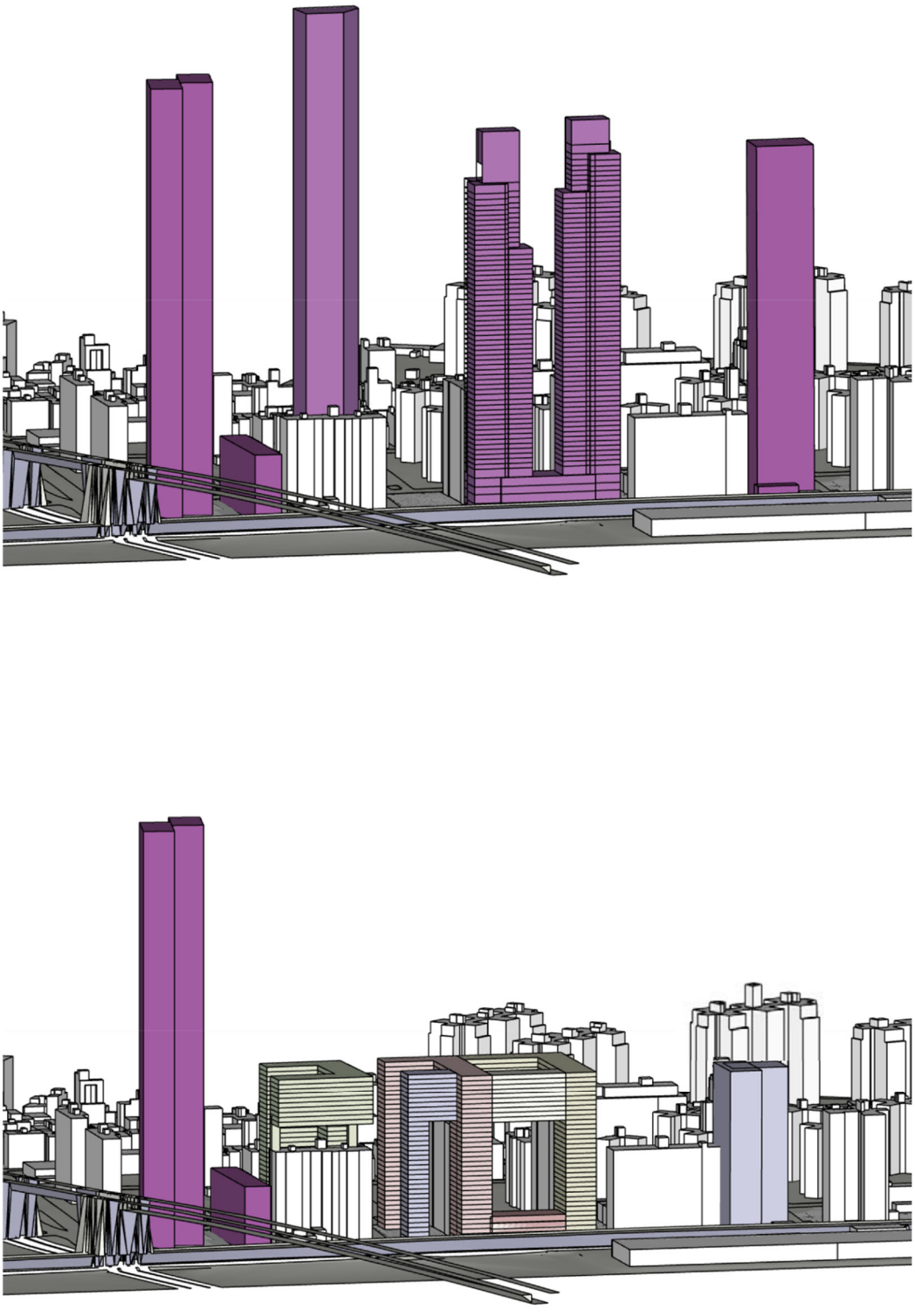


Fig. 1: **EXISTING CONDITION** showing:
NEW 252 SOUTH STREET EXTELL TOWER (72 STORIES – 852 FEET)
AND EXISTING LSRD BUILDINGS AND SURROUNDING LOW-RISE BUILT CONTEXT



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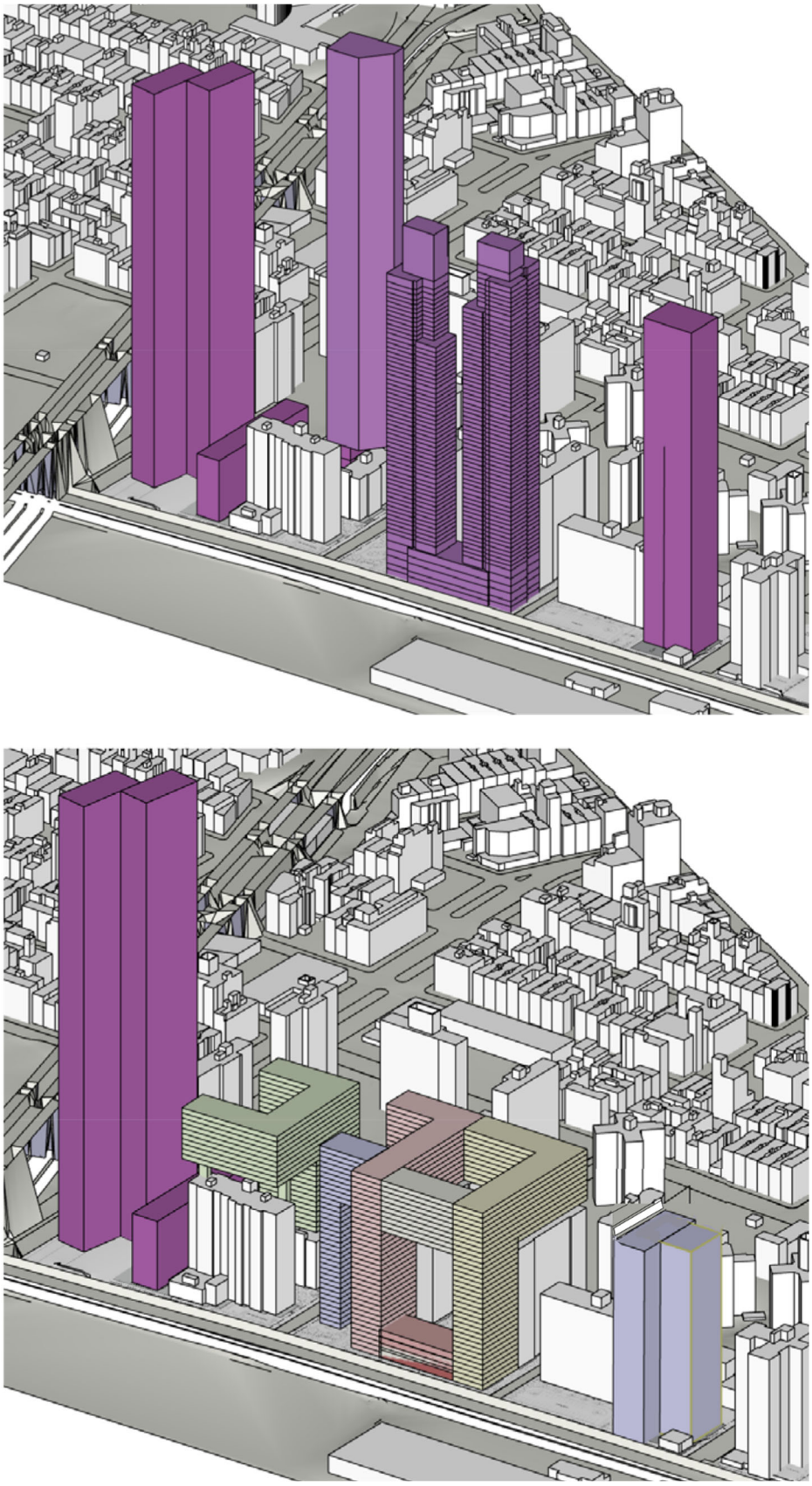

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Master Plan (SHoP Architects) - rendering
325 Kent Avenue (SHoP Architects) - completed building

Bronx Council for Environmental Quality
80 Van Cortlandt Park, South Ste. E1
Bronx, NY 10463
www.bceq.org/

October 12, 2018

Robert Dobruskin
NYC Department of City Planning
Email: RDOBRUS@planning.nyc.gov

Dear Mr. Dobruskin:

Please accept the attached comments on the Two Bridges project draft Environmental Impact Statement (DEIS) filed under SEQRA and CEQR No. 17DCP148M, as well as the Large Scale Residential Development (LSRD) Zoning Resolution CP-21885 update reflecting a new "proposed as of right mixed use" on the developments proposed.

The Bronx Council for Environmental Quality (BCEQ) was formed in 1971, to establish — as an Inherent Human Right — a sound, forward-looking environmental policy regarding an aesthetic, unpolluted, environment protecting a natural and historic heritage. Toward that end, we find that transparency in government to be very important in decision making such as the proposal before you. For the past couple of years, we have been working on the NYC DEP's Long Term Control Plan (LTCP), which includes the Harlem, Hudson and East Rivers.

This Two Bridges project has many similarities to the recent Pier 5 Project in the Bronx along the Harlem River waterfront -- planned in a FEMA Flood Zone, with a too large a building, and mixed uses. It was also an area that CPC tried new zoning methods to promote private development which failed. In the end, the City invented new ways of handing the old area, and took an essential park from local people by giving favors to others.

First, we find no explanation or reason for the Commission to vote to approve the Technical Memorandum and offer the contractors new "as-of-right mixed use." It appears to be an unnecessary allowance, in a crowded residential area that already has mixed uses, and has little infrastructure to handle the excessive potential sewage. The Commission is responsible for the **conduct of planning relating to the orderly growth and development of the City**, including adequate and appropriate resources for the housing, business, industry, transportation, distribution, recreation, **culture, comfort, convenience, health and welfare of its population.**

Next, we find this DEIS to be fatally flawed and recommend your offices prepare a Supplemental DEIS prior to the release of a Final EIS specifically addressing the environmental impacts presented below:

1. The City's Public Policy wisdom of allowing building in an FEMA Flood Zone area given the risk of Rising Sea Levels, Surge and/or Flooding. You should review the additional cost in the monthly rental given the FEMA Insurance expense for those 25% affordable housing units in these proposed projects.

Bronx Council for Environmental Quality
80 Van Cortlandt Park, South Ste. E1
Bronx, NY 10463
www.bceq.org/

2. The City's Legal Responsibility to limit Nitrogen pollution from the East River to the Long Island Sound by limiting development along this corridor. Do you think that anyone thought that a C-6 zone would build 60' to 100 foot tall buildings?

3. The Alternatives Methodology does not consider a "proposed action." Without that, it is difficult to compare it to least or lesser adverse impacts, especially those that are irreversible. The lead agency's response that the lesser units alternative fails because it will not provide the higher number of affordable housing units is a ridiculous statement. There is no 25% limit to the affordable housing and therefore the number of units could remain the same as proposed if affordable housing was the goal.

   This section is a fatally flawed. The proposed projects stated goals and objectives have little to do with alternative analysis to reduce adverse impacts of a proposed action – in this case, to build residential and mixed use towers along the East River Waterfront. If the proposed action were, as is the present case, to build affordable housing, then the buildings could necessarily be smaller with less units, and/or no mixed uses. It does not mean that the alternative review – an essential part of the environmental review process, has to be chosen. It only has to be reviewed so the decision maker can assess if the project is the least feasible alternative. This is different from the proposal to describe a proposed action that is the worse-case scenario in the other chapters of the EIS. Furthermore, it also provides for larger mitigation costs to lessen the adverse impact of the proposed action.

4. These developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the Newton Creek WWTP sewer system, which at the same time is not meeting the terms of the Long Island Sound Study to eliminate the nitrogen pollution. Furthermore, the adverse environmental impacts on public waters must also be adequately studied and mitigated.

5. The EA stated wrongly that there was no permit needed from the New York Department of Environmental Protection (DEP) to handle Sewer and Stormwater. The Newtown Creek WWTP is not handling the stormwater or sewer overflow. The DEP has instituted the "Wait" program in that sewershed. (This program sends people a text message to wait to take a shower, flush the toilet, wash dishes, etc. People volunteer to do this as the alternative was that unmentionable things were coming up in their toilets.) Clearly 3000 more residential units will make this Wait problem even more serious. Moreover, the information in Chapter 11 has many errors, starting with the note that the Croton has 22 MGD and others.

We expect to provide detailed comments on the DEIS. We wanted the Commission to know how we felt concerning the item they will vote on this Wednesday. Please respond with your comments. If you have any questions, we can be reached at 646-529-1990 or karen@bceq.org.

Sincerely,
Karen Argenti
Karen Argenti, Secretary

c: Joyce Hogi, Vice President

October 17, 2018

COMMENTS TO THE CITY PLANNING COMMISSION
ON PROPOSAL TO ADD FOUR MEGATOWERS TO THE SITE PLAN OF THE TWO BRIDGES LARGE SCALE RESIDENTIAL DEVELOPMENT (LSRD) AS MODIFICATION OF PRIOR APPROVED LSRD SITE PLANS
M180506(B) ZSM, M180507(C) ZSM, M180505(A) ZSM

AND ON PROPOSED CERTIFICATION TO MODIFY GROUND-FLOOR COMMERCIAL USE REQUIREMENT, N180498 ZCM

My name is Eve Baron. I'm an urban planner, and I wear different hats, one as the Chair of the City and Regional Planning program at Pratt Institute. As a private planning consultant, I was part of the team working on the CWG plan and subsequent follow up. But today I'm here representing myself as a professional planner, and I urge you to vote no on the Two Bridges applications.

The applications represent poorly-conceived public policy, the information provided to you to evaluate the projects is incomplete, and there are alternative ways to achieve the same density and affordability without substantial unmitigated impacts.

Public policy
The zoning resolution spells out the way in which an LSRD can be modified: through special permit or authorization, both requiring ULURP. My concern here is both for the case of Two Bridges but also for setting precedent for future land use policy that allows ad hoc yet substantial changes in land use without the benefit of New York's full public review process.

The underlying C6-4 zoning in the area is usually mapped in major business districts with good access to mass transit. But the location of the proposed developments is neither of those things. This makes the provisions of the LSRD all the more important in the determination of what is appropriate development. The city's vision for what should be built here has been enshrined first through the Urban Renewal Plan and then subsequently through the LSRD: moderate- and low-income housing achieved through site planning that provides maximum benefit to area residents. The proposals before you do not meet these criteria.

Incomplete information regarding potential displacement
The information regarding the potential for secondary displacement is incomplete. There is general consensus that the CEQR manual that provides the guidance for evaluating project impacts is outdated and insufficient; in fact, the city has established an inter-agency task force to review the manual. Housing market conditions have changed dramatically since the last revision to the rules measuring secondary displacement, yet we are here in 2018 clinging to notions that what is uncovered in secondary displacement analysis is valid. It is not.
In light of insufficient information about the potential for displacement, it is critical that you pay maximum attention to the oral and written testimony of impacted community residents—they will tell the complete story that CEQR does not.

Alternatives
The DEIS does not adequately examine alternatives. The recommendations for Subdistrict D of the CWG Plan will result in development that achieves the same density and affordability goals, if not more, that fits within the LSRD parameters, and will not result in the impacts, unmitigated and otherwise, that are part and parcel of the applications before you. The CWG plan has broad community and political support and comes from a consensus-based planning process. Unlike the proposals before you, the development resulting from the CWG will not leave the city vulnerable to legal action and the delays involved in building out the development potential of the sites.

I urge you to vote no on these proposals.

Submitted by Eve Baron
evebaronnyc@gmail.com

Amy Diehl Crader <acrader@akrf.com>

FW: Two Bridges testimony - OPPOSED

1 message

Evan Lemonides (DCP) <ELEMONIDES@planning.nyc.gov> Tue, Oct 30, 2018 at 5:44 PM
To: Amy Diehl Crader <acrader@akrf.com>, Lisa Lau <llau@akrf.com>

You may already have this, but just to be sure, I'm sending – it came in on 10/17.

That's it!

From: Kirsten Theodos [mailto:kirstentheodos@gmail.com]
Sent: Wednesday, October 17, 2018 7:29 PM
To: 17DCP148M_DL <17DCP148M_DL@planning.nyc.gov>
Subject: Two Bridges testimony - OPPOSED

Two Bridges Testimony 10.17.18

Kirsten Theodos

kirstentheodos@gmail.com

Good morning, my name is Kirsten Theodos and I strongly oppose the three proposed megatowers in the Two Bridges area. Just to be clear, I am not a NIMBY nor am I against new development. What I am against is irresponsible development made possible by developer friendly city agencies. Extell's 1 Manhattan Square was a travesty in its own right. They took out the last affordable grocery store in this working class neighborhood and replaced it with an 80 story luxury tower. You may recall they began marketing 1 Manhattan Square primarily to affluent Asian overseas investors. Creating a development that is essentially a Swiss Bank Account for real estate speculators is an atrocity and these three towers will be sure to replicate this ill-conceived luxury tower.

If constructed, all four of these towers will bring over 3k new apartments to this small area, and will tap into the Newtown Creek drainage basin, that is one of the most polluted industrial sites in the US and today is NOT compliant with the Clean Water Act. This makes these developments not only severely out of context for the neighborhood but also an environmental hazard that somehow the city is willing to overlook.

The developers of the three proposed towers have done everything possible to circumvent the rules. Not only do the 3 proposed supertalls not conform to the existing zoning code, with the help of a corrupt Department of City Planning, they have successfully worked around the public review process and inexplicably the city has decided to consider all three projects together. A unilateral move that is not only highly unusual but also extremely unfair to this community.

These three developments are egregious giveaways of public assets in the form of air, light, water, sewage capacity, and green space. I strongly urge the City Planning Commission to be on the right side of history and reject these 3 megatower proposals in the Two Bridges area.

--

Kirsten Theodos

917.295.1672

Amy Diehl Crader <acrader@akrf.com>

FW: Opposition to Two Bridges Tower Construction

1 message

Evan Lemonides (DCP) <ELEMONIDES@planning.nyc.gov> Tue, Oct 30, 2018 at 5:42 PM
To: Amy Diehl Crader <acrader@akrf.com>, Lisa Lau <llau@akrf.com>

Hi – On 10/25, I had sent the emails addressed to 17DCP148M_DL that we received from 10/18 through 10/24. This one came in on 10/25.

I'm also going back now to be sure I sent anything sent to the 17DCP148M_DL address that arrived before 10/18. I'll forward those few next, and that should be it for the comments.

Thanks!

From: Frank Smiles [mailto:hainesfrank@gmail.com]
Sent: Thursday, October 25, 2018 10:09 AM
To: 17DCP148M_DL <17DCP148M_DL@planning.nyc.gov>
Subject: Opposition to Two Bridges Tower Construction

Hello City Planning Office,

Thank you for everything you do.

I live at 137 East Broadway and have lived there for 5 years.

I love this neighborhood and wouldn't want to live anywhere else.

I am writing to voice my opposition to the Two Bridges Megatowers

I fear what these towers would do to our community, and it's infrastructure.

And the ripple effect it will have on the people who have lived in this community their entire lives.

I echo all the points made by the Lower East Side Organized Neighbors about

restricting air and light

sewage

building bulk

traffic!

The effect on the public housing residents currently occupying the immediate vicinity.

I hope you can listen to the overwhelming concerns of the community opposing this construction.

Sincerely,

Frank Haines

Amy Diehl Crader <acrader@akrf.com>

FW: Two Bridges proposed towers 10/30

1 message

Evan Lemonides (DCP) <ELEMONIDES@planning.nyc.gov> Tue, Oct 30, 2018 at 4:40 PM
To: Amy Diehl Crader <acrader@akrf.com>, Lisa Lau <llau@akrf.com>

From: Robert Dobruskin (DCP)
Sent: Tuesday, October 30, 2018 11:32 AM
To: Evan Lemonides (DCP) <ELEMONIDES@planning.nyc.gov>
Cc: Bob Tuttle (DCP) <BTuttle@planning.nyc.gov>; Olga Abinader (DCP) <OABINAD@planning.nyc.gov>
Subject: FW: Two Bridges proposed towers

From: Karen Kubey [mailto:karen@karenkubey.net]
Sent: Tuesday, October 30, 2018 11:26 AM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Two Bridges proposed towers

TO:
Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

RE:
Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans.

LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion.

These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources,

transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of residents and small businesses.

Please consider the adoption of the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

--

Karen Kubey
karenkubey.net

@karenkubey

530 902 2702

Launching September 6:

Housing as Intervention: Architecture towards Social Equity, Architectural Design (AD)/Wiley

From: "Robert Dobruskin (DCP)" <RDOBRUS@planning.nyc.gov> To: "Evan Lemonides (DCP)" <ELEMONIDES@planning.nyc.gov>
Cc: "Bob Tuttle (DCP)" <BTuttle@planning.nyc.gov>, "Olga Abinader (DCP)" <OABINAD@planning.nyc.gov> Bcc:

Date: Mon, 29 Oct 2018 14:50:53 +0000
Subject: FW: Public Comments on EIS Statement for the Two Bridges Developments See attached comments.

-----Original Message-----
From: John Antush [mailto:john.antush@gmail.com] Sent: Sunday, October 28, 2018 8:35 PM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Public Comments on EIS Statement for the Two Bridges Developments

To Robert Dobruskin, Director
Environmental Assessment & Review Division Department of City Planning

On behalf of the signatories of the attached documents I am submitting these separate comments for the Environmental Impact Statement on the four developments proposed for Two Bridges area.

The proposed towers would violate the LSRD Zoning Resolution Article VII, Chapter 8 by interfering with the neighborhood's character, restricting air and light access and creating detrimental building bulk. The towers would also make it harder for the city to comply with the Federal Clean Water Act and would have major negative environmental effects.

We call on the City to enforce the law. Reject these proposed developments!
Please enter each separate statement into the records. Each PDF title indicates each signatory's name. Best.
John C. Antush 917-734-3907

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Sep 27, 9:54 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Adam Lawrence
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Our neighborhood is in no way shape or form ready for the increased stresses this project will put upon its residents. The environmental impact alone seems to be very disingenuously reported, and the transportation and traffic impact will all be very negative, especially in concert with the many other developments in the expanded area. Lastly, District 1 schools, especially Middle Schools, are already a serious problem with too much unfair competition to get into the few successful schools and many other schools flailing about. This development will only add to these problems as well as NYC’s continued socioeconomic and racial segregation issues in public education. There are also numerous potential conflicts of interest and opportunities for corruption present that I fear are having an unfair influence on the whole process.

From: Ramirez_Anita [mailto:Anita.Ramirez@Allergan.com]
Sent: Monday, October 29, 2018 1:56 PM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Cc: Anita Ramirez (Qnmami@aol.com) <Qnmami@aol.com>
Subject: Fw: East Brdway Train Station NYC 10002 - Selling Point for New Developers - 4 Towers Cherry Street, 'How Ironic over 20years in the making!!
Importance: High

Attn: Hon. Robert Dobruskin
Department of Planning Environmental Assessment & Review Division
120 Broadway
New York, NY 10271

Re: Two Bridges Tower Proposals - 4 Towers
NY, NY 10002

Over 20 years ago there was a request for the review and restoration of the East Broadway Train Station, in Lower Manhattan and now as a 'pitch' by these developers and their 'cheap selling point' to entice the public/community and political leaders is misleading and a far cry from the truth. The truth is the neglect the lower east side residents have endured for far too many years is evident by the pictures attached and a letter written 1998 when this train station was inspected. At that time the train station was cited to be in MTAs capital project within those next 10 years--and for shame, to this date nothing has been accomplished.

When the City Planning and Development reviews these 4-Towers, as a citizen and lower east side resident for over 55 years, please consider why I'm Opposed to these buildings: the developers will pitch that these residential towers will bring in economic growth--this is totally not true. If anything it will cause unusually high unsanitary conditions, overcrowding of schools, add to the already defunct and overcrowded transportation services in the area, health services will need to be augmented to provide these services to the residents, and the safety of the residents when there's a fire will be at risk, especially because the fire department closed down fire houses in the community. Allowing these Towers to be built is a safety and health situation of magnitude proportions that the City and the City Planning and Development Commission must acknowledge -- how will the City address these problems that will be created by an additional 5,000 plus residents within 6 city blocks.

Where will the City get the monies to facilitate these additional services -- we'll need more schools, fire depts., added police protection, transportation and health services in the community. As it is now, there have been budget cuts throughout all of these public services. Making the private sector responsible will only create additional homelessness, those seeking health care will not afford it, and public services such as the police force and fire personnel, to service a larger community with the existing man power, will definitely put their lives in danger.

As for the esthetics of the neighborhood, clearly this is a violation of the Zoning Laws and will undoubtedly cause tremendous shadows within our green spaces and in our neighborhood playgrounds. Increases in land values which ultimately falls on the tenants as landlords sky-rocket rents will only cause more homelessness and displacement or overspill onto the streets. For these reasons I am opposed to the development of these 4-Towers.

The Lower East Side has always been a melting pot for all races embracing our cultural differences. As such I request that you vote in favor of our voices as residents in the Lower East Side and STOP the development of these Four Towers and address the already defunct and lack of city services we in the Lower East Side have been deprived of for far too many years.

Thank you for your consideration.

Ms. Anita Ramirez
35 Montgomery Street, #20D
New York, NY 10002
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370 Jay Street
Brooklyn, NY 11201

Lawrence G. Reuter
President

New York City Transit

February 11, 1998

Mr. Harold A. Crawford, Jr.
Principal Investigator
Office of the Inspector General
Metropolitan Transportation Authority
10 Columbus Circle, 24th Floor
New York, NY 10019-1301

Dear Mr. Crawford:

This is in response to your letter dated January 23, 1998, in which you attached a copy of a letter (photographs included) by Ms. A. Ramirez, concerning water damage, leakage, and broken steps at the East Broadway Station on the "F" line.

In response to Ms. A. Ramirez's concerns, the Office of System Safety (OSS) conducted a site inspection on February 5, 1998, to inspect the station.

During the inspection OSS found the station to be structurally sound. However, the following conditions were identified at the station.

- Poor lighting existed throughout the station, especially the landing between the upper level and lower level at the East Broadway side (as indicated in the submitted photographs).
- Paint was peeling from the ceiling, particularly on the Madison Street side and the middle of the platform (as indicated in the submitted photographs).
- Water was leaking at various areas, including the wall tiles above the third rail, and from the ceiling beams onto the platform (as indicated in the submitted photographs).
- There were loose cable wires within arms reach, hanging on the wall of the passageway leading to the Madison Street side platform at the mezzanine level between the two token booths.
- The steps at the station were inspected and found to be in good condition. The area where the submitted photograph indicated an open live wire, on the Madison Street side, was a water line that had been repaired.

The aforementioned issues have been referred to the Division of Stations for appropriate corrective actions.

Thank you for bringing these concerns to our attention.

Sincerely,

Leroy B. Spivey
Vice President
Office of System Safety

Cc: C. E. Kennedy
A. Guidice

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Sep 27, 11:55 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Andrew Fairweather
Zip: 11221

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am concerned that this development does not go far enough in the way of ensuring that enough people will have access to affordable housing. I am not talking about affordable according to AMI (which takes into account wealthier areas of NYS) but according to the average person living in New York without any assets to claim their own. I work in the area at the local library. I constantly hear from people that they are being left behind, offered nothing but the jargon of "uplift" and token legislation. I myself work a job that is stable--but the money I make will not be enough to raise a family, especially considering the debt I still owe from gaining an education to work in such a job. It is a sad state of affairs that when someone tries their damndest to make the right choices in life they are indirectly punished, while those who manipulate and game the system at the expense of the general lower 75% of the population make out with large sums and

property. I see this development as a continuance of this state of affairs and an exhibition of the lack of imagination which fails to adequately address the housing problem this city faces. Thank you for your time, provided you've read this far.

Bob Tuttle (DCP) <BTuttle@planning.nyc.gov>
Mon, Oct 1, 10:04 AM
to Evan Lemonides (DCP)

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
From: Public Hearing Comments (Do not reply)
[mailto:PublicComments_DL@planning.nyc.gov]
Sent: Monday, October 01, 2018 9:51 AM
To: Matthew Pietrus (DCP) <MPietrus@planning.nyc.gov>; Kevin Corte (DCP) <KCorte@planning.nyc.gov>; ManhattanComments_DL <ManhattanComments_DL@planning.nyc.gov>
Subject: Comments re: M 180505(A) ZSM - TWO BRIDGES

Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Annette Chow
Zip: 10002

I represent:

· Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:

There is too much congestion with over developing in lower Manhattan. The quality of life has changed for the worse in the last couple of years. We must look at every project to access whether this build will be good for the neighborhoods health. Too many tall buildings can not be supportive by the neighborhood. Let's be smart in approving new construction.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Sep 27, 12:33 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Margaret Lee
Zip: 10002

I represent:
Myself
A local business
A local community group or organization

Details for “I Represent”: Owner - 47 Canal - Art Gallery and member of Art Against Displacement

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I do not agree that the proposed development of three additional mega-towers in the Two Bridges area qualifies as a minor modification but instead a major modification that will have extremely adverse effects on our community. As a small business owner who over the last 10 years have operated at 179 Canal Street, 47 Canal Street and 291 Grand Street, I care deeply for the community and have witnessed first hand the destructive forces of overdevelopment. We are surround by empty store fronts and traffic congestion. Our subway stations are in total disrepair and we are faced with the L-train shutdown that will increase car traffic. We have watched long-

time residents be displaced and rent-stabilized apartments disappear. My group has done much research into existing sewage issues and cannot stand by and allow and additional 3,600 units to be added to the already over-taxed sewage system. In addition, I believe that new construction in NYC should be full Union sites and CIM and JDS are known for being anti-union. In conclusion, I believe that the three proposed mega-towers will negatively transform the character of the neighborhood and will lead to the displacement of our neighbors and independent small businesses. Essex Crossing has already brought in new market-rate units and big box retailers like Target and Trader Joe's to our neighborhood. Enough is enough.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 10, 1:39 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Angela Rosado
Zip: 10002

I represent:
Myself
A local community group or organization

Details for “I Represent”: Community Educational Council District 1

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
These luxury towers have absolutely no place in the Lower East Side waterfront. This Wild Wild West mentality for developers needs to come to an END! This will be more harmful than anything on the people, the environment, safety, the schools, you name it; it will have some sort of trickle effect. While your residents enjoy sunlight coming in through their windows everyone else is literally IN THE DARK. The construction workers you hire to do the work are junkie pedophiles. They get high and drink before, during and after work, all the while hitting on the underage high school girls and antagonize the young boys that walk by. Not to mention they themselves pose many safety hazards because they're high and drunk. How safe are these actual buildings if the people putting them up are impaired? I don't believe these towers are going to

better our community. I believe it will just cause more headaches, traffic, noise, less space in our schools, and be forced to share our resources with people who are not so willing to share theirs.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 10, 9:46 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Arthur Phillips
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
Dear Commissioners, I live near the corner of Canal and Allen streets with my partner and our 16-month-old baby. We intend to raise our family here but, in a place whose infrastructure--including subway, sewer and streets--is already overtaxed, we fear these projects would irrevocably damage our quality of life. It strains credulity that three out-of-context luxury mega-towers in the Two Bridges area qualify as a minor modification. The proposed development should be treated as a major modification that requires a full review. The towers will overwhelm our neighborhood's sewage, transport, and school systems. They will cast shadows and create wind that negatively affect the development of children being raised in nearby NYCHA buildings. And I gather they may well be illegal. The proposed mega-towers will place unbearable burdens on local residents and will exacerbate already significant displacement

pressure on the working class families that have made this neighborhood attractive for real estate investment. With Essex Crossing coming online, it is unfathomable what would become of this neighborhood with the addition of the proposed Two Bridges towers. I implore you to treat this as a major modification subject to full review, not take advantage of a loophole that allows unsustainable development. Thank you for your consideration, Arthur Phillips

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 6:54 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Cici Wu
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am a tenant living in 172 Henry street. I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant

concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. We need to have more public space that everyone feels welcome to use for our children, peers and elders. We don't want to see the shadows of these towers casting on the projects. We don't ultimately want to see a culture diverse community going to be torn down by the corrupted developers. Corruption needs to be stopped!
Cici Wu

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 8:24 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Crys Yin
Zip: 11201

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I'm STRONGLY OPPOSED to the building of the towers at two bridges. We as a city need to protect low income neighborhoods, and try to hold on to what's left of the Lower East Side community as a whole. The majority of Manhattan has become a city for the rich, while any trace of actual diversity has been pushed to the margins. We as a city, as neighbors, cannot let the construction of these towers push out more people. If luxury towers are built, low income residents will no longer be able to afford the businesses in the area - the neighborhood will not be their own. The residents that have been in the Lower East Side for decades deserve to feel at home in a city that they've helped build.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 10, 3:11 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Erik Wysocan
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I’m an resident of chinatown living on Canal and Eldridge St, and extremely concerned about the social and environmental impact of the proposed towers. The towers will overload the neighborhood’s already overtaxed sewage, transport, and school systems. They will create shadows that negatively affect the quality of life of residents in nearby buildings, such as local NYCHA residents, who lose sunlight and views. This represents an attack on the mental well-being of local families, which is already destabilized by the visible class differences that these new developments represent. If Two Bridges mega towers are allowed to be built, it will effectively double the population of this area. But will we get additional schools? Will our infrastructure be repaired? Will our utilities be upgraded? Will our crowded buses become more frequent? Will our parking spaces be increased? Will our traffic problems get resolved? I

assume the answer is no. All the things I've just listed will instead become worse, over crowded and overburdened. If the developers even address these issues, how will they be held accountable? I lived here during Sandy, and I know our area is already vulnerable to storms and floods. How is increasing the population of a “high risk flood zone” by thousands of people possibly be a good idea? How many tax dollars will it take to rescue the residents of these mega towers when the next flood comes? Tax dollars not contributed by these residents as they will probably receive a property tax abatement via the 421a tax program that cost the city more than it saves. I rely everyday on small businesses in Chinatown, These businesses will be threatened because of rent hikes and the divergent consumer tastes of a new population of luxury renters. The proposed developments do not provide affordable housing for the lower-income and immigrant populations already living in the neighborhood, therefore they further exacerbate our city’s current housing crisis. Small businesses and affordable housing allow our fragile, beautiful community to prosper. The politicians and developers who support these disastrous skyscraping towers are tearing our community apart. Because of these extremely adverse impacts, which are both environmental and social, I believe that these towers must, at all costs, not be built. We must create legislation and zoning, without delay, that ensures that Chinatown and the Lower East Side remain affordable to lower-income families, immigrants, and those who are Indigenous to this land.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 3:49 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Erin Edmison
Zip: 11206

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am concerned about the environmental and human costs of these proposed developments on the LES riverside. The existing population is vulnerable to displacement, and I have not been convinced by arguments otherwise. Manhattan is becoming an island of super-wealth, and soon it will lose the character and characters (to quote my old Borough President, Marty Markowitz) that make it both a tourist destination and a unique place in American psychogeography and culture. If you allow this to happen, it will ultimately be to the city’s detriment and future generations will condemn you.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 11, 11:58 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Geordan Goldstein
Zip: 10002

I represent:
Myself

Details for “I Represent”: Geordan Goldstein

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am against this project. Buildings too big. Quality of life ruined in my opinion. Extremely against this. Even 20 stories is too high. Enough is Enough. The LOWER EAST SIDE is being destroyed by these extreme buildings. I am all for the neighborhood change but not massive buildings and other people's views, quality of life and more being ruined by it.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 11, 12:19 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Howard Huang
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I'm a long term resident of the area and I'm shocked that such a huge development will be allowed to move forward as a "minor modification". We are at risk of loosing the very nature of our neighborhood. This development is happening in a residential area that is already very dense. We already experience infrastructure problems and school overcrowding. These buildings will make make things worse, and the developers are not proposing any real mitigations. The seniors that live adjacent to the proposed buildings are at particular risk and no one is looking out for their well being. Please vote to save our neighborhood. Luxury residential towers have no place here.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 4:36 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Jacqueline Klempay
Zip: 10002

I represent:
Myself
A local business

Details for “I Represent”: I live on East Broadway and own a small business on Henry Street.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
I live in this neighborhood in addition to running a small business.I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of

redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city's efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. I am deeply concerned about the way this will affect my neighbors and myself. I foresee a lot of displacement in the future, of neighbors, my community, and myself in both home and business, as high prices drive us out, should these plans proceed. The area developed north of here, commonly referred to as "Hell Square" is terrifying and seems like an awful place to live. I love this small community and shudder to think of that happening to us - those out of scale buildings represent that possibility. This is not a blighted community, it is special and vibrant like a small town within a big city. I appreciate your attention to this matter. Jacqueline klempay

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 6, 12:41 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Jill Hamberg
Zip: 10025

I represent:
Myself

Details for “I Represent”: I am a Visiting Professor a the Pratt Institute's Graduate Center for Planning and the Environment and a member of the Collective for Community Culture and the Environment

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Dear City Planning Commission, I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out-of-scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in

the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city's efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. I urge you to turn the them down. As an urban planner -- and, in addition, resident of another URA / LSRD and consultant to Lower East Side organizations -- I am familiar with the issues involved with this decision. I consider that the four super towers are out of scale for the community and in terms of process, the "minor modification" is not appropriate in this case. I appreciate your attention to this matter. Jill Hamberg

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 11, 2:58 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Laoise Mac Reamoinn
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
Aside from the profound, perilous and destructive effect this project would have on this area - on community life, safety of residents (present and future), and existing - and insufficient - infrastructure, as well as the absence of any new proposals for supporting infrastructure projects to begin either before or concurrent to this proposed project, aside from all of this: The proposed scale if this plan is demonstrably reckless. To assume an area of this size can support such a project without disastrous logistical results is alarming. TWO new buildings - with signicantly fewer stories than currently proposed - in addition to the almost completed high occupancy tower next to proposed site, will place an unprecedented logistical strain on the area, in terms of transport and traffic alone. The welcome arrival of ferry services however frequent and numerous - and the new subway station proposed (which will take many years to complete) will in no way suffice to prevent chaos on an unimaginable scale. Then there is the whole issue of SAFETY . The risks that come with any such project (even on a significantly more conservative

scale) scream for further careful consideration and the speedy involvement of local congresspersons and a much deeper involvement of community leaders and local decision makers to reach a sane,safe, and therefore drastic modification of scale of any such proposed project. With best regards

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 11:28 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Lindsey Cormack
Zip: 10075-0665

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use.

Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. This seems like a bad idea for NYC. -Lindsey

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 11, 10:59 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: marion riedel
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
I do not agree that the proposed development of three additional mega-towers in the Two Bridges area qualifies as a minor modification but instead a major modification that will have extremely adverse effects on our community. I care deeply for the community and have witnessed first hand the destructive forces of overdevelopment. We are surround by empty store fronts and traffic congestion. Our subway stations are in total disrepair and we are faced with the L-train shutdown that will increase car traffic. We have watched long-time residents be displaced and rent-stabilized apartments disappear. In addition, I believe that new construction in NYC should be full Union sites and CIM and JDS are known for being anti-union. In

conclusion, I believe that the three proposed mega-towers will negatively transform the character of the neighborhood and will lead to the displacement of our neighbors and independent small businesses. Essex Crossing has already brought in new market-rate units and big box retailers like Target and Trader Joe’s to our neighborhood. Enough is enough.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 11, 9:31 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Matt Wolf
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I'm an artist living on Grand Street and conduct my business in the neighborhood. As a freelancing creative worker, my ability to live as I do, which is already unstable, would be undermined by the construction of these towers. Chinatown is characterized by its powerful sense of community and diversity. I believe that these values need to be actively protected, and I stand in solidarity with everyone threatened by the displacement and suffering that these towers will bring. The construction of these towers will have a negative impact on the local area – both environmentally and socially. The towers will overload the neighborhood’s already overtaxed sewage, transport, and school systems. They will create shadows that negatively affect the quality of life of residents in nearby buildings, such as local NYCHA residents, who lose sunlight and views. This represents an attack on the mental well-being of local families, which is

already destabilized by the visible class differences that these new developments represent. I rely everyday on small businesses in Chinatown – from fruit and vegetable stands, to my local cornershop run by Fujianese neighbours. These businesses will be threatened because of rent hikes and the divergent consumer tastes of a new population of luxury renters. I resent that the work of cultural producers is used to market these condos to upper class consumers. The proposed developments do not provide affordable housing for the lower-income and immigrant populations already living in the neighborhood, therefore they further exacerbate our city's current housing crisis. Small businesses and affordable housing allow our fragile, beautiful community to prosper. The politicians and developers who support these disastrous skyscraping towers are tearing our community apart in front of our eyes. Because of these extremely adverse impacts, which are both environmental and social, I believe that these towers must, at all costs, not be built. We must create legislation and zoning, without delay, that ensures that Chinatown and the Lower East Side remain affordable to lower-income families, immigrants, and those who are Indigenous to this land. Thank you, Matt Wolf

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Fri, Sep 28, 9:35 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Matt Wolf
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I do not agree that the proposed development of three additional mega-towers in the Two Bridges area qualifies as a minor modification but instead a major modification that will have extremely adverse effects on our community. As a resident of the neighborhood over the past two years I have witnessed first hand the destructive forces of overdevelopment. We are surrounded by empty store fronts and traffic congestion. Our subway stations are in total disrepair and we are faced with the L-train shutdown that will increase car traffic. We have watched long-time residents be displaced and rent-stabilized apartments disappear. In addition, I believe that new construction in NYC should be full Union sites and CIM and JDS are known for being anti-union. In conclusion, I believe that the three proposed mega-towers will

negatively transform the character of the neighborhood and will lead to the displacement of our neighbors. Essex Crossing has already brought in new market-rate units and big box retailers like Target and Trader Joe's to our neighborhood. Enough is enough.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 11, 5:13 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Meg Sherlock
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use.

Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 9:56 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Michael Pope
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
Hello, My name is Michael Pope. I have lived in New York City my entire life (32 years), and am passionate about respecting the existing neighborhoods of our city. I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of

redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. I urge you to turn the them down. I have been the victim of displacement myself more than once in New York, and fear that this is a large scale attempt to do the same. These buildings will not add to the neighborhood, but instead create a clear distinction between those who thrive to create a functioning neighborhood and those in literal glass towers looking down on us. I am not against creating more homes in a neighborhood, especially affordable ones for the community to grow into, but these home aren't for the neighborhood. They're for displacing and violently reshaping a neighborhood. I appreciate your attention to this matter, Michael Pope

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 12:12 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Michelle Rosenberg
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am a resident of the Seward Park Coops in the Lower East Side and I am writing to say that the Two Bridges skyscrapers proposed for the Lower East Side waterfront will have a terrible and irreversible impact on my neighborhood and on my family's quality of life. Why is this out of scale proposal not being treated as a “major modification’? I already live with the constant dust and sound of construction, with the extra emissions from the additional traffic on Clinton Street, with the danger of construction debris or accidents while walking my children to school. Our neighborhood is already about to take on thousands of additional residents from the Essex Crossing development, but before that has even completed, before we have even tested the capacity of this area to absorb a huge new development, 4 new mega towers are being proposed

a few blocks away. If Two Bridges mega towers are allowed to be built, it will effectively double the population of this area. But will we get additional schools? Will our infrastructure be repaired? Will our utilities be upgraded? Will our crowded buses become more frequent? Will our parking spaces be increased? Will our traffic problems get resolved? I assume the answer is no. All the things I've just listed will instead become worse, over crowded and overburdened. If the developers even address these issues, how will they be held accountable? I lived here during Sandy, and I know our area is already vulnerable to storms and floods. How is increasing the population of a “high risk flood zone” by thousands of people possibly be a good idea? How many tax dollars will it take to rescue the residents of these mega towers when the next flood comes? Tax dollars not contributed by these residents as they will probably receive a property tax abatement via the 421a tax program that cost the city more than it saves. And lastly, it’s clear that our neighborhood and neighbors won’t survive the influx of so many wealthy “market-rate” tenants. When middle class people are displaced, they can often afford to move elsewhere. When low income people are displaced by gentrification, their lives are destroyed. The Lower East Side is the most diverse neighborhood in Manhattan. It houses a harmonious mix of ethnicities, religions and cultures not found anywhere else in the country (maybe the world) with the same density. How could this city be so short sighted as to allow the potential destruction of this unique and historical neighborhood? Please protect our neighborhood! Please do something to stop these outrageous out-of-scale developments! Sincerely, Michelle Rosenberg small business owner, parent, LES resident.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 3:39 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Oliver Newton
Zip: 10002

I represent:
A local business

Details for “I Represent”: I have run the art gallery, 47 Canal, in the area since 2011. First at 47 Canal St. and now at 291 Grand St.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
As a small business owner who over the last 7 years has operated at 47 Canal Street and 291 Grand Street, I care deeply for the community and have witnessed first hand the destructive forces of overdevelopment. We are surround by empty store fronts and traffic congestion. Our subway stations are in total disrepair and we are faced with the L-train shutdown that will increase car traffic. We have watched long-time residents be displaced and rent-stabilized apartments disappear. I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. If these developments are allowed to continue the future is uncertain for the majority of small businesses in the community. Overcrowding and disfunction will overwhelm the neighborhood. The DEIS is laughable in it’s

scope. It does not bother to evaluate police or fire protection because it does not deem 2,775 units a “sizable new neighborhood”, this is extremely dangerous. This claim is especially disingenuous as it ignores the 3,600 other new units in development. What about the possible addition of 44 million gallons of sewage dumped into our waterways each year project could result in. Why is this not considered a significant adverse impact? The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. Oliver Newton, Owner, 47 Canal, local small business since 2011.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 4, 4:35 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Paula Segal
Zip: 10038

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out-of-scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use.

Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city's efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. See http://thevillager.com/2018/08/10/two-bridges-tower-site-was-slated-to-be-public-playground/ Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. I urge you to turn the them down. If the projects move forward without new site plan approvals, the City will be liable to a lawsuit. See http://www.thelodownny.com/leslog/2017/08/two-bridges-tenants-edge-closer-to-lawsuit-over-three-mega-towers.html

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 11, 8:57 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Rosa Huang
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
We live in Seward Park co-op and are surrounded by construction. Enough already! People live here! Have them build their luxury towers somewhere where people don't live. We don't want them here.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 2:18 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Serena Liu
Zip: 11104

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fac tthat there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the gaol of redeveloping a badly blighted and primarily residentail area for residential use. Historically the area contained a significant concentration of industrial uses related to the East

River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city's efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominately middle-income housin gand improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn them down. I appreciate your attention to this matter.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 10:31 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: shabd Simon-Alexander
Zip: 11205

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I'm a community organizer and concerned NY citizen. In my political activist work, I fight for non-partisan voting rights, civil rights and support community engagement to thousands of New Yorkers through multiple community projects. Although I don't live in this neighborhood at the moment, I have through my 18 years in the city, and my family has through our 4 generations here, had to move many times due to inappropriate land use, overdevelopment, and general lack of concern for citizens over commercial concerns. This is a vibrant neighborhood where immigrants and people from all walks of life can build families and roots - my family lived here 100 years ago when they first moved here from Europe. But these families will be displaced if this building project goes through, and we will lose what makes NYC such a unique and vibrant

and successful city. I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. I appreciate your attention to this matter.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 1:52 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Sunita Prasad
Zip: 11215

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with

the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. Thank you for your attention, Sunita Prasad

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 10:14 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Tali Hinkis
Zip: 11733

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
My name is Tali Hinkis-Lapidus, I am a resident of Manhattan and Long Island. I frequently attend your neighborhood as a visitor, and consumer. I attend social and professional gatherings in downtown Manhattan and support many businesses and residents. I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously

adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. Sincerely, Tali Hinkis-Lapidus

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 2, 12:27 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Vanessa Thill
Zip: 11206

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
How can we agree that the construction of these towers qualifies as a minor modification to the neighborhood? Haven't we already witnessed what happened with so many neighborhoods in New York when huge luxury complexes go up? Long-term tenants and small businesses are forced out, replaced by chain stores, and late capitalist nightmares of sleek, soulless juice bars and co-working spaces, the likes of which can be found crowding out small businesses of cities all over the country. It's called gentrification. Why do we love New York? We love it because of its character, its history, and its uniqueness. We love it because it is a melting pot of so many people of different backgrounds. We are witnessing the death of our city. Do we want the Lower East Side to become a mall? It's already happening. When you put a huge complex like this into

a low income neighborhood, the effects are going to be devastating. The construction of these towers will completely disrupt the neighborhood, one of Manhattan's last bastions of affordable housing. Adding buildings with such a huge number of units supposedly means adding that many humans (of course they may sit vacant as real estate people regularly overestimate the demand for these condos). Such a major influx of residents means adding services for all these people, shops, parking, mail, garbage, sewage, traffic, MTA, green space, all of these things will be completely overwhelmed by this construction. The developments right around Essex and Delancey are already a daunting reminder of what could be the future of the Lower East Side--to the exclusion of the long-term residents and people that give it its soul. Don't exclude them from their home, our home! What will we gain from building these towers? Is it worth what we will be losing? For the love of god, please don't allow these towers to be built.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 9, 9:23 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Viola Yesiltac
Zip: 11206

I represent:
Myself
The local community board
A local business
Other

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
Our City taxes should not subsidize massive corporate profits. A recent Pratt Center study determined that the methodology used in the City’s environmental review procedure overlooks the residential displacement impact of development. This DEIS confirms that study. It offers nothing to protect existing residents or businesses, simply noting: “the additional population resulting from the proposed projects is not so large as to substantially transform the retail character of the neighborhood.” The DEIS falsely claims that the thousands of foreign investors, trust funders, and finance bros who can afford to buy these luxury condos costing about $1.2-

$5.5 million will not change the character of the neighborhood. It would have been easy to request an extension of the City's Certificate of No Harassment pilot program to cover surrounding areas to prevent unlawful displacement, but it did not.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 4, 9:37 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Wendy Brawer
Zip: 10002

I represent:
A local community group or organization

Details for “I Represent”: My non profit organization, Green Map System has been working on sustainability issues for 23 years on the Lower East Side.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
As a long time resident who spoke against this out of scale development at the recent neighborhood hearing, I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and the small parks nearby and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been

properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. Thank you! Wendy

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 15, 10:09 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Wendy Brawer
Zip: 10002

I represent:
Myself

Details for “I Represent”: I'm a 30 year LES resident and very concerned for the health and well being of our neighbors, increasing their vulnerability while decreasing quality of life.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? Yes
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
The proposed Towers are illegal - they are against Zoning Resolution Chapter 8. This community does not need the additional shading from these very tall buildings, which will impact our tiny remaining parks and green space, and we do not need more luxury housing. I have been shocked and saddened by the undemocratic and flagrant disregard for public process - the proposals are clearly not in the interest of the health and well-being of the neighborhood, long term residents, young people and families.

From: PublicComments_DL <PublicComments_DL@planning.nyc.gov>
To: "Bob Tuttle (DCP)" <BTuttle@planning.nyc.gov>, "Evan Lemonides (DCP)" <ELEMONIDES@planning.nyc.gov>, ManhattanComments_DL <ManhattanComments_DL@planning.nyc.gov>
Cc:
Bcc:
Date: Wed, 17 Oct 2018 01:28:50 +0000
Subject: Comments re: M 180505(A) ZSM - TWO BRIDGES Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018

Borough: Manhattan
Community District: 45

Submitted by:

Name: Barbara Katz Rothman
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?
I have attended or will attend the City Planning Commission's Public hearing on this project: No
Additional Comments:
These buildings would mean a major change to this area in every way -- and none of them good. It s a level of overbuilding and intrusion that is not acceptable to the community.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sun, Oct 14, 12:42 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Caitlin Cahill
Zip: 10011

I represent:
Myself

Details for “I Represent”: Dr. Caitlin Cahill, Associate Professor, Urban Geography, Pratt Institute; Youth & Urban Studies researcher with a focus upon young people growing up in cities.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
First, I am writing to express my dismay that although these proposals do not fit the context of the neighborhood nor conform to the existing zoning code (Chapter 8), the Department of City Planning has decided to treat them as "minor modifications," which means they won't need to go through a substantive public review process that would give the surrounding community a real opportunity to weigh in. Second, this is not only undemocratic, it is, in my view, a clear case of government corruption. Far too often, the City blatantly violates its own laws as it champions the developers' agenda to displace communities in all boroughs. This is an anti-community proposal. As a scholar focusing upon young people's experiences growing up in cities, I can assure you

that this proposal disregards the well-being of families and communities living in the Two Bridges Neighborhood.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sun, Oct 21, 6:39 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Caitlin Cahill
Zip: 10011-1518

I represent:
Myself

Details for “I Represent”: Dr. Caitlin Cahill is an Environmental Psychologist and a scholar of young people growing up in cities & youth participation. Dr. Cahill is an affiliate faculty member of Environmental Psychology at the City University of New York, a member of the Children’s Environments Research Group and an Associate Professor of Urban Geography at Pratt Institute. Dr. Cahill is on the editorial boards of Children, Youth, Environments; Children’s Geographies, and the Childhood Studies Series (Rutgers Press).

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? Yes
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Three points: First, participation, or the lack there of is astonishing for a project with such a dramatic impact. .. this is a sham - it doesn't take a scholar of participation to note the undemocratic and flagrant disregard for public process. We already know that the towers are illegal against zoning resolution chapter 8. Why is it that the City blatantly violates its own laws as it champions the developers' agenda to displace communities in all boroughs? These are not

minor modifications and it is clear that these towers do not fit into the context of the neighborhood. Second, it is clear that the proposals are not in the interest of the health and well-being of the neighborhood, and in particular long term residents, young people and families. In addition to infrastructure concerns and lack of open space for children in an already overtaxed community, I am very concerned about the impacts of displacement pressures on young people and their families. This is a critical issue. I am concerned about issues of cultural displacement as well. Scholarship demonstrates that especially for poor and working class immigrants the knowledge base and social capital of the community is intrinsic to their survival and overall well-being. This includes taking care of children and the elderly, translation, and school access amongst other issues. This kind of mega proposal is endemic to the widening inequality in the city, in New York City, the most unequal city in the country. Third, in conclusion, within the context of what's happening in the United States more generally with the current administration, let us not kid ourselves here in NYC that this type of liberal planning process is in the interest of the community. The proposed Two Bridges mega project is anti community, anti-immigrant, anti-family, and anti-child. Thank you for your attention to these issues. I implore you to vote against this proposal which will undoubtedly have a negative impact upon the community and the children and families in particular.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 18, 1:28 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Carlin Greenstein
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
I am strongly opposed to this project.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 17, 2:32 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Carmelle Safdie
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
The mega-scale of this proposal is not appropriate for the neighborhood. We are already being inundated by large scale development at Essex Crossing and beyond. We need more parks, open public space, and affordable/low income housing to support our community who already live here, not mega towers that will promote an influx of middle-high income residents.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 17, 12:37 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: David Burgreen
Zip: 10002

I represent:
Myself
The local community board

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use.

Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. I appreciate your attention to this matter. Dave Burgreen

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 13, 4:41 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Elyse Derosia
Zip: 10002

I represent:
Myself
A local business

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I live in the Amalgamated Dwellings and am a local small business owner at 167 Rivington Street. I oppose the Two Bridges development because of the negative social and environmental impact it will have on the neighborhood. The towers will overload the neighborhood’s already overtaxed sewage, transport, and school systems. Additionally, these buildings will be marketed towards upper class residents and will continue to accelerate the displacement of lower income and immigrant New Yorkers. We will see the small businesses that make up the vibrant fabric of the Lower East Side threatened because of rent hikes and the divergent consumer tastes of a new population of luxury renters. In conclusion, I believe that the three proposed mega-towers will

negatively transform the character of the neighborhood and will lead to the displacement of our neighbors and independent small businesses. Essex Crossing has already brought in new market-rate units and big box retailers like Target and Trader Joe's to our neighborhood. Enough is enough.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 18, 6:03 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Eneida DelValle
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I'm opposed to the building of the towers because this will have a drastic effect on the neighborhood, not just increase the number of people but also environmentally. Our neighborhood is beautiful & quite this will add a lot more foot traffic as well as cars, not to mention take away the much needed green space or affordable housing that can be built instead, especially for the elderly. I moved from Williamsburg because projects like these destroy the neighborhood, displacement, the culture gone, drunk people pissing & vomiting everywhere, as well as the number of rapes against women. We deserve to preserve our neighborhood one that is multicultural, united, safe and loving. The people coming in will destroy that, as it is evident to every single place that has been gentrified in NYC. How much more do the tax payers have to suffer just to line the pockets of already very rich developers? I implore you to please uphold the

existing law that exist, listen to your constituents and think of the people you serve whom also deserve to preserve the decent place we have lived in & cultivated. Sincerely, Eneida I. DelValle

Subject: Comments re: M 180505(A) ZSM - TWO BRIDGES

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 17, 10:33 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Frank Avila-Goldman
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
I am strongly and unequivocally opposed to the Two Bridges proposed development. Putting aside the rampant destruction to the current diversified ethnic makeup of a neighborhood which has been largely ignored and spared (until now) from grotesque over-development, there have been numerous flaws with the draft environmental impact study. For example: - The study ignored the nearby development properties, i.e.- Essex Crossing, 1 Manhattan Square & LaGuardia Nextgen, just to name a few in accounting for the dramatic increase with the area's population. - To skew the results, when it was favorable to the Two Bridges development, only 1/4 mile study area was used to demonstrate neg impact or burden. Conversely, 1/2 - 1-1/2 miles

was used to show positive correlations, thereby diluting the results in favor of Two Bridges. Cherry picking inconsistency. - There is no evaluation of Police or Fire protective services- absurd!!!! - There is no mitigation for what will most certainly become displacement for the area's residents, many who are economically disenfranchised and comprise recent immigrant groups. As soon as the luxury housing is developed, local brick and mortar stores will no longer be able to survive the dramatic increase of rents as landlords will decide to cater to the top percent who will largely make up the new prospective tenants. -Long cast of shadows will add additional insult to the injurious effects. These buildings will dwarf and all but disappear the neighboring citizens. Sunlight will be spare and quality of life will suffer. -Water and Sewage. The addt'l increase the development will bring will overburden our waterways and with the real and present threat of rising waters, these buildings will harm not help the area's current vulnerabilities. -The current bus line, M22, has already been decreased with respect to service. The F train is notoriously overcrowded during rush hour times and the addt'l ridership will tax an already overburdened system. The proposed subway improvements is wholly inadequate but the economic makeup of the proposed buildings will most surely be taking car transportation. This will devastate the area. An area ill equipped and currently struggling with FDR congestion and ill planned Williamsburgh bridge traffic. And this is ignoring the impact to parking. It will become impossible and the noise pollution will be unbearable. This whole project is best summed up by the proposed building layout itself. It's the most blatant middle finger to longtime residents by real estate ventures and the mayorally appointed corrupt City Planning Commission who have shown little care of concern for a vulnerable population. Imagine proposing a super tall set of buildings anywhere else in this city where one building will cantilever over a pre-existing one (JDS) and the token offering will be an upgraded laundry facility. Insulting!! The whole project is a joke and a slap in the face to New Yorkers who will remember how the mayor and his appointed interests will be bulldozing minorities, immigrants and longtime residents in favor of $$$$$$$ over ppl. The recommended antidote will be a ULURP. Thank you. Best, Frank

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 18, 11:39 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Gail Kriegel Mallin
Zip: 10002

I represent:
Myself
A local community group or organization
Other

Details for “I Represent”: My 10 family members

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
My family lives in 4 apartments in Seward Park and one family in Hillman. This is a most wonderful and diverse neighborhood but is terribly underserved with one subway line - both East Broadway and Delancey Street are dirty, dingy overcrowded stations. The streets are difficult to cross because of the wacky traffic patterns created here. More construction, increased population and traffic and big box stores would be exactly what this neighborhood DOES NOT need. It will destroy the beauty and history of the lower east side.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 13, 1:07 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Harry Burke
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am a local resident in Two Bridges who passionately believes that this community represents the best qualities of the city: diversity, resilience, and accessibility to people of all backgrounds and incomes. I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was

designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city’s efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down. These towers will bring in new, wealthy residents, whose culture and lifestyle will displace the lower-income families who have called the neighborhood home for generations. It will overwhelm the sewage, transport and education systems. My conscience won't let me stay silent on this matter: the construction of these illegal towers is an act of violence that tears at the social unity, and beauty, of the Lower East Side. Please stand, with me, against them. I appreciate your attention to this matter. Harry Burke

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 17, 12:28 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Jacques Servin
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
When I moved into the Seward Park co-op 7 years ago, I did so mostly because it was the only neighborhood of its sort within a large radius, and it appealed to me as a filmmaker, artist, and writer. I've already seen the degradations that large developments have been bringing. For example, the developments near Essex Crossing have NOT brought or helped local businesses. We don't have a Petco quite yet - the placeholder in the developer's mockup was quite telling - but the new developments have brought a Target, a Rite Aid, a CVS, a Trader Joe's, and a number of other chains that siphon away local money and send it to corporate headquarters far away. Also, the nature of the local businesses in the shadow of new developments has changed significantly—the prices have gone up considerably, and many of them no longer cater to lower-

or even what I would call middle-income residents. I won't be among those most impacted by this monstrous project, but it would destroy the Lower East Side I've come to love.

From: PublicComments_DL <PublicComments_DL@planning.nyc.gov>
To: "Bob Tuttle (DCP)" <BTuttle@planning.nyc.gov>, "Evan Lemonides (DCP)" <ELEMONIDES@planning.nyc.gov>, ManhattanComments_DL <ManhattanComments_DL@planning.nyc.gov>
Cc:
Bcc:
Date: Tue, 16 Oct 2018 23:29:58 +0000
Subject: Comments re: M 180505(A) ZSM - TWO BRIDGES Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018 Borough: Manhattan Community District: 45

Submitted by:

Name: Jennifer Randolph
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No
I have attended or will attend the City Planning Commission's Public hearing on this project: No
Additional Comments:
To whom it may concern, I have been a resident of New York City for almost 14 years and have lived in the Two Bridges neighborhood for the past 3 years. I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city's efforts in the redevelopment and renewal of the Lower East Side

community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. I urge you to turn the them down. I am not opposed to sensible development in the neighborhood but four mega towers hemming in existing structures and filtering all sunlight out of the area is not it. Scheduling a hearing at 10:00 AM on a weekday is intentionally designed to prevent those who live in this neighborhood - and who will have to live with the consequences of this project - from having their concerns heard and taken seriously. Why not work with community leaders to design a plan that really considers the topography, scale, and social needs of the neighborhood? I appreciate your attention to this matter. Sincerely, Jen Randolph

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 17, 12:26 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: JENNY WOO
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the tightly controlled Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a minor modification despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. The Two Bridges URA was designated in 1961 with the goal of redeveloping a badly blighted and primarily residential area for residential use. Historically, the area contained a significant concentration of industrial uses related to the East

River piers. Surrounded by a residential neighborhood, the area presented an excellent residential potential and a logical step in continuing the city's efforts in the redevelopment and renewal of the Lower East Side community. The primary focus was to create predominantly middle-income housing and improve affordability and diversity in and around the Two Bridges neighborhood. Construction plans for buildings in the LSRD that would otherwise not be permitted by the Zoning Resolution were approved by the Commission, conditioned on the plans for the entire area submitted at the time. In 2008, the Commission mandated that one of the vacant sites now proposed for a tower become a permanent playground. Developers are not seeking approval of a new plan now. Instead, they are calling four mega towers a "minor modification" of the previously approved plans. We urge you to turn the them down

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 16, 9:36 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: jillian chaitin
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Hello, I am writing you to voice my opposition for the proposed new mega high rises in two bridges. I have lived in the lower east side for over 20 years, and have watched not only the face of the neighborhood change, with all the drastic overdevelopment, hotels, and condos, but the entire demographic as well. There is supposed to be zoning height restrictions on all new buildings in the lower east side and part of chinatown, and it is totally irresponsible to allow these unnecessarily large buildings to go forward without any consideration for the communities that will be effected by their impact. Every day when I head back home over the manhattan bridge, I am confronted with the impact of this project. The high rise that is already under construction at the old path mark site, is terrifying in its scale. It obscures the entire skyline, and is an eyesore whose impact is felt across to the Brooklyn bridge, the promenade, and the all of

the downtown waterfront. The scale of these buildings are not inline with the rest of the surrounding areas, and the influx of new residents, will put an unnecessary strain on an already very overworked infrastructure. The two bridges area, is largely served by only one subway stop, with only one train line, the F train at east broadway, which is already one of the dirtiest stations, on an increasingly unreliable subway line. I hope you will take this into account, and think of not just the state of the current residents, but the impact this will have on the face of our city, and the negative impact this will have on our community for generations to come. I am sorry that I can not be there in person to present my statement. Thank you, Jillian Chaitin

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 16, 11:12 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Leslie Levisnon
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Don't build it. It is counter to the culture, the soul of this historic, precious environment. Don't sell out. We don't want hideous towers blocking our space, view, air , artistic and human visions. We will move out as will many other people who have spent their entire lives on the LES. Please

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 15, 3:46 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Maria Torre
Zip: 11215

I represent:
Myself

Details for “I Represent”: I am a professor at the City University of New York

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am registering my opposition to the proposal to build three high rise buildings in the "Two Bridges" section of Manhattan. I spend a lot of time in this neighborhood, and I can tell you that the proposed buildings do not do not fit the context of the neighborhood. More importantly, they do not conform to the existing zoning code, specifically resolution chapter 8. The proposals do not represent "minor modifications," and they should have to go through a substantive public review process that would allow the surrounding community a real opportunity to weigh in. To ignore proper protocol and that requires an honest public review process shows is not only undemocratic but shows a blatant disregard for public process. These proposals are clearly not in the interest of the health and well-being of the neighborhood, long term residents, young people and families, and the people impacted have the right as New Yorkers to weigh in on the process.

It is wrong for the City to violate its own laws - laws designed to protect its residents. The City's mandate is to serve the people not to aquiesse to developers' agendas that are systematically displacing communities across the boroughs.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 15, 1:48 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Nancy Sheran
Zip: 10016

I represent:
Myself

Details for “I Represent”: I am a member of the public, resident of NYC and citizen of the USA.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am opposed to steam-rolling projects through City Planning when the neighborhood is so against it. Perhaps more dialogue with the community will produce a better plan. Have stresses on the infrastructure been considered for this project (traffic, schools, transportation, sanitation, etc.) I am not against development, after all we live in NYC. I am against displacement of people who live in affordable housing for the most vulnerable. I am against out of scale development that only gentrifies neighborhoods and does not make life better for those who are already living there. NYC needs to be focusing more on affordable housing. These projects always seem to end in a net loss to affordable housing in a given community.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 15, 2:56 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Sallie Stroman
Zip: 10002

I represent:
Myself

Details for “I Represent”: I am submitting my comments since I will not be available to attend the hearing on Oct 17, 2018.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? Yes
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
1. There is no need for additional towers in an already dense population on the Lower East Side. NYCHA is in the process of leasing land to developers which will further impact the neighborhood. 2. The F train service will be greatly affected. We need an escalator or elevator in the station at Madison St. 3. The Ave A bus will be a hardship when the L is shut down. Currently there are not enough buses on the A route. We must consider that with the opening of Target and Trader Joe's, traffic will be more congested and an increase in bus ridership is to be expected. Additions to the LES population will put more stress on the neighborhood. 4. A need for a traffic light at Clinton and Henry Street is a critical safety issue. There is a school and

hospital at that location. While this is being revisited via another study more lives will be in danger as the neighborhood size grows.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 17, 7:07 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Spencer Everett
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Two Bridges is a reckless and irresponsible endeavor that will cause long-term irreversible harm to the people of our community and its cultural fabric. The Lower East Side does NOT have to be yet another casualty of over-development and greed--this is not inevitable!

From: PublicComments_DL <PublicComments_DL@planning.nyc.gov>
To: "Bob Tuttle (DCP)" <BTuttle@planning.nyc.gov>, "Evan Lemonides (DCP)" <ELEMONIDES@planning.nyc.gov>, ManhattanComments_DL <ManhattanComments_DL@planning.nyc.gov>
Cc:
Bcc:
Date: Tue, 16 Oct 2018 22:17:31 +0000
Subject: Comments re: M 180505(A) ZSM - TWO BRIDGES Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018 Borough: Manhattan Community District: 45

Submitted by:

Name: William Ferns
Zip: 10002

I represent:

Myself

Details for “I Represent”: I live at 413 Grand Street in the Seward Park Housing Cooperative.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No
I have attended or will attend the City Planning Commission's Public hearing on this project: No
Additional Comments:
I cannot attend because I have work, but the size of these buildings are terribly out of scale for the neighborhood. In addition, the overall neighborhood infrastructure (road, transit, bus service, utilities) is insufficient for the existing community, and cannot support such a huge project.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 22, 11:47 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Anna Cheung
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am writing to express my strong opposition to the proposed new developments in the Two Bridges neighborhood in Community District 3. I understand that changes to neighborhoods are inevitable but it is clear that these projects were not carefully thought out and planned out, and rather being steamrolled in, despite strong opposition by the community. In what common sense scenario would it make sense to build not one, but several mega towers, bringing in tens of thousands of new residents into a community within a short span? Have there been studies done on the capacity of the local schools, hospitals, precincts, fire departments, public transit, roads and traffic? Besides upgrades to a few playgrounds and the East Broadway subway station (an upgrade is nice and handicap accessibility, of course it should be done) but that doesn't account

for a significantly increase in ridership -- what else has been considered for this community? Why the rush? Who is benefiting from this??

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Wed, Oct 24, 11:45 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Hope Beach
Zip: 10002

I represent:
Myself

Details for “I Represent”: 15 year resident of Orchard St

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
The Chinatown/LES community has been inundated will many large scale projects over the course of the past few years as well as a proliferation of unnecessary nightlife. From Essex Crossing, 1 Manhattan Sq, 9 Orchard and now these super tall towers, the actual needs and desires of the community are often over looked. The F train is already overcrowded. The L train shutdown is looming and the noise/traffic conditions on our small side streets are already compromised. I oppose the way these projects have been forced down our throats. Much of the "Community outreach" has beed overstated by the developers, particularly in the non-English speaking communities. Please partner with our community leaders to ensure these projects are done responsibly and with the constituents represented adequately. Thank you, Hope Beach

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 22, 1:33 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Hubert Tang
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
The project will displace more low income families.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 22, 11:23 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Lisa Dailey
Zip: 10003

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
This is an atrocity against our community that MUST NOT be allowed to move forward!

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Tue, Oct 23, 1:35 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Marie Catalano
Zip: 10002

I represent:
A local business

Details for “I Represent”: I am the director of JTT Gallery, an art gallery on the Lower East Side.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
As someone who comes to this neighborhood to work everyday, I see how essential the Chinese and Chinese American locals are to the fabric of this community. This proposed development will sadly displace the community, increase the cost of living, and unfairly capitalize on their decades-long investment of Chinatown. Our business has been here since 2012 and although we are thriving, we will undoubtedly be priced out of the neighborhood if Two Bridges is developed.

James Makin <jmakin@nycdistrictcouncil.org>
Thu, Oct 18, 6:57 AM
to 17DCP148M_DL

Greetings,

I am an Area Standards Representative for the Carpenters Union in NYC. I work closely in conjunction with the Construction Fraud Task Force at the Manhattan District Attorneys Office. As such, I often receive direct information (often confidential) from Construction Workers about Wage Issues and Safety Concerns at active Construction sites throughout the city.

My conscience dictates that I express the sentiments of these exploited, voiceless, Construction Workers. The Two Bridges developer, JDS, has been negligent, even hesitant to acknowledge or engage in dialogue with reference to my concerns about conditions on their projects. As is often the case with many developers far removed from the day to day machinations at the job site. I hold out no hope that JDS will address, any concerns with regard to Construction Worker Complaints, wage fraud and mistreatments against their General Contractor's Sub-Contractors on this project as well. A larger project would only multiply worker exploitation.

It is important to note that as a representative of construction workers I am not opposed to construction per se; however such construction must be done responsibly. Developers should not be allowed to avoid scrutiny & possible implication by deferring responsibility to their General Contractors. Given the track record of broken promises to the community and Labor in general from JDS, I recommend that the project application be denied.

Jesse Stanton <stantonjo@mymail.vcu.edu>
Fri, Oct 19, 2:00 PM
to 17DCP148M_DL

Hello,

I'm writing to express my opposition to the construction of huge new residential towers in the Lower East Side.

It's not responsible growth for the neighborhood, and doesn't reflect the character of the area. While some units would be affordable, the vast majority will be market rate, with tons of wealthy new people changing the character of our neighborhood and driving up rents for local businesses.

I don't want developers pushing these through and hurting a neighborhood they don't even have any stake in.

Please consider blocking their attempts to build here.

Thanks,
Jesse

Estevez, Joanna M. <JEstevez@fdic.gov>
Fri, Oct 19, 9:39 AM
to 17DCP148M_DL

Good Morning,

I am a resident at Two Bridgeset Towers for the past 14 years. I also grew up at Rutgers Houses since 1967. As a resident of 82 Rutgers Slip, I am oppose of the 4 luxury towers to be built in my own backyard. I have endured 6 years of the Extell construction site. My apartment had cracks on my walls and my front door couldn't open. The most serious incident was the AC frame was partially removed due to the shifting of my building. If the metal frame would've fallen, it could have killed someone. The sidewalk behind 82 Rutgers Slip raised up and cracked like an earthquake just happened. I grew up in that neighborhood and it will be unjust to have these wealthy developers come and take our natural resources away. I've enjoyed all my life like everyone else the sunlight, the breeze and the beautiful view of the east river. My mother's apartment that faces Extell tower has hardly any sunlight and no breeze. My disable brother's room is completely dark and all he can see is that tremendous tower in front of him. The Two Bridges land can't hold all that weight of these towers. It will be a matter of time that Extell tower will sink. There are so many spaces elsewhere where these developers can built but they are too envious of our space and they have no empathy or respect for the residents who've been living there for so many years. The city of New York is currently under a housing crisis. The homeless shelters are overbooked. What I see here is the wealthy are being taken care of, while the low income struggling families with children don't have a home. New York doesn't seem the city I've known all my life. Every corner I turn, all I see is private luxury apartment buildings. It's been 6 years since hurricane Sandy and we are still waiting for a supermarket. Tell me what's wrong with this picture.

John Jongebloed <johnrj67@gmail.com>
Wed, Oct 24, 6:53 PM
to 17DCP148M_DL

JDS development are crooked and not for our community.

Sent from my iPhone

Subject: Comments re: M 180505(A) ZSM - TWO BRIDGES

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sun, Oct 28, 10:28 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Diego Segalini
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
Dear Commissioner Lago and members of the City Planning Commission: In addition to the mitigation efforts already proposed by the developers, which I do not believe are yet adequate, I suggest they expand their capital improvement efforts to the east river amphitheater/bandshell and create a cultural development fund to deliver engaging cultural experiences in the neighborhood. The team of developers could contribute to a fund, at a rate similar to the City's one percent for culture program, so that funds equivalent to 1% of the developments' costs would be placed in a fund managed by a local nonprofit entity committed to creating a vibrant

and sustainable community. Thank you for the opportunity to provide input in this process.
Sincerely, Diego Segalini

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sun, Oct 28, 10:37 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Douglas Cubberley
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
The proposed Two Bridges development will be totally out of character for a neighborhood that is already lacking in transit, retail and service options. It must be greatly scaled back or canceled for the good of existing residents.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sun, Oct 28, 5:53 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Eddie Chan
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
There are numerous unwanted coststo the neighborhood with this development project, of which some are quite severely detrimental to not just the well-being of current residents, but may directly impact their health and safety (I.e., the development is situated on a flood zone, where actually additional water absorbing land should be designated; environmentally, the building's waste would go to the already overflowing newtowncreek sewer system which is already in violation of the clean water act and overflows to the east river in greenpoint, etc.)

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 27, 3:57 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Elizabeth Gery
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am adamantly opposed to this project.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 27, 1:23 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Ellen Weinstein
Zip: 10002

I represent:
Myself

Details for “I Represent”: Lifelong resident

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
This would be a disaster for the neighborhood

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 29, 9:53 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Garret Linn
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These

developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of low income residents and small businesses. Please adopt the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 27, 4:22 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Jacqueline Carson-Aponte
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I oppose this project.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 27, 12:48 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Marijke Briggs
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Oppose 100%. Enough of this high income infiltration of the diverse LES.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Mon, Oct 29, 10:31 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Mary Taylor
Zip: 11385

I represent:
A local community group or organization

Details for “I Represent”: Chinatown working group to protect Chinatown and the Lower East side.

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These developments would have devastating effects on schools, child care, libraries, healthcare facilities and

hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of residents and small businesses.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 27, 12:57 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Matthew Goldie
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
5 skyscrapers 62 to 80 stories high are too much for this neighborhood. The new one already in place is a blot and strain on services. The neighborhood and the skyline are being destroyed.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Thu, Oct 25, 9:41 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Michael Perles Perles
Zip: 10002

I represent:
Myself

Details for “I Represent”: Local affordable housing advocate

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I am writing as a Two Bridges / Lower East Side community member and a employee of the City of New York at the Department of Housing, Preservation and Development. The idea that we need to build massive, out of scale, hyper-luxury towers to pay for accessible subway stations, waterfront resilience, and affordable housing is appalling. As someone who works at HPD, I know that many of the units deemed "affordable" will be out of reach for many of the working families in this neighborhood. People who should qualify will be deemed ineligible because of a laundry list of requirements and stipulations applicants must know in advance. Up the street, The Essex (of the new Essex Street Crossing mega-project) received over 70,000 applications for 98 units. Almost half of the units were for families making 120% or 165% of the area median income. The Lower East Side and Chinatown have an average household income of

$42,000. That's closer to 40% AMI. There were SIX 40% AMI units in this new building. Allowing this project to move forward is akin to saying "Gentrification in this neighborhood is fine, we don't care about the community, we can only solve climate change by getting scraps from developers and groveling at their feet, it's OK for developers to profit off the backs of working class, predominantly immigrant communities that are hanging by a thread in the last neighborhood of lower Manhattan that hasn't already been bulldozed by real estate speculation and global capital and we are paralyzed from any type of progressive action that does anything to alleviate an entirely avoidable housing crisis."

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Fri, Oct 26, 9:58 AM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Moi Hung
Zip: 10002

I represent:
Other

Details for “I Represent”: I represent my family who live at 275 South Street

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
My parents and I have been living at this building for 25 years. My children grew up in the neighborhood. It’s very convenient for my parents because they don’t speak English and we live near Chinatown. They can go to see doctors, doing grocery, without language problems. We can’t afford to lose this section 8 apartment because it will be very inconvenient for my parents if they have to move away. I am also a civil engineer. It’s unethical to build such tall buildings within one block because they will cause serious problems to the soil composition to the surrounding area and damage to the existing buildings. One building next to the Trump tower building located at where Pathmark previously exit is already started to tilt and the walls started to crack. Eventually, most of the buildings and FDR structure will start to sink. Building these high rise and luxury apartment will cause a lot more harm and danger to our community rather

than the benefit. It will also damage the quality of our lives. Please stop this project ASAP.
Sincerely, Moi Hung

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sat, Oct 27, 2:02 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Ping Foster
Zip: 10002

I represent:
Myself

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
I oppose 5 skyscrapers 62 to 80 stories high on cherry/south street between rutgers and clinton street

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Sun, Oct 28, 10:44 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 3

Submitted by:

Name: Sean Benson
Zip: 10002

I represent:
Myself

Details for “I Represent”: Resident of this neighborhood

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: No

Additional Comments:
Opposed to this corrupt project

I grew up in the Chinatown neighborhood and community. To allow these skyscrapers is an appalling reversal of the zoning laws on permitted # of building stories that allowed many classes of people to live in this Manhattan district for decades. The advanced gentrification that would happen with those skyscraper building plans would would produce class resentments and hardships for all but the wealthy who would move into such luxury skyscraper buildings. Please do not allow this to happen and make the zoning laws that only allow gradual increase of building floors into the district.

[Ben Zhang]

It is hard to believe that the three luxury towers to be built by Two Bridges will have no adverse effect on the character (or the socioeconomics) of the neighborhood. Displacement is real. Tenants being harassed by their landlords are real. Many are often driven by plans that put profit over people. Protections must be in place in order to ensure that current residents of the neighborhood have permanent affordable housing. I'd like to call your attention to the housing displacement concerns raised by community organizations, TUFF-LES, CAAAV and GOLES, and support their proposal for new zoning regulations and anti-harassment protections.

Sincerely,
Bonnie Tse
Concerned Resident of the Lower East Side

To DPC,

From all the legal parameters and restrictions noted below, how could these MegaTower projects pass the tests in order to build. Weren't these laws enacted to insure the community is not taken advantaged.

1. **The Two Bridges Megatower Projects require special permits and/or authorizations under NYC Zoning Resolution (ZR), Article VII, Chapter 8 to build in the LSRD**

    -
    - The "Minor Modification" subterfuge is not legally available to alter zoning in an LSRD
    - LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction *will not*: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These clear negative findings must be issued before any change to LSRD zoning
    - The minor modification contrivance was used for a previous project known as the "Health Care Chaplaincy." This initial minor modification was both improper and not applicable to any current action
    - The subterfuge of "minor modification" appears to be a serious attempt to avoid issuing "Findings" under ZR 78-313; if properly done, the DEIS will establish the adverse environmental and neighborhood character impacts that preclude approval of properly sought authorization and/or special permits

2. Allowing the project proponents to have the airspace, light, sewage capacity, congestive roadway use, conventional and GHG airshed capacity, water supply and other components of public property without first complying with ZR §§ 78-311, 312, and 313 could be considered willful violation or evasion of a provision of law relating to the discharge of official duties; commission of fraud upon the City; or knowingly permitting or allowing, by gross culpable conduct, any person to convert public property (the air, light, and other assets noted)

2. The DEIS does not adequately assess the following Serious Environmental Impacts:

    -
    - **Wastewater Treatment/Drainage Basin/Clean Water Act Compliance**
        -
        - The **Megatowers Project adds to existing systemic overload of sewers, registers, flow, flow control, treatment, and discharge**

capacities of the entire Newtown Creek (NC) drainage basin (Lower Manhattan to 14th Street on the West Side, to 71st Street on the East Side)

- The DEIS only mentions the treatment plant capacity, and fails to assess the impacts to the transport and flow infrastructure; the impaired NC (CWA §303); the newly drafted long term control plan (LTCP) for the NC receiving waters; or the combined sewage overflows into the East River from Manhattan, Brooklyn, and Queens from cumulatively increased sewage production
- Multi-borough access and use of sewage and water discharge capacity must be shared and sustained for future generations

- **Shadows**
  -
  - The DEIS fails to treat affected **Public Housing as sunlight-sensitive resources (even if not specifically identified in the CEQR manual, which is only guidance)**
  - The EIS shadows assessment must meet the standards of ZR § 78-313 and show no adverse effects to light and air at adjacent properties

4. **The DEIS improperly assesses and totally misstates Cumulative Impacts**

-
- Neighborhood Character WILL BE adversely affected by the cumulative impacts of three massive mega towers in multiple "technical" areas including land use, socioeconomic conditions, open space, shadows, historic, urban design and visual resources, transportation, and noise
- Considering the specific goals and features of the LSRD, the proposed mega towers will most certainly adversely affect land use, zoning, and public policy; how the DEIS can say otherwise is astounding
- All projects that are adding sewage load to the NC sewer shed are cumulative to the proposed project, and the entire sewer shed must be evaluated for cumulative impacts to the NC treatment plant, the sewage infrastructure (registers, pipes), receiving waters under NC's State pollution discharge permit, combined sewer overflow on both sides of the East River, and possible interference with CWA compliance
- The DEIS should also evaluate the socioeconomic impact to other Newtown Creek sewer shed areas and neighborhoods whose future development capacity may be curtailed if Manhattan projects take up all the available growth capacity

5. The DEIS fails to include the NYS Department of Environmental Conservation as an Involved Party

-
- Because the City of New York is out of compliance with multiple provisions of the Clean Water Act, and the Newtown Creek LTCP requirements have been identified but not yet fulfilled, the State DEC must be a party to any EIS evaluating major development that could interfere with compliance

Sincerely,
Richard Yuen

Hello,

As a lifelong New Yorker, and as someone who visits relatives living in public housing in Two Bridges, it is obvious that we must protect our neighborhood in Two Bridges from predatory real estate development plans that disrupt and endanger the livelihood and housing security of those that are already here.

Please help us use zoning protections to protect the housing and cost of living for residents like my retired grandmother who is a non-English speaker and does not have the luxury of starting life over in another neighborhood. Please use city planning for justice, protecting the environment and foundation of existing neighborhoods.

Thank you,
Alina

Re. Project: **M 180505(A) ZSM - TWO BRIDGES**

- Application Number: **M 180505(A) ZSM**
- Project: **TWO BRIDGES**
- Public Hearing Date: **10/17/2018**
- Borough: **Manhattan**
- Community District: **3**

Submitted by:

Name: **Carol Porteous-Fall**
Zip: **10009**

I represent:
- **Myself**

Details for “I Represent”:

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These developments would have devastating effects on schools, child care, libraries, healthcare

facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of low income residents and small businesses. Please consider the adoption of the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

See comment below.

From: David Yap [mailto:davidlyap@gmail.com]
Sent: Monday, October 29, 2018 10:26 AM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Two Bridges Proposal; Application Number: M 180505(A) ZSM

RE:
Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Dear Mr. Dobruskin,

I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans.

LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion.

These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of low income residents and small businesses.

Please consider the adoption of the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

Thank You,
David Yap

LES resident

Re. Project: **M 180505(A) ZSM - TWO BRIDGES**

- Application Number: **M 180505(A) ZSM**
- Project: **TWO BRIDGES**
- Public Hearing Date: **10/17/2018**
- Borough: **Manhattan**
- Community District: **3**

Submitted by:

Name: **Denice Kondik**
Zip: **10027**

I represent:
- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

Additional Comments:
TO: Robert Dobruskin, AICP, Director Office of City Planning 120 Broadway, New York, N.Y. 10271 RE: Application Number: M 180505(A) ZSM Project: TWO BRIDGES Public Hearing Date: 10/17/2018 Borough: Manhattan Community District: 45 I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new

construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of low income residents and small businesses. Please consider the adoption of the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

Please, stop this insane construction! No more monstrous towers looming over our neighborhood!

Sincerely,

Ed Morris
170 Delancey St., 6
NY, NY 10002

Re. Project: **M 180505(A) ZSM - TWO BRIDGES**

- Application Number: **M 180505(A) ZSM**
- Project: **TWO BRIDGES**
- Public Hearing Date: **10/17/2018**
- Borough: **Manhattan**
- Community District: **3**

Submitted by:

Name: **Liu Wei**
Zip: **10002**

I represent:
- **Myself**

Details for “I Represent”:

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project?
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a “minor modification” despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These developments would have devastating effects on schools, child care, libraries, healthcare

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Re. Project: **M 180505(A) ZSM - TWO BRIDGES**

- Application Number: **M 180505(A) ZSM**
- Project: **TWO BRIDGES**
- Public Hearing Date: **10/17/2018**
- Borough: **Manhattan**
- Community District: **3**

Submitted by:

Name: **Liu Wei**
Zip: **10002**

I represent:
- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project?
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:
I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans. LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience,

and neighborhood character. They would also accelerate exponentially direct and indirect displacement of residents and small businesses. Please consider the adoption of the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

From: Mosco Aa [mailto:mosco12@hotmail.com]
Sent: Monday, October 29, 2018 2:48 PM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: LSRD site plan

Hello.

I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans.

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These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of residents and small businesses.

Please consider the adoption of the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

Thank you.

TO:
Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

10/29/18

RE:
Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

I urge you to vote against permitting the addition of four mega towers to the Two Bridges LSRD site plan. The site plan has been under the control of the Commission since the creation of the LSRD in 1972. I urge you to use the power at your disposal to turn down the out of scale proposals in order to simultaneously protect the existing low income neighborhood and to shield the City from litigation that will surely result if the Commission approves these towers via a process that has never been properly promulgated. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans.

LSRDs can only be modified under ZR §§ 78-311 or 78-312 if the new construction WILL NOT: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion.

These developments would have devastating effects on schools, child care, libraries, healthcare facilities and hospitals, public housing, open space, parks and gardens, electrical grid, sewage systems, shadows and sunlight, historical resources, transportation, climate change resilience, and neighborhood character. They would also accelerate exponentially direct and indirect displacement of residents and small businesses.

Please consider the adoption of the Chinatown Working Group Plan to protect Chinatown and the Lower East Side.

I strongly support the Plan of the Chinatown Working Group.

Thank you

Nancy Lin
19 Essex St
NYC 10002

The Municipal Art Society of New York
MASNYC

Chair
Christy MacLear

President
Elizabeth Goldstein

Board of Directors
Gabriel Calatrava
Santiago Calatrava
Lisa Smith Cashin
Vin Cipolla
Elizabeth Diller
Michael P. Donovan
Mark Fisch
Frederick Iseman
Amit Khurana
Jill N. Lerner
Chris McCartin
Joseph A. McMillan, Jr.
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October 9, 2018

MAS Comments to the New York City Planning Commission regarding the Two Bridges LSRD Draft Environmental Impact Statement, CEQR No 17DCP148M, Manhattan, NY

The Municipal Art Society of New York (MAS) has supported sound planning and effective community engagement in New York City for 125 years. We have supported the community planning processes that have taken place in the Two Bridges neighborhood, an area that faces myriad dire consequences from proposed redevelopment in the Two Bridges Urban Renewal Area (URA).

The current Two Bridges Large-Scale Residential Development (LSRD) Proposal, now under consideration by the City Planning Commission (CPC), would result in over 2.5 million gross square feet of new development, including over 2,500 new dwelling units within three high-rise buildings. The proposal is expected to bring in almost 6,000 new residents. It is clear the development will permanently change the Two Bridges neighborhood.

Conditions for Minor Modification

We find the proposed developments within the Two Bridges LSRD do not comply with the New York City Zoning Resolution (ZR) regulations described in Article VII Chapter 8 due to the many unmitigated adverse impacts that will result. According to ZR 78-313, requirements for authorizations or "minor modifications" must meet a number of conditions as a prerequisite for modification. The conditions applicable to the project are described as follows.

Pursuant to 78-313 (a), modifications will aid in achieving the general purposes and intent of the LSRD which includes the promotion and facilitation of better site planning and community planning. The modifications will also enable open space to be arranged to best serve the active and passive recreation needs of residents and the City as a whole. However, to this point, no demonstrative community planning has been done by the City or the developers. And as discussed under "Open Space" and "Shadows," the modifications will not best serve the needs of area residents because they will lead to development that will have adverse effects on open space in the project area.

Pursuant to 78-313 (b), the distribution of floor area and dwelling units must benefit residents of the LSRD and must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks. However, based on the DEIS, the proposed developments will result in unmitigated adverse impacts on socioeconomic conditions, community facilities, open space, shadows, transportation, parking, and construction.

Pursuant to 78-313 (d), the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion. However, as described in the shadows and transportation sections below, the authorizations would allow the construction of development that would significantly limit light and air in the neighborhood and cause major impacts on local traffic congestion and the availability of parking.

Pursuant to 78-313 (g), the modification of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties. However, the proposed developments would substantially change the essential character of the neighborhood by adding approximately 6,000 new residents through the construction of over 1.5 million gross square feet of residential development within three massive towers that will respectively be 1,008, 798, and 730 feet tall. Furthermore, the proposed development at Site 4A/4B would cantilever over the existing Two Bridges Helen Hayes Senior Residences at 80 Rutgers Slip. As such, the proposed developments would clearly infringe upon the light and air of area residents.

Review Process
The modifications to the LSRD site plan that facilitate the proposed development are not "minor" as asserted by the City, and instead, warrant a Special Permit, which would ensure that the project would be subject to the Uniform Land Use Review Procedure (ULURP). Such a review would give the public an opportunity to provide valuable input and allow City Council members to represent the interests of their constituents.

Without the benefit of ULURP, the public's only opportunity to comment on the project is through the City Environmental Quality Review (CEQR) process. However, the CEQR process alone does not provide the opportunity for the robust public discourse a project of this magnitude requires.

The Department of City Planning (DCP) released the project DEIS on June 22, 2018, which started a 60-day period for Manhattan Community Board 3 to review the proposal, CEQR documents, and issue a resolution. However, the DEIS does not provide sufficient, specific mitigation measures to address the many adverse impacts that are expected to result from the development. Without ULURP, the public has no opportunity to comment on any subsequent proposed mitigation measures, assuming they are disclosed in the Final Environmental Impact Statement (FEIS).

Socioeconomic Conditions
MAS has a number of concerns about how the proposed development would affect socioeconomic conditions in the Two Bridges neighborhood. The DEIS states that 88 percent of residents in the area live in buildings protected by rent control, rent stabilization, or other government controls. However, we question how well protected these residents actually are. We have found in many areas of the city, especially low-income neighborhoods that are being rezoned, tenants in rent-stabilized units are often susceptible to harassment and eviction by landlords pressured by a rising housing market.

The DEIS concludes that the project would not significantly lead to indirect business displacement. However, the anticipated change in the demographics of the area could have a significant impact on local retail because new residents in the market-rate dwelling units will have significantly higher incomes than current residents in the study area, and thus will have much greater disposable incomes and different retail preferences. If retail displacement occurs, current residents could likely be priced out of future retail opportunities in the area.

Community Facilities
The proposed development would have adverse impacts on public school utilization in the project area. In the development scenario without housing units reserved for seniors, elementary school utilization in Community School District 1, Subdistrict 1 would increase from 90 percent to 111.3 percent capacity. Utilization in Community School District 1, as a whole, would increase to 100 percent.

Publicly funded childcare facilities face similar impacts with regard to utilization. According to the DEIS, publicly funded childcare facilities in the study area are currently operating at 87 percent capacity, with 160 available slots. With the proposed development, the utilization would increase to 110 percent, resulting in a deficit of 119 daycare slots. Despite these impacts, the DEIS does not propose any specific mitigation measures to address capacity issues for either public schools or publicly funded childcare facilities. Specific mitigation measures must be addressed in the FEIS.

Open Space
The proposed development would overburden existing open space and offers no new open space to address the demand expected from the approximately 6,000 new residents. According to the DEIS, the proposed development would decrease the open space ratio—which is a measure of acres of open space per 1,000 residents—by over 7 percent. Which is significant in a neighborhood that is as underserved by open space as Two Bridges.

Despite the impacts, the DEIS offers no acceptable mitigation measures. According to the DEIS, one of the primary proposals considered is expanding and enhancing private open space in the area. However, private open space is typically not publicly accessible. Therefore, we urge the City to explore opportunities in the project area to development new public open space. If new public open space is not feasible, we suggest legally binding agreements be put in place to ensure that private open space is made publicly accessible. Furthermore, any new space, public or private, should be safeguarded to the extent practicable from the shadows cast by the new developments. See additional comments below regarding shadows.

Shadows
The proposed development would cause adverse shadow impacts on Cherry Clinton Playground and Lillian D. Wald Playground. However, shadow impacts on NYCHA campuses and privately owned open space, including Rutgers Slip were not evaluated in the DEIS. Despite the significant impacts, the DEIS does not propose any mitigation measures to reduce shadows. The open space impacts raise critical questions about whether the proposed actions truly facilitate the better use of open space, the preservation of natural features, and a general protection of health, safety and general welfare as promoted by the LSRD regulations. The DEIS was deficient in not identifying specific mitigation measures regarding shadows. Therefore, we expect specific mitigation measures (e.g., building design modifications) will be outlined in the FEIS.

Urban Design and Visual Resources
MAS has modeled and assessed the proposed developments in the context of urban design in the Two Bridges neighborhood. The DEIS evaluation of the proposed development's impacts on urban design and visual resources fails to recognize the scale and proportion of the proposed projects. With towers ranging between 730 and over 1,000 feet tall, and additional bulk that would bring over 2.5 million square feet of floor area, the magnitude of the developments cannot be overstated. The developments will clearly affect existing urban design and the pedestrian experience in the neighborhood.

The tallest proposed development (Site 4A/4B) will be over 15 times taller than the median height of existing buildings within the primary area (including One Manhattan Square). There are 370 buildings within the primary study area (quarter-mile distance). The mean height of these buildings is 67 feet, hundreds of feet shorter than the proposed projects. Within the secondary study area there are 1,414 buildings, these have a mean height of just approximately 62 feet. It is clear that the proposed developments will be out of context with existing buildings in the primary and secondary areas. Furthermore, the DEIS does not evaluate potential impacts of the proposed development on views of the Manhattan Bridge.

Natural Resources
The DEIS describes how nighttime migratory bird collisions are more likely to occur on buildings above 656 feet. Despite the fact that the proposed buildings are between 730 and 1,008 feet tall, the DEIS downplays the impacts of the proposed development on bird collisions. Furthermore, the DEIS describes methods (patterned or fritted glass) that could reduce bird collisions, but does not indicate that any of these methods will be implemented nor how potential bird collisions would be reduced by the proposed design or materials used. Remarkably, the DEIS concludes there will be no significant impacts.

Water and Sewer Infrastructure
The proposed development will have impacts on water and sewer infrastructure. The DEIS does disclose impacts on the stormwater infrastructure during heavy rain events. According to the DEIS, the volume of sewage sent to combined sewer system (CSS) NCM-063 will more than double from existing conditions, up to 480,000 gallons. Including the runoff volume of a 2.5-inch storm event with a duration of 19.5 hours, the total volume of wastewater sent to CSS NCM-063 is expected to reach 840,000 gallons, a 50 percent increase over existing conditions. And yet, no mitigation measures are identified in the DEIS.

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Traffic
The Two Bridges area is already afflicted with traffic congestion from the Brooklyn and Manhattan Bridges and FDR Drive. According to the DEIS, the proposed projects would result in additional significant adverse traffic impacts at six intersections during the weekday AM peak hour, five intersections during the weekday midday peak hour, and 10 intersections during the weekday PM peak hour. According to Table 21-1 of the DEIS, a maximum of 10 intersections and 18 lane groups will experience significant adverse impacts. The weekday PM Peak Hour will be most affected. For mitigation of these impacts, the DEIS does not go beyond identifying the implementation of standard traffic mitigation measures such as signal timing and lane restriping. Equally concerning is that the mitigation measures have yet to be approved by the DOT and may in fact be deemed infeasible, which would leave the impacts unmitigated. This is unacceptable for this neighborhood.

Transit
The nearly 6,000 additional residents expected under the proposal would place substantial demand on local subway infrastructure. According to the DEIS, the nearest subway station, East Broadway-Rutgers Street Station (F), has an average

weekday ridership of 14,365. The DEIS states that the influx of new residents would not significantly impact the subway line service, but will affect station access and pedestrian circulation during AM and PM peak hours. At best, this is assessment is an underestimation. At worst, there will be a degradation in service not only at the East-Broadway Station, but also on this segment of the F line during peak hours.

Parking
MAS fears that the proposed action will result in a crippling shortage of parking in the area. Within one-half-mile of the project area, public parking utilization will increase to more than 112 percent of off-street parking facility capacity in the area. This represents a parking shortfall of more than 1,500 spaces during weekday peak periods. Furthermore, during the anticipated 30 to 36-month construction period, the proposed development is expected to generate a need for 355 additional spaces based on construction worker demand.

The DEIS states that excess parking demands during the weekday peak periods would need to be accommodated by on-street parking or off-street parking beyond a one-half-mile walk from the project sites. According to the *CEQR Technical Manual*, a parking shortfall resulting from a project in Manhattan does not constitute a significant adverse impact due to the availability of alternative modes of transportation. However, as stated in the Transit section, adverse impacts on access and pedestrian circulation are anticipated to occur at the East Broadway-Rutgers Street Station during AM and PM peak hours. Therefore, this conclusion is faulty.

Conclusion
The proposed development under the Minor Modification to the Two Bridges LSRD will have serious, long-term, adverse consequences on the Two Bridges community. This neighborhood has been largely left out the planning process for a development that will have far-reaching ramifications. We urge the City to address the concerns we have raised and more importantly, to foster effective input to arrive at a development plan that works best for the Two Bridges community.

Thank you for the opportunity to comment on this critical proposal.

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Thank you for the opportunity to comment on this critical proposal.

PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Attachments
Tue, Oct 9, 5:01 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

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Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Thomas Devaney
Zip: 10022

I represent:
A local community group or organization

Details for “I Represent”:

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? Yes
If yes, are you now submitting new information? Yes

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
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Pursuant to 78-313 (d), the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion. However, as described in the shadows and transportation sections below, the authorizations would allow the construction of development that would significantly limit light and air in the neighborhood and cause major impacts on local traffic congestion and the availability of parking.

Pursuant to 78-313 (g), the modification of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties. However, the proposed developments would substantially change the essential character of the neighborhood by adding approximately 6,000 new residents through the construction of over 1.5 million gross square feet of residential development within three massive towers that will respectively be 1,008, 798, and 730 feet tall. Furthermore, the proposed development at Site 4A/4B would cantilever over the existing Two Bridges Helen Hayes Senior Residences at 80 Rutgers Slip. As such, the proposed developments would clearly infringe upon the light and air of area residents.

Review Process
The modifications to the LSRD site plan that facilitate the proposed development are not "minor" as asserted by the City, and instead, warrant a Special Permit, which would ensure that the project would be subject to the Uniform Land Use Review Procedure (ULURP). Such a review would give the public an opportunity to provide valuable input and allow City Council members to represent the interests of their constituents.

Without the benefit of ULURP, the public's only opportunity to comment on the project is through the City Environmental Quality Review (CEQR) process. However, the CEQR process alone does not provide the opportunity for the robust public discourse a project of this magnitude requires.

The Department of City Planning (DCP) released the project DEIS on June 22, 2018, which started a 60-day period for Manhattan Community Board 3 to review the proposal, CEQR documents, and issue a resolution. However, the DEIS does not provide sufficient, specific mitigation measures to address the many adverse impacts that are expected to result from the development. Without ULURP, the public has no opportunity to comment on any subsequent proposed mitigation measures, assuming they are disclosed in the Final Environmental Impact Statement (FEIS).

Socioeconomic Conditions
MAS has a number of concerns about how the proposed development would affect socioeconomic conditions in the Two Bridges neighborhood. The DEIS states that 88 percent of residents in the area live in buildings protected by rent control, rent stabilization, or other government controls. However, we question how well protected these residents actually are. We have found in many areas of the city, especially low-income neighborhoods that are being rezoned, tenants in rent-stabilized units are often susceptible to harassment and eviction by landlords pressured by a rising housing market.

The DEIS concludes that the project would not significantly lead to indirect business displacement. However, the anticipated change in the demographics of the area could have a significant impact on local retail because new residents in the market-rate dwelling units will have significantly higher incomes than current residents in the study area, and thus will have much greater disposable incomes and different retail preferences. If retail displacement occurs, current residents could likely be priced out of future retail opportunities in the area.

Community Facilities
The proposed development would have adverse impacts on public school utilization in the project area. In the development scenario without housing units reserved for seniors, elementary school utilization in Community School District 1, Subdistrict 1 would increase from 90 percent to 111.3 percent capacity. Utilization in Community School District 1, as a whole, would increase to 100 percent.

Publicly funded childcare facilities face similar impacts with regard to utilization. According to the DEIS, publicly funded childcare facilities in the study area are currently operating at 87 percent capacity, with 160 available slots. With the proposed development, the utilization would increase to 110 percent, resulting in a deficit of 119 daycare slots. Despite these impacts, the DEIS does not propose any specific mitigation measures to address capacity issues for either public schools or publicly funded childcare facilities. Specific mitigation measures must be addressed in the FEIS.

Open Space
The proposed development would overburden existing open space and offers no new open space to address the demand expected from the approximately 6,000 new residents. According to the DEIS, the proposed development would decrease the open space ratio—which is a measure of acres of open space per 1,000 residents—by over 7 percent. Which is significant in a neighborhood that is as underserved by open space as Two Bridges.

Despite the impacts, the DEIS offers no acceptable mitigation measures. According to the DEIS, one of the primary proposals considered is expanding and enhancing private open space in the area. However, private open space is typically not publicly accessible. Therefore, we urge the City to explore opportunities in the project area to development new public open space. If new public open space is not feasible, we suggest legally binding agreements be put in place to ensure that private open space is made publicly accessible. Furthermore, any new space, public or private, should be safeguarded to the extent practicable from the shadows cast by the new developments. See additional comments below regarding shadows.

Shadows
The proposed development would cause adverse shadow impacts on Cherry Clinton Playground and Lillian D. Wald Playground. However, shadow impacts on NYCHA campuses and privately owned open space, including Rutgers Slip were not evaluated in the DEIS. Despite the significant impacts, the DEIS does not propose any mitigation measures to reduce shadows. The open space impacts raise critical questions about whether the proposed actions truly facilitate the better use of open space, the preservation of natural features, and a general protection of health, safety and general welfare as promoted by the LSRD regulations. The DEIS was deficient in not identifying specific mitigation measures regarding shadows. Therefore, we expect specific mitigation measures (e.g., building design modifications) will be outlined in the FEIS.

Urban Design and Visual Resources
MAS has modeled and assessed the proposed developments in the context of urban design in the Two Bridges neighborhood. The DEIS evaluation of the proposed development's impacts on urban design and visual resources fails to recognize the scale and proportion of the proposed projects. With towers ranging between 730 and over 1,000 feet tall, and additional bulk that would bring over 2.5 million square feet of floor area, the magnitude of the developments cannot be overstated. The developments will clearly affect existing urban design and the pedestrian experience in the neighborhood.

The tallest proposed development (Site 4A/4B) will be over 15 times taller than the median height of existing buildings within the primary area (including One Manhattan Square). There are 370 buildings within the primary study area (quarter-mile distance). The mean height of these buildings is 67 feet, hundreds of feet shorter than the proposed projects. Within the secondary study area there are 1,414 buildings, these have a mean height of just approximately 62 feet. It is clear that the proposed developments will be out of context with existing buildings in the primary and secondary areas. Furthermore, the DEIS does not evaluate potential impacts of the proposed development on views of the Manhattan Bridge.

Natural Resources
The DEIS describes how nighttime migratory bird collisions are more likely to occur on buildings above 656 feet. Despite the fact that the proposed buildings are between 730 and 1,008 feet tall, the DEIS downplays the impacts of the proposed development on bird collisions. Furthermore, the DEIS describes methods (patterned or fritted glass) that could reduce bird collisions, but does not indicate that any of these methods will be implemented nor how potential bird collisions would be reduced by the proposed design or materials used. Remarkably, the DEIS concludes there will be no significant impacts.

Water and Sewer Infrastructure
The proposed development will have impacts on water and sewer infrastructure. The DEIS does disclose impacts on the stormwater infrastructure during heavy rain events. According to the DEIS, the volume of sewage sent to combined sewer system (CSS) NCM-063 will more than double from existing conditions, up to 480,000 gallons. Including the runoff volume of a 2.5-inch storm event with a duration of 19.5 hours, the total volume of wastewater sent to CSS NCM-063 is expected to reach 840,000 gallons, a 50 percent increase over existing conditions. And yet, no mitigation measures are identified in the DEIS.

Transportation

Traffic
The Two Bridges area is already afflicted with traffic congestion from the Brooklyn and Manhattan Bridges and FDR Drive. According to the DEIS, the proposed projects would result in additional significant adverse traffic impacts at six intersections during the weekday AM peak hour, five intersections during the weekday midday peak hour, and 10 intersections during the weekday PM peak hour. According to Table 21-1 of the DEIS, a maximum of 10 intersections and 18 lane groups will experience significant adverse impacts. The weekday PM Peak Hour will be most affected. For mitigation of these impacts, the DEIS does not go beyond identifying the implementation of standard traffic mitigation measures such as signal timing and lane restriping. Equally concerning is that the mitigation measures have yet to be approved by the DOT and may in fact be deemed infeasible, which would leave the impacts unmitigated. This is unacceptable for this neighborhood.

Transit
The nearly 6,000 additional residents expected under the proposal would place substantial demand on local subway infrastructure. According to the DEIS, the nearest subway station, East Broadway-Rutgers Street Station (F), has an average

weekday ridership of 14,365. The DEIS states that the influx of new residents would not significantly impact the subway line service, but will affect station access and pedestrian circulation during AM and PM peak hours. At best, this is assessment is an underestimation. At worst, there will be a degradation in service not only at the East-Broadway Station, but also on this segment of the F line during peak hours.

Parking
MAS fears that the proposed action will result in a crippling shortage of parking in the area. Within one-half-mile of the project area, public parking utilization will increase to more than 112 percent of off-street parking facility capacity in the area. This represents a parking shortfall of more than 1,500 spaces during weekday peak periods. Furthermore, during the anticipated 30 to 36-month construction period, the proposed development is expected to generate a need for 355 additional spaces based on construction worker demand.

The DEIS states that excess parking demands during the weekday peak periods would need to be accommodated by on-street parking or off-street parking beyond a one-half-mile walk from the project sites. According to the *CEQR Technical Manual*, a parking shortfall resulting from a project in Manhattan does not constitute a significant adverse impact due to the availability of alternative modes of transportation. However, as stated in the Transit section, adverse impacts on access and pedestrian circulation are anticipated to occur at the East Broadway-Rutgers Street Station during AM and PM peak hours. Therefore, this conclusion is faulty.

Conclusion
The proposed development under the Minor Modification to the Two Bridges LSRD will have serious, long-term, adverse consequences on the Two Bridges community. This neighborhood has been largely left out the planning process for a development that will have far-reaching ramifications. We urge the City to address the concerns we have raised and more importantly, to foster effective input to arrive at a development plan that works best for the Two Bridges community.

Thank you for the opportunity to comment on this critical proposal.

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October 9, 2018

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RE: PROPOSAL TO ADD FOUR MEGATOWERS TO THE SITE PLAN OF THE TWO BRIDGES LSRD

Dear Commissioners,

I write to you on behalf of Good Old Lower East Side, Inc. (GOLES), a neighborhood organization working on the Lower East Side for over 40 years, serving over 3,000 people and reaching over 10,000 people every year. We have a longstanding commitment to making sure that any development that impacts the Lower East Side benefits this community and speaks to its history.

GOLES strongly urges the City Planning Commission to vote NO on the Two Bridges application that would permit the addition of four mega-towers to the Two Bridges LSRD site plan. This proposal is before you as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans.

Good Old Lower East Side, Inc. DOES NOT support the Two Bridges application, and we are prepared, along with CAAAV, TUFF-LES, and the Urban Justice Center, to pursue legal action if this application moves forward. We are not asking for modifications to the existing proposal. We can support only a NO vote, particularly considering that the ULURP rule used to classify this as a "minor modification" is irrelevant to the application, and its use in this instance is unlawful.

I want to be completely clear that we urge the City Planning Commission to vote NO—rather than to approve with modifications—nevertheless, there are several, specific areas in the proposed application we feel obligated draw attention to for the numerous egregious, unmitigated, and inadequately-assessed impacts they would have on this community. These areas include:

Affordability

- The developers will be using Affordable New York option E (formerly known as 421a) to subsidize the affordable units. This option will include a mix of 10% of the units at 40% AMI, 10% of the units at 60% AMI and 5% of the units 120% AMI—affordability levels that are not reflective of income levels in the surrounding community
- The history and intent of the Two Bridges Urban Renewal Area (now Two Bridges LSRD) was that ALL of the developments built there would be affordable
- Despite attempts to justify the construction of these mega-towers by touting the ostensibly affordable units they'll include as a benefit for the community, the displacement these mega-towers cause will invariably lead to an overall loss of affordable apartments through secondary displacement

Construction

- The Draft EIS estimates 2.5 - 3 years of construction. During this time, noise levels will be too high, and the construction will exacerbate air pollution, asthma, and rodent infestations

Primary & Secondary Displacement

- The Draft EIS doesn't detail what will happen to the ten senior units at 80 Rutgers Slip where residents will be moved out of their apartments and relocated. This is unacceptable.
- There is no accounting for mitigation around secondary displacement, ignoring the hundreds of people who will get priced out of the neighborhood and hundreds of affordable units that will be lost forever in the nearby area.
- The Draft EIS doesn't take racism into account and how this plan will disproportionately hurt people of color.

Flooding

- This area is a low-lying and coastal. Good Old Lower East Side, Inc. was a direct responder to Superstorm Sandy, and we co-coordinate LES Ready—the neighborhood's disaster response and resiliency network. We know climate change will make severe climate events an eventuality that we must plan for, and these mega-towers will make us all more vulnerable to tidal flooding and storm surges, including potential sewage flooding.

Open Space & Playgrounds

- This plan isn't adding any new public open space (only private open space) to make up for the open space it will render inaccessible.

Parking

- The area will be short over 700 parking spaces during peak hours after these mega-towers are built, plus an additional 355 more parking spaces during the three years of construction—for three years, the neighborhood will be short over 1,000 parking spaces.

Policing

- Multiple studies have shown that quality-of-life calls to the NYPD and to 311 (who can refer to the NYPD) are much higher in gentrifying neighborhoods with significant income inequality. Over-policing is of grave concern in communities of color, and these mega-towers will make policing in this neighborhood worse for long-time residents.

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- This plan will bring 7,000 new residents to the area, and they're estimating that the schools will only need 27 more seats. Neighborhood schools are already under-resourced, and these mega-towers will make them overcrowded. The method for estimating how many new students will be in neighborhood schools when these mega-towers are finished is very flawed. Even if they put a school or daycare in the mega-towers, the square footage they say is available isn't enough for School Construction Authority standards.

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- These mega-towers will cast significant shadows on ballfields, school yards, playgrounds, and parks where our kids play and where our elders spend time—significant enough to impact the health of the trees.

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- The East Broadway F train has an average weekday ridership of 14,365. The Draft EIS states that the approximately 7,000 additional residents expected with the new developments would not significantly impact the subway line service (but will result in adverse impacts to station access and pedestrian flow during peak hours).

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- Tenants in rent stabilized apartments in the area are vulnerable to landlord harassment and eviction when landlords try to take advantage of a housing market with rising rents.

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- These mega-towers will bring a lot more traffic to the neighborhood. The Draft EIS proposes some signal timing changes and lane restriping, but the DOT hasn't approved even these basic measures and might wind up doing nothing at all. This is unacceptable. More traffic will also cause more air pollution in a community with high asthma rates. There is no traffic mitigation at South St. and Rutgers Slip or on Clinton Street, which is the direct connector to the Williamsburg Bridge.

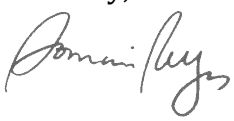
I would like to voice my support for the rezoning that is outlined in the Chinatown Working Group's plan for the LES and Chinatown. Under that plan, luxury mega-towers like those proposed here would not get an automatic green light from the City with just a couple of minor modifications to the zoning. Any new development in this area should be in scale with the neighborhood,

preserve landmark views across the City, and slow the roll of gentrification and displacement of the existing LES community.

The Lower East Side is a place where working families, immigrants and close-knit, human-scale networks have thrived for decades. We are not trying to make this neighborhood exclusive but, rather, to keep it inclusive. The proposed mega-towers are out of scale with the economic and physical character of the neighborhood and are capitalizing on a loophole left behind when the TBURA expired in 2013. The effects that the Two Bridges mega-towers would have on the neighborhood would prove devastating to thousands of people in the surrounding community and would drastically impact the world-famous cultural character of the Lower East Side and Chinatown. We urge you to vote NO on the Two Bridges application.

Thank you for your time and consideration.

Sincerely,



Damaris Reyes
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PublicComments_DL <PublicComments_DL@planning.nyc.gov>
Attachments
Tue, Oct 9, 11:58 PM
to Bob Tuttle (DCP), Evan Lemonides (DCP), ManhattanComments_DL

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Re. Project: M 180505(A) ZSM - TWO BRIDGES

Application Number: M 180505(A) ZSM
Project: TWO BRIDGES
Public Hearing Date: 10/17/2018
Borough: Manhattan
Community District: 45

Submitted by:

Name: Damaris Reyes
Zip: 10009

I represent:
A local community group or organization

Details for “I Represent”: Good Old Lower East Side, Inc. (GOLES)

My Comments:

Vote: I am opposed

Have you previously submitted comments on this project? No
If yes, are you now submitting new information? No

I have attended or will attend the City Planning Commission's Public hearing on this project: Yes

Additional Comments:
Please see attached

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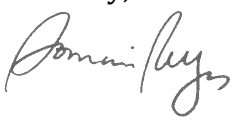

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TUFF-LES (Tenants United Fighting for the Lower East Side
Response to Two Bridges Draft Environmental Impact Statement[1]

- **Application Number: M 180505(A) ZSM**
- **Project: TWO BRIDGES**
- **Public Hearing Date: 10/17/2018**
- **Borough: Manhattan**
- **Community District: 45**

Introduction

While TUFF-LES is grateful for the additional time granted by the Department of City Planning to review and comment on the proposed actions, **we remain concerned that the Two Bridges proposals have not been required to undergo ULURP.** The rigorous public review afforded by ULURP is absent and therefore the City Planning Commission does not have the benefit of that input nor the time allowed in ULURP for a full analysis of the project impacts. The lack of a full public review process means that **additional weight must be given to the public input during the environmental review process before us now. *Especially considering that lack of any real community input normally present in a true ULURP process***.

The City Planning Commission has substantial influence and responsibility in shaping the future development of the Two Bridges LSRD. Our comments are offered in support of aligning the CPC vote with a community-led vision for the future development of the neighborhood.

TUFF-LES is particularly concerned that the CPC will vote on projects that have the potential to forever alter the Two Bridges neighborhood without the benefit of well-thought out, specific, actionable, *locally-responsive mitigations*. The applicants conclude in the DEIS that mitigations that are "being reviewed or otherwise considered by various city agencies" but for which review is not being made public or transparent.

[1] Prepared with assistance from staff and contributors from the following organizations: The Collective for Community, Culture, and Environment, LLC (CCCE), a women-owned consulting business and interdisciplinary professional network based in New York City; George Janes and Associates, a specialty planning firm with expertise in zoning, simulation and visualization, and statistics and quantitative modeling; The Urban Justice Center's Community Development Project (CDP) provides legal, participatory research and policy support to strengthen the work of grassroots and community-based groups in New York City to dismantle racial, economic and social oppression; The Association for Neighborhood & Housing Development (ANHD) whose mission is to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers; Hester Street (HSC), an urban planning, design and development nonprofit that works to ensure neighborhoods are shaped by the people who live in them; and Manhattan Community Board 3, representing the Lower East Side and Chinatown. Community Boards have an important advisory role in land use and zoning matters, City budget, municipal service delivery and many other matters.

Without the benefit of ULURP, the public has no opportunity to comment on any subsequent proposed mitigation measures disclosed in the Final Environmental Impact Statement (FEIS).

We are also concerned about the failure of the developers within the DEIS to examine a range of reasonable alternatives to the proposed developments, although requested in most of the public comments on the Draft Scope of Work. In the response to these comments in the Final Scope it was stated that the Chinatown Working Group Plan would, in fact, be considered. Yet, in the DEIS it is not even mentioned – and certainly not evaluated and deemed to be infeasible. Hence in the DEIS, the only alternatives that are considered are the required No Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative. Subdistrict D of the CWG Plan is not, as erroneously concluded by the applicants, a lesser density alternative nor would it result in less affordable housing capacity.

The omission of Subdistrict D of the CWG Plan as an alternative in the DEIS also obscures the fact that the developments resulting from the CWG Plan would reduce, although not entirely eliminate, the significant adverse shadow impacts. The Plan would require that ground floor space be provided for community facilities such as schools or daycare thus mitigating the significant adverse impacts on schools and daycare. The Plan would also increase both the percentage and the number of permanently affordable units and would specify that they be affordable based on local AMI, thereby meeting both the developers' proposed action's stated goals and objectives and the City's Public Policy goals. The Plan encourages locally-serving commercial uses throughout the district. The Plan, unlike the proposed developments before you now, was created specifically to weave into the existing neighborhood's built form and social fabric while allowing for resilient growth and development, increases in open space, and improved waterfront connectivity. Subdistrict D guides development that allows for the full C6-4 to be developed. **The FEIS must examine both Subdistrict D of the CWG Plan and any follow up actions taken toward its implementation as an alternative to the proposed developments.**

Scope of Work

TUFF-LES submitted extensive comments on the Draft Scope of Work. **The Final Scope of Work was not responsive to the vast majority of TUFF-LES' comments.** As a result, many of the following comments on the DEIS note items that should have been included, or analysis that should have been changed, as identified in the comments on the Draft Scope of Work. **The lack of responsiveness to our comments is troubling and unfortunate and has left the DEIS with serious omissions, misrepresentations and errors; it does not fully disclose all the project's significant impacts. Preferably, these omissions, misrepresentations and errors should be corrected in a Supplemental DEIS, or alternatively in the FEIS for the project**.

General Project Comments

The proposed developments within the Two Bridges Large-Scale Residential Development (LSRD) do not comply with the New York City Zoning Resolution (ZR) regulations described in Article VII Chapter 8 due to the many unmitigated adverse impacts that will result from the development. According to ZR 78-313, LSRD approvals

by the CPC must meet a number of conditions as a prerequisite for modification. The conditions applicable to the project are as follows.

· **Pursuant to 78-313 (a), "modifications" (the term used by the applicants which is not used in the Zoning Resolution and is inappropriate in this context) will aid in achieving the general purposes and intent of the LSRD which includes the promotion and facilitation of better site planning and community planning and to enable open space to be arranged to best serve the active and passive recreation needs of residents and the City as a whole. However, to this point, no actual demonstrative community planning has been done by the City or the developers with regard to this plan.** Moreover, in terms of open space, according to the Draft Environmental Impact Statement (DEIS) the proposed development would result in adverse shadow impacts on several area open space resources and would significantly reduce the area's open space ratio, which is the amount of available active and passive open space in relation to area residents and workers. These issues are discussed in the open space and shadows sections.

· **Pursuant to 78-313 (b), the distribution of floor area and dwelling units *must benefit residents of the LSRD* and must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks. However, based on the DEIS, the proposed developments will result in unmitigated adverse impacts on the community with regard to socioeconomic conditions, community facilities, open space, shadows, transportation, parking, and construction.**

· Pursuant to 78-313 (d), the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion. However, as described in the shadows and transportation sections below, the authorizations will allow the construction of developments that would significantly limit light and air in the neighborhood and cause major impacts on local traffic congestion and the availability of parking.

· Pursuant to 78-313 (g), the modification of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties. **However, the proposed developments would substantially change the essential character of the neighborhood by adding approximately 6,000 new residents through the construction of over 1.5 million gross square feet of residential development within three massive towers that will respectively reach heights of 1,008, 798, and 730 feet. Furthermore, the proposed development at Site 4A/4B would cantilever over the existing Two Bridges Helen Hayes Senior Residences at 80 Rutgers Slip. As such, we find the proposed developments would clearly infringe upon the light and air of area residents.**

Deficiencies in the Project Review Process

As the lead agency explained in the Final Scope of Work, Response 1-6, page A-7: "**Two Bridges LSRD regulates the site plan and other features of development."** The modifications to the LSRD site plan that facilitate the proposed development cannot be characterized as simply modifications to prior approved site plans for the LSRD, as asserted by the City, and instead, warrant review as new discretionary actions. Modification of prior plans is only appropriate where the modification does not constitute a "substantial modification of the plans previously approved."[2] The proposed structures

[2] See e.g. https://drive.google.com/file/d/1R-y5yG5QvfY4Fv6_FxSAMeb7xGsLaLpd/view?usp=sharing

are clearly a substantial modification. Nowhere in the DEIS or other publicly available documents do the developers cite a previously approved plan they seek to modify slightly.

The Department of City Planning (DCP) released the project DEIS on June 22, 2018, which started a 60-day period for Manhattan Community Board 3 to review the proposal, CEQR documents, and issue a resolution. However, the DEIS does not provide sufficient, specific mitigation measures to address the many adverse impacts that are expected to result from the development. **Without the benefit of ULURP, the public has no opportunity to comment on any subsequent proposed mitigation measures disclosed in the Final Environmental Impact Statement (FEIS).**

Chapter 1: Project Description

Purpose and Need

The questions asked in the scoping comments by TUFF-LES and others including CB 3 relating to Purpose and Need are not answered or addressed in the DEIS. The proposed action to facilitate the developments is a deviation from previously approved Two Bridges LSRD plans and thus cannot be done without the granting of a new Special Permit or authorization; when granting such a new Special Permit or authorization, the City Planning Commission must conclude that previously imposed conditions[3] will not be disturbed and that the alterations meet the standards set by the required findings as spelled out in Article VII Chapter 8 Sections 78-311, 312 and 313 of the NYC Zoning Resolution.

While indicating that the developments further the City's housing and affordable housing goals, the DEIS does not specify what levels of affordability are planned in the buildings that the proposed action would allow.

The DEIS fails to examine an alternative with equivalent floor area in buildings that are lower and cover more of the lots in the LSRD. The DEIS also fails to explain why the

[3] CP21885 (May 15, 1972 CPC approval includes this condition: "The premises shall be developed in size and arrangement as stated in the application and as indicated on the plans filed with this application"); CPC21885 (June 15, 1973; CPC approval is subject to the same conditions enumerated in the May 15, 1972 approval); C760143ZLM (February 9, 1977 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on plans filed with the application"); N830316ZAM (December 8, 1982 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N850737ZAM (August 28, 1985 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N860727ZAM (March 17, 1986 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); C950078ZSM (January 18, 1995 CPC approval includes this condition: "The property that is the subject of this application (C950078ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by The Edelman Partnership/Architect, filed with this application and incorporated in this resolution: Drawing No. A-4, Zoning Data 9/20/94 and Drawing No. A-6, Site Plan, Site Sections 8/31/94"

proposed heights are required in order to meet the goals of the project since the same FAR and affordable housing units could be accommodated in lower buildings.

Under Section C. Proposed Actions (p. 1-5), the text refers to Appendix B, which is a stand-alone complex table "LSRD Zoning Calculations." However, the DEIS does not include further explanation or evaluation of the calculations and other information in the table. The DEIS needs to provide a detailed explanation of the calculations in Table B. As the lead agency explained in the Final Scope of Work, Response 1-6, page A-7: "**Two Bridges LSRD regulates the site plan and other features of development."**

The illustrative renderings (Figures 1.7, 1.11, and 1.15) do not show the tops of buildings, which skews the scale of the proposed buildings.
The chapter cites the minor modification to the LSRD would modify the approved site plans to enable the proposed developments to be constructed utilizing unused existing floor area [*emphasis added*]. However, it is unclear what the unused existing floor area is and how it is determined.

As described in the DEIS, the project will introduce "super-tall" building forms in an area that is composed largely of medium density housing with neighborhood commercial uses. While the underlying zoning allows such density, the right to build under those densities was removed with the adoption of, and the special permit for, the Large-Scale Residential Development (LSRD) plan in 1972, as modified and reaffirmed in 1995. As the lead agency explained in the Final Scope of Work, Response 1-6, page A-7: "**Two Bridges LSRD regulates the site plan and other features of development."** The LSRD plan limited the development on the site to specifically what can be seen there now: developments of between 3.5 and 4.9 FAR, with buildings ranging from one to 26 stories, surrounded by open space, all built in exact compliance with site plans that the City Planning Commission approved explicitly. The existing level of development is in-scale with the surrounding development.

The City Planning Commission (CPC) decided that a minor modifications to this LSRD plan was appropriate for the changes proposed. A letter signed by then CPC Chair Carl Weisbrod dated August 11, 2016, regarding the proposed plan stated, "I agree that the development contemplated here is significant," but then states that the action would be a minor modification, quoting the Rules of the City of New York (RCNY) § 2-06(g)(5)(ii). As has been pointed out by others, this section of the RCNY *does not govern* the CPC's decision that this is a minor modification, as it is instruction applied only to City Council modifications made after the City Planning Commission votes to approved a project in the midst of ULURP and before the City Council takes its own vote, not modifications proposed by a private applicant independent of an ongoing ULURP process. There is nothing in the RCNY, Charter or the Zoning Resolution that allows the CPC to find that these proposed changes are minor modifications. Consequently, since the CPC has stated in writing that the "development contemplated here is significant," the Project Description should fully explain the criteria the City used to find that the project required a minor modification. It should do so using the required findings necessary for all LSRDs that are detailed in the Zoning Resolution. Modification of prior plans is only appropriate where the modification does not constitute a "substantial modification of the plans previously approved ."[4] Section 78-313 of the Zoning Resolution outlines the required findings that the CPC must make for every LSRD special permit; these include:

[4] See e.g. https://drive.google.com/file/d/1R-y5yG5QvfY4Fv6_FxSAMeb7xGsLaLpd/view?usp=sharing

(c) that such distribution or location will not **unduly increase the #bulk# of #buildings#, density of population,** or intensity of #use# in any #block#, **to the detriment of the occupants of #buildings# in the #block# or nearby blocks#;**

(d) that such distribution or location will not **affect adversely any other #zoning lots# outside the #large-scale residential development# by restricting access to light and air** or by creating traffic congestion;[emphasis added]

While prepared by the applicants, the DEIS is the City's document. The rationale and criteria used to find that development it considers "significant" can also be characterized as "minor," and how this minor modification may impact future LSRD amendments (see Chapter 2) should be explicit. This explanation is necessary not only to show that the CPC's finding is not arbitrary and capricious but also to explain and demonstrate any lasting impacts on City policy for other large-scale special permits.

Chapter 2: Land Use, Zoning and Public Policy

The CWG Plan, inclusive of Subdistrict D, was approved by Manhattan Community Board 3 and as such, the consistency of the proposed developments with the CWG Plan should be considered and discussed as Public Policy.

The DEIS continues to use ¼ mile for the analysis study area and does not respond to the potential direct and indirect impacts noted in the TUFF-LES, CAAAV, GOLES' and nearly all other comments on the draft scope calling for the use of a ½ mile radius.

As identified in the DEIS, even within the limited ¼ mile radius study area, the adjoining areas, at R7-2, C6-1G, C6-2, R 8 and M1-4, are zoned for and developed at a significantly lower FAR and with much lower heights- 1/10 to ½ of those proposed in the DEIS. The only exceptions are the C6-4 FAR 12 height factor Extell development and the M1-6 on the Edison Property which currently does not allow for residential use.

The LSRD designation alters what is permitted "as of right" in the Two Bridges LSRD. The underlying C6-4 zoning only provides maximum parameters for permitted bulk and for use but does not provide for "as of right" development that does not conform to the LSRD regulations, conditions imposed by the City Planning Commission including building plans and findings described under LSRD Article VII Chapter 8 Section 78 of the Zoning Resolution for granting approvals that allow new development.

The DEIS continues to suggest that shorter buildings would necessarily reduce density/FAR. However, while the C6-4, as a height factor zone, does not have a specific height cap, in a C6-4 zone the permitted FAR can also be accommodated in significantly shorter buildings that would be more consistent with the LSRD regulation findings and with the surrounding area.

The DEIS states that the C6-4 zoning is typically mapped in central locations that are well served by mass transit. Yet, the location of the proposed developments is neither central nor well served by mass transit (with only one proximate and overused subway station). Thus, despite the underlying C6-4 zoning, the importance of the application of

the LSRD regulations and findings needed to determine the parameters of appropriate development is clear.

The DEIS states the proposed development is consistent with the goals of the LSRD overlay to provide for low and moderate and middle income families by providing 25% affordable units with the remaining 75% as market rate luxury units. Yet, the history of the intent of the Urban Renewal area and the subsequent LSRD has been that the all of the developments of the Two Bridges LSRD, not simply 25%, would be affordable units for low, middle and moderate incomes.

The DEIS does not even acknowledge that the City Planning Commission in 2008 clearly resolved that, as part of the DEP's use of Site 6A for work associated with the neighboring Shaft 21 of NYC's Water Tunnel 1, where Starrett now seeks a discretionary approval from the same Commission to fill the site with an apartment tower, the DEP would create and maintain a usable public open space with a playground in perpetuity. Based on a technicality - instead of selling the land to the City for DEP's use, Starrett leased it to the municipality - the developer has in this DEIS completely ignored this requirement.[5]

In addition, despite the testimony of nearly all those commenting on the Scope of Work, the DEIS still does not answer the questions raised about the lack of the proposed developments' definition of "affordability" – i.e., what AMIs would be provided for in the developments. Furthermore, the permanent affordability identified in the DEIS is subject to a Regulatory Agreement with HPD whose specific provisions still have to be determined. In addition, the R10 inclusionary housing program would permit an 80% AMI which is significantly higher than the local AMI.

While the DEIS notes possible significant impacts requiring additional schools and day care, and even states that mitigation might involve providing space for them in the new developments, there is an only limited amount (17,028 sq ft) of community facility space proposed in the new developments. According to the School Construction Authority, an average of 750 sq ft is required for an elementary school classroom, and average of about 92,000 sq ft is required for an elementary school that includes all needed school facilities in addition to classrooms for a school housing 822 students. Even if the facility needed to accommodate the additional elementary school children anticipated was designed for half that number of students, the required space would still be approximately 46,000 sq ft., clearly not the 17,028 sq ft being proposed for community facilities by the proposed projects.

In addition, the NYC day care center requirements include at least 30 sq ft per child and the School Construction Authority requires 1,000 per pre-K classroom.

Trends

The DEIS identifies Sites 6B and 7 as not being included in the proposed developments. While site 7 is developed with 250 units, site 6B has only 57 units and has significant unused FAR. **The DEIS does not consider that the approval of the proposed developments could accelerate a future decision to develop Site 6B.**

Corrections

[5] See April 21, 2008 CPC Report Cal. 1 C 070212 PCM.

The Zoning map - Figure 2.2 - does not indicate the zoning on **the Murry Bergtraum Field (not Playground) which, although it is an open space, is zoned M1-4** and **is primarily used for Murry Bergtraum high school sports**.

Public Policy
Under the no action scenario**, the DEIS does not include the new development moving forward under the Next Generation NYCHA plan at NYCHA's LaGuardia Houses**. The DEIS does acknowledge this development in the Appendix to the document but dismisses it as follows: "As part of its NextGen Neighborhoods program, NYCHA issued an RFP on March 1, 2018 for infill development on the LaGuardia Houses complex. This development project has not been included in the No Build project list because it is, at present, too undefined regarding the overall development timeline as a developer has not yet been designated, and discretionary actions (e.g., a NYCHA lease disposition, financing) have not yet been defined. Further, an environmental assessment is expected based on anticipated discretionary actions."

Since the RFP is already out, the infill project is definite enough to be included. Relying on later environmental assessment specific to the NextGen project is misleading and will guarantee that the cumulative impacts of development on the NYCHA campus and at the neighboring sites where the present development is proposed will never be evaluated. NYCHA property is not subject to ULURP under the New York City Charter and the proposed project comports with the underlying zoning of the Laguardia campus, which is not in the LSRD, and therefore there is no discretionary action needed to approve this development. In contrast with the present proposed actions, construction of the infill buildings at Laguardia will be as of right and no review will be needed. The approval of the present proposal would add density to the neighborhood where increased density is already both allowed and planned on sites next door to those where the megatowers that are the subject of the DEIS are proposed.

The DEIS should also consider if the Next Generation policy will propose additional development on other NYCHA developments within the ½ mile radius, such as Smith Houses (where development was proposed in the past).

The DEIS treats the application by Manhattan Borough President Brewer and City Councilmember Chin to require a special permit for modifications to the LSRD as a footnote and questions whether it will be approved. The implications of the application should be fully considered in the DEIS as part of the Public Policy section.

Consistency
The WRP review is included in the DEIS but does not address WRP Policy 4.8 - to maintain and protect living aquatic resources and consider the impacts on the fish and benthic community in the waters that will be shaded by the proposed developments.

In addition, while the WRP review notes that walkways on the east and west of Site 5 will help connect the private open space to the waterfront it is unclear if these will be publically accessible walkways.

Clearly given the unmitigated significant adverse impacts on community facilities, transportation and open space, there are NOT adequate public facilities and infrastructure that currently exist or are planned to be built, and thus the proposed developments are inconsistent with WRP Policy 1.3.

The WRP consistency review does not explain how the developments will address losses from flooding and coastal hazards in the surrounding area as stipulated in WRP Policy 6.1.

WRP Policy 8.2 is not about hindering public access but about incorporating it in public and private development. The DEIS does not respond to this and should not be considered consistent with this Policy.

The DEIS does not explain how in relationship to Policy 9, the "development of the proposed projects would not obstruct prominent views to the waterfront and East River…." 3D Drawings should be included showing how views from areas upland of the development sites, existing buildings in the LSRD, and views from Brooklyn are not obstructed to prominent features such as the Manhattan Bridge and other Bridges, to the East River and to the Brooklyn Waterfront and other prominent views.

Minor Modifications
As the lead agency explained in the Final Scope of Work, Response 1-6, page A-7: "Two Bridges LSRD regulates the site plan and other features of development." Incredibly, CPC concluded that the changes are minor, while also stating that the development is "significant." Director Carl Weisbrod, in a letter quoting an irrelevant section of the Rules of the City of New York, sought to explain the finding that the changes were a minor modification, while at the same time "significant."

The finding that a significant change to an LSRD is a minor modification has the potential to significantly impact New York City land use policy. This conclusion would impact all Large Scale special permits and perhaps even other special permits granted by the CPC outside the Large Scale special permits. This potential is not disclosed or studied in this DEIS, even though the Lead Agency was asked to add this area of study into the Final Scope of Work.

Simply, if it is now the CPC's position that all modifications to Large Scale special permits (Large Scale Residential Developments, Large Scale General Developments, and Large Scale Community Facility Developments) in New York City may now be considered as "minor," without requiring ULURP if changes to the plan do not require further waivers, that is a significant change to the City's land use policy that needs to be evaluated.

Recommendations by Community Boards and the Borough President for Large Scale developments and special permits granted by the CPC and City Council during ULURP are made with the understanding that even though a project gets zoning waivers, other "trade-offs" can make those waivers more acceptable. For example, a project may get a waiver to exceed lot coverage, building base height, and/or the required distance between buildings on the same zoning lot. These waivers might be acceptable because the plan has a lower FAR than what is allowed under zoning. Trade-offs such as these are fundamental to the decision-making process, especially at Community Boards. The CPC's interpretation for the modifications at Two Bridges, which allows this significant development to be classified as a minor modification, means that Community Boards should not be considering any trade-offs for zoning waivers because an applicant can

come back and build the project out, with no Community Board review, as long as no additional waivers are sought.

The following example, while not occurring in CD3, is illustrative of the issue and how decision-making on Large Scale permits are made. During the recent ULURP for the HPD sponsored Large Scale General Development called Lexington Gardens, the Community Board asked if an existing paved open space along Lexington Avenue could be developed in the future. The proposed zoning district mapped in a concurrent action allowed more floor area than was being used in the LSGD plan. The applicant responded that the area could theoretically be developed but that such an action would require an amendment to the plan that would reopen ULURP, which allows the Community Board to comment on any amendment before the plan could be changed. This is typical to the understanding and practice of Large Scale special permits

It is hard to overstate how significant of a change to land use policy this is. While this is not the first time the current administration has promoted novel interpretations of land use law in New York City,[6] it may be the most important. This change brings into question every Large Scale special permit issued since 1961. Would all the participants in the ULURP process have made the same decisions regarding all Large Scale special permits if they understood that they would not have an opportunity to review it again even if significant amendments were being made to the plan? For the record, we do not believe so. Not here at Two Bridges, and likely not anywhere. Further, after a review of the historical record, there is no evidence that buildings even close to the scale proposed were discussed during the hearings or deliberations made by the community board prior to making its recommendation on the granting of the special permit. **Consequently, we believe that the amendments to the LSRD for Two Bridges do not constitute a minor modification and ask the CPC to find that this significant change requires the proposed amendments to go through ULURP, as such amendments have been required to do since 1961.**

<u>Lacking such an action, the FEIS must be transparent and detailed when it justifies its decision. Moreover, this acknowledged significant action is indeed a major modification and the CPC should simply vote NO this so-called minor modification.</u>

The study area
Comments on the Draft Scope of Work included expanding the study area in this and other sections considering the reality of the waterfront location and the size of the projects. A study area formed by a radius around a project site, where a significant portion of the area captured is water, understates the area being analyzed when compared to an inland site. The study area here and in other sections should be increased so that the land area studied would be the same, had this been an inland site.

Waterfront Revitalization
Some of the text of the DEIS that finds consistency with the Waterfront Revitalization Plan is not accurate. The Lead Agency should not have accepted this DEIS as complete as it has consistency errors with the Local Waterfront Revitalization Plan. For example:

[6] The current administration's interpretation of Jointly Operated Playgrounds as not being parkland, for example, was contrary to the interpretation of every other administration that preceded it and the environmental impacts of this change of land use policy was never studied.

· It is unclear how the conclusion is supported in **Policy 1.3**: With appropriate mitigation measures in place, it is assumed that public facilities and infrastructure would be adequate in the future With Action condition.

· **Policy 1.5** states, "[i]ntegrate consideration of climate change and sea level rise" yet the narrative does not mention climate change or sea level rise: it just focuses on floodplains. As such, the answer is non-responsive to Policy 1.5 and the FEIS needs to demonstrate how the project is consistent with this policy.

· Further, the narrative on Policy 1.5 states that the "proposed projects would use non-structural and structural elements to provide protection against flooding on the project sites in the future." Such measures are not necessarily consistent with Policy 6, which requires that projects "[m]inimize loss of life, structures, infrastructure, and natural resources caused by flooding." Policy 6 refers to not only the proposed project, but also the neighboring area. The DEIS discloses that the proposal includes, "structural considerations for stand-alone flood barriers or façades designed to be structurally resistant to flooding." Such actions are not necessarily consistent with Policy 6. Such resiliency measures, while they may protect this project, may be doing so simply by moving flood waters from this area to other areas that are both less protected and which have structures that are less resilient than those proposed.

The consideration of and design for neighboring areas is simply not studied or disclosed in the DEIS. Consider Policy 6.2(d) which is very explicit regarding the project's impact on neighboring areas**:**

"Describe how the project would affect the flood protection of adjacent sites, if relevant. How would the project lead to increased flooding on adjacent sites? How would the project protect upland sites from coastal hazards? Does the project complement or conflict with planned, adjacent flood protection projects?"

The DEIS responds to this policy through simple assertion and no analysis by stating in full: "The proposed projects would not affect the flood protection of adjacent sites and would not conflict with other resilience projects currently under consideration in the area." This is an absurd response: Project level, deployable flood barriers and flood resistant facades do not lessen flood waters, they simply move the flood waters elsewhere. Since the project plans on using such measures, the EIS must study and disclose the impact of such measures on the neighboring areas, as required by WRP policy 6.2(d). The FEIS must fully study the impact that this project and its flood mitigation measures will have on the surrounding neighborhood. If significant impacts are shown, a mitigation plan must be developed.

· The action proposed has nothing to do with **Policy 3.2,** which regards supporting and encouraging boating and shipping. The self-serving narrative is both unhelpful, and well as technically incorrect, since the project is not consistent with this policy; it is simply not applicable and the FEIS should so state.

Recent policy actions
In the more than 1-year between the submission of comments on the Draft Scope of Work and the adoption of a Final Scope of Work, the City of New York began several new policy initiatives. The FEIS needs to consider these new policies and disclose how the action is consistent and/or impacts these new policies.

Fair Housing
On March 9, 2018, NYC Housing Preservation and Development announced "Where We Live NYC," a comprehensive fair housing planning process to study, understand, and address patterns of residential segregation. This program is described here: https://www1.nyc.gov/site/hpd/community/where-we-live-nyc.page

Where We Live NYC is designed to produce measurable goals and strategies that foster inclusive communities and promote fair housing choice. As soon as this fall, the City will be examining policy solutions to address fair housing. In the context of this policy agenda, will this project help or hinder the patterns of residential segregation? Will it be consistent with the goals of and policies of "Where We Live NYC?" The FEIS should include a discussion of fair housing, what "Where We Live NYC" is trying to accomplish and how this project will be consistent with that effort, or if it isn't consistent how that inconsistency will be mitigated.

Interbuilding voids and zoning
In January 2018, Mayor de Blasio announced at a Town Hall on the Upper East Side that NYC is developing policies that will address what have become known as "interbuilding voids," or spaces in a building that may be nominally used for mechanicals or egress but which are largely empty space with no residential, commercial or community facility floor area. The Mayor's commitment was reiterated in June 2018 at a Town Hall on the Upper West Side. One of the proposed buildings (Site 4 (4A/4B)) has an extremely large interbuilding void at the base that allows the building to rise over an existing neighboring building. The Department of City Planning's (DCP) Manhattan Office has formed a working group that is developing policies that will prevent this building technique. While these policies are not yet finalized, considering that DCP is the Lead Agency, the FEIS should acknowledge the policy and how this building will be consistent with DCP's policy efforts.

Interbuilding voids and fire safety & operations
On May 3, 2018, the Fire Department of the City of New York's (FDNY) Bureau of Operations cited both general and specific operational and safety concerns regarding a building planned with a 150-foot interbuilding void. The same building, discussed above, has an interbuilding void that is larger than the one that caused the FDNY to express concern. It is therefore likely that they would have the same concerns with this proposed interbuilding void.[7] Considering that section §28-103.8 of the Building Code allows the

[7] The concerns the FDNY expressed are as follows:
- "Access for FDNY to blind elevator shafts… will there be access doors from the fire stairs.
- Ability of FDNY personnel and occupants to cross over from one egress stair to another within the shaft in the event that one of the stairs becomes untenable.
- Will the void space be protected by a sprinkler as a "concealed space."
- Will there be provisions for smoke control/smoke exhaust within the void space.
- Void space that contains mechanical equipment… how would FDNY access those areas for operations."

Commissioner of Buildings to deny a building permit based on such safety concerns regardless of the building's compliance with zoning, the FEIS should discuss how this building will address the concerns the FDNY outlined as policy.

Workmanship
Shuang Wen School is PS 184, not P.S. 104 as stated in the text on page 2-5.

Chapter 3: Socioeconomic Conditions

DIRECT RESIDENTIAL DISPLACEMENT
The DEIS does not address TUFF-LES/GOLES draft scope comments regarding specific relocation plans for the residents of the 10 units at 80 Rutgers Slip, including how relocation costs will be addressed for those residents, the duration of time they will be relocated, where they will be housed and under what conditions, and what costs will be incurred and by whom. Although this is not direct displacement it will, at least in the short run, reduce the number of affordable senior housing units by 10 as the vacated units will not be refilled but will serve to house the existing seniors being displaced. The **DEIS also fails to take into account the age and health of the displaced residents and how the relocation would disrupt such lives.**

DIRECT BUSINESS DISPLACEMENT
The Stop 1 Food Market, which since the demolition of the Pathmark grocery store has been an important local food resource, will be temporarily displaced. Applicant wishes to work with Stop 1 proprietors to allow the business to remain in operation during construction, but there is no detail in the DEIS on whether contact has been made with the proprietors, whether Stop 1 management is amenable, and what constitutes an appropriate site within the study area that would allow Stop 1 to maintain its current customer base during prolonged displacement.

Throughout the pre-draft scope meetings with the community, the Task Force surveying of residents, and in public hearing testimony, concerns and anxiety about individual and widespread displacement dominated the list of local concerns. However, the DEIS paid insufficient attention to the projects' indirect displacement impacts and claims that there will be no adverse impacts to the socioeconomic conditions of the neighborhood.

Preface
It is meaningful that the CEQR Technical Manual requires an assessment of socioeconomic impacts. Acknowledging that large land use changes can adversely and disproportionately impact the socioeconomic character of neighborhoods is important public policy that emerged from legal battles led by resident organizers in the 1980s. However, the methodology for assessing these impacts—especially indirect displacement risk—is so flawed as to render the analysis not only inadequate but also potentially dangerous. The methodology appears neutral and objective when in fact it has a strong bias against any finding of 'significant impact.' The prescribed methodology fails to effectively approximate the threat of indirect residential displacement by:

- not considering race, ethnicity, or other demographics as part of an existing conditions analysis;
- not providing enough guidance to analysts at key junctures in the analysis;

- excluding already gentrifying neighborhoods from any analysis of indirect residential displacement;
- excluding whole categories of housing from the potentially vulnerable; and thereby
- potentially undercounting vulnerable residents.

Specifically, the current methodology for a CEQR analysis fails because it:

- Only requires the consideration of income when analyzing study area characteristics;
- Does not require analysis of indirect displacement in an already gentrifying neighborhood. While the "acceleration" of potentially displacing trends is supposedly required, there is no methodology provided for such an analysis and so it is not performed.
- Makes unjustified assumptions about rent stabilized residents;
- Assumes tenants in regulated units are safe from displacement; and
- Ignores 'less than legal' loss of regulated housing.

New York State State Environmental Quality Review requires all the environmental impacts of any action of any discretionary action to be considered prior to the action's approval.[8] The environment includes "the physical conditions which will be affected by a proposed action, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance, existing patterns of population concentration, distribution, or growth, and existing community or neighborhood character."[9] The Court of Appeals of New York has made it clear: "The existing patterns of population concentration, distribution or growth and existing community or neighborhood character are physical conditions" that must be considered "in determining whether a proposed project may have a significant effect on the environment."[10]

To comply with SEQR, DCP must conduct an analysis free from the errors described above. It must count current residents of multi-unit buildings when considering those likely to be directly displaced by the Proposed Action and to account for the acceleration of indirect displacement that the action is sure to bring with it. It must grapple with the likely direct business displacement using methods that account for the displacement of retail and commercial businesses that serve low income residents of Chinatown and the Lower East Side and not ignore the likely cumulative impacts of the Proposed Actions on indirect business displacement.

DCP cannot rely on the flawed methodology memorialized in the Technical Manual when that methodology does not capture the actual impact of the proposed project on the environment. State law is not satisfied by regulations that do not actually require an applicant to capture the impacts SEQR requires be captured; omissions in the Technical Manual are not sufficient cover for agencies to hide from the State law requirement that impacts on the environment must be carefully considered before an action like the one proposed here can be taken. Further, the Technical Manual cannot be relied upon as agency policy as it was never properly promulgated with a notice and comment period as required by the City Administrative Procedures Act.

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[8] NY. Env. Cons. L. § 8-0109

[9] NY. Env. Cons. L. § 8-0105(6)

[10] Chinese Staff and Workers at 368

The FEIS must take a detailed view of all housing stock that will potentially be impacted by trends accelerated by the proposed action - identifying and including in its analysis all rent stabilized households; government-subsidized buildings that are nearing the end of their term agreements; NYCHA buildings that are in a poor state of repair; and the effect of proposed federal budget cuts on all of these housing stock. The illusory mechanisms that the Technical Manual credits with protecting this housing stock must be tossed out in favor of an accurate assessment of the potential impacts.

Similarly, failing to consider how potential changes in the composition of businesses in the surrounding areas would affect existing residents (as consumers of those goods and services) also fails to meet the SEQR standard for what must be considered as an impact on the environment.

These failures mean that while analysts may be following the letter of the CEQR Technical Manual, the resulting analysis is a woefully inadequate assessment of the potential socioeconomic impacts of the proposed action.

Without such an analysis, the City is continuing inadequate planning under the guise of simply following the minimum requirements in the CEQR Technical Manual, while knowing that the method in the manual produces at best flawed (East New York) and in most cases meaningless (any place in Manhattan) conclusions. The Lead Agency, and indeed the City, has a responsibility to the public to require and use best reasonable methods for analyzing and mitigating impacts and disclosing those impacts and mitigation measures in a Draft Environmental Impact Statement. This project should have either a supplemental DEIS to address the deficiency in the methods, or an FEIS that includes a meaningful analysis of indirect residential displacement, which includes meaningful mitigation for any impacts disclosed. Longer-term, the City must update the CEQR Technical Manual so that the method described therein produces meaningful results. The FEIS must change its evaluation of indirect residential displacement so that it produces meaningful results. This would require including rent regulated tenants under the definition of “vulnerable populations.”

The following comments attempt to address these inadequacies in order to allow the City Planning Commission to more fully understand the potential impacts that this massive land use transformation will have on the residents and businesses of the surrounding neighborhoods.

Tenants in the study area are vulnerable

The DEIS states that, “Furman Center data indicates that an estimated 11,957 of the study area’s 18,927 renter-occupied housing units (approximately 63 percent) *are in buildings containing one or more units under some form of rent protection,”* - that is, have received some form of government subsidy from the City, state, or federal government. This includes approximately 6,388 study area households living in the nine NYCHA developments in the study area. (DEIS 3-18). Therefore, 5,569 units (the difference between 11,957 study area units and 6,388 NYCHA units) are within buildings under some form of rent protection *outside of NYCHA* and not including rent stabilized buildings.

However, not all of these units are rent protected. These are merely the number of units in a building where at least *one* unit is rent protected. The number of rent protected units

may be far fewer, the analysis is inconclusive because the Furman Center data doesn't break this out. A closer, building by building and unit by unit analysis is required to substantiate a claim that the "vast majority" of renters are living in protected units.

Furthermore even some of those units that are protected may not remain affordable for long. ANHD's (2017) Affordable Housing Vulnerability report, using data from 2015 and 2016, has found that Chinatown/LES ranks among the highest citywide in numbers of LIHTC units eligible to expire in the next five years (1,933) and highest in at-risk Mitchell-Lama units (1,244), and at-risk HUD-subsidized units (605). In the study area alone, 839 units in 11 properties,[11] representing 15% of non-NYCHA rent protected units, will expire by end of 2021, the build out year. An additional 1,782 units in 19 properties,[12] representing 32% of non-NYCHA units, will expire by the end of 2028. (see Figure 1). These units must be included in the calculation of indirect displacement.

The DEIS notes that, "in addition to those buildings identified by the Furman Center, there are an additional 4,771 units in rent-stabilized buildings in the study area according to DHCR." But again, the fact that these units are rent stabilized does not guarantee their tenants protection from displacement. Units in rent stabilized buildings pass out of rent stabilization legally by surpassing the $2,733.75 monthly rent threshold, by landlords rescinding preferential rents and illegally through landlord harassment, including construction harassment connected to dubious Major Capital Improvements.

According to taxbills.nyc,[13] there has been a loss of 950 rent stabilized units (among those built before 1974 with 6 or more units) within the study area between 2007 and 2016, resulting in a 16.7% decrease in the total rent stabilized housing stock - strong evidence that rent stabilization does not mean a unit will remain permanently affordable.

In addition the loss of preferential rents in the study area is a looming problem. While not calculated by census tract, within zip code 10002, 2,086 units, representing 31.5% of stabilized apartments have a preferential rent.[14] This means 2,086 units that are not protected from a steep and rapid rent increase.

Evictions are also taking place in the study area, even in existing stabilized units. A majority of households are already paying more than 40% of income on rents, making them ever more vulnerable to fluctuations in housing prices.

[11] Furman Center, Coredata.nyc

[12] Id.

[13] Taxbill RS Worksheet, Tab – "RS Units."

[14] ProPublica, *Preferential Rents in NYC,* https://projects.propublica.org/graphics/preferential-rents

Figure 1 Expiring Affordability, and Rent Burden, Evictions[1]

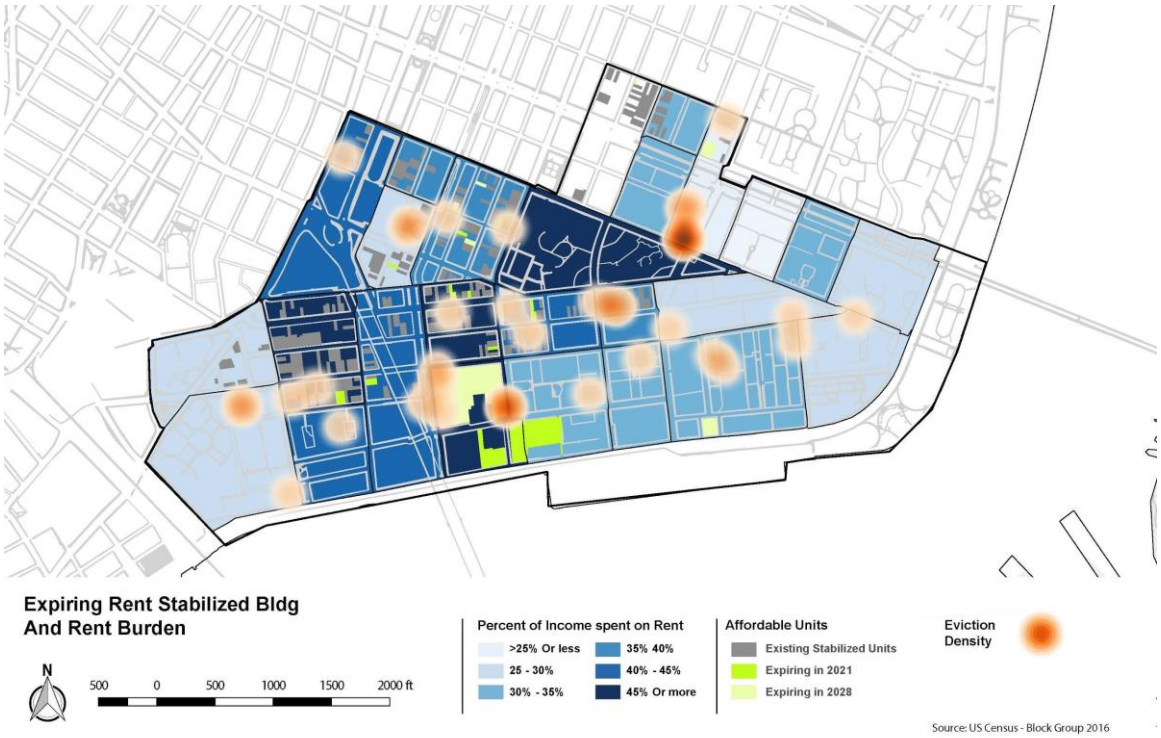
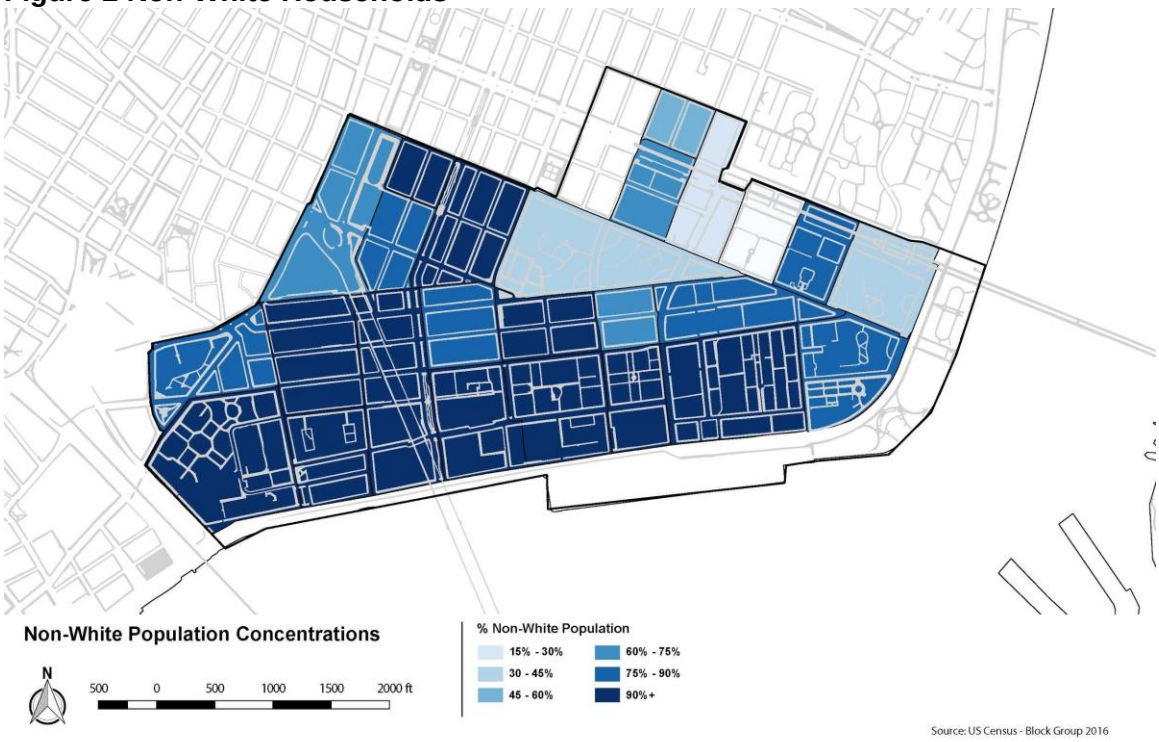


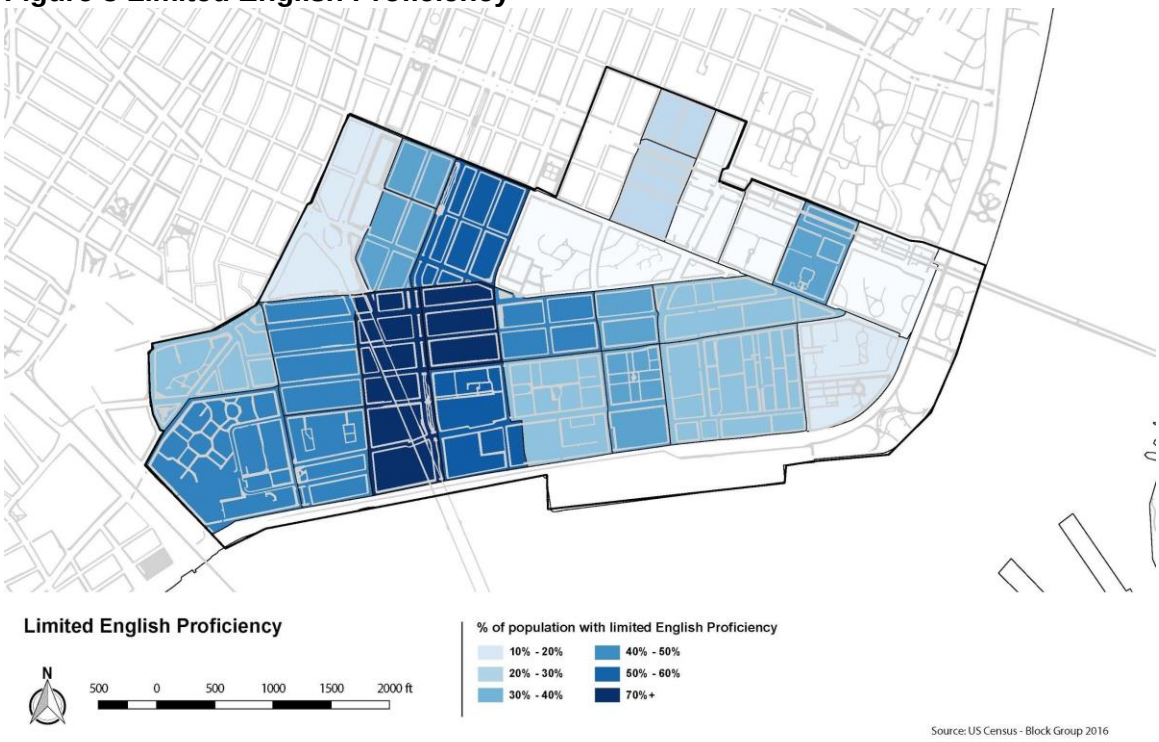
Figure 2 Non-White Households



Increases in rent will fall most heavily on households of color since close to 90% of the households in the study area are non-white. (see Figure 2). Language barriers are exploited by landlords seeking to harass tenants out of rent stabilized units as well as prevent tenants from seeking official sources of legal and other types of assistance. The Urban Justice Center and Stabilizing New York report that 17% of tenants in rent stabilized surveyed reported receiving notices in languages that they didn't understand.[15] Households in the study area are especially vulnerable in this regard (see Figure 3).

[15]*The Predatory Equity Story*, Urban Justice Center and Stabilizing NYC, 2017.

Figure 3 Limited English Proficiency



Unexamined Impacts of Market Pressures

The proposed action would create a neighborhood-altering **2,081 market rate units** in a three year period - vastly more units than have been created in the entire study area since 2000. Compared to With Action projections specified in the DEIS, the amount of previous new development since 2000 has amounted to 1,650 units in 25 developments (PLUTO)(see Figure 4).[16] The number of affordable developments in study area since 2000 (coredata.nyc)[17] comprises 1,171 units in 10 developments containing one or more units under some form of rent protection. These 10 developments are all included in the above PLUTO data. Only 479 units built in study area since 2000 are in buildings where no units are under some form of rent protection (aka entirely market rate - unregulated).

In at least two place the DEIS explicitly acknowledges that new market rate development is contributing to rent increases in the study area: "The nature of new residential developments in the study area—including density, physical characteristics, and level of amenities—differs from what has traditionally existed in the study area and has contributed to the trend of rapid rent increase since 2000." (DEIS 3-14); and, "Rents have traditionally been comparatively low in Chinatown and Two Bridges neighborhoods, with market-rate DUs primarily within pre-war, walk-up buildings lacking amenities, but the recent influx of market-rate development is characteristically different from typical developments and is changing the nature of residential development in the study area." (DEIS 3-14) By the DEIS' own logic, an influx of over 2,000 market rate units in a 3 year time span - dramatically different in nature than what has traditionally existed in the study area, and dramatically more development than has happened since 2000 - will clearly accelerate this trend further.

[16] PLUTO Worksheet, Tab – "Dev. Since 2000."

[17] Furman Worksheet, Tab – "Aff Dev. Since 2000"

We know that there is a direct correlation between the loss of rent regulated units and market pressures.[18]and with the recent rezoning of Inwood, the City is actually acknowledging how market pressures cause indirect residential displacement in rent regulated housing by launching the pilot program Partners in Preservation to specifically protect rent-stabilized tenants from these pressures, with $500,000 in funding.

Indirect Residential Displacement (p. 3-2; 3-3)
Indirect Residential Displacement attempts to look at people who will be forced from a neighborhood due to rising rents. As stated in the comments on the Draft Scope of Work, the method described in the CEQR Technical Manual for measuring Indirect Residential Displacement has no value, especially in areas with apartment buildings that have five or more units. The Final Scope of Work and the DEIS, however, did not accept any comments on developing a more meaningful method for measuring indirect residential displacement and finds that there would not be any significant impacts to vulnerable populations. While the method used for analysis may produce this finding, it is widely understood that this method does not reflect reality and there is no other indication that this finding is correct.

The problem with the method described in the CEQR Technical Manual is that the definition of "vulnerable population" limits the analysis to "privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rent." This definition is too limited and the finding should include an analysis of the market pressures on rent regulated units

It is a very real problem and it is not effectively studied in this DEIS. As described in the comments on the Draft Scope of Work, the analysis should have considered real market pressures and the Final Scope of Work should have described a different method of evaluating this impact that would have produced meaningful results. The whole purpose of a Draft Scope of Work and submitted comments are to be responsive to situations where projects or conditions are not well suited to general guidelines. Considering the worthlessness of the method described in the Technical Manual on modern day Manhattan, the Final Scope should have included a different method.

The FEIS must change its evaluation of indirect residential displacement so that it produces meaningful results. This would require including rent regulated tenants under the definition of "vulnerable populations." Without such an analysis, the City is continuing inadequate planning under the guise of simply following the minimum requirements in the CEQR Technical Manual, while knowing that the method in the manual produces at best flawed (East New York) and in most cases meaningless (any place in Manhattan) conclusions.

The Lead Agency, and indeed the City, has a responsibility to the public to require and use best reasonable methods for analyzing and mitigating impacts and disclosing those impacts and mitigation measures in a Draft Environmental Impact Statement. This project should have either a supplemental DEIS to address the deficiency in the methods, or an FEIS that includes a meaningful analysis of indirect residential displacement, which includes meaningful mitigation for any impacts disclosed. Longer-

[18] As documented by the data provided here: http://blog.johnkrauss.com/where-is-decontrol/

term, the City must update the CEQR Technical Manual so that the method described therein produces meaningful results.

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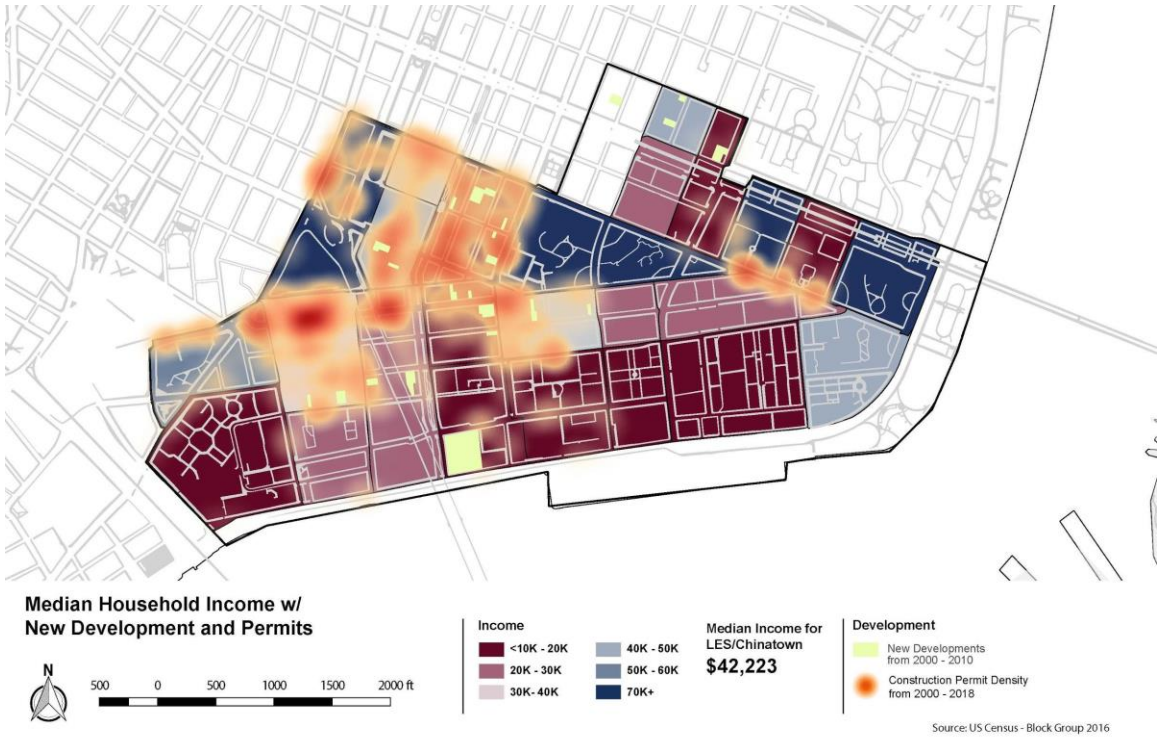
[1] As documented by the data provided here: http://blog.johnkrauss.com/where-is-decontrol/

Figure 4 Median Household Income with New Development and Permits



Proposed Affordability Level is No Hedge

As shown in Table 3-3, the median household income for the socioeconomic study area was $30,693 annually, compared to $75,513 and $55,431 for Manhattan and New York City, respectively" (DEIS 3-12). "More than 60 percent of study area households earn less than $49,999 annually. Approximately 44 percent of study area households earn less than $25,000 annually, while approximately 20 percent of households earn between $25,000 and $49,999 annually" (DEIS 3-12).

The proposed affordability levels, for 25% of the units, at 10% at up to 40% of AMI, 10% at up to 60% of AMI, and 5% at up to 120% of AMI are largely irrelevant to existing residents, in practice meaning that land will be turned over for higher-income residents to live in market rate units and the so-called affordable units will be turned over to new residents wealthier than the current residents.

Socioeconomic Conditions

· The DEIS states that 88 percent of residents in the area live in buildings protected by rent control, rent stabilization, or other government controls (pp. 3-2 and 3-3). NYCHA residents may be relatively protected from the pressures of nearby development, but there are potentially many tenants in nearby rent stabilized units that are susceptible to harassment and eviction by landlords pressured by a rising housing market. Residents in non-stabilized units may face even greater threats.

· The DEIS (p. 3-19) claims that the introduction of high income households would not change current housing trends and that it will create more affordable housing than otherwise would be built. However, there is a distinct possibility that the project could accelerate the rise of rents. .

· The DEIS concludes that the project would not significantly lead to indirect business displacement. However, the changing demographics of the area could have a significant impact on local retail because new residents in the private market dwelling units will have significantly higher incomes than current residents in the study area, and will have much greater disposable incomes and different retail preferences. If retail displacement occurs, current residents could likely be priced out of future retail opportunities in the area.

· The evaluation of the project's impacts on socioeconomic conditions assesses if the development would directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the study area and would add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend or alter existing patterns. The evaluation concludes that any loss of existing residential customers would be "more than offset by the introduction of a new residential population on the project sites; the projects' 2,775 [dwelling unit] increment would grow the customer base for the study area businesses." We find this conclusion to be faulty because it is very likely that new residents, particularly the ones living in the 2,081 market rate dwelling units, would not shop at the same places current residents do (p. 3-31), which would lead to business displacement.

· *Note*: For Figures 3, 4 and-5, the legend erroneously refers to Table 3-13. It should refer to Table 3-15. Table 3-15 (pp. 3-26 to 3-29) erroneously refers to Figure 3-6 when it should refer to Figure 3-5.

· The DEIS refers (p. 3-15) to affordable housing units as part of the proposed development but fails to disclose the level of affordability at which these units would be made available. This is a critical omission because the provision of affordable units is stated as part of the purpose and need for the project and without this information the DEIS analysis is incomplete.

Chapter 4: Community Facilities and Services

A. INTRODUCTION p.4-1

In general, for all Community Facilities and Services, the DEIS does not entirely include the projected residential units in the larger Study Area. The Scope of Work comments by TUFF-LES and GOLES solicited the incorporation of publicly announced residential developments in the neighborhood, as these developments might drastically alter the population of the area within the next 5 years. The DEIS includes in some of its analysis the increase in residential units by some of these developments until 2021. However, not all the publicly announced developments were included, including the developments on the Project Sites. Thus, it seems reasonable to incorporate all the projected residential units that all the developments, under construction and in the works will produce whether they are completed by 2021 or beyond.

The publicly-known projects include One Manhattan Square, a new development near completion, which will provide 815 new residential units. Also, one block from the Project Sites, the City's NextGeneration NYCHA program will develop a new residential building on LaGuardia Houses campus, containing over 300 new residential units.[2] In addition, the Essex Crossing development under construction, also located within the larger study area is expected to create 1,000 new residential units, and the Grand Street Guild will develop 400 new residential units of affordable housing (150 of which for seniors) on a site at 151 Broome Street, bounded by Broome, Pitts, Grand and Clinton Streets. Together with the development on the Project Sites, the area will have over 5,000 new residential units both market rate and affordable. These developments should be included in the analysis for both scenarios. **Thus, the projected community facilities needs for the area should be revised.**

· The DEIS analysis reaches different conclusions based on whether 200 units of affordable housing at Sites 5 and 6 would be reserved exclusively for seniors.
· Schools – According to the DEIS, in the scenario in which the 200 affordable housing units would not be reserved for seniors, elementary school enrollment in Community School District 1, Subdistrict 1 would increase from 90 percent to 111.3 percent capacity. A 22 percent increase over the No-Action development scenario. Within CSD 1, the projects would increase utilization to 100 percent. Despite these impacts, no demonstrable mitigation is proposed.
· Publicly Funded Child Care Services - According to the DEIS, publicly funded child care facilities in the study area are currently operating at 87 percent capacity, with 160 available slots. With the proposed projects, the utilization will increase to 110 percent, resulting in a deficit of 119 slots. This increases to 112 percent capacity if the 200 units are used for senior housing, not affordable housing.
· The DEIS does not propose specific mitigation measures to address impacts on community facilities.

PRINCIPAL CONCLUSIONS p.4-1
Based on the above inaccuracy of projected residential units, the DEIS should examine Table 4-1 and include assessments of **Health Care Facilities, Fire Protection and Police Protection**, as the cumulative developments might result in a sizeable new neighborhood.

B. PUBLIC SCHOOLS [3]*p.4-4*
METHODOLOGY
While the DEIS examines the enrollment, capacity, available seats and utilization of public schools in both Community School District 1 and Subdistrict 1 of CSD1, it is still uncertain the impact that the additional 1000 new residential units of One Manhattan Square project, at least 300 units at NYCHA LaGuardia Houses (located within Subdistrict 1), the 1,000 new residential units of Essex Crossing (located within CSD1), and the 250 new residential units of the Grand Street Guild (also located within CSD1), [4]seemingly unaccounted for in the DEIS Statistical Forecasting enrollment projections analysis will have on public schools in the neighborhood . Thus, the enrollment projections based on projected residential development in the area should be revised and included in the analysis of both scenarios. In addition, the DEIS does not provide an assessment of the impact that underutilized schools, which are in danger of losing funding, as requested by TUFF-LES and GOLES in the Draft Scope of Work comments.

Several commenters on the Draft Scope of Work noted that the *CEQR Technical Manual*'s methodology for calculating the number of school seats that a Proposed Action could generate is flawed. Per the manual, the multiplier for estimating public school students generated by new residential units in Manhattan is 0.12, the lowest multiplier for all five boroughs. However, this single number for all of Manhattan obfuscates the demographic realities of this neighborhood. **Finally, attempting to calculate this impact without knowing unit sizes and relying on extremely old data for growth coefficient is seriously flawed.**

METHODOLOGY
As mentioned in the Introduction, the calculation of the catchment area population with and without the proposed projects should incorporate all the new residential units as a result of all new publicly known developments, currently in construction or in the works even beyond 2021, as there is no guarantee that Project Sites will be developed by that year. By incorporating all the new residential units of projected developments, including the new residential units of the Project Sites, the area will have over 5,000 new residential units, which will result in a sizeable new neighborhood, with an estimated population of between 10,600 and 13,400, based on average household size in Manhattan of 2.12 and NYC overall of 2.68 are 2.12 and 2.68.

FUTURE WITHOUT THE PROPOSED PROJECTS p.4-13
The combined development of One Manhattan Square, Essex Crossing, NYCHA infill on LaGuardia Houses and Grand Street Guild will affect the New Catchment Area Population and New Holdings per Resident estimates of Table 4-8, and thus, this table should be revised.

FUTURE WITH THE PROPOSED PROJECTS p.4-15
The combined development of the Project Sites, One Manhattan Square, Essex Crossing, NYCHA infill on LaGuardia Houses and Grand Street Guild will affect the Catchment Area Population – Future with the Proposed Projects, Population Increase and Holdings per Resident estimates of Table 4-9, and thus, **this table should be revised. Since the population increase is likely to be at or above 5%, development with the Proposed Projects might result in significant adverse impact on public libraries.**

E. PUBLICLY FUNDED CHILD CARE FACILITIES p.4-15
METHODOLOGY
The Child care enrollment estimate for both scenarios should be revised to incorporate all the new publicly known developments of low-and low/moderate income housing units in the 1.5-mile study area, currently in construction or in the works even beyond 2021, as there is no guarantee that Project Sites will be developed by that year. Those developments include One Manhattan Square, Essex Crossing, NYCHA infill development on LaGuardia Houses and Grand Street Guild.

FUTURE WITHOUT THE PROPOSED PROJECTS p.4-17
The number of new affordable housing units proposed by the publicly known projects should be revised, as well as the estimated number of children eligible for publicly funded day care.

FUTURE WITH THE PROPOSED PROJECTS p.4-18

The revision of the estimated number of children eligible for publicly funded day care should be reflected on the Future without and with the Proposed Projects of Tables 4-11 and 4-12.

The revision of the Child care facilities analysis for both scenarios, with or without the inclusion of the senior units of the Proposed Projects might conclude that the facilities in the area would operate over capacity and that the increase in the utilization rate would be over 5 percentage points, and thus the scenario with the Proposed Projects would result in a significant adverse impact on child care facilities.

COMMUNITY FACILITIES EXCLUDED FROM THE DEIS THAT SHOULD BE INCLUDED

F. HEALTH CARE FACILITIES

As mentioned in the Introduction, the DEIS should revise the analysis of projected residential units to incorporate, in addition to the ones being generated by the Project Sites, all the new residential units from all new publicly known developments, currently in construction or in the works even beyond 2021, as there is no guarantee that Project Sites will be developed by that year. The inclusion of all projected residential units would yield over 5,000 new residential units both market rate and affordable, and thus result in a sizeable new neighborhood that will likely have an impact on health care facilities.

TUFF-LES and GOLES indicated in the Scope of Work comments support for Manhattan Borough President, Gale Brewer's call for a Health Impact Assessment as part of the environmental review. The Scope of Work comments also solicit the assessment of other health-related needs in the area including:

- outpatient and skilled nursing care facilities
- emergency care
- centers and services for the elderly

OTHER COMMUNITY FACILITIES EXCLUDED FROM THE DEIS THAT SHOULD BE CONSIDERED

G. SOCIAL SERVICES AND CULTURALLY ACCESSIBLE PROGRAMS

Although excluded from the CEQR Technical Guide, these services and programs are very relevant in New York City's racially and culturally diverse neighborhoods, such as this one and should be considered. Detailed description of the assessments are included in the Scope of Work comments.

Public Schools/Mitigation
As discussed in various comments on the Draft Scope of Work, the method the CEQR Technical Manual uses to produce estimates of school children is flawed and out-of-date. The following table shows student multipliers from the CEQR Technical Manual.

Student generation rates for all unit types from the CEQR Technical Manual

Borough	Elementary	Middle school	High school
	(Age 4-10)	(Age 11-13)	(Age 14-17)
BRONX	0.39	0.16	0.19
BROOKLYN	0.29	0.12	0.14
MANHATTAN	**0.12**	**0.04**	**0.06**
QUEENS	0.28	0.12	0.14
STATEN ISLAND	0.21	0.09	0.14

To produce an estimate of the number of school children generated by a project, the numbers in the table are multiplied by the number of units proposed by the action to produce school children generated. The method uses data from the 2000 Census PUMS file, data that are 18 years old. Additionally, the method is shockingly coarse, lumping together both neighborhoods within boroughs and unit types. A market-rate project with 300 studio apartments in Midtown will produce the exact same number of school children as a 100% affordable project with 300 3-bedroom units on Avenue D. The method is absurd and there is no other jurisdiction that we are aware of that uses such coarse multipliers to estimate school children.

A new method is sorely needed but is unlikely to be developed in time for this project. However, the FEIS can and should update the numbers in the table to reflect more current conditions. It should not be using generation rates from the 2000 Census. It is the Lead Agency's responsibility to use the best data reasonably available to disclose and mitigate impacts and to inform the public what those impacts will be.

Further, the table shows that each borough produces children at significantly different rates; Manhattan's rate is dramatically lower than all other boroughs. But is it reasonable to assume all housing in Manhattan functions the same when it comes to student generation? Simply, the data show that it is not reasonable to lump entire boroughs together. It shows that neighborhoods with many studio apartments have fewer children, while neighborhoods with many 2 or 3 bedroom units have many more children. The numbers could be broken down by Community District or other sub-borough level of analysis to better reflect real-life conditions.

Even though these observations were a part of the comments on the Draft Scope of Work, the Scope was not changed. The Lead Agency knowingly instructed the applicant to use the out-of-date data and coarse multipliers on student generation found in the CEQR Technical Manual to generate impacts on public schools. The City has a duty to adapt the CEQR method to use the most accurate reasonably available data so that the results the DEIS produces are meaningful and reflect reality as much as such a study can. It has refused to meet its duty and this is deeply unfortunate.

For all environmental reviews measuring impacts on public schools, we again request, as communities across the City continue to do, for applicants to:

· Use multipliers generated from the most current American Community Survey for sub-borough area;

· Use the most recent school enrollment data (e.g. 2016-2017 data should be replaced with 2017-2018 data in the Community Facilities section);

· Assess overutilization within the subdistrict rather than on a district-wide level;

· Should the revised data continue to show impacts, provide meaningful mitigation measures to address overutilization in the sub-district.

The unmitigated loss of seats in a school subdistrict is not an acceptable outcome. With senior units excluded, the increase in utilization rises by more than 20% and the subdistrict would be at over 100% overutilization by using the current CEQR method. Our concern is that the data being used, even though it identifies significant impacts, may understate those impacts and is not sufficient to provide an accurate analysis.

Chapter 5: Open Space

A. INTRODUCTION (p. 5-1)

The request in the scoping comments by TUFF-LES and GOLES of conducting a community-driven assessment of the uses surrounding open spaces is not answered or addressed in the DEIS. Neither was addressed the analysis of new open space in relation to surrounding playgrounds.

B. METHODOLOGY (p. 5-3)

Direct and Indirect Effects

The request in the scoping comments by TUFF-LES and GOLES of examining the impacts during construction period on availability, environmental quality and accessibility of all local open space was not addressed in the DEIS. Particularly critical is Cherry Clinton Playground, which is included in the LSRD and adjacent to Site 6 of the proposed projects, and thus might be directly affected during the build out, and its accessibility as well as usability might be threatened. The DEIS should specify how this playground and all other parks and open spaces within the ½ mile study area will be impacted by the proposed projects and what measures it would take to avoid undermining the use of those open spaces during that time.

Equally relevant is access to the waterfront and to the East River Esplanade during the construction period and afterwards. While the analysis of traffic impact on pedestrians was included in Chapter 14 Transportation and Chapter 19 Construction, ***no impact on this accessibility, availability and environmental quality was provided for the***

waterfront section of the Esplanade along South Street between Montgomery Street and Rutgers Slip. TUFF-LES and GOLES Scope of Work comments also requested an examination of pedestrian safety and usability of this section of the Esplanade, but none was provided in the DEIS.

In addition, access to the waterfront will be limited during the construction period. The closure of Rutgers Slip will limit pedestrian access to the waterfront to Montgomery Street and Pike Slip during build out. It is unclear whether Clinton Street will be completely accessible to pedestrians during this time. However, no safety measures have been provided in the DEIS, and thus, it should be included.

Also, with the proposed projects, vehicular and pedestrian traffic will increase along Clinton, Montgomery and South Streets. Thus, the DEIS should address enhancements and amenities along South Street between Montgomery Street and Rutgers Slip as mitigation for pedestrian accessibility and usability.

The DEIS does not even acknowledge that the City Planning Commission in 2008 clearly resolved that, as part of the DEP's use of Site 6A for work associated with the neighboring Shaft 21 of NYC's Water Tunnel 1, where Starrett now seeks a discretionary approval from the same Commission to fill the site with an apartment tower, the DEP would create and maintain a usable public open space with a playground in perpetuity. Based on a technicality - instead of selling the land to the City for DEP's use, Starrett leased it to the municipality - the developer has in this DEIS completely ignored this requirement.[19]

· The DEIS concludes there would significant adverse impacts on area open space because the introduction of approximately 6,000 new residents would significantly decrease the open space ratio. The open space ratio of acres per 1,000 residents would decrease from 0.897 under No Action condition to 0.831 under With Action condition, which is a 7.36 percent decrease.

· **According to the DEIS, one of the primary mitigation measures proposes expanding and enhancing *private* open space in the area. We find this approach unacceptable. Private open space is not public open space.**

· **With regard to Rutgers Park, we do not feel that converting a children's open playground space into publically accessible space is appropriate or respectful to the people who currently live in Site 5.**

……..<u>We also strongly object to converting the private entrance to 82 Rutgers in publically accessible space. The proposed public space at Rutgers Slip is actually private space which serves as the entrance way to the residential building at 82 Rutgers Slip and the residents have expressed serious safety concerns with converting this into a public plaza.</u>

· Although CEQR guidelines do not require privately owned space to be evaluated for shadow impacts, given the lack of open space in the area and the City's reliance on private areas to help offset adverse impacts, the FEIS should provide a shadow analysis for Rutgers Park, Rutgers Slip and all private open space areas (see shadow comments for more details).

· According to the DEIS, the privately owned open space on Site 5, referred as Rutgers Park or Rutgers Slip, will be enlarged to 33,550 sf. Rutgers Park is

[19] See April 21, 2008 CPC Report Cal. 1 C 070212 PCM

approximately 22,000 sf, and features seating areas, a basketball court, a children's playground, and over a dozen full-grown trees. According to the DEIS, the enlargement will only provide an additional 11,000 sf of open space, an area not sufficient to offset adverse impacts. Similarly, the courtyard on Site 5 will be expanded to provide an additional 2,600 sf of private open space, plans for Site 4A/4B will upgrade the 16,500 sf of surrounding private open space, and plans for Site 6A will create 3,200 sf of new private open space. **At best, and even if made publicly accessible, the actions will only provide an additional 16,800 sf of private open space, an area insufficient to offset adverse impacts as defined in the *CEQR Technical Manual*.**

· As stated in the DEIS, the proposed private open space is considered to help offset adverse impacts. However, in the mitigation section, the DEIS states that two acres (equivalent to 87,120 sq. ft.) of new open space would be needed to reduce the open space ratio to 5 percent, the threshold that determines if an adverse open space impact would occur. The inclusion of private open space, if allowed, would not offset this impact.

· **According to Chapter 21 of the DEIS, potential mitigation measures for open space impacts are "being explored by the applicants in consultation with DCP and NYC Parks and will be refined between the DEIS and FEIS." Given that the current actions are not subject to ULURP, limiting effective public input, such a conclusion is unacceptable. The DEIS should identify all potential mitigation measures <u>and consult with LSRD residents.</u>**

· These issues raise critical concerns as to whether the proposed actions truly facilitate the better use of open space, the preservation of natural features, and a general protection of health, safety and general welfare as required in the ZR's LSRD regulations.

Chapter 6: Shadows

· The DEIS indicates that out of 34 resources that will be affected by shadows, two, Cherry Clinton Playground and Lillian D. Wald Playground will incur significant shadow impacts. However, shadow impacts on NYCHA campuses and privately owned open space, including Rutgers Slip were not evaluated in the DEIS. On the evaluated open space resources, the DEIS states:

o Cherry Clinton Playground – According to the DEIS (pp. 6-18 and 6-19), Cherry Clinton Playground will incur incremental shadows from the proposed development for more than two hours every day and for more than three hours in the summer months. The incremental shadow will occur in the early to mid-afternoon for the CEQR evaluation periods. The DEIS discloses that the health of the trees and playground property would be significantly affected by the shadows.

o Lillian D. Wald Playground – According to the DEIS (p. 6-25), incremental shadows will be cast on this resource in the mid-afternoon for roughly two hours during the March 21 and September 21 evaluation periods.

o Little Flower Playground – Incremental shadows will be cast on this resource for approximately 5 hours during the March 21 and September 21 evaluation periods (p. 6-17).

o Coleman Playground – Incremental shadow will be cast on this resource for more than two hours in the morning in the summer months and for nearly an hour during the spring and fall (pp. 6-24 and 6.25).

· Although the DEIS does not evaluate shadow impacts on NYCHA open space, Given the proximity and magnitude of the proposed developments, the FEIS should

evaluate shadow impacts on open space associated with NYCHA properties. Preliminary shadow studies show that significant incremental shadows will be cast on open space associated with the Rutgers Houses, Fiorella La Guardia, and La Guardia Houses (NYCHA campuses).

- NYCHA Rutgers Houses – Open space at Rutgers Houses will incur significant incremental shadows from the proposed developments on Sites 4A/4B and 5 in the morning for roughly three hours during the May 6 and September 21 evaluation periods.
- NYCHA Fiorello La Guardia – Open space at Fiorello La Guardia will incur significant incremental shadows from all proposed developments. Incremental shadows will occur throughout all day for roughly 7 hours, during the May 6 and September 21 evaluation periods.
- NYCHA La Guardia Houses – Open space at La Guardia Houses will incur significant incremental shadows from developments on Sites 5 and 6A. Incremental shadows will occur in the afternoon hours for roughly 3 hours, during the May 6 and September 21 evaluation periods.

· Although CEQR guidelines do not require privately owned space to be evaluated for shadow impacts, given the conditions and reliance on private areas to help offset adverse impacts, the FEIS should provide a shadow analysis for Rutgers Park, Rutgers Slip and all proposed new private open space areas. Based on preliminary shadow studies, all private open spaces will have very restricted access to sunlight, severely limiting the public's enjoyment and use of such spaces.

- Rutgers Slip and Rutgers Park – Significant incremental shadows cast by the proposed development on Site 5 will occur during the morning hours for roughly 1.5 hours during the May 6 and September 21 evaluation periods.
- Site 5 Courtyard and Playground Area – Significant incremental shadows cast by the proposed development on Site 5 will occur throughout all day for roughly 7 hours, during the May 6 and September 21 evaluation periods.
- Site 6A New Private Open Space – Significant incremental shadows cast by the proposed development on Site 6 will occur throughout the morning for roughly 5 hours, during the May 6 and September 21 evaluation periods.

· Despite the disclosed significant impacts on these open space resources, the DEIS does not propose any mitigation measures to reduce shadows (See "Mitigation").

· Given that the current actions are not subject to ULURP, limiting effective public input, such a conclusion is inappropriate. Instead of waiting for the EIS to be finalized, the DEIS should have identified all potential mitigation measures well in advance.

· The previous issues raise critical questions on whether the proposed actions, truly facilitate the better use of open space, the preservation of natural features, and a general protection of health, safety and general welfare as promoted by the LSRD regulations.

[5]There are major problems with the Shadows chapter, which due to their severity will require a Supplemental Draft Environmental Impact Statement.

The most significant problem is the omission of many "sunlight sensitive resources" from the analysis. The legend shows that the green areas are "Publicly Accessible Open Space" (Figure 6.1)

Figure 6.1

In fact, when the areas shown in green are compared with NYC's Geographic Information System (GIS), they align perfectly with the layer labeled "Parks."

Unfortunately, this layer does *not* contain all "publicly accessible open spaces" that will be impacted by the project. This layer omits *many* non-park publicly accessible open spaces, all of which are sunlight sensitive resources according to the definition in the CEQR Technical Manual.
The following green area were not studies the DEIS and they include ballfields, school yards and school playgrounds.

Orchard Collegiate
School Yard

Murry Bergtraum Softball Field

Tennis Courts at Shuang Wen

Shuang Wen School
Yard w/Playground

P.S 2 Yard/
Playground

This is clearly a mistake in the DEIS. The Two Bridges area was remade during urban renewal and not only contains many New York City parks, but also many publicly accessible open spaces that have the potential to be adversely impacted by shadows. Because of the magnitude of this error, we ask the Lead Agency to require a Supplemental DEIS instead of waiting to address these errors in the FEIS.

Further, this may not be all of the shadow sensitive resources as defined by the Technical Manual.
The data suggest that the DEIS could be missing as many as 41 sunlight sensitive resources in the study area: Eight community gardens, and 33 publicly accessible open spaces. It is likely that not all of these sites are sunlight sensitive, but a quick review suggests that most of them are, and should have been included in the analysis.

The CEQR Technical Manual instructs that sunlight sensitive resources include, "[a]ll public open space as identified in Chapter 7, 'Open Space.'" Chapter 7 instructs that Open Space includes: "Housing complex grounds, if publicly accessible." The grounds are open from the sidewalk and freedom of movement between the neighborhood and

the open space is not impeded. They are owned by a public authority and has functioned as public open space for decades. As such, the areas used for recreation and green spaces should have been identified as a sunlight sensitive resource, as the comments on the Draft Scope of Work directed. These open spaces are very large and are located directly to the north of the proposed project. As such, they will be experiencing some of the largest impacts.

To demonstrate the magnitude of the omissions in the sunlight sensitive resources, we have prepared a series of images starting with the March 21, 10am shadow rendering that appears in the DEIS. The two areas marked in red are incremental shadows on shadow sensitive resources as identified in the DEIS:

Reproduction of March 21, 10am shadow rendering

But as already stated, the above omits several sunlight sensitive resources.

Minor comments
The Greenstreet analysis is not complete and does not disclose enough information to support the assertions made. The DEIS states that the Greenstreet has "shade-tolerant and hardy plantings," without identifying what those plantings are. How can the reader (and the Lead Agency) know if they are, indeed, "shade-tolerant and hardy plantings," if they are never identified? The FEIS should be specific, inventory and identify species, discuss how much sun they need versus how much sun they will receive, and then evaluate impacts based upon that inventory. Assertions without evidence should not be made.

FEIS should define the "dedicated funding for enhanced maintenance," and describe how it will be helpful in mitigating the impacts. Will funding be included in the restrictive declaration from the developer? How does "enhanced maintenance" affect the loss of sunlight for vegetation/cherry trees or playground users?

Workmanship
The shadow renderings are shown in 3D perspective view. They should be shown in plan view, as shown in the CEQR Technical Manual. The Supplemental DEIS that corrects the Shadows chapter should render the images following the standard outlined in the Technical Manual.

Finally, and inexplicably, the north arrow in all the shadow renderings does not point true north; it should be turned to the east by six degrees. This error only occurs on the shadow renderings and not the maps like Figure 6.1, but it occurs in all the shadow renderings. Knowing true north is a fundamental part of rendering a shadow accurately. After review, it appears that the shadows have been rendered correctly and the problem with the north arrow was simply a mistake introduced when constructing the graphic. It should be corrected in the SDEIS.

Chapter 8: Urban Design and Visual Resources
(from MAS)

· The DEIS conclusion regarding impacts on urban design and visual resources fails to recognize the scale and proportion of the proposed projects. With towers ranging between 730 and over 1,000 feet tall, and additional bulk that would bring over 2.5 million

square feet of floor area, the magnitude of the developments cannot be overstated. The developments will clearly disrupt the existing urban design and pedestrian experience of public space.

· The tallest proposed development (Site 4A/4B) will be over 15 times taller than the median height of existing buildings within the primary area (including One Manhattan Square). There are 370 buildings within the primary study area (quarter mile distance). The mean height to roof of these buildings is just 67 feet, hundreds of feet shorter than the proposed projects. Within the secondary study area there are 1,414 buildings, these have a mean height to roof of just 62.1 feet. It is clear that the proposed developments will not be in context when compared to existing buildings within the primary and secondary areas.

· New York City has over one million buildings; only 21 surpass the 800-foot mark. Within that range, only one building (One Manhattan Square) is within the Two Bridges LSRD urban design study areas.

· The DEIS does not evaluate potential impacts of the proposed development on views of the Manhattan Bridge.

As described in the CEQR Technical Manual, this chapter, "relies on drawings, maps, renderings, and most importantly, photographs and photographic montages taken from pedestrian eye level. These representations allow the public to see what a project would look like."

The Technical Manual has no requirement for photosimulations, instead requiring "photographic montages" and/or "sketches or renderings for each view." The DEIS, however, includes many images that appear to be photosimulations, but when closely analyzed, follow no standard and are misleading and confusing. There are "best practices" in the production of photosimulations used to disclose impacts on visual resources[20] and the photosimulations found in the DEIS does not appear to follow any of them. The deficiencies with the materials are best shown through example. Consider figure 8-31 below. The first image shows existing conditions. The second demonstrates proposed conditions.

Existing conditions, Figure 8-31
[6]
Proposed conditions, Figure 8-31

The most obvious issue is that the underlying image is not the same: it shows a different aspect ratio, shading, colors of building and sky. Proposed conditions will not change the color of the sky, remove shadows from the street, or lighten the color of the facades of existing buildings, yet all of these changes are shown in the proposed conditions. This image is misleading as it is showing many changes in the image that are not proposed by the action, which is contrary to best practices in the production of photosimulations for environmental review. A photosimulation should use the exact same base image and it should only show changes in that image that are due to the

[20] A detailed description can be found here: http://www.georgejanes.com/PDF/TechnicalMethods/TechnicalMethods002-Photosimulation.pdf

action. For the purposes of environmental review, there is no reason to show changes in the image that are not proposed by the action as it has the potential to mislead the public reviewing the image.

Likewise, figure 8-32 is misleading. The first image shows existing conditions. The second image demonstrates proposed conditions. Both are reproduced below:

Existing conditions, Figure 8-32

Proposed conditions, Figure 8-32

Even though the proposed conditions image appears to be a photosimulation, it is not. The proposed conditions image is entirely simulated, even though it is rendered at a similar angle and aspect ratio as the existing conditions photograph. But the simulated camera used to produce the simulation and the camera used to take the photograph are very different. For example, the existing buildings in the image shrank from the existing conditions photograph to the proposed conditions photograph. Look at 82 Rutgers Slip on the left: it has nearly disappeared behind a street tree that may or may not be a part of the action. That building exists and is not going to be made smaller by the action. The following image corrects the above rendering so that it matches the aspect ratio and the existing buildings are the same size:

Proposed conditions correcting existing building size

However, this image is still not correct and should not be used for decision-making. Look at how the simulation treats One Manhattan Square, the building has become translucent, so translucent that it does not even fully obscure the cloud behind it. Such techniques lessen the perception of building mass and should not be used in environmental review. Rather, this image shows design intent; it does not show the public "what a project would look like," as the CEQR Technical Manual instructs.

Many of these images alter the base photograph significantly, bringing into question just what the action is. Consider Figure 8-38 below:

Existing conditions Figure 8-38

This existing conditions viewpoint is looking toward one of the development sites. It is located under a bridge, which is seen at the top of the image.
Proposed conditions Figure 8-38

The above figure shows proposed conditions. The bridge has been removed from the image. Does the action being studied contemplate removing the bridge? There is no other place that suggests removing the bridge is part of the action and so it shouldn't be shown as being removed in the photosimulation! It is misleading, confusing and contradicts other information shown in the DEIS.

Proposed conditions Figure 8-38 corrected to replace the bridge

The image above combines the existing conditions photograph with the proposed condition rendering to produce an image from this viewpoint that is a better

representation of how the action will appear from this viewpoint. It is a significant difference compared to the image published in the DEIS.

Many of the other images in the DEIS do not alter the underlying photograph and use architectural massing models to described the proposed building. While not ideal, it is acceptable to show photosimulations using architectural massing models, especially if materials for the proposed actions have not yet been determined. But the representation of the massing must be guided by the principle of showing reasonable worst case visibility conditions. Light colors or white can work well, especially against a dark background, but light colors or white should never be used for buildings framed by a sky white with clouds. Such white massing models disappear against the white sky and understate the buildings presence in the image. Instead, the color should be adjusted to show contrast, so the massing models can be seen.

To demonstrate this point the following reproduces Figure 8-48.

Existing conditions Figure 8-48

The existing conditions photograph is appropriate, both clear and readable. The proposed conditions photograph, shown below, is much darker, however, which is completely inexplicable since it is the same photograph.
Proposed conditions Figure 8-48 as published

In the proposed conditions, the proposed buildings are shown as white architectural massing models, completely blending in with a sky white with clouds, which is not appropriate for assessing visual impacts. All materials produced should show reasonable worst case impacts. Since this is a massing model, not the actual façade colors, the color used in the massing model should contrast with the sky in the background. The following image corrects the building color and replaces the underexposed photograph in the proposed conditions with that shown in existing conditions.
Proposed conditions Figure 8-48 altered to show massing contrasted with the sky

Here, the buildings are more visible against the sky, which better demonstrates the impact on this viewpoint. All the figures from 42 through 48 use white for massing models against a white, cloud-filled sky. There's just no good reason for this choice of colors and it understates the impact on the resource. The FEIS should amend all of these figures so that they better disclose the project's impacts on visual resources using reasonable worse case assumptions.

Wind
The DEIS makes assertions about wind conditions without presenting any data to support those assertions. It states that a study was performed, but there is no detailed information about the study included in the DEIS. Further, it states that the conditions the project creates will be "similar to those at comparable locations in the City." Where are those locations? Are wind conditions there safe for pedestrians? Further, the little it does say about the wind impacts focuses on pedestrian safety. The Technical Manual instructs us that wind impacts are about both pedestrian safety *and comfort*. The DEIS just focuses on wind conditions for pedestrian safety, never mentioning comfort. For this analysis to be meaningful, it needs to be expanded with the standards presented and better explained so that it can be read and understood by the lay-person, like all other DEIS analysis. Finally, regarding mitigation of pedestrian wind conditions, there is no

indication of placement or number of marcescent trees (which are trees that retain dead leaves during the winter) that would be needed, or how effective such mitigation measures would be. Since mitigation will be a part of a restrictive declarations, more details should be disclosed.

Assertions made without supporting evidence
The DEIS concludes that "[t]he proposed buildings would be consistent with new development projects in the primary and secondary study areas, including the 80-story building under construction at One Manhattan Square directly west of Site 4 (4A/4B) and the multi-building, mixed-use Essex Crossing development currently under construction." p.8-1. The proposed development is only consistent with the projects mentioned. As the visual materials demonstrate, the proposed project is not generally consistent or similar to other nearby projects or most of the recent developments projects in the primary or secondary study area. The following map is from the Department of Buildings roughly corresponding to the primary and secondary study areas. It shows 25 new buildings and 17 Alt1 Enlargements. None of these other projects are similar to the one analyzed in the DEIS.

DOB's map of major construction in the area.
The environmental review must accurately disclose information and assertions must be supported by facts. To be more accurate, the FEIS should acknowledge that the project is consistent with just two of the approximately 40 major construction projects in the study area and virtually none of the existing buildings.

The DEIS claims that the project will "not eliminate any significant publicly accessible view corridors or completely block public views to any visual resources." While this may be true, "completely blocking" is not the only standard for assessing impacts in a DEIS. Rather, the DEIS should have studied how the project impairs the quality of the viewpoint, or otherwise significantly impacts public views to visual resources. The FEIS should correct self-serving statements and properly analyze and disclose the impacts that the project will create.
The FEIS should explain how the "project sites do not have a connection to the urban design of the area west of the approach." And "therefore, the proposed buildings would not adversely impact the urban design character of the western portion of the primary study area."
Views do not need to be unique to be important. The analysis of impacts minimizes the visual impacts created on views to the bridges stating that you can see these views elsewhere. That's not an acceptable mitigation program.
Workmanship
Shuang Wen School is PS 184. It is labeled incorrectly in the graphics in this chapter.

Chapter 9: Natural Resources

· The DEIS describes how nighttime migratory bird collisions are more likely to occur on buildings above 656 feet (p. 9-10). Despite the fact that the proposed buildings are between 730 and 1,008 feet tall, the DEIS downplays the impacts of the proposed development on bird collisions. Furthermore, the DEIS describes methods (patterned or fritted glass) by which the proposed developments could reduce bird collisions, but does not indicate that any of these methods will be implemented nor how potential bird

collisions would be reduced by the proposed design or materials. Remarkably, the DEIS concludes there will be no significant impacts.

Chapter 11: Water and Sewer Infrastructure

· The DEIS concludes there will not be an impact on either the City's water supply or sewage treatment systems. However, it does disclose impacts on the stormwater infrastructure during heavy rain events. According to the DEIS, the volume of sewage sent to combined sewer system (CSS) NCM-063 will more than double, up to 480,000 gallons. Including the runoff volume of a 2.5-inch storm event with a duration of 19.5 hours, the total volume of waste water sent to CSS NCM-063 is expected to reach 840,000 gallons, a 50 percent increase over existing conditions.
· Based on DEP data, the outfall serving CSS NCM-063 spilled over 18 million gallons of raw sewage across 26 CSO events in year 2016. It is also estimated that rainfall triggering a Combined Sewer Overflow (CSO) event for this drainage area was as little as 0.5 inches/hour.
· Under the proposed actions, it is expected that outfall NC-063 will see a significant increase in the frequency of CSO events and volume of raw sewage. Using 2016 DEP data as a reference, and assuming that the 50 percent increase of waste water will have a proportionate increase in CSO events, NC-063 could experience as much as 27 million gallons of raw sewage spilling into the East River. However, heavy rain and other extreme weather events are projected to increase with climate change, meaning that these calculations could be exceedingly underestimated.
· As estimated by DEP, the City could experience as much as 3 inches/hour of rainfall by year 2065, an intensity that far exceeds rainfall volumes used in the DEIS Flow Volume Matrix.[21]
· The proposed actions will overwhelm the sewer system, causing millions of gallons of raw sewage to contaminate the East River on an annual basis. The DEIS projections are grossly underestimating recent rainfall volume trends, erroneously concluding that there will not be adverse impacts on the sewer system.
· The DEIS mentions that stormwater Best Management Practices (BMPs) would be required as part of the DEP site connection approval process, but does not include any mitigation measures.

The DEIS does not acknowledge that DEP has a continued need for use of Site 6A for occasional work associated with the maintenance of the neighboring Shaft 21 of NYC's Water Tunnel 1.[22] The impact of filling the open space the DEP has been relying on for a staging area was not examined at all.

Comments on Anticipated Impacts to Local Sewer Infrastructure in Two Bridges Area

The project sites are within a combined sewer drainage area. In such areas, devices called regulators permit up to a certain amount of "allowable flow" that the system can

[21] New York City Department of Environmental Protection, Cloudburst Resiliency Planning Study, 2016

[22] See April 21, 2008 CPC Report Cal. 1 C 070212 PCM

handle to go to large interceptor sewers that direct the combined wastewater to a wastewater treatment plant (WWTP). To avoid overloading a WWTP when the system contains more than the allowable flow, coastal outfalls can discharge the excess amount into local waterways rather than directing them to the WWTP. However outfalls can also have the opposite effect. During a high tide or storm surge event, river water can quickly enter the wrong end of an outfall with great force and fill nearby sewers to capacity. This can cause flooding that is difficult to mitigate and render the local drainage system useless. Placing tide gates over outfalls can prevent tidal flooding but even so when an outfall is underwater it will be unable to release excess flow, hampering local drainage. If unable to release excess flow, precipitation and sanitary sewage entering the local drainage system can backup and surcharge into streets and properties, causing extreme, unsanitary flooding with no place for it to drain.

The project sites and the local combined sewage drainage area are naturally vulnerable to many types of flooding as they are low lying and next to the coast. Because of their location, during a storm event the drainage areas low lying points may need to simultaneously manage the compounded impacts of tidal flooding, rainfall, sanitary sewage generation, and storm surge. A storm event with sustained heavy precipitation and tidal waters high enough to inundate outfalls can cause disastrous flooding in the local drainage area as the volume of tidal flooding, extreme precipitation, and large scale sanitary sewage generation are compounded. The additional risk of storm surge makes the area that much more vulnerable to a variety of potential contributors to flooding. Therefore the volume of material that is regularly conveyed into the local combined sewer drainage area is a factor in assessing local resiliency to flooding.

The project sites currently generate about 232,419 gallons per day (gpd) of sanitary sewage. The proposed development would generate 588,010 additional gpd of sanitary sewage. This would bring the total on-site sewage generation to 820,429, 3.3 times the volume of current sanitary sewage generation. As the combined sewer system must convey both sanitary sewage and ground level stormwater within a drainage area, this new sewage generation represents that much less space for the local drainage area to simultaneously manage stormwater during flash or tidal flooding, or a coastal storm event.

In the Principal Conclusions paragraph, the impact of increased wastewater generation on Newtown Creek WWTP was illustrated as a percentage (0.12% of average daily flow). To most clearly show the impacts of the anticipated increase in sanitary sewage on the local combined sewer drainage area, the principal conclusions paragraph should also include percentages to illustrate the relative change in volume as measured in Table 11-5. Furthermore, while Table 11-5 analyzes increased volume of wastewater conveyed to the local combined sewer system for some precipitation events *(0.4" over 4 hours, 1.2" over 11 hours, 2.5" over 20 hours*), the scenarios analyzed do not meaningfully cover scenarios that would be considered flash flooding by the National Weather Service (NWS). The NWS defines moderate flooding as rainfall of *1 to 1.5 inches over one hour* and major flooding as over *1.5 inches over one hour*. Further analysis should be done on other potential flood scenarios that more closely align with NWS flash flood classifications to see how the additional 588,010 gpd of sanitary sewage will impact the local areas ability to respond to the variety of flooding hazards it faces.

The DEIS discloses that the volume of sanitary sewage sent to the combined sewer system (CSS) will double. When combined with runoff from heavy storms, the total volume of waste water sent to CSS is expected to reach as much as 840,000 gallons in less than a day, which is a 50 percent increase over existing conditions. The DEIS states that the WWTP and the conveyance system have capacity to handle this increase during normal times. But DEP data shows that the outfall serving this area spilled over 18 million gallons of raw sewage into the East River across 26 events in 2016. DEP also estimated that the amount of rainfall triggering a Combined Sewer Overflow event for this area was as little as 0.5 inches/hour.

By significantly increasing the flow into the system serving this area, while not increasing the capacity of the system, combined sewer overflow events and the volume discharged must increase. Using 2016 DEP data and assuming that the 50 percent increase of waste water will have a proportionate increase in CSO events, this area could experience as much as 27 million gallons of raw sewage spilling into the East River in the future, up 9 million gallons a year from current levels. This is not identified as a significant impact. The FEIS should explain why any increase in the discharge of raw sewage into the East River is not a significant impact, and if it is, a mitigation plan should be developed.

Chapter 14: Transportation

1. The EIS has identified parking shortfalls will result from the development. The CEQR Manual doesn't require mitigation for parking shortfalls in Manhattan. The reason for this is because several alternative modes to driving are available. **Nevertheless, residents often complain about lack of parking and the chief complaint about Essex Crossing is that the project was approved without any additional parking spaces being allocated.**

2. Page 14-6 "Residential," The vehicle occupancies are from the 2011-2015 ACS and doesn't appear to be the most current data available? Also, for "travel demand assumptions" data is used data from the Seward Park Mixed Use Development Project. Essex Crossing has a unique housing model with 50% affordable. The proposed developments Two Bridges should not use the same data are there are higher income residents they might own more cars. Furthermore, Two Bridges has fewer mass transit options than Seward Park, so residents might need to use ride hailing or taxis more often.

3. The following intersections were highlighted in the document as having 10 or more injuries from 2013-2016:

- Allen and Canal 16
- Allen and Delancey 37
- Allen and Division 10 (1 fatality)
- Bowery and Canal/Manhattan Bridge 81
- Chatham Sq and Park Row and Worth 10
- Pike and East Broadway 13
- Pike and Madison 12
- Rutgers and South 11 (1 fatality)

The DEIS indicates that none of these intersections were found to have design deficiencies. **The intersection of Rutgers and Cherry is a very difficult intersection for both pedestrians and vehicles alike. It sits directly in the middle of the proposed developments and corners a 200 unit senior building along with three early childhood facilities. The intersection is horribly misaligned and forces drivers to drive against traffic on a one-way street from Rutgers Slip. This intersection could benefit from additional study and possibly a redesign especially considering the projected increase in traffic.**

5. In order to mitigate transit impacts at the East Broadway subway station, the study calls for building a new entrance at the northeast corner of Rutgers and Madison and widening the platform level stairway coupled with two new elevators to make the station ADA compliant. These are major capital improvements—are there commitments to make sure this gets done? The MTA has not committed to installing elevators at Essex Crossing even though the space has been set aside for them. The DEIS states that these impacts can go unmitigated if engineering studies determine that the elevators and new entrance are not feasible. The community requires commitments to improve this station now. There have been so many complaints about the station and it is in need of improvements: the city should commit to a feasibility study for mitigating the impacts at this subway station**. [7]For projects of this type, true community input is required to determine possible improvements.**

· According to the DEIS, the projects would result in significant adverse traffic impacts at six intersections during the weekday AM peak hour, five intersections during the weekday midday peak hour, and 10 intersections during the weekday PM peak hour. According to Table 21-1, a maximum of 10 intersections and 18 lane groups will have significant adverse impacts. The weekday PM Peak Hour will be most affected.
· For mitigation of these impacts, the DEIS does not go beyond identifying implementing standard traffic mitigation measures such as signal timing changes and lane restriping. However, the DEIS states that mitigation measures have yet to be approved by the DOT and may in fact be deemed infeasible, which would leave the impacts unmitigated. This is unacceptable for this neighborhood.

Parking
· Within ½-mile of the project site, public parking utilization will increase to 113, 132, 116 and 112 percent of off-street parking facility capacity in the area. This represents parking shortfalls of 293, 755, 373 and 274 spaces during weekday peak periods. The DEIS states that excess parking demands resulting from the proposed projects during the weekday peak periods would need to be accommodated by on-street parking or off-street parking beyond a ½-mile walk from the project sites. According to the *CEQR Technical Manual*, a parking shortfall resulting from a project in Manhattan does not constitute a significant adverse impact due to the availability of alternative modes of transportation. However, as stated in the Transit section, adverse impacts on access and pedestrian circulation are anticipated to occur at the East Broadway-Rutgers Street Station during AM and PM peak hours. Therefore, this conclusion is faulty.
· According to the DEIS there will be a shortfall of 755 parking spaces in the project area during the midday weekday period. During the weekday PM peak hour, there will be a shortfall of 373 parking spaces. This means for this project alone, during weekdays at midday, 755 cars will be driving through the area looking for parking. Furthermore, during the anticipated 30 to 36-month construction period, the proposed projects are expected to

generate an additional need for 355 additional spaces based on construction worker demand.

……**The DEIS also fails to note that almost all of the parking facilities in the study area have closed (Pier 42) further exacerbating the problem.**

……The DEIS should also look at adding "residential parking permits" as has been done in other parts of the city

· **Although the DEIS states that no mitigation is required in Manhattan for adverse parking impacts, we strongly urge the city to examine increasing the amount of proposed parking space from the 103 proposed for Site 5** ***The 103 proposed for site 5 is all replacement parking for an existing lot and is not open to the public.***

Transit

· According to the DEIS, the nearest subway station, East Broadway-Rutgers Street Station (F), has an average weekday ridership of 14,365. The DEIS states that the approximately 6,000 additional residents expected with the new developments would not significantly impact the subway line service, but will result in adverse impacts to the station access and pedestrian circulation during AM and PM peak hours. See "Unavoidable Adverse Impacts" below.

Chapter 15: Air Quality

The DEIS needs to account for the 35 additional garbage trucks assigned to the Pier 36 sanitation facility.

Chapter 17: Noise

Chapter 18: Neighborhood Character

Half the study area is in the East River, which does not make a reasonable study area for neighborhood character.

The DEIS statements on neighborhood character are self-serving and this entire section is much more easily argued from the opposite position: reduction in open space ratio, major increase to private open space usage, shadows, visual resources, land use/zoning policy, and change in the socioeconomic conditions this project will create significant changes in neighborhood character. The DEIS states that "the proposed actions would not result in significant adverse impacts associated with neighborhood character," which may be, but certainly the proposed project will *change* neighborhood character. The FEIS should better disclosed the changes in neighborhood character, and then explain how these changes in neighborhood character do not constitute adverse changes.

Chapter 19: Construction

· During construction of the proposed projects noise levels at various sensitive locations in the project area will be "clearly unacceptable general external exposure" according to DEIS (Table 17-2 "Noise Exposure Guidelines for Use in City Environmental Impact Review). The proposed projects have the potential to result in construction noise levels that exceed *CEQR Technical Manual* noise impact criteria for an extended period of time at the façades of residences facing the project sites on Cherry Street; the eastern, southern, and western façades of 64 Rutgers Street; 80 Rutgers Slip; the northern, eastern, and a portion of the southern façades of 82 Rutgers Slip; a portion of the northern

façade and the eastern, and western façades of 265 and 275 Cherry Street; residences immediately adjacent to Site 6A; portions of the northern and western façades of 286 South Street; and portions of the northern and eastern façades of the residences west of Site 4 (4A/4B). Construction noise levels of this magnitude for such an extended duration would constitute a significant adverse impact.

· Noise levels are measured in decibels (dBA). 80 Rutgers Slip would experience exterior noise levels in the high 50s to high 80s dBA, which represents a 23 dBA increase over existing levels for an approximately 30-month period. For one month during construction, the affected facades of 265 and 275 Cherry Street would experience noise levels in the low 60s to low 90s dBA, an increase of 23 dBA over existing ambient noise, and low 50s to low 80s dBA, for up to three years. Affected facades of residences immediate adjacent to Site 6A would experience noise levels in the high 50s to high 80s dBA, for a period of 18 months.

· The DEIS states that construction noise levels of this magnitude for such extended periods of time will be a significant adverse impact. According to the *CEQR Technical Manual* (Table 19-1), "Noise Levels of Common Sources," 90 dBA is the equivalent of a train horn from approximately 100 feet away or a heavy truck from approximately 50 feet away.

……..**The DEIS fails to identify three early childhood facilities located in the commercial portion of 82 Rutgers and the devastating impact of construction and noise on these sites.**

· Given the scale of the three developments and the extended construction periods, the DEIS does not provide sufficient details about the schedule, construction activities, equipment, and mitigation measures to be employed.

· See "Mitigation" below regarding construction noise.

Adverse construction impacts are disclosed, but not mitigated. CB3 asks the Lead Agency to examine mitigation measures that will limit and/or mitigate construction impacts.

Chapter 20: Alternatives
Chapter 23 of the CEQR Manual states that a description and evaluation of the range of reasonable alternatives to the action that have the potential to reduce or eliminate proposed projects impacts and are considered feasible should be considered in the EIS. Most comments on the Draft Scope of Work called for consideration of the Chinatown Working Group Plan as an alternative and in the response to these comments in the Final Scope it was stated that the CWG Plan would, in fact, be considered. Yet, in the DEIS it is not even mentioned – and certainly not evaluated and deemed to be infeasible.

This limited Alternatives analysis done in the DEIS deviates from the Final Scope. The Final Scope of Work included this language on page 43: "A discussion of other possible alternatives that may be developed in consultation with the lead agency during the EIS preparation process, such as alternatives that may reduce but not eliminate identified unavoidable adverse impacts, or that may be posed by the public during the scoping of the EIS." Although the Final Scope did not document which alternatives were presented by the public during the review of the Scoping of the EIS, Alternatives, including adopting Subsection D of the Chinatown Working Group Plan, *were* presented and are reflected in the Appendix to the Final Scope. Failing to include them in the DEIS belies that the whole process is seriously flawed. The way in which these alternatives are included in the FINAL Scope - as though public reviews to happen in the future as opposed to completed as prerequisite for the Final Scope - shows that DCP and the developers are both overlooking other possible alternatives. The DEIS authors saw fit to include data from the CWG report to make a case, when it suited their purposes, in the Socioeconomic chapter, but apparently failed to review the plan in its entirety.

The only alternatives that are considered are the required No Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative. The DEIS also discusses their consideration of a Lesser Density Alternative and erroneously concludes that the percentage of affordable units would necessarily remain the same thus significantly reducing the number of affordable units and substantially compromise the projects stated goals and objectives.

The CWG Plan's Subdistrict D is not a "lesser density alternative" as it does not propose a reduction in density although it would lower the permitted heights, thus requiring a different massing of the bulk.

For these reasons, the CWG plan *is* a "reasonable alternative" that should be added as an alternative considered and fully evaluated in the FEIS.

Chapter 21: Mitigation
In addition to the review of the mitigations in each subject area in the DEIS, this section discusses possible mitigations for each of the significant adverse impacts. In each case the mitigations are a series of options that have not been determined. In each case the mitigations may include significant public actions and costs. The DEIS says that a final determination will be made between the DEIS and the FEIS. It is unclear why specific mitigations have not been determined in the DEIS, **nor is it clear how the public will be able to evaluate mitigations before the CPC vote on the actions.**

In the case of both schools and day care facilities, the DEIS considers possible mitigations to be determined with the DOE and ACS, and states that space might need to be provided in the proposed developments. However, the currently proposed square footage for community facilities would not be adequate. The EIS further states that a Restrictive Declaration for the projects will be adopted but there is no detail on what would be included.

There is discussion of the significant adverse impact on open space by reducing the already inadequate open space ratio but again, the actual mitigations proposed are not determined but are "being discussed" with the Department of City Planning and the Department of Parks and Recreation. The mitigations identified for the significant adverse impact of shadows on two playgrounds and trees are again not fully determined. Additionally, it is unclear how better maintenance of certain playgrounds would mitigate the adverse impacts of the shading and how these specific playgrounds have been selected.

Many of the possible mitigations relating to Transportation depend on city actions such as signal timing and often involve costly improvements such as new subway entrances. Even if some of these are implemented, there are locations where the DEIS states that traffic impacts cannot be mitigated.

Construction impacts and possible mitigations are detailed but are identified as temporary. However, during the time of construction, Noise impacts are considered to be unmitigated.

In summary, while listing possible mitigation options relating to each of the identified significant adverse impacts, the DEIS ultimately states that specifics will be negotiated with relevant agencies but will not be determined until the FEIS.

· General comment – The DEIS does not provide many details for specific mitigation measures for any stated adverse impacts. This is a critical omission because the public would have no opportunity to comment on proposed mitigation measures if they are disclosed in the FEIS.
· Shadows – The DEIS states that "potential mitigation measures for the shadows impacts are being explored by the applicants in consultation with DCP and NYC Parks, and will be refined between the DEIS and FEIS." (p. 21-3)
· Noise – No feasible and practicable mitigation measures have been identified that would mitigate noise during construction of the proposed developments. Furthermore, as described below under "Unavoidable Adverse Impacts" construction-period noise impacts would remain unmitigated (p.21-6).

Chapter 24: Unavoidable Adverse Impacts
This section essentially repeats exactly what was described in the mitigations section, underscoring that there are some impacts under some circumstances that will remain unmitigated with the developments.

Community Facilities
· Unmitigated significant impacts on public elementary schools in CSD 1: Possible mitigation measures for this significant adverse impact will be developed in consultation with the New York City Department of City Planning (DCP), the Department of Education

(DOE), and the New York City School Construction Authority (SCA), and will be refined between the DEIS and the FEIS (p. 24-1).

· Unmitigated significant impacts on child care facilities: Possible mitigation measures for this significant adverse impact will be developed in consultation with the New York City Administration for Children's Services (ACS) and may include provision of suitable space on-site for a child care center, provision of a suitable location off-site and within a reasonable distance (at a rate affordable to ACS providers), or funding or making program or physical improvements to support adding capacity to existing facilities if determined feasible through consultation with ACS, or providing a new child care facility within or near the project sites (p. 24-2).

The FEIS should require substantial and varied community facility space at Site 6 especially considering the dire need in this neighborhood.

The FEIS should also examine expanding the capacity at PS 184, a school that sits directly in the study area and most likely to be severely impacted. The school sits on a large lot and expansion (including vertical) should be considered.

The FEIS should require substantial senior programs and services in this NORC considering the proposed additional senior units.

The FEIS should require more local early childhood day care spots and afterschool space.

Open Space

· Significant (8 percent) unmitigated decreased in open space ratio: Potential mitigation measures for the open space impacts are being explored by the applicants in consultation with DCP and the New York City Department of Parks and Recreation (NYC Parks), and will be refined between the DEIS and FEIS. Funding for renovation of existing open spaces in the vicinity of the project sites has been identified as a potentially practicable mitigation measure.

· Unmitigated shadows on Cherry Clinton and Lillian Wald Playgrounds: Potential measures to mitigate the significant adverse shadows impacts on these two open space resources are being explored by the applicants in consultation with DCP and NYC Parks, and will be refined between the DEIS and FEIS. Potential mitigation measures include dedicated funding for enhanced maintenance to mitigate the significant adverse impact to the users and the trees of the Cherry Clinton Playground, and the users of the Lillian D. Wald Playground. If feasible mitigation measures are identified, the impacts would be considered partially mitigated. As the significant adverse shadows impacts would not be fully mitigated, the proposed projects would result in unavoidable significant adverse shadows impacts to these resources.

The FEIS should require for the complete renovation of Cherry Clinton Playground. This playground is within the project area and most likely to be impacted. The FEIS should examine how residents who live in the LSRD use open spaces. The bulk of all open space mitigations should be within the study area.

The waterfront esplanade area should be considered for open space mitigations. The waterfront area has become increasingly popular and serves as the main destination point for both residents and visitors. <u>This is where people go</u>.

Pier 36 should be considered for open space mitigations. There are many examples of building community park areas on top of existing piers.

The DEIS should require the improvement of the green street median on Rutgers Street.

The DEIS should require the improvement of the Allen Street Malls up to East Broadway.

The DEIS should take into account the NYCHA development proposal at LaGuardia and the likelihood that the proposed developer will improve that playground as part of the overall proposal. The DEIS should examine the heavily used waterfront area for true mitigation.

The DEIS should also take into account the plethora of sponsored events at Coleman Park and consider that the sponsors of the events should be funding the improvements to the park itself.

The DEIS should also examine our request for a LSRD "Neighborhood Improvement District" (NID) model led by local residents that could better advise on open space mitigations. The current proposed open space mitigations are not in line with the needs of the LSRD community and show the true need for a full ULURP process.

Transit

· According to the DEIS, access to East Broadway Station would be limited without mitigation. The DEIS states that based on consultation with New York City Transit (NYCT), the significant adverse impact on the S1 stairway could be mitigated by opening a new subway entrance across Rutgers Street from the existing S1 stairway on the northeast corner of the intersection, and the significant adverse impact on the P3 stairway could be mitigated by a two-foot widening of the existing 5-foot wide stair. Any stairway modification at this station would require associated improvements to comply with the Americans with Disabilities Act (ADA); therefore, two new ADA-compliant elevators would need to be added to the station. Based on the DEIS, there is no indication that these measures will be implemented.

The DEIS should examine building an elevator at Rutgers and Madison. This location is closer to the proposed developments and most likely to be used by the LSRD seniors.

The DEIS should also look at adding a M15 SBS express bus stop at Pike St. to accommodate the nearly 10,000 new residents projected for the area.

The DEIS should also require the immediately implementation of street parking for cars along South St. and other highly restrictive streets. This would increase the availability of off-street parking.

The DEIS should look at the potential for additional traffic on South St caused by the L Train shutdown and protect side streets such as Rutgers Slip from being overwhelmed by re-directed traffic.

The DEIS should eliminate any bus parking in this already parking starved and overcrowded area and <u>eliminate overnight commercial parking (currently allowed in C-64).</u>

The DEIS should examine Pier 36 for use as a water taxi stop.

The DEIS should examine a new bus, shuttle or bus extension route along South St. to accommodate the projected increase in residents and connection to the waterfront area.

The DEIS should understand the needs of residents and require that all street designs follow "<u>Pedestrians First</u>" design principles. Too often, bike lanes are prioritized over pedestrians result in dangerous conditions especially for seniors and children. Street designs should not focus on athletic 30 year olds. .This should include widening sidewalks and green medians.

<u>The DEIS should look at a complete re-design of the Rutgers Slip street and corresponding intersections.</u> This street will likely be the most impacted both during construction and with the projected increase in residents.

The DEIS should consider mid-block crossings on busy streets including Cherry St. between Pike and Rutgers.

Construction

· According to the DEIS, during construction of the proposed developments, significant unmitigated impacts will occur regarding traffic and noise. As a potential mitigation measure for noise, the DEIS states that the provision of replacement windows at the residences west of Site 4 (4A/4B) is not anticipated to be practicable because these buildings are currently under construction and would be expected to be provided with high-quality double glazed windows. **The DEIS should consider mitigating the noise for all existing residents with replacement triple paned windows considering the echo effect of construction noise experienced during the One Manhattan Square project.**

The DEIS should also consider staggered build years for the proposed projects similar to Essex Crossing. Residents of the LSRD have already endured the five year ongoing, massive One Manhattan Square project and will be further tortured with the upcoming LMCR work.

The DEIS should require the relocation of the early childhood facilities located in the retail base of 82 Rutgers Slip during the construction period.

Chapter 25: Growth-Inducing Aspects of the Proposed Project

The DEIS arbitrarily concludes that **"**the proposed projects are not expected to induce any significant additional growth beyond that identified and analyzed in this EIS." It ignores the development of the neighborhood as a real estate hot spot, touted and tacitly celebrated in a December, 2017 *New York Times* Real Estate section article, "Two Bridges: Once Quiet, Now at the Edge of Change[23]," and the increased desirability

[23] https://www.nytimes.com/2017/12/06/realestate/living-in-two-bridges-lower-east-side.html (accessed 08/122018).

of building on the soft sites identified in the CWG Plan within the larger ½ mile area that the proposed action will create.

Furthermore, the DEIS should consider how by introducing up between 6,000 and 7,000 new residents[24], the new developments will induce the addition or new construction of additional, neighborhood-altering retail and other services.

At a site-specific basis, the DEIS should consider potential influence on the development potential of the Edison site at 220 South Street and on NYCHA properties in adjoining areas.

The DEIS assures that the addition of the primarily luxury towers with thousands of new residential units in an area where, by its own analysis, nothing can or will be built absent a discretionary approval, will not create a trend that extends beyond the buildings themselves. This statement is particularly: "The proposed projects are expected to introduce a higher percentage of affordable housing than is expected from planned development projects in the future No Action condition, which are primarily market-rate," since in the No Action condition nothing new can be built, market rate or otherwise. The DEIS goes on, "In this respect, the proposed projects would serve to maintain a study area housing stock that is affordable to households with a wider range of incomes as compared to the No Action condition, in which projects are expected to continue the trend towards market-rate development and rising residential rents in the study area. Therefore, the proposed projects are not expected to introduce or accelerate a trend of changing socioeconomic conditions." This simply obfuscates the fact that the proposed action will allow the construction of luxury towers where nothing is allowed to be built now.

Chapter 26: Irreversible and Irretrievable Commitments of Resources
The DEIS accurately notes that by using all the potential FAR, the proposed developments will render the use of the land for other purposes infeasible.[8] But this is not the only determinate of whether new construction is allowed on these sites.

The DEIS should also list the views as natural resources both from the upland and from Brooklyn that will be lost.

Finally, the DEIS should consider the loss of permeable surfaces and trees that can function to absorb rain and flood waters.

The DEIS should also require for the LSRD area to function as a true resilient community with permeable surfaces, maximum street trees with tree guards, bioswales, solar-wind power requirements and maintenance for these initiatives through a resident led LSRD NID.

Appendices
Appendix A History of LSRD Mods

[24] 2,775 new units proposed, and the average persons per household in Manhattan and NYC are 2.12 and 2.68, respectively, resulting in 6,000-7,000 anticipated new residents.

Ignores conditions imposed by CPC upon granting of each; in most cases the condition incorporated a site plan, see key language from LSRD approvals.

Appendix B LSRD Zoning Calculations
Calculations are done in a way that masks the LSRD restrictions and relies only on underlying zoning classification. As the lead agency explained in the Final Scope of Work, Response 1-6, page A-7: "**Two Bridges LSRD regulates the site plan and other features of development."** This appendix inexplicably uses term "waiver" when the correct terms are "CERTIFICATIONS, AUTHORIZATIONS & SPECIAL PERMITS," as used in Appendix A.

Appendix C No Build Projects Anticipated to be Complete by 2021
Playgrounds at P.S. 2 and P.S. 184 - not adequately represented (P.S. 2 isn't there at all, P.S. 184 is described as a soccer field).

TUFF-LES Conclusion

In a 1961 report on the proposed Two Bridges Urban Renewal Area, the Department of City Planning suggested that the zoning of the area be changed from C6-4 to R7.[25] The C6-4, they argued, was there to serve the existing uses that included a mix of housing, commercial and office, a hotel, some light and some heavy industry, infrastructure, and a farm. The R7 designation, they further argued, would make the area more compatible with the surrounding residential areas that constituted the revival of the Lower East Side and Chinatown as a haven for safe, affordable housing for low and moderate income New Yorkers. They added that they were principally concerned about light and air and access to the waterfront area for residents. Although DCP's intention was never implemented through zoning, the current build out of the LSRD (with the exception of the Extell buildings) is roughly consistent with that vision. The community's plan for Subdistrict D of the CWG Plan is consistent with the 1961 DCP vision, albeit updated to reflect participatory planning practice, take advantage of affordable housing programs and the need for specific stormwater management and resilience measures as well as community facilities and local retail, without losing the density afforded by the C6-4 zoning.

The Subdistrict D provisions will result in development that preserves and strengthens the historical and cultural role of the community and its role as a gateway, home and place of work for new immigrants; reflects the predominantly residential nature of the Two Bridges LSRD; ensures the development of new housing at levels that will not substantially alter the mixture of income groups currently residing in the area; preserves cultural, recreational, and community facility uses that are compatible with existing uses and serve people of all ages; ensures that the character and variety of existing stores

[25] 1961, Memo to the Housing and Redevelopment Board, from the Department of City Planning, "On Proposed Urban Renewal Areas Two Bridges" [Digitized by the Internet Archive in 2014 https://archive.org/details/onproposedurbanrOOnewy]

and activities are preserved and that new commercial uses support the existing character; maximizes light and air and common space through urban design; improves access from upland blocks to waterfront sites; provides for maximum resilience measures including maximum possible permeable surfaces; and promotes the most desirable use of land in the area—almost all attributes that are missing from the current Two Bridges applications subject to your vote.

We ask Subdistrict D must be fully examined in the FEIS as an alternative to the proposed developments. We also ask that vote NO to the “minor modifications”, based on the gross inaccuracies and assumptions of the current DEIS. Your hands are not tied.
The DEIS does not have true community input as highlighted in the low respondent numbers of the Community Engagement meetings. The only true way to ensure community input is through a full ULURP process, which we as long time residents are willing to endure.

TUFF-LES (Tenants United Fighting for the Lower East Side)
Comprised mainly of Resident Leaders from the directly affected LSRD area

Comment/ Response to Two Bridges Draft Environmental Impact Statement

By Grace Mak (a resident of 82 Rutgers Slip and a board member of TUFF-LES)

The Final Scope of Work was not responsive to the vast majority of CB 3 comments. In accordance, to the many of CB's comments on the DEIS note item items that should have been included, and/or the analysis should have been changed. The lack of responsiveness to the CB's comments is hapless and has left the DEIS with serious omissions, misrepresentations and errors, so it does not fully disclose all the project's significant impacts. These omissions, misrepresentations and errors should be corrected and reflected in a Supplemental DEIS or in the FEIS for the project.

LSRD background comments

The proposed developments within the Two Bridges Large-Scale Residential Development (LSRD) do not comply with the New York City Zoning Resolution (ZR) regulations described in Article VII Chapter 8 due to the many unmitigated adverse impacts that will result from these developments. Accoring to ZR 78-313, LSRD approvals by the CPC must meet a number of conditions as a prerequisite for modification. The conditions applicable to the project are as follows:

- In accordance to 78-313 (a), "modifications" (the term used by the applicants which is not used in the Zoning Resolution and is inappropriate in this context) will aid in achieving the general purposes and intent of the LSRD which includes the promotion and facilitation of better site planning and community planning and enables open space to be arranged to best serve the active and passive recreation needs of residents and the city as a whole. However, to this point, no actual expansive community planning has been done by the City or the developers with this plan. Furthermore, with open space, according to the Draft

Environmental Impact Statement (DEIS) the proposed development would result in adverse shadow impacts on several area open space resources and would significantly reduce the area's open space ratio, which is the amount of available active and passive open space in relation to area residents and workers.

- In accordance to 78-313 (b), the distribution of floor area and dwelling units must benefit residents of the LSRD and must not unfairly increase the bulk of buildings, density of population, or intensity use to the detriment of residents in that block or nearby blocks. However, based on the DEIS, the proposed developments will result in unmitigated adverse impacts on the community with regards to socioeconomic conditions, community facilities, open space, shadows, transportation, parking and construction.
- In accordance to 78-313 (d), the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion. Yet, as described in the shadows and transportation sections, the authorizations will allow the construction of developments to significantly limit light and air in the neighborhood and cause major impacts on local traffic congestion and most importantly the availability of parking.
- In accordance to 78-313 (g), the modification of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties. However, the developments would substantially change the essential character of the neighborhood by adding approximately 6,000 new residents through the construction of over 1.5 million gross square feet of residential development within three massive towers that will reach

heights of 1,008, 798 and 730 feet , respectively. Furthermore, the proposed development at Site 4A/4B would cantilever over the existing Two Bridges Senior Residences at 80 Rutgers Slip. With this, we find the proposed developments would clearly infringe upon the light and air of area residents.

Deficiencies in the Project Review Process

Modification of prior plans is only appropriate where the modification does not constitute a "substantial modification of the plans previously approved." The proposed structures are clearly a substantial modification. Nowhere in the DEIS or other publicly available documents do the developers cite a previously approved plan they seek to modify slightly.

When the project DEIS was released by DCP on June 22, 2018, it started a 60-day period for Manhattan Community Board 3 to review the proposal, CEQR documents, and issue a resolution. However, the DEIS does not provide sufficient, specific mitigation measures to address the many adverse impacts that are expected to result from these developments. Without the benefit of an ULURP, the public has no opportunity to comment on any resulting proposed mitigation measures disclosed in the Final Environmental Impact Statement (FEIS).

Chapter 1: Project Description

The questions asked in the scoping comments by TUFF-LES, GOLES and others including CB3 relating to the Purpose and Need were not answered and addressed in the DEIS. The proposed action to facilitate the developments is a breach from previously approved Two Bridges LSRD plans and thus cannot be done without the granting of a new Special Permit or authorization. When granting such a new Special Permit or authorization, the CPC must conclude that the previously imposed conditions will not be disturbed and the alterations meet the standards set required findings as spelled out in Article VII Chapter 8 Sections 78-311, 312 and 313 of NYC Zoning Resolution.

In the DEIS it does not specify what levels of affordability are planned in the buildings; even though they indicate that the developments would further the City's housing and affordable housing goals.

The DEIS fails to look at an alternative with equivalent floor area in buildings that are lower and cover more of the lots in the LSRD. The DEIS also fails to explain why the proposed heights are required in order to meet the goals of the project since the same FAR and affordable housing units could be accommodated in lower buildings.

The CPC decided that a minor modification to this LSRD plan was appropriate for the changes proposed. CPC Chair Carl Weisbrod, dated August 11,2016 stated in a signed letter, " I agree that the development contemplated here is significant," but then states that the action would be a minor modification, quoting the Rules of the City of New York (RCNY) . There is nothing in the RCNY, Charter or the Zoning Resolution that allows the CPC to find these proposed changes are minor modifications. Hence, since the CPC has stated in writing that the "development contemplated here is significant," the Project Description should fully explain the criteria the City used to find the project required a minor modification.

Chapter 2: Land Use, Zoning and Public Policy

The CWG Plan, inclusive of Subdistrict D, was approved by Manhattan Community Board 3 and as such, the consistency of the prposed development with the CWG Plan should be considered and discussed as Public Policy.

The DEIS continues to use ¼ mile for the analysis study area and does not respond to the potential direct and indirect impacts notes in the TUFF-LES, CAAAV, GOLES, and nearly all other comments on the draft scope calling for the use of a ½ mile radius.

The LSRD designation alters what is permitted "as of right" in the Two Bridges LSRD. The underlying C6-4 zoning only provides maximum parameters for permitted bulk, and for use but does not provide for "as of right" development that does not conform to the LSRD regulations, conditions imposed by the City Planning Commission including building plans and findings described under LSRD

Article VII Chapter 8 Section 78 of the Zoning Resolution for granting approvals that allow new development.

The DEIS continues to suggest that shorter buildings would necessarily reduce density/FAR. However, while the C6-4, as height factor , does not have a specific height cap, in a C6-4 zone the permitted FAR can also be accommodated in significantly shorter buildings that would be more consistent with the LSRD regulation findings and with the surrounding area.

The DEIS notes possible significant impacts requiring additional schools and day care, and even states that mitigation might involve providing space for them in the new developments. However there is only limited amount (17,028 sq ft) of community facility space proposed in the new developments. According to the School Construction Authority, an average of 750 sq ft is required for an elementary school that includes all needed school facilities in addition to classrooms for a school housing 822 students. Even if the facility needed to accommodate the additional elementary school children anticipated was designed for half that number of students, the required space would still be approximately 46,000 sq ft, clearly not the 17,028 sq ft being proposed for community facilities by the proposed projects.

In addition, the NYC day care center requirements include at least 30 sq ft per child and the School construction Authority requires 1,000 per pre-K classroom.

- In Chapter 4, page 17 , the Table 4-10, is flawed because it omits a very important child care facility in the immediate LSRD area – Hamilton Madison House (also known as Clara Fox Head Start) at 82 Rutgers Slip houses three different child care programs under that space.
  With the influx of at least 494 permanently affordable housing, the developers are proposing to add a measly 19 child care slots. That is an insane, low-ball amount of seats and unheard of in other affluent neighborhoods with mega developments of this magnitude.
  In those areas, they actually build and create a whole new child care center or school to accommodate the incoming population.

In addition, it doesn't even mention or address anything about after school program services and seats because that is another critical element under child care.

Public Policy

Under the no action scenario, the DEIS does not include the new development moving forward under the Next Generation NYCHA plan at NYCHA's La Guardia Houses. The DEIS does acknowledge this development in the Appendix to the document but dismisses it as follows: "As part of its NextGen Neighborhoods program, NYCHA issued an RFP on March 1,2018 for infill development on the LaGuardia Houses complex. This development project has not been included in the No Build project list because it is, at present, too undefined regarding the overall development timeline as a developer has not yet been designated, and the discretionary actions (i.e. a NYCHA lease disposition, financing) have not yet been defined. Further, an environment assessment is expected based on anticipated discretionary actions."

Since the RFP is already out, the infill project is definite enough to be included. Relying on later environmental assessment specific to the NextGen project is misleading and will guarantee that the cumulative impacts of development on the NYCHA campus and at the neighboring sites where the present developments is proposed will never be evaluated. NYCHA property is not subject to ULURP udner the New York City Charter and the proposed project comports with the underlying zoning of the LaGuardia campus, which is not In the LSRD, and therefore there is no discretionary action needed to approve this development. In contrast with the present proposed actions, construction of the infill buildings at LaGuardia will be as of right and no review will be needed. The approval of the present proposeal would add density to the neighborhood where increased density is already both allowed and planned on sites next door to those where the megatowers that are the subject of the DEIS are proposed.

Minor Modifications

Since the CPC found that the changes to the prior approval are "minor modifications," the proposed changes to the Two Bridges LSRD special permit are not going through the City's Uniform Land Use Review Procedure (ULURP). The CPC concluded that the changes are minor, while also stating that the development is "significant." The letter from Chair Weisbrod explaining his decision suggests that the CPC did not a choice in the decision, quoting an irrelevant section of the Rules in the City of New York to explain the finding that the changes are minor modification, while at the same time "significant."

The finding that a significant change to the LsRD is a minor modification has the potential to significantly impact New York city land use policy. This conclusion would impact all Large Scale special permits and perhaps even other special permits granted by the CPC outside the Large Scale special permits. This potential is not disclosed or studied in this DEIS, even though the Lead Agency was asked to add this area of study into the Final Scope of Work.

Simply, if it is now the CPC's position that all modifications to Large Scale special permits (Large Scale Residential Developments, Large Scale General Developments, and Large Scale community Facility Developments) in New York city may not be considered as "minor," without requiring ULURP if changes ot the plan do not require further waivers, that is a significant change to the City's land use policy that needs to be evaluated.

The study area

Comments on the Draft Scope of Work included expanding the study area in thos and other sections considering the reality of the waterfront location and the size of the projects. A study area formed by a radius around a project site, where a significant portion of the area captured is water, understates the area being analyzed when compared to an inland site. The study area here and in other sections should be increased so that the land area studied would be the same, had this been an inland site.

Waterfront Revitation

The consideration of and design for neighboring areas is simply not studied or disclosed in the DEIS. Consider Policy 6.2(d_ which is very explicit regarding the project's impact on neighboring areas:

"Describe how the project would affect the flood protection of adjacent sites, if relevant. How would the project lead to increased flooding on the adjacent sites? How would the project protect upland sites from coastal hazards? Does the project complement or conflict with planned, adjacent flood protection projects?"

The DEIS responds to this policy through simple assertion and no analysis by stating" The proposed projects would not affect the flood projection of adjacent sites ant would not conflict with other resilience projects currently under consideration in the area." This is a ridiculous response: Project level, deployable flood barriers and flood resistant facades do not lessen flood waters, they simply move the waters elsewhere. Since the project plans on using such measures, the EIS must study and disclose the impact of such measures on the neighboring areas, as required by WRP policy 6.2 (d). The FEIS must fully study the impact that this project and its flood mitigation measures will have on the surrounding neighborhood. If significant impacts are shown, a mitigation plan must be developed.

Chapter 3: Socioeconomic Conditions

The DEIS does not address TUFF-LES /GOLES draft scope comments regarding specific relocation plans for the residents of the 10 units at 80 Rutgers Slip, including how relocation costs will be addressed for those residents, the duration of the time they will be relocated, where they will be housed and under what conditions, and what costs will be incurred and by whom. Although this is not direct displacement, it will, at least be short term, reduce the number of affordable senior housing units by 10 as the vacated units will not be refilled but will serve to house the existing seniors being displaced.

DIRECT BUSINESS DISPLACEMENT

Since Pathmark grocery store was demolished, the Stop 1 Food Market has been an important local food resource, will be temporarily displaced. Applicants wish to

work with Stop 1 proprietors to allow the business to remain in operation during construction, but there is no detail in the DEIS on whether contact has been made with the proprietors, whether Stop 1 management is amendable, and what constitutes an appropriate site within the study area that would allow Stop 1 to maintain its current customer base during prolonged displacement.

The DEIS concludes that the project would not significantly lead to indirect business displacement. However, the changing demographics of the area could have a significant impact on local retail because new residents in the private market dwelling units will have significantly higher incomes than the current residents in the study area, and will have much greater disposable incomes and different retail preferences. If retail displacement occurs, current residents could likely be priced out of future opportunities in the area.

Throughout the pre-draft scope meetings with the community, the Task Force surveying of residents, and in public hearing testimony, concerns and anxiety about the individual and widespread displacement dominated the list of local concerns. However, the DEIS paid insufficient attention to the projects' indirect displacement impacts and claims that there will be no adverse impacts to the socioeconomic conditions of the neighborhood.

Chapter 4: Community Facilities and Services

A.INTRODUCTION

The DEIS does not entirely include the projected residential units in the larger Study Area when evaluating Community Facilities and Services. The Scope of Work comments by TUFF-LES and GOLES solicited the incorporation of publicly announced residential developments in the neighborhood, as these developments might drastically alter the population of the area within the next 5 years. The DEIS includes in some of its analysis the increase in residential units by some of these developments until 2021. However, not all the publicly announced developments were included, including the developments on the Project Sites. Thus, it seems reasonable to incorporate all the projected residential units that all

the developments, under construction and in the works will produce whether they are completed by 2021 or beyond.

The publicly-known projects include One Manhattan Square, a new development near completion, which will provide 815 new luxury residential units. Also, one block from the Project Sites, the City's NextGeneration NYCHA program will develop a new residential building on LaGuardia Houses campus, containing over 300 new residential units. In addition, the Essex Crossing development under construction, also location within the larger study area is expected to create 1,000 new residential units, and the Grand Street Guild will develop 400 new residential units of affordable housing (150 of which for seniors) on a site at 151 Broome Street, bounded by Broome, Pitts , Grand and Clinton Streets. Together with the development on the Project Sites, the area will have over 5,000 new residential units both market rate and affordable. These developments should be included in the analysis for both scenarios. Thus, the projected community facilities needs from the area should be revised.

MAIN CONCLUSIONS p. 4-1

Based on inaccuracy of projected residential units, the DEIs should re-examine Table4-1 and include assessments of Health Care Facilities, Fire Protection and Police Protection, as the cumulative developments might result in a sizable new neighborhood.

B. PUBLIC SCHOOLS p. 4-4

While the DEIS examines the enrollment, capacity, available seats and utilization of public schools in both Community School District 1 and Subdistrict 1 of CSD1, it is still uncertain the impact that the additional 815 new residential units of One Manhattan Square project (located in Subdistrict 1), the 1,000 new residential units of Essex Crossing (located with CSD1), and the 250 new residential units of the Grand Street Guild (also located with CSD1), seemingly unaccounted for the DEIS Statistical Forecasting enrollment projections analysis will have on public schools in the neighborhood. Thus, the enrollment projections based on the projected residential development in the area should be revised and included in

the analysis of both scenarios. In addition, the DEIS does not provide an assessment of the impact that underutilized schools, which are in danger of losing funding, as requested by TUFF-LES and GOLES in the Draft Scope of Work comments. Several commenters on the Draft Scope of Work noted that the CEQR Technical Manual's methodology for calculating the number school seats that a Proposed Action could generate is flawed. Per the manual, the multiplier for estimating public school students generated by new residential units in Manhattan is 0.12, the lowest multiplier for all the five boroughs; when Manhattan is the most highest school enrollment rate. However, this single number for all of Manhattan obsecures the demographic realities of this neighborhood.

- In Chapter 21 Mitigations, page 7, it was stated that DOE and SCA would continue to monitor trends in demand for school seats in this area. Parents are outraged that with the influx of 2,775 units in this area, that they are only adding 16 elementary school seats to District 1---which has approx. 17 elementary schools. If you do the math, it equates to approx.. 1 additional seat per school. This is a low-ball amount of seats and would be unheard of in other affluent neighborhoods.

Hence, this is NO consolation to P.S.184 Shuang Wen school, since it will most likely bear the burden of overcrowding since this school serves grades Pre-K to 8th grade and is situated in the local, impacted area.

C.PUBLIC LIBRARIES p.4-12

The calculation of the captured area population with and without the proposed projects should incorporate al the new residential units as a result of all new publicly known developments, currently in construction or in the works even beyond 2021, as there is no guarantee that Project Sites will be developed by that year. By incorporating all the new residential units of projected developments, as well as all the new residential units of the Project Sites, the area will have over 5,000 new units, which will result in a sizable new neighborhood, with an estimated population of between 10.600 and 13,400 based on average household size in Manhattan of 2.12 and NYC of 2.68 are 2.12 and 2.68.

D.PUBLICLY FUNDED CHILD CARE FACILITIES p.4-15

The Child care enrollment estimate for both scenarios should be revised to incorporate all the new publicly known developments of low-and low/moderate income housing units in the 1.5 mile study area, currently in construction or in the works even beyond 2021, as there is no guarantee that Project Sites will be developed by that year. Those developments include One Manhattan Square, Essex Crossing, NYCHA infill development on LaGuardia Houses and Grand Street Guild.

- In Chapter 4, page 17 , the Table 4-10, is flawed because it omits a very important child care facility in the immediate LSRD area – Hamilton Madison House (also known as Clara Fox Head Start) at 82 Rutgers Slip houses three different child care programs under that space.
  With the influx of at least 494 permanently affordable housing, the developers are proposing to add a measly 19 child care slots. That is an insane, low-ball amount of seats and unheard of in other affluent neighborhoods with mega developments of this magnitude.
  In those areas, they actually build and create a whole new child care center or school to accommodate the incoming population.
  In addition, it doesn't even mention or address anything about after school program services and seats because that is another critical element under child care.

COMMUNITY FACILITIES EXCLUDED FROM THE DEIS THAT SHOULD BE INCLUDED

F.HEALTH CARE FACILITIES

The inclusion of all projected residential units would yield over 5,000 new residential units both market rate and affordable, and would result in a sizable new neighborhood that will likely have an impact on health care facilities.

TUFF-LES and GOLES indicated in the Scope of Work comments support for Manhattan Borough President, Gale Brewer's call for a Health Impact Assessemnt as part of the environmental review. The Scope of Work comments also solicit the assessment of other health related needs in the area including:

- Outpatient and skilled nursing care facilities
- Emergency care
- Centers and services for the elderly

Chapter 5:Open Space

The request in the scoping comments by TUFF-Les and GOLES of conducting a community-driven assessment of the uses surrounding open spaces is not answered or addressed in the DEIS. Neither was addressed in the analysis of new open space in relation to surrounding playgrounds.

Direct and Indirect Effects

The request in the scoping comments by TUFF-LES and GOLES of examining the impacts during construction period on availability, environmental quality and accessibility of all local open space was not addressed in the DEIS. Particularly critical is Cherry Clinton Playground, which is included in the LSRD and adjacent to Site 6 of the proposed projects, and is directly affected during the build out, and its accessibility as well as usability might be threatened. The DEIS should specify how this playground and all other parks and open spaces within the ½ mile study area will be impacted by the proposed projects and what measures it would take to avoid undermining the use of those open spaces during that time.

In addition, access to the waterfront will be limited during the construction period. The closure of Rutgers Slip will limit pedestrian access to the waterfront to Montgomery Street and Pike Slip during build out. It is unclear whether Clinton Street will be completely accessible to pedestrians during this time. However, no safety measures have been provided in the DEIS, and it should be included.

Also, with the proposed projects, vehicular and pedestrian traffic will increase along Clinto, Montgomery and South Streets. Thus, the DEIS should address enhancements and amenities along South Street between Montgomery Street and Rutgers Slip as a mitigation for pedestrian accessibility and usability.

- **Open Space :** developers are proposing to convert our 82 Rutgers' private narrow, walkway into a public accessible plaza AS WELL AS the private gated playground at 265-275 Cherry St.

However, they overlooked making any type of park improvements for highly used Cherry Clinton Park which sits directly next to the impacted LSRD area.

Basically, with open space mitigations they are stripping away our own private space and converting to public open space in order to suit THEIR open space mitigations. We will NOT allow for this to happen.

They do this and ignore true recreational spaces like :

- Cherry Clinton Park,
- Pier 36 and The Allen St. Malls

All of these are in desperate need of improvements.

Chapter 6: Shadows

The DEIS indicates that out of 34 resources that will affected by shadows; only two Cherry Clinton Playground and Lillian D. Wald Playground will incur significant shadow impacts. However, shadow impacts on NYCHA campuses and privately owned open space, including Rutgers Slip were not evaluated in the DEIS.

Although CEQR guidelines do not require privately owned spaced to be evaluated for shadow impacts, given the conditions and reliance on private area to help offset adverse impacts, the FEIS should provide a shadow analysis for the Rutgers Park and all purposed new private open space areas. Based on preliminary shadow studies, all private open spaces will have very restricted access to sunlight, severely limiting the public's enjoyment and use of such spaces.

- Rutgers Slip (also referred as Rutgers Park) – Significant incremental shadows cast by the proposed development on Site 5 will occure during the morning hours for roughly 1.5 hours during the May and September 21 evaluation periods.

- Site 5 Courtyard and Playground Area – Significant incremental shadows cast by the proposed development on Site 5 will occur throughout all day for roughly 7 hours, during May 6 and September 21 evaluation periods.
- Site 6A New Private Open Space – Significant incremental shadows cast by the proposed development on Site 6 will occur throughout the morning for roughly 5 hours, during May 6 and September 21 evaluation periods.

Despite the disclosed significant impacts on these open space resources, the DEIS does not propose any mitigation measures to reduce shadows.

Given that the current actions are not subject to ULURP, limiting effective public input, such a conclusion is inappropriate. Instead of waiting for the EIS to be finalized, the DEIS should have identified all potential mitigation measures well in advance.

The previous issues raises critical questions on whether the proposed actions, truly facilitate the better use of open space, the preservation of natural features, and a general protection of health, safety and general welfare as promoted by the LSRD regulations.

Testimony on Two Bridges DEIS for

City Planning Commission public hearing on 10/17/18

Good morning,

My name is Grace Mak and I am a resident of 82 Rutgers Slip for almost 22 years. I am a board member of TUFF-LES.

Our building sits next door to Extell's horrific daily construction and is one of the buildings that will be dramatically impacted by these new luxury developments.

Our residents and community find it appalling and an absolute insult that DCP considers these four developments is a minor modification.

The DEIS document lack numerous omissions, misrepresentation and errors, and more importantly; it does not fully disclose all the project's significant impacts. Ultimately, these omissions, misrepresentations and errors should be corrected and reflected in a subsidiary DEIS or in the FEIS.

These projects will introduce "super tall" buildings in our area that are comprised of 3 residential buildings with 4 towers from 730 foot tower on 259 Clinton St., 748 and 798 foot tower on 260 South Street to 1,008 foot tower on 247 Cherry St. With these towering, buildings, they are proposing to build 2,775 new dwelling units---more than double the amount of housing units currently in the LSRD area—this will have major and direct adverse impact on our

Two Bridges neighborhood. And yet, the CPC Chair Carl Weisbrod on Aug. 11, 2016 had stated in a letter, "I agree that the development contemplated here is **significant**," but then later states that the action would be minor modification, quoting the Rules of the City of New York. The RCNY doesn't govern the CPC's decision that this is a minor modification. There is nothing in the RCNY, Charter or Zoning Resolution that allows the CPC to find that these proposed changes are minor modifications. Actually, since CPC stated in writing that "development contemplated here in significant", then they should fully explain the criteria the City used to find that project required is a minor modification.

The DEIS continues to suggest that shorter buildings would necessarily reduce density/FAR. However, while the C6-4, as a height factor zone, does not have a specific height cap, in a C6-4 zone the permitted FAR can also be accommodated with actually shorter buildings that would be more consistent with the LSRD regulation and the with the surrounding area.

As if it's not insulting enough that CPC claims this is a minor modification, the developers then back slaps us by proposing these meager mitigations:

- **Open Space :** developers are proposing to convert our 82 Rutgers' private narrow, walkway into a public accessible plaza AS WELL AS the private gated playground at 265-275 Cherry St.

However, they overlooked making any type of park improvements for highly used Cherry Clinton Park which is directly within its impacted LSRD area.

Basically, with open space mitigations they are stripping away our own private space and converting to public open space in order to suit THEIR open space mitigations. We will NOT allow for this to happen.

They do this and ignore recreational spaces like :

Cherry Clinton Park, Pier 36, The Allen St. Malls

All of these are in desperate need of improvements.

Bottom line is we will NOT allow them to take away our main private walkway and convert it to public accessible plaza. We have enough trespassing and security issues as it is and these problems will only get worse if our walkway changes from private to public access.

- **Community Facilities – Publicly Funded Child Care :** In Chapter 4, page 17 , the Table 4-10, is flawed because it omits a very important child care facility in the immediate LSRD area – Hamilton Madison House (also known as Clara Fox Head Start) at 82 Rutgers Slip houses three different child care programs under that space.
  With the influx of at least 494 permanently affordable housing, the developers are proposing to add a measly 19 child care slots. That is an insane, low-ball amount of seats

and unheard of in other affluent neighborhoods with mega developments of this magnitude.
In those areas, they actually build and create a whole new child care center or school to accommodate the incoming population.
In addition, it doesn't even mention or address anything about after school program services and seats because that is another critical element under child care.

Our community is being bamboozled and taken advantage of because we are under-represented and under-resourced in this neighborhood. We are sick and tired of this diminishing mentality.

- **Community Facilities – Public Elementary Schools:** In Chapter 21 Mitigations, page 7, it was stated that DOE and SCA would continue to monitor trends in demand for school seats in this area. Parents are outraged that with the influx of 2,775 units in this area, that they are only adding 16 elementary school seats to District 1---which has approx. 17 elementary schools. If you do the math, it equates to approx.. 1 additional seat per school. Again, this is a low-ball amount of seats and would be unheard of in other affluent neighborhoods.

Hence, this is NO consolation to P.S.184 Shuang Wen school, since it will most likely bear the burden of overcrowding since this school

serves grades Pre-K to 8th grade and is situated in the local, impacted area.

- **Transportation – Pedestrian:**
  The crosswalk intersections between Cherry and Rutgers Street are unaligned, so it makes it difficult for pedestrians to know where and when to cross.
  In Chapter 21 Mitigations, page 23, it is shows how just how ridiculous their proposed resolution can be. They suggest this can be fully mitigated by shifting five and six seconds, from the "flashing don't walk" phase to "walk" phase.

This is a message to the supposed it expert who prescribed this mitigation – By flipping or delaying the signal does NOT help alter the physical appearance of the unaligned sidewalk crossing.

- **Transit:** For mitigation, they are proposing to build another subway entrance on Rutgers and Madison St. (directly across from current subway) and providing two ADA-compliant elevators on East Broadway and Rutgers Slip.
- The issue with the placement of the elevators is our seniors would need to walk further as opposed to if the elevators were stationed closer to Rutgers and Madison Street.
- A majority of the seniors live at 80 Rutgers Slip, so the placement and accessibility of the elevator is an important issue.

Furthermore, they offer NO mitigations for bus lines.

Being that around 2021, the F line will be taken down for repairs, there needs to be there other alternative means of transportation. Adding a select M15 stop on Pike and Madison is essential to accommodate the influx of commuters.

To conclude, we are unwilling to accept these meager mitigations because the developments pose very significant consequences and negative, damaging impacts.

These effects far outweigh the so-called puny "community mitigations or benefits". It will forever change the entire scope and character of our neighborhood as well as the lower east side skyline.

The best proposed mitigation you can offer us is the "No build alternative" because we are NOT going to sell out our residents, displace our neighbors in this community, nor are we willing to diminish our quality of life.

Don't short change the Two Bridges community. The Two Bridges community and I challenge the CPC to vote "NO" to minor modification, vote "NO" to their land use application. In turn, we want you to vote "YES" to text amendment and "YES" to rezoning sub-district D.

In short, we will continue to fight for what is beyond fair and justice for this community and this neighborhood because we live here!!!

Trever D. Holland
82 Rutgers Slip, #19F New York, NY 10002
treverholland@gmail.com 917-796-9059
October 17, 2018

**COMMENTS TO THE CITY PLANNING COMMISSION
ON PROPOSAL TO ADD FOUR MEGATOWERS TO THE SITE PLAN OF THE TWO BRIDGES LARGE SCALE RESIDENTIAL DEVELOPMENT (LSRD) AS MODIFICATION OF PRIOR APPROVED LSRD SITE PLANS
M180506(B) ZSM, M180507(C) ZSM, M180505(A) ZSM**

AND ON PROPOSED CERTIFICATION TO MODIFY GROUND-FLOOR COMMERCIAL USE REQUIREMENT, N180498 ZCM

Good Morning and thank you for listening to our testimony:

My name is Trever Holland and I have lived in the Two Bridges Neighborhood for over 20 years—all of them at 82 Rutgers Slip. Our building sits directly in the middle of all this proposed development and is within the LSRD-A neighborhood developed with the specific intention of being ALL AFFORDABLE.

I am the President of TUFF-LES, and the President of our Resident Association. I hope you have a chance to read the comments we submitted earlier that addressed many of the serious problems we have with these proposals.

I'd like to start off by saying that **we believe that your hands our not shackled. We believe that you do not "rubber stamp" every proposal that comes before you** despite a City Limit's article last year that indicated such.

And I believe that you fully understand the threat we are facing as a community and are looking for a way to ensure proper and true community planning.

I mean we are talking about adding more residential units to a 2 block area than ALL OF HUDSON YARDS combined (factoring in Extell and NYCHA NextGen).

If you've visited the site, the first thing you've probably ask is, "where the heck are they going to put these mega-towers?" I mean there's no space-the LSRD is not a tower in the park design. Well, they decided to literally propose building on top of our existing residents.

This is why they cannot meet any of the open space requirements for this insane proposal. AND converting private walkways is not creating OPEN SPACE. It is literally doing the opposite.

We understand the city's need for affordable housing. But NOT THIS WAY. Not cantilevering 1000 ft Supertalls over Senior Citizen buildings. If that is the case, let's just build over city hall and ignore all zoning rules and regulations around the city.

We've heard from the developers that this is "just like a ULURP". Nope, no, not its not. And the DEIS amplifies the problem with this process. Although the claim is that they did community engagement, the mitigations suggested prove that they were actually talking amongst themselves. Not with the impacted community. The number of people who actually provided suggestions is horrific. They survey we did amongst the LSRD buildings of hundreds of residents is actual community engagement. Their Community Engagement Meetings failed miserably and seem to only reflect the wishes of city planning and city agencies. Not residents----Like turning the private entranceway to our front door into a public plaza.

What we are asking is for "comprehensive planning." Something I've heard repeatedly from this commission.

Let's get something straight-We are not the ones trying to skirt around the LSRD requirements. This is not about so called, "as of right development".

Please understand that. We are simply saying that **all amendments to the LSRD must be Authorized by this Commission or granted a Special Permit by it after specific findings are made**.

And more importantly, **we have given you the necessary tools to easily make that decision**. Both from a legal standpoint and zoning standpoint. This may indeed wind up in front of a judge. And if that is the case, you can confidently vote no on this minor modification and listen to our community and not destroy our neighborhood.

Thank you again for you time to this sensitive and important matter. Vote no on this "minor modification" and send this back to the community for some actual comprehensive planning.

These Projects Violation of 3 Laws

Stephanie Kranes
Lower East Side Organized Neighbors

VIOLATION OF LSRD ZONING RESOLUTION

Speaking on behalf of the Lower East Side Organized Neighbors (LESON), the proposed towers are in a clearly designated Large Scale Residential Development whose zoning controls are strictly defined by Zoning Resolution Article VII Chapter 8.

ZR 78 states that developments in the area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk. The proposed towers would violate each of these qualifications, and therefore cannot meet the requirements necessary to secure authorizations or special permits [redacted] plain and simple.

The expiration of the Two Bridges Urban Renewal Area in 2007 in no way alters the governing requirements set in law by the Zoning Resolution.

City Planning the applicants are attempting to use arbitrary and contrived processes regarding so-called "minor modifications" to avoid the due process requirements of Zoning Resolution law. The failure to recognize the LSRD overlay zoning as a cap or override of the asserted "as of right" developments violates the substance and procedure of the Zoning Resolution provisions of LSRDs.

VIOLATION OF PUBLIC AUTHORITIES LAW

2

The planned developments are a violation of the City's legal obligation to register, appraise, or account for natural assets in property transaction as specified in Title 5-A of the Public Authorities Law, especially giveaways to private developers buying influence. The value of natural components such as air rights and water access, historic character, viewscapes, and other built and natural infrastructure are being leveraged in the Two Bridges development plan without having been appraised for market value.

To the extent the appraised fair market value of publicly owned property in Two Bridges does not include the value of these public assets, the City may be unjustly enriching developers at the expense of its citizens. To the extent these values are known but not made public in the transactions, the value transfer can amount to a form of "insider trading."

VIOLATION OF CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) & FEDERAL CLEAN WATER ACT

3

Chapter 13 of the CEQR Technical Manual states that projects that increase density or change drainage conditions on a large site "require an infrastructure analysis" due to potential impacts ~~related to how much~~ on the built sewer and conveyance system ~~capacity~~. The DEIS lacks a Full System Analysis required by law and the CEQR Manual.

These developments would cause sewer system excess from project loading and runoff, interfere with requirements of the Newtown Creek Wastewater Treatment Plant Long Term Control Plan and exacerbate the City's inability to comply with the Federal Clean Water Act.

If the City approves these illegal towers, it would amount to a crime scene on the Lower East Side. We call on the City to enforce its own laws, and reject these developments entirely. If the towers are approved we are prepared to pursue legal action against the City.

Steph Kranes
Lower East Side Organized Neighbors

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the three developments proposed for the Two Bridges area.

The DEIS fails to address or mitigate the adverse effects of the development's Combined Sewer Outfalls (CSO) on New York City's waters as required by the CEQR.[1] The project area is serviced by the Newton Creek WWTP, a combined sewer system, which means that if we receive more than .4 inches of rainfall in a day[2], the pipes are designed to dump all excess, including untreated human waste as well as oils, pollutants, and other hazardous materials picked up from the street, into our waters. CSO's negatively impact the health of wildlife in and around the water as well as that of human swimmers, boaters, fishers, and others who use the water for recreation. New York City is in violation of the Clean Water Act[3] because of persistent CSOs, and these developments would move the city further away from compliance with the law. The DEIS has failed to identify CSOs from the development as an adverse impact and has failed to plan for its mitigation.

Furthermore, because the Newton Creek sewer system areas facing many proposals for high-density developments including the Lower East Side, Wall Street and the Financial District, the East Fifties, Greenpoint and Bushwick, CPC must take into account the cumulative impact on the sewer load and CSO pollution of all developments serviced by NCWWTP.

CEQR requires the DEIS " describe and show on a map the affected combined sewer system, including affected drainage or catchment areas, outfalls, and receiving waterbodies."[4] The DEIS fails to do this.

CEQR also requires the DEIS to "identify … stormwater BMPs that would serve the site."[5] The DEIS says BMPs will be used but fails to identify any specific ones.

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[1] *CEQR* 13 -1: "stormwater management is an integral component of an infrastructure analysis due to potential environmental impacts related to how much the built sewer and conveyance system can handle, and related effects such as street flooding, surcharging sewers downstream, sewer back-ups (SBUs), increases in CSOs, and pollutant loadings contained in CSOs or direct stormwater discharges to the City's surrounding waterbodies."

[2] https://www.riverkeeper.org/campaigns/stop-polluters/sewage-contamination/cso/

[3] Sec 301 (a) of the Act [33 U.S.C, 1131]

[4] *CEQR* 13-11

[5] *CEQR* 13-11

The chapter on sewers contains inaccurate and misleading information. The DEIS claims that treated wastewater from NCWWTP is released into the Hudson River. This is false. Treated wastewater is discharged into the East River where it then flows to the Long Island Sound.[6]

The DEIS says the projects would be adequately served by existing sewer infrastructure, but then says that the projects are not within the limits of existing sewers and would require at-grade improvements. Additionally, the DEIS says nothing further about the nature of these improvements. Such an analysis must be included.

The DEIS claims that NCWWTP "fully" treats wastewater, but this is false as the plant does not treat nitrogen. As a result, nitrogen pollution causes dead zones and toxic algae in the East River and Long Island Sound. 44% of nitrogen in the East River is discharged from sewage treated by Newton Creek.[7] This pollution is an adverse impact that must be addressed and mitigated.

The DEIS also claims that Newton Creek WWTP has adequate capacity for the development's anticipated waste. As already mentioned, Newton Creek releases CSOs because it's treatment capacity is inadequate. The city has even administered the voluntary WAIT program around Newton Creek to encourage residents not to add to the sewer load during heavy rainfall.[8] The only reality in which Newton Creek has an adequate capacity to deal with 588,010 gallons per day of generated sewage waste is one in which the city never gets rain harder than a light drizzle.

Yihye Simpkins
LESON (Lower East Side Organized Neighbors)
917 574 6814

[6] https://greencitiesbluewaters.wordpress.com/2017/12/01/new-york-city-nitrogen-linking-the-east-river-and-long-island-sound/
[7] Ibid.
[8] http://www.nyc.gov/html/dep/html/stormwater/wait_program.shtml

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the three developments proposed for the Two Bridges area:

The DEIS fails to address or mitigate the adverse effects of the development's Combined Sewer Outfalls (CSO) on New York City's waters as required by the CEQR.[1] The project area is serviced by the Newton Creek WWTP, a combined sewer system, which means that if we receive more than .4 inches of rainfall in a day, the pipes are designed to dump all excess, including untreated human waste as well as oils, pollutants, and other hazardous materials picked up from the street, into our waters.[2] CSO's negatively impact the health of wildlife in and around the water as well as that of human swimmers, boaters, fishers, and others who use the water for recreation. New York City is in violation of the Clean Water Act because of persistent CSOs, and these developments would move the city further away from compliance with the law.[3]

Furthermore, the Newton Creek sewer system services areas facing many proposals for high-density developments including the Lower East Side, Wall Street and the Financial District, the East Fifties, Greenpoint and Bushwick. Therefore, CPC must take into account the cumulative impact on the sewer load and CSO pollution of all developments serviced by NCWWTP.

<u>The DEIS Fails to Comply with CEQR Requirements</u>

CEQR requires that the DEIS "describe and show on a map the affected combined sewer system, including affected drainage or catchment areas, outfalls, and receiving water bodies."[4] The DEIS fails to do this.

CEQR also requires the DEIS to "identify … stormwater BMPs that would serve the site."[5] The DEIS says BMPs will be used but fails to identify any specific ones.

<u>The DEIS Contains Inaccurate and Misleading Information</u>

The DEIS claims that treated wastewater from NCWWTP is released into the Hudson River. This is false. Treated wastewater is discharged into the East River where it then flows to the Long Island Sound.[6]

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[1] *CEQR* 13 -1: "stormwater management is an integral component of an infrastructure analysis due to potential environmental impacts related to how much the built sewer and conveyance system can handle, and related effects such as street flooding, surcharging sewers downstream, sewer back-ups (SBUs), increases in CSOs, and pollutant loadings contained in CSOs or direct stormwater discharges to the City's surrounding waterbodies."
[2] https://www.riverkeeper.org/campaigns/stop-polluters/sewage-contamination/cso/
[3] Sec 301 (a) of the Act [33 U.S.C, 1131]
[4] *CEQR* 13-11
[5] Ibid.
[6] https://greencitiesbluewaters.wordpress.com/2017/12/01/new-york-city-nitrogen-linking-the-east-river-and-long-island-sound/

The DEIS says the projects would be adequately served by existing sewer infrastructure, but then says that the projects are not within the limits of existing sewers and would require at-grade improvements. Additionally, the DEIS says nothing further about the nature of these improvements. Such an analysis must be included.

The DEIS claims that NCWWTP "fully" treats wastewater, but this false as the plant does not treat nitrogen. As a result, nitrogen pollution causes dead zones and toxic algae in the East River and Long Island Sound. 44% of nitrogen in the East River is discharged from sewage treated by Newton Creek.[7] This pollution is an adverse impact that must be addressed and mitigated. If unmitigable, the proposal should be rejected.

The DEIS also claims that Newton Creek WWTP has adequate capacity for the development's anticipated waste. As already mentioned, Newton Creek releases CSOs because its treatment capacity is inadequate. The City has even administered the voluntary WAIT program around Newton Creek to encourage residents not to add to the sewer load during heavy rainfall.[8] The only reality in which Newton Creek has an adequate capacity to deal with 588,010 gallons per day of sewage waste generated by the proposed developments is one in which the city never gets rain harder than a light drizzle.

Further Considerations

The developments are in an area that was hit especially hard by Hurricane Sandy, and is vulnerable to any future extreme weather events. These kinds of events are also increasingly likely due to climate change.[9] However, the proposed resiliency measures do not account for the project's sewage load in the event of storm surge. Sandy resulted in over 1.6 billion gallons of sewage overflow from treatment plants and pump stations in New York City. Newton Creek WWTP, despite the plant's ability to retain power, still contributed 143 million gallons of untreated sewage to the overflow.[10] The developments' sewage load is already massively harmful during normal weather events, but in the case of a superstorm or hurricane, it would be disastrous.

The construction of these towers and their subsequent sewage impact are inconsistent with the City's One NYC policy, and New York State's LINAP initiative, which aims at reducing nitrogen pollution in water bodies surrounding Long Island, including the Long Island Sound.[11] As already mentioned, these developments would undermine pledges to reduce CSOs and nitrogen pollution. Furthermore, these developments would deprive the city of valuable potential green infrastructure.[12] Green infrastructure absorbs stormwater, keeping it out of the sewage system and thus limiting, and potentially preventing, untreated sewage from overflowing into the water. The need for green infrastructure is especially acute in the Lower East Side, where there is an abysmally low amount of permeable surfaces and above-ground green space

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[7] Ibid.

[8] http://www.nyc.gov/html/dep/html/stormwater/wait_program.shtml

[9] See both:
https://www.theguardian.com/environment/2015/jan/26/climate-change-responsible-super-charging-winter-storms
https://www.bustle.com/articles/80625-when-will-the-big-hurricane-hit-nyc-experts-say-sandy-wasnt-it

[10] http://www.climatecentral.org/pdfs/Sewage.pdf

[11] https://www.dec.ny.gov/docs/water_pdf/linapfactfinal.pdf

[12] OneNYC: 3.5.3; 3.5.4; & 4.S.14.8
https://onenyc.cityofnewyork.us/wp-content/uploads/2018/04/OneNYC-Initiatives-2.pdf

("open space" could mean a large slab of concrete, and would be useless). Furthermore, the city is already planning on converting existing permeable surfaces at LaGuardia House as part of its *Next Generation NYCHA* plan. Additionally, these waterfront developments are in a FEMA flood zone, and are thus in desperate need of green infrastructure to mitigate the effects of flooding.[13] Any development in a FEMA flood zone, due to all the excess water, would also further exacerbate CSOs. Instead of endangering the existing residents, the Commission should reject these proposed developments and consider smart green infrastructure projects that would safeguard their health, livelihoods, and lives.

The Commission should also pass, in its entirety, the Chinatown Working Group Rezoning Plan, which would require maximum open space development and permeable surfaces, as well as climate change resilience provisions.[14] The CWG plan is therefore the Lower East Side and Chinatown's best option for sustainability and resilience.

Signed,
Jihye Simpkins

I am a 19 year old, New York City born, college student studying History and Urban Studies. I spent four summers in high school working in the Lower East Side, near the proposed project sites. My home is also serviced by the Newton Creek WWTP.

[13] https://communityprofiles.planning.nyc.gov/manhattan/3#floodplain
[14] See Subdistrict D: Lower East Side Waterfront
http://www.chinatownworkinggroup.org/2014-06-18%20Pratt%20Report%20Executive%20Summar.pdf

L E S O N
LOWER EAST SIDE ORGANIZED NEIGHBORS

Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

Re: Comments — Draft Environmental Impact Statement
"Two Bridges Large Scale Residential Development Area Project"
CEQR No. 17DCP148M

The Lower East Side Organizing Neighbors (LESON) is a group of local leaders organizing and inspiring the residents of the Lower East Side and its surrounding areas at large to challenge the many issues directly and adversely impacting the current and future preservation of their homes, businesses, community organizations, clinics, senior centers, schools, published services and overall quality of life.

LESON considers the Draft Environmental Impact Statement (DEIS) to be deficient in several key areas, and provides the following comments regarding necessary changes to and expansion of the DSOW necessary to conduct a fully compliant environmental impact statement prior to any issuance of the Two Bridges LSRD permits and authorizations under the Zoning Resolution, and construction of the Megatower Group can be otherwise permitted and undertaken.

I. Zoning

A.The proposed actions will take place in a clearly designated Large Scale Residential Development whose zoning controls are strictly defined by Chapter 8 of Article VII of the Zoning Resolution of the City of New York (the Zoning Resolution or ZR). The expiration of the Two Bridges Urban Renewal Area in 2007 in no way alters the governing provisions and requirements set in law by the Zoning resolution.

Proponents and the Department of City Planning are attempting to use arbitrary and contrived processes regarding so called "minor modifications" to avoid the due process requirements of the applicable and controlling Zoning Resolution law.

As clearly stated in prior LESON comments on the EIS Scope of Work (attached and incorporated here by reference), and reiterated by the Urban Justice Center in its August 11, 2017 correspondence to the Director of the Department of City Planning (copy attached), zoning changes to an extant LSRD are restricted to two specific process options set forth in the Zoning Resolution that require specific procedures be followed:

- The ZR permits development in an LSRD area only as described in the original LSRD Application and subsequent amendments
- Amendments may be Authorized (ZR 78-311) by the City Planning Commission or granted via a Special Permit (ZR 78-312) after a specific Findings (ZR 78-313) is made
- Special Permit applications must go through the Uniform Land Use Review Procedure
- The city council may take up special permit applications for an up or down vote
- ULURP Rules Section 2-06(g)(5)(ii) is inapposite to the proposed alterations of the Two Bridges LSRD, and to the extent the City Planning Commission relies on the rule, it is acting ultra vires.
- LESON concurs with the view of the Urban Justice Center legal experts that any determination based on the misuse or misapplication of the ULURP Section 2 Rule is null and void, and that there is no such zoning action as a "minor modification" that can be applied to this suite of megatowers (see Note 5 of the Urban Justice Center correspondence for detail regarding the three, and only three, LSRD areas where modifications are permitted).

B. LESON further posits the following:

- The City Planning Commission's intentional use of an inapplicable provision of zoning law to avoid the controlling provisions of ZR 78-311, 312, and 313—particularly bypassing the affirmative conditions precedent established in 78-313 that would likely block these megatowers—is a violation of due process
- The NYC Planning Commission website clearly states in regard to LSRDs, "Because these developments are designed predominantly for residential uses…planning ensures…variations in building configuration and siting, open space that meets the passive and active recreational needs of residents, and protection and preservation of natural features on the site," thus defining the purpose of an LSRD, the requirements of an LSRD, and the inviolate constraints on additional development. This is precisely why section 78-313 Findings are a necessity before determining whether and when bulk, lot coverage, floor area, open space, and air and light capacity assets can be turned over to private development under district zoning. DCP's failure to recognize the LSRD overlay zoning as a cap or override of asserted "of right" uses stemming from the underlying district designation violates the substance and procedure of the ZR provisions LSRDs.
- The deliberate circumvention of the Authorization, Special Permit, and Findings requirements in the ZR directly results in the conversion of property held in public trust under the LSRD by the City of New York to private ownership and use. The public property being converted includes the essential character of the neighborhood, light, air, privacy,

open space, recreation assets, and freedom from congestion established on behalf of residents when the LSRD was zoned into place.

- This knowing transfer of the Two Bridges LSRD public property is susceptible of interpretation as knowingly permitting, or allowing by gross culpable conduct, person or persons (including corporate entities) to convert public property, or as official misconduct insofar as the intentional use of a non-applicable zoning provision coupled with the deliberate failure to follow applicable due process constitutes a knowingly unauthorized exercise of official function that deprives the residents of the full benefits to air, light, open space, recreation assets, and freedom from congestion granted by law under Chapter 8 of Article VII of the Zoning Resolution.

II. Shadows/Light Deprivation

The DEIS concludes the proposed projects will deprive 34 locations of needed light, and result in a significant adverse shadows impact at two sunlight-sensitive open space resources. The DEIS describes the Light Deprivation from the Megatowers as follows:

- Incremental shadows cast by the proposed projects **would reach 34 sunlight-sensitive resources**. However, the majority of these new shadows would be limited in extent and duration and would typically only occur during some seasons. Therefore, no significant adverse shadows impacts would occur at these 34 sunlight-sensitive resources.
- Two sunlight-sensitive resources would experience significant adverse shadows impacts: the Cherry Clinton Playground and the Lillian D. Wald Playground. These open space resources contain basketball courts, handball courts, playground/fitness equipment, seating areas, trees, and landscaping.
- Project-generated shadows would fall on the Cherry Clinton Playground on the December 21, March 21/September 21 and May 6/August 6 analysis days, beginning in the early afternoon hours and remaining throughout most of the day. The long afternoon duration and large extent of incremental shadow on the Cherry Clinton Playground would significantly affect the user experience on these analysis days, as well as the vegetation on the March 21/September 21 analysis day.
- On the March 21/September 21 analysis day, the proposed projects would cast large areas of new shadow on the Lillian D. Wald Playground for an hour, including a 15-minute period when incremental shadow would eliminate virtually all the sun. Smaller incremental shadows would fall on the playground for an additional 50 minutes. Given that weather on March 21/September 21 analysis day can be cool making sunlit areas important to users, and given the large extents and long duration of the incremental shadow, the incremental shadow from the proposed

projects would significantly affect the user experience in the Lillian D. Wald Playground on this analysis day.

A. The DEIS analysis fails to adequately describe the impacts and harms from the identified Light Deprivation, and should include the following:

- Maps that indicate the boundary of the LSRD such that Light Deprivation effects to zoning lots outside the LSRD are visible
- An expanded table that indicates the baseline day length for the dates assessed compared to the amount of Light Deprivation from the Megatowers, allowing the percentage of light loss to be understood by the public, rather than providing presumptive assertions regarding adverse impact.
- New York City has only slightly more than 9 hours of daylight in December
- The multiple instances of 2-3 hours of light deprivation constitute losses of a quarter to a third in some instances of the light available for the days in question
- The affected dwellings full of light-sensitive children should also be assessed, particularly public dwelling projects for which a primary purpose remains providing healthy, lighted residences
- The DEIS confirms that adverse impacts will occur through deprivation of LSRD-established rights to light and air, and further confirms that the zoning subterfuge discussed above is being deliberately used to bypass the ZR Findings requirements which these Megatowers do not meet.
- Significant Megatower Light Deprivation light ***will*** "adversely affect other zoning lots outside the large scale residential development by restricting access to light…" (ZR 78-313(d))
- Significant Megatower Light Deprivation light ***will*** "have adverse effects upon the access to light air and privacy of adjacent properties." (ZR 78-313(g))
- The DEIS suggests *payment* for the improper appropriation of community light using "dedicated funding for enhanced maintenance at these two playgrounds" (Cherry Clinton Playground, and the users of the Lillian D. Wald Playground)
    - The suggestion that some incidental amount of money would be used to "buy" the light being improperly appropriated is further evidence that:
        - The zoning subterfuge (described in detail above) is being deliberately used to bypass multiple conditions precedent legally required by ZR Section 78-313 (Findings) that proponents and City officials know these Megatowers do not meet

- Participation by City officials in this plan of subterfuge that in fact is converting property held by in public trust under the LSRD by the City of New York to private ownership and use (*inter alia*, the essential character of the neighborhood, ***light,*** air, privacy, open space, recreation assets, and freedom from congestion established in trust for residents and the City as a whole by the LSRD formation) could be tantamount to knowingly permitting, or allowing by gross culpable conduct, person or persons (including corporate entities) to convert public property, or as official misconduct.

III. Water and Sewer Infrastructure Analysis

A. The DEIS lacks Full System Analysis required by law and the CEQR Manual, especially as the analysis concedes a major adverse impact due to sewer system exceedances from project loading and runoff

Chapter 13 of the CEQR Technical Manual clearly states that projects that increase density or change drainage conditions on a large site **"require an infrastructure analysis"** due to potential environmental impacts related to how much the built sewer and conveyance system can handle, and related effects including:

- street flooding
- sewer back-ups (SBUs)
- increases in CSOs, and
- pollutant loadings contained in CSOs or direct stormwater discharges to the City's surrounding waterbodies.

The Manual further explicates the legal components and requirements of an Infrastructure Analysis in Section 312:

> The necessary analysis of sewage typically focuses on the effects of increased sanitary and stormwater flows on the City's infrastructure serving the site. Therefore, the study area includes the WWTP and the conveyance system comprising that plant's drainage basin and affected sewer system (whether combined or separate). Therefore, in order to determine the appropriate study area, the DEIS must:
>
> - Identify the wastewater treatment plant(s) that would serve the site;
> - Identify affected components of the downstream collection system, ***including pumping stations, regulators and interceptors;***
> - If the area of the proposed project is currently served by a combined sewer system, ***describe and show on a map the affected combined sewer system,***

including affected drainage or catchment areas, outfalls, and receiving waterbodies (CEQR Technical Manual, p. 13-1; emphasis added***)***

B. The DEIS has disclosed the additive sewage loading exceeds the system capacity, and fails to provide adequate system-wide analysis of this critical adverse impact

The proposed building footprints are not within the limits of the existing sewers

- **The proponents have admitted that the Megatowers will overload the existing sewage system capacity.** This major adverse impact—although buried in technical text on page 11-7 describing the sewer conveyances—nonetheless exposes a major adverse impact that is not fully explicated in the DEIS.
- The load exceedances will be even worse in wet weather and must be analyzed separately from dry-weather factors using data from both the building operations and stormwater runoff, fully accounting for system limits including regulators that currently allow only approximately two times the amount of design dry weather flow into the interceptors to control flooding at the Newtown Creek WWTP (DEIS, p. 11-4)
- This disclosed sewer capacity overload also requires a full analysis of the corresponding and compounding impacts to regulators, interceptors, drainage and catchment, outfalls, receiving water bodies (including Combined Sewer Overflow exceedances), other compliance violations, and operational interference with requirements of the Newtown Creek Wastewater Treatment Plant Long Term Control Plan (CEQR 322.1)
    - Although sewer permit issuance does not require a separate EIS, no sewer permit can be consider while New York City is under the multiple sewage compliance orders in place and City Officials are aware (as they are now) that the system capacity would be overloaded and compliance interference is likely by virtue of the impacts uncovered and disclosed in this EIS.
    - Granting such permits without fully evaluating potential system overload, violations, and compliance interference could be tantamount to knowing conversion of public property to private use or as official misconduct.

C. The DEIS fails to assess impacts related to the Combined Sewer Overflow Content Order

- New York City is operating under a 2014 CSO BMP Order on Consent that requires all of the City's thirteen SPDES Permits meet effluent limitations, monitoring requirements, special conditions and general conditions, including certain permit conditions under the Section titled "BEST MANAGEMENT PRACTICES FOR COMBINED SEWER OVERFLOWS (CSO BMPs)."
- The BMPs are technology-based controls designed to reduce CSOs and their effects on receiving water.

- The CSO Consent Order specifically requires the City perform the following practices to the full sewage infrastructure system:
    - Interceptor Improvement Program (Condition Assessment and Cleaning)
    - Interceptor Cleaning
    - Evaluation of Hydraulic Capacity of the NYC Sewer System (combined and sanitary) by WWTP Drainage Area
- DEC recognizes that the City's system is not currently designed to assure that individual regulators will not discharge outside a critical wet weather event, a factor that must be addressed in the DEIS
- The DEIS must include data and evidence showing the CSO Consent Order BMPs are in place for the sewage system components being overloaded by the Megatower Project that interconnect with the unfixed sewers, including system operational impacts under both dry and wet weather flow levels (including Regulator NC-M21, CSO outfall NCM-063, and the intercept to the Newtown Creek WWTP.
- The DEIS should also assess whether and how additive cumulative load to the sewage system can be managed in unique weather events, especially given the area is in a floodplain.

D. The acknowledged overload to the sewage system must be assessed for Cumulative Impacts including—and especially—the additive and compounding load levels from the Extell Tower, the Essex Crossing Megaproject, 1 Seaport and other scaled development feeding the same sewer shed infrastructure and using the same infrastructure capacity from street to wastewater treatment plant to receiving body. Furthermore, such a study should become the basis for an EIS for passing the full Chinatown Working Group rezoning plan.

The Two Bridges Megatower proponents have acknowledged the project exceeds the capacity of the existing sewers, and notably fail to include necessary evaluation of linked infrastructure of the existing pumping stations, regulators and interceptors, affected drainage or catchment areas, outfalls, and receiving waterbodies. The DEIS further fails to include legally required cumulative impact analysis, whether for the sewage systems or other load-additive areas of analysis, including transportation, schools, air shed (and air quality), and congestion.

Although "cumulative impacts" are not defined by SEQRA or its implementing regulations, the DEC SEQR Handbook describes the requirements for their analysis (page 41):

> These are impacts on the environment that result from the incremental or increased impact of an action(s) when the impacts of that action are added to other past, pre-sent and reasonably foreseeable future actions. Cumulative impacts can result from a single action or a number of individually minor but collectively sig-

nificant actions taking place over a period of time. Either the impacts or the actions themselves must be related.
Cumulative impacts must be assessed when actions are proposed to or will foreseeably take place simultaneously or sequentially in a way that their combined impacts may be significant. Assessment of cumulative impacts is limited to consideration of probable impacts, not speculative ones.

In the case of the Two Bridges Megatower Group, all the EIS impact categories are affected by accumulated effects of multiple large-scale developments in the immediate neighborhood for the past several years, and expected into the future, e.g., Extell Tower, Essex Crossing, South Street Seaport residential and commercial, multiple hotels, and expanded museums, to name only a few examples. The accumulated load and impact to airshed, sewage, drinking water distribution, transportation, school, energy production and distribution, steam, open space and other assessment categories from this Megatower Group must be evaluated for its addition to the load burdens presented by the significant infrastructure, population, mobility, services, and other capacity burdens accumulating throughout the Lower Manhattan ecosystem.

In order to mitigate the accumulated load and impact caused by overdevelopment, DCP should use such a study as the basis for an EIS leading to the passage of the full Chinatown Working Group rezoning plan. The plan would place reasonable limits on high rise development throughout Two Bridges and the surrounding communities of Chinatown and the Lower East Side. This is a precondition towards bringing the City into compliance with the Clean Water Act.

IV. Involved Parties

Given the acknowledgement that the Megatowers project will overload the current sewage capacity, LESON reiterates its previous comment from the Draft Scope of Work that this EIS process should include the following ”Involved Parties:”

- USEPA: The USEPA is an involved party due to significant legal compliance requirements affected by the project under two major statutes
- The Clean Water Act: USEPA Administrative Compliance Order No. CWA-02-2016-3012 for State Pollution Discharge Elimination System permit violations including NY0026204 pertaining to the Newtown Creek Wastewater Treatment Plant
- Comprehensive Environmental Response, Liability and Compensation Act (CERCLA, also known as “Superfund”)—Newtown Creek, the single location of wastewater treatment for the project and dozens of other large-scale developments, is the site of a major Superfund Cleanup. A draft report of the investigative phase was submitted to EPA for review on November 15, 2016 pursuant to a Consent Order for the site. Given the sensitivity of

the area to additive contaminants and the overarching need to comply with the federal cleanup requirements, USEPA expertise and oversight is required for the Two Bridges EIS.

- NYSDEC: The State DEC has filed an Order on Consent (CSO Order Modification to C02-20000107-8; DEC Case No. C02-20110512-25) for violations of Article 17 of the Environmental Conservation Law and Part 750, et seq., of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York. This Order includes completion of a Long Term Control Plan (LTCP) for the Newtown Creek, whose plant will be fed by the cumulative development of the proposed action and multiple other oversized infrastructure projects that will cumulatively affect the NCWWTP.
- NYCDEP: The DEP is legally responsible for New York City compliance with various sewage compliance orders affected by the proposed construction and operation of the Megatower Group.

Thank you for the opportunity to submit these comments and participate in the EIS process.

For further correspondence, contact Stephanie Kranes at 203-216-5728 or kranes33@gmail.com.

Very truly yours,

Lower East Side Organized Neighbors

Tanya Castro-Negron, Land's End II Residents' Association

David Nieves, Seward Park Ext. & National Mobilization Against Sweatshops (NMASS)

Tony Queylin, Two Bridges Tower & NMASS

Zishun Ning, Chinese Staff and Workers' Association (CSWA)

David Tieu, CSWA

Jihye Simpkins, Youth Against Displacement

Stephanie Kranes, NMASS

Caitlin Kelmar, Youth Against Displacement

Please see the file attached, titled "LESON Two Bridges DEIS comments 10-29-2018". This documents is the comments on the Two Bridges DEIS by Lower East Side Organizing Neighbors (LESON)

Also attached are two documents that are referenced in our comments- LESON's prior Scope of Work comments, and a legal memo from Urban Justice Center to DCP.

L E S O N
LOWER EAST SIDE ORGANIZED NEIGHBORS

Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

Re: Comments — Draft Environmental Impact Statement
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- Two sunlight-sensitive resources would experience significant adverse shadows impacts: the Cherry Clinton Playground and the Lillian D. Wald Playground. These open space resources contain basketball courts, handball courts, playground/fitness equipment, seating areas, trees, and landscaping.
- Project-generated shadows would fall on the Cherry Clinton Playground on the December 21, March 21/September 21 and May 6/August 6 analysis days, beginning in the early afternoon hours and remaining throughout most of the day. The long afternoon duration and large extent of incremental shadow on the Cherry Clinton Playground would significantly affect the user experience on these analysis days, as well as the vegetation on the March 21/September 21 analysis day.
- On the March 21/September 21 analysis day, the proposed projects would cast large areas of new shadow on the Lillian D. Wald Playground for an hour, including a 15-minute period when incremental shadow would eliminate virtually all the sun. Smaller incremental shadows would fall on the playground for an additional 50 minutes. Given that weather on March 21/September 21 analysis day can be cool making sunlit areas important to users, and given the large extents and long duration of the incremental shadow, the incremental shadow from the proposed

projects would significantly affect the user experience in the Lillian D. Wald Playground on this analysis day.

A. The DEIS analysis fails to adequately describe the impacts and harms from the identified Light Deprivation, and should include the following:

- Maps that indicate the boundary of the LSRD such that Light Deprivation effects to zoning lots outside the LSRD are visible
- An expanded table that indicates the baseline day length for the dates assessed compared to the amount of Light Deprivation from the Megatowers, allowing the percentage of light loss to be understood by the public, rather than providing presumptive assertions regarding adverse impact.
- New York City has only slightly more than 9 hours of daylight in December
- The multiple instances of 2-3 hours of light deprivation constitute losses of a quarter to a third in some instances of the light available for the days in question
- The affected dwellings full of light-sensitive children should also be assessed, particularly public dwelling projects for which a primary purpose remains providing healthy, lighted residences
- The DEIS confirms that adverse impacts will occur through deprivation of LSRD-established rights to light and air, and further confirms that the zoning subterfuge discussed above is being deliberately used to bypass the ZR Findings requirements which these Megatowers do not meet.
- Significant Megatower Light Deprivation light ***will*** "adversely affect other zoning lots outside the large scale residential development by restricting access to light…" (ZR 78-313(d))
- Significant Megatower Light Deprivation light ***will*** "have adverse effects upon the access to light air and privacy of adjacent properties." (ZR 78-313(g))
- The DEIS suggests *payment* for the improper appropriation of community light using "dedicated funding for enhanced maintenance at these two playgrounds" (Cherry Clinton Playground, and the users of the Lillian D. Wald Playground)
    - The suggestion that some incidental amount of money would be used to "buy" the light being improperly appropriated is further evidence that:
        - The zoning subterfuge (described in detail above) is being deliberately used to bypass multiple conditions precedent legally required by ZR Section 78-313 (Findings) that proponents and City officials know these Megatowers do not meet

- Participation by City officials in this plan of subterfuge that in fact is converting property held by in public trust under the LSRD by the City of New York to private ownership and use (*inter alia*, the essential character of the neighborhood, ***light,*** air, privacy, open space, recreation assets, and freedom from congestion established in trust for residents and the City as a whole by the LSRD formation) could be tantamount to knowingly permitting, or allowing by gross culpable conduct, person or persons (including corporate entities) to convert public property, or as official misconduct.

III. Water and Sewer Infrastructure Analysis

A. The DEIS lacks Full System Analysis required by law and the CEQR Manual, especially as the analysis concedes a major adverse impact due to sewer system exceedances from project loading and runoff

Chapter 13 of the CEQR Technical Manual clearly states that projects that increase density or change drainage conditions on a large site **"require an infrastructure analysis"** due to potential environmental impacts related to how much the built sewer and conveyance system can handle, and related effects including:

- street flooding
- sewer back-ups (SBUs)
- increases in CSOs, and
- pollutant loadings contained in CSOs or direct stormwater discharges to the City's surrounding waterbodies.

The Manual further explicates the legal components and requirements of an Infrastructure Analysis in Section 312:

> The necessary analysis of sewage typically focuses on the effects of increased sanitary and stormwater flows on the City's infrastructure serving the site. Therefore, the study area includes the WWTP and the conveyance system comprising that plant's drainage basin and affected sewer system (whether combined or separate). Therefore, in order to determine the appropriate study area, the DEIS must:
>
> - Identify the wastewater treatment plant(s) that would serve the site;
> - Identify affected components of the downstream collection system, ***including pumping stations, regulators and interceptors;***
> - If the area of the proposed project is currently served by a combined sewer system, ***describe and show on a map the affected combined sewer system,***

including affected drainage or catchment areas, outfalls, and receiving waterbodies (CEQR Technical Manual, p. 13-1; emphasis added***)***

B. The DEIS has disclosed the additive sewage loading exceeds the system capacity, and fails to provide adequate system-wide analysis of this critical adverse impact

The proposed building footprints are not within the limits of the existing sewers

- **The proponents have admitted that the Megatowers will overload the existing sewage system capacity.** This major adverse impact—although buried in technical text on page 11-7 describing the sewer conveyances—nonetheless exposes a major adverse impact that is not fully explicated in the DEIS.
- The load exceedances will be even worse in wet weather and must be analyzed separately from dry-weather factors using data from both the building operations and stormwater runoff, fully accounting for system limits including regulators that currently allow only approximately two times the amount of design dry weather flow into the interceptors to control flooding at the Newtown Creek WWTP (DEIS, p. 11-4)
- This disclosed sewer capacity overload also requires a full analysis of the corresponding and compounding impacts to regulators, interceptors, drainage and catchment, outfalls, receiving water bodies (including Combined Sewer Overflow exceedances), other compliance violations, and operational interference with requirements of the Newtown Creek Wastewater Treatment Plant Long Term Control Plan (CEQR 322.1)
    - Although sewer permit issuance does not require a separate EIS, no sewer permit can be consider while New York City is under the multiple sewage compliance orders in place and City Officials are aware (as they are now) that the system capacity would be overloaded and compliance interference is likely by virtue of the impacts uncovered and disclosed in this EIS.
    - Granting such permits without fully evaluating potential system overload, violations, and compliance interference could be tantamount to knowing conversion of public property to private use or as official misconduct.

C. The DEIS fails to assess impacts related to the Combined Sewer Overflow Content Order

- New York City is operating under a 2014 CSO BMP Order on Consent that requires all of the City's thirteen SPDES Permits meet effluent limitations, monitoring requirements, special conditions and general conditions, including certain permit conditions under the Section titled "BEST MANAGEMENT PRACTICES FOR COMBINED SEWER OVERFLOWS (CSO BMPs)."
- The BMPs are technology-based controls designed to reduce CSOs and their effects on receiving water.

- The CSO Consent Order specifically requires the City perform the following practices to the full sewage infrastructure system:
    - Interceptor Improvement Program (Condition Assessment and Cleaning)
    - Interceptor Cleaning
    - Evaluation of Hydraulic Capacity of the NYC Sewer System (combined and sanitary) by WWTP Drainage Area
- DEC recognizes that the City's system is not currently designed to assure that individual regulators will not discharge outside a critical wet weather event, a factor that must be addressed in the DEIS
- The DEIS must include data and evidence showing the CSO Consent Order BMPs are in place for the sewage system components being overloaded by the Megatower Project that interconnect with the unfixed sewers, including system operational impacts under both dry and wet weather flow levels (including Regulator NC-M21, CSO outfall NCM-063, and the intercept to the Newtown Creek WWTP.
- The DEIS should also assess whether and how additive cumulative load to the sewage system can be managed in unique weather events, especially given the area is in a floodplain.

D. The acknowledged overload to the sewage system must be assessed for Cumulative Impacts including—and especially—the additive and compounding load levels from the Extell Tower, the Essex Crossing Megaproject, 1 Seaport and other scaled development feeding the same sewer shed infrastructure and using the same infrastructure capacity from street to wastewater treatment plant to receiving body. Furthermore, such a study should become the basis for an EIS for passing the full Chinatown Working Group rezoning plan.

The Two Bridges Megatower proponents have acknowledged the project exceeds the capacity of the existing sewers, and notably fail to include necessary evaluation of linked infrastructure of the existing pumping stations, regulators and interceptors, affected drainage or catchment areas, outfalls, and receiving waterbodies. The DEIS further fails to include legally required cumulative impact analysis, whether for the sewage systems or other load-additive areas of analysis, including transportation, schools, air shed (and air quality), and congestion.

Although "cumulative impacts" are not defined by SEQRA or its implementing regulations, the DEC SEQR Handbook describes the requirements for their analysis (page 41):

> These are impacts on the environment that result from the incremental or increased impact of an action(s) when the impacts of that action are added to other past, pre-sent and reasonably foreseeable future actions. Cumulative impacts can result from a single action or a number of individually minor but collectively sig-

nificant actions taking place over a period of time. Either the impacts or the actions themselves must be related.
Cumulative impacts must be assessed when actions are proposed to or will foreseeably take place simultaneously or sequentially in a way that their combined impacts may be significant. Assessment of cumulative impacts is limited to consideration of probable impacts, not speculative ones.

In the case of the Two Bridges Megatower Group, all the EIS impact categories are affected by accumulated effects of multiple large-scale developments in the immediate neighborhood for the past several years, and expected into the future, e.g., Extell Tower, Essex Crossing, South Street Seaport residential and commercial, multiple hotels, and expanded museums, to name only a few examples. The accumulated load and impact to airshed, sewage, drinking water distribution, transportation, school, energy production and distribution, steam, open space and other assessment categories from this Megatower Group must be evaluated for its addition to the load burdens presented by the significant infrastructure, population, mobility, services, and other capacity burdens accumulating throughout the Lower Manhattan ecosystem.

In order to mitigate the accumulated load and impact caused by overdevelopment, DCP should use such a study as the basis for an EIS leading to the passage of the full Chinatown Working Group rezoning plan. The plan would place reasonable limits on high rise development throughout Two Bridges and the surrounding communities of Chinatown and the Lower East Side. This is a precondition towards bringing the City into compliance with the Clean Water Act.

IV. Involved Parties

Given the acknowledgement that the Megatowers project will overload the current sewage capacity, LESON reiterates its previous comment from the Draft Scope of Work that this EIS process should include the following ”Involved Parties:”

- USEPA: The USEPA is an involved party due to significant legal compliance requirements affected by the project under two major statutes
- The Clean Water Act: USEPA Administrative Compliance Order No. CWA-02-2016-3012 for State Pollution Discharge Elimination System permit violations including NY0026204 pertaining to the Newtown Creek Wastewater Treatment Plant
- Comprehensive Environmental Response, Liability and Compensation Act (CERCLA, also known as “Superfund”)—Newtown Creek, the single location of wastewater treatment for the project and dozens of other large-scale developments, is the site of a major Superfund Cleanup. A draft report of the investigative phase was submitted to EPA for review on November 15, 2016 pursuant to a Consent Order for the site. Given the sensitivity of

the area to additive contaminants and the overarching need to comply with the federal cleanup requirements, USEPA expertise and oversight is required for the Two Bridges EIS.

- NYSDEC: The State DEC has filed an Order on Consent (CSO Order Modification to C02-20000107-8; DEC Case No. C02-20110512-25) for violations of Article 17 of the Environmental Conservation Law and Part 750, et seq., of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York. This Order includes completion of a Long Term Control Plan (LTCP) for the Newtown Creek, whose plant will be fed by the cumulative development of the proposed action and multiple other oversized infrastructure projects that will cumulatively affect the NCWWTP.
- NYCDEP: The DEP is legally responsible for New York City compliance with various sewage compliance orders affected by the proposed construction and operation of the Megatower Group.

Thank you for the opportunity to submit these comments and participate in the EIS process.

For further correspondence, contact Stephanie Kranes at 203-216-5728 or kranes33@gmail.com.

Very truly yours,

Lower East Side Organized Neighbors

Tanya Castro-Negron, Land's End II Residents' Association

David Nieves, Seward Park Ext. & National Mobilization Against Sweatshops (NMASS)

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L E S O N

L O W E R E A S T S I D E

O R G A N I Z E D N E I G H B O R S

Robert Dobruskin, AICP, Director

Office of City Planning

120 Broadway, New York, N.Y. 10271

May 25, 2017

Re: Draft Scope of Work Comments

"Two Bridges large Scale Residential Development Area Project"

CEQR No. 17DCP148M

Pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) and 6 NYCRR 617.8 (State Environmental Quality Review), the New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC) as CEQR lead agency, has determined that a Draft Environmental Impact Statement (DEIS) is to be prepared for the proposed actions related to the development of the "Two Bridges Large Scale Residential Development Area Project" (CEQR No. 17DCP148M).

The three project applicants—Cherry Street Owner, LLC (an affiliate of JDS Development Group, and Two Bridges Senior Apartments LP); Two Bridges Associates, LP (a joint venture between CIM Group and L+M Development Partners); and LE1 Sub LLC—each seek modifications characterized as minor to the existing Two Bridges Large Scale Residential Development (LSRD) to allow for the development of three massive mixed-use buildings within the LSRD. The

As the CEQR lead agency, the Department of City Planning has requested the applicant[s] prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review). A public scoping meeting has been scheduled for May 25, 2017, where the public and interested parties can provide input and comments.

The ***Lower East Side Organizing Neighbors*** (LESON) is a group of local leaders organizing and inspiring the residents of the Lower East Side and its surrounding areas at large to challenge the many issues directly and adversely impacting the current and future preservation of their homes, businesses, community organizations, clinics, senior centers, schools published services and overall quality of life.

LESON considers the Draft Scope of Work (DSOW) to be deficient in several key areas, and provides the following comments regarding necessary changes to and expansion of the DSOW necessary to conduct a fully compliant environmental impact statement prior to any issuance of the Two Bridges LSRD permits and authorizations under the Zoning Resolution, and construction of the Megatower Group can be otherwise permitted and undertaken.

Comments on Scope and Preparation of the

Two Bridges Environmental Impact Statement (CEQR No. 17DCP148M, "Two Bridges EIS")

Pursuant to Sections 5.03 and 5.05 of the City Environmental Quality Review Rules of Procedure, the Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC), is assuming Lead Agency status for an application submitted by three developers to construct three luxury megatower residences inside the boundaries of the Two Bridges Large Scale Residential Development (Two Bridges LSRD) established in 1972 (CP-21885). This "Megatower Group" will add approximately 3,469 new dwelling units to a roughly nine acre LSRD currently sustaining approximately 1300 residences.

In addition to comments on the scope and sufficiency of the EIS, these comments will also highlight DCP's failure to date to clearly identify for the affected public all authorizations or special permits to be issued under Zoning Resolution Article VII, Chapter 8 needed to construct the planned megatowers in the Two Bridges LSRD, and reconcile those procedures to the data, information, and evidence developed for the Environmental Impact Statement. Public disclosures and explanations of New York City Zoning Resolution (ZR) requirements for the proposed projects have been fraught with discrepancies, inadequate public records release, and potentially misleading characterizations of zoning law governance and procedures.

Due process under the ZR, in particular the issuance of affirmative "Findings" (ZR 78-313), are conditions precedent to any authorizations and/or special permits, or modifications to existing permits, open space, and other features of the LSRD inherent to its success as a residential community. The ZR requirements are separate from the requirements to perform a legally sufficient EIS, but are interactive with the EIS process in that various environmental impacts identified in the EIS are substantive considerations for issuing the necessary Findings. This is particularly important in areas of socio-economic impact, air, light, shadows, and open space sustainment. In addition to submitting these comments, LESON will provide comments to DCP and all interested parties regarding proper procedures under the ZR for development in an LSRD.

I. Zoning Resolution Issues

The Notice of Lead Agency Determination and Review, dated March 27, 2017 (the "Notice") clearly states that the mapped zoning for the Two Bridges project area "is modified by the Two Bridges LSRD Plan..." and that "[l]arge scale plans are governed by the provisions of NYC Zoning Resolution Article VII: Chapter 8 (Special Regulations Applying to Large Scale Residential Developments)." The DCP Notice claims that "substantial updates or changes to a Large Scale Plan must be approved by the CPC through a minor or major modification process, depending on whether the changes require waivers or zoning actions not encompassed by previous approvals."

Various "Special Permits" under the applicable ZR Chapter have been previously issued to establish or change boundaries and other zoning features for "sites" within the LSRD. The CPC and DCP are asserting that such LRSD special permit actions—along with zoning "authorizations" enabled by the applicable ZR chapter—remain in effect, and the changes contemplated to allow a 400% increase in the density of the LSRD are "minor" modifications.

Issuance of special permits under the ZR is subject to Uniform Land Use Review Procedures (ULURP); authorizations are not. Zoning Resolution Chapter 8 further requires the issuance of affirmative "Find-

ings" as a condition precedent to the granting of any such modification in the form of "authorization" or "special permit."

The DCP Notice and DSOW both fail to describe in sufficient detail the exact nature of the authorizations or special permits required or actually sought for the Megatower Group. In addition, based on procedures for the Two Bridges LSRD Plan and permits first issued by the City Planning Commission in CP-21885, further authorizations and special permits are only granted after public hearing, investigation, and study that provide adequate legal basis to determine that such authorizations and special permits "conform with the findings required under Section 78-313 of the Zoning Resolution...," and a resolution is published by the CPC confirming such findings.

The legal responsibility to follow these procedures are separate from the Environmental Impact Analysis process. The Notice makes further assertions that appear to either confuse, conflate, overlook, or disregard the clear procedures and requirements of the controlling ZR:

- "The Two Bridges LSRD Special Permit was originally approved by the CPC on May 17, 1972 (CP-21885) and was last amended on August 23, 2013 (M120183 ZSM). The 2013 amendment was to allow for the development of a new mixed use building on Site 5, as well as the enlargement of existing retail use and the relocation of 103 existing accessory surface parking spaces into the new building. That proposed development did not occur. The LSRD Special Permit, as amended, remains in effect."

The ZR section 78-07 (Lapse of Authorization or Special Permit) states that any authorization or special permit granted by the City Planning Commission pursuant to this Chapter shall automatically lapse if substantial construction has not been completed as set forth in Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution). That section indicates substantial construction must occur within four years of permit issuance, absence certain circumstances. The DCP should clarify why it believes the authorizations and/or special permits or special permit modifications issued to the cancelled Healthcare Chaplaincy Project regarding Site 5 in the LSRD remains in effect, and have not lapsed consistent with the ZR.

- "The proposed projects do not require waivers or zoning actions not encompassed by previous approvals and each will proceed as a minor modification to the previously approved Two Bridges LSRD."

The Megatower Group will add almost 5,000 new residences to an area currently occupied by about 1300 dwellings over an above the hundreds of apartments added by the Extell Tower. The DCP has accurately stated that the zoning on the sites is modified by the Two Bridges LSRD, establishing a non-controvertible requirement for issuance of necessary authorizations and special permits for any Location of Buildings, Distribution of Bulk and Open Space, Modification of Height and Setbacks, Total Floor Area, Lot Coverage, Dwelling or Rooming Units, Total Open Space required, and re-designation of zoning lots under ZR sections 78-311 and 78-312 that will occur as part of the three Megatower Projects. It is not clear why the DCP is using terms such as "waiver" or "zoning actions" when the controlling provisions of the ZR refer to "authorizations" and "special permits."

Given the proposed actions will overwhelm the current density, character, open space, air, light, and multiple infrastructure systems of the LSRD, the attempt by DCP to label the proposed action "minor" is disingenuous, at best, and not supported by the sheer magnitude of the residential load under con-

sideration for the LSRD Plan area capacity. For the current Megatower Group DSOW and planned EIS, the applicants and DCP must clarify the following in order to ensure the community and interested parties are fully informed as to the LSRD-governed zoning changes needed for these projects to proceed, and which Zoning Procedures under ZR Article VII, Chapter 8 will be completed:

- Every separate "Authorization" or "Special Permit" that must be issued for each separate tower project, and the data, information, and evidence developed in the EIS that could support affirmative Findings under 78-313
- A full description of the current Location of Buildings, and volumes associated with distribution of Bulk and Open Space, Total Floor Area, Lot Coverage, Dwelling or Rooming Units, as well as Modification of Height and Setbacks, alteration of Total Open Space, Light, Air, Congestion, and all other current site and community planning aspects, features, components, and volumes that will be altered by issuance of any authorization or special permit under ZR 78-311 or 78-312
- Explanation of how the addition of 4,775 residential units to LSRD sites currently governed by special permits, authorizations, open space, and infrastructure systems sustaining 1,300 can be viewed as "minor" modifications to the LSRD

II. Environmental Analysis Requirements

1. Statement of Purpose and Need

The Draft Scope of Work fails to identify a purpose or need for the proposed action consistent with public benefits intended by the creation of an LSRD, or other benefits to the City of New York or its taxpayers. According to the New York State Environmental Quality Review Act (SEQRA), the description of the proposed action should contain "the purpose or objective of the action, including any public need for, or public benefits from the action, including social and economic considers, and identification of authorizations, permits and approvals required." (6 CRR-NY 617.9(b)(5)

Although the DSOW describes the construction of three luxury megatowers, the DCP/CPC decision to grant authorizations or special permits would irrevocably alter the open space, bulk distribution, floor area, other infrastructure elements, and most importantly, the community character of a longstanding and successful LSRD. Therefore, Section C: Purpose and Need of the Proposed Action or the DSOW must describe the documented purpose and need for the megatowers themselves, and the concomitant issuance of any and all authorizations or special permits under Zoning Resolution Article VII, Chapter 8 for this Megatower Group compliant with the provisions of ZR 78-01: General Purposes.

In addition, given the application of ZR sections 78-311, 312, and 313, the Statement of Purpose and Need should describe goals, outcomes, policies, or plans achieved by constructing this Megatower Group that the applicants and DCP are asserting or will assert as evidence the projects meet the requirements of ZR section 78-313: achieve the General Purposes of the LSRD formation itself; permit better site planning and benefit the LSRD residents and the City as a whole; prevent any bulk, population density, or use intensity detrimental to the nearby occupants; prevent restriction of air or light to nearby buildings or create traffic congestion; maintain the design purposes of pooled areas; assure suitable access to streets; or modify setbacks to impair the essential character of the of the surrounding area or have adverse effects on any neighbor's access to air, light, and privacy.

2. Conformance with Law

The evaluation of environmental "impacts" includes public identification, disclosure, and analysis of any aspect of the proposed project[s] subject to laws other than SEQRA, especially those that extend beyond the impact category and represent potential for violations of, or compliance interference with, laws, regulations, Orders on Consent, Administrative Orders, or any other enforcement action issued by Federal, State, or municipal authorities covering the operation and management area of the project[s]. In the case of the Two Bridges Megatower Group, these include (but are not limited to) the Clean Water Act, the Clean Air Act, the Comprehensive Environmental Response Compensation and Liability Act, and the Federal Emergency Response Act.

The application of multiple legal requirements has particular bearing on the discretionary decision-making under the requirements of Zoning Resolution (ZR) of the City of New York Article VII, Chapter 8. In this case, the EIS will be required to contain sufficient evidence that the proposed action with confirm to the Findings required for issuance of Special Permit sought by applicants from the lead agency. The application of ZR Article VII, Chapter 8 noted above, and referenced throughout these comments.

III. Proposed Scope of the Environmental Impact Statement/EIS Content

1. Identification of adverse impacts

ii. Short- and long-term effects, typical associated environmental effects, and adverse environmental impacts that "cannot be avoided" must include any and all resulting from construction, permanent alterations, operation, and maintenance of the proposed project, particularly those that can cause or contribute to compliance interference or violations of law by proponents or any agency of the City of New York.

iii. Irreversible and irretrievable commitments of resources analyzed must include the construction, operations, and maintenance activities occurring during the useful life of the proposed project, including but is not limited to all affected airshed, airspace, water discharge carrying capacity, drinking water, land, open space, and light as well as City roads, schools, pipes, fuel/energy, and all other physical infrastructure systems, whether used in the immediate geographic area of the project, or used through transport, migration, distribution, or other direct and indirect means as assets and resources that would be involved and committed if the proposed project is built and operated over its useful life.

2. Segmentation

Part 617 of Chapter VI of the Codes, Rules, and regulations of the State of New York defines segmentation as the division of the environmental review of an action so that various activities or stages are addressed as though they were independent, unrelated activities needing individual determinations of significance. Except in special circumstances, considering only a part, or segment, of an overall action is contrary to the intent of SEQRA.

There are two types of situations where segmentation typically occurs. One is where a project sponsor attempts to avoid a thorough environmental review (often an EIS) of a whole action by splitting a project into two or more smaller projects. **The second is where activities that may be occurring at different times or places are excluded from the scope of the environmental review.** By excluding

subsequent phases or associated project components from the environmental review, the project may appear more acceptable to the reviewing agencies and the public. This Scope of Work must be revised to prevent this contravention of State regulation.

The Scope of Work for this EIS must include review of the construction of this Megatower Group, but also the full impact loading from every component of its operation and maintenance, including regular and repeated use of the full compliment of the City's land, air, water, and physical infrastructure ***systems*** accepting load from this construction, operation, and maintenance through its useful life. For example, the scope must cover use of wastewater treatment plant capacity, discharge carrying capacity of public waters, airshed capacity used for all aspects of transport, deliveries, and waste collection, etc. This full compliment of City system components extends well beyond the immediate blocks in and around the Two Bridges LSRD, and the failure to evaluate and analyze this full spectrum use would constitute improper segmentation.

In addition, segmented or insufficiently scoped analysis could result in insufficient evidence to issue legally supportable Findings under ZR Section 78-313.

3. Land Use, Zoning, and Public Policy

The proposed action under consideration in the Two Bridges EIS is the construction of three megatowers comprised of luxury residences inside the boundaries of the Two Bridges Large Scale Residential Development (Two Bridges LSRD) established in 1972 (CP-21885).

The Full Form EAS completed for this Two Bridges EIS states in Section 5 that this Megatower Group construction project requires a "Special Permit" that is a "minor modification to a previously approved LSRD." Consistent with requirements of Sections 200 and 201 of the City Charter governing the amendment, repeal, or addition to an existing Zoning Resolution by Authorization or Special Permit, the DCP website explains that "a special permit is a discretionary action by the City Planning Commission, subject to ULURP review, or the Board of Standards and Appeals, which may modify use, bulk, or parking regulations **if certain conditions and findings specific in the Zoning Resolution are met.**" (emphasis added)

i. <u>The LSRD Special Permit requested is a "Major" modification of the current LSRD bulk controls that are designed to optimize active and passive recreation, preserve scenic and natural features, foster a more stable community, ensure harmonious designs, and overall protect heath, safety, and general welfare of all LSRD residents.</u>

It beggars belief that the addition of 4,775 new residences within a few square blocks, consuming vast areas of open space and light penetration for an established working class community, is characterized as "minor." The LSRD Special Permit requested imposes massive redistribution of bulk, height, open space, maximum developable floor area, lot coverage, dwelling units, air, and light in the current LSRD use allocations, and constitute a major change to the LSRD.

In addition to full ULURP review of said major change, DCP must adhere to the procedural requirements of the ZR. Given the overwhelming redistribution of Two Bridges LSRD capacity taken up by the Extell Tower project, the requirement to evaluate according to the preconditions of ZR section 78-313 are even more vital.

The DCP claim that a "Minor Modification" of an existing land use designation (to include an LSRD) "may alter elements of the prior approval, but without increasing the extent of any waiver or

modification of the underlying zoning regulations granted under the prior ULURP approvals, and **without requiring any new waivers or modifications of zoning regulations.**" This has caused no end of serious public misapprehension that the height, bulk, setbacks, dwelling units, population density and other key factors altering asset uses within the LSRD are to not subject to the standards set in ZR 78-313. The proponents and lead agency persist in demarcating this project in terms of whether the underlying surface zoning will be altered, when it well understands it is the LSRD that will developed virtually out of existence.

The lead agency and proponents have muddied the waters with two confusing variations the intricate and complex provisions of the City Charter and Zoning Resolution governing this action. The lack of height restrictions in C6-4 are modified by the ZR, and allowable building heights must be judged against the legal preconditions to preserve active and passive recreation, preserve scenic and natural features, foster a more stable community, ensure harmonious designs, and overall protect heath, safety, and general welfare of all LSRD residents, not just those in the penthouses.

To add to the public confusion and obfuscation, the lead agency and proponents appear to be either conjunctively or alternatively claiming in the Notice that the "Special Permit" granted for the Health Care Chaplaincy project (M120183 ZSM) "remains in effect" despite ZR section 78-07 which specifically states that authorizations or special permits automatically lapse in the absence of "substantial construction." To the extent the City is claiming that the current project qualifies as a minor modification because it represents a minor set of changes from LSRD authorizations and permits approved for the Chaplaincy project, the "minor" characterization in unsupported. Further, as the Chaplaincy Project was never built, the assertion that its special permit remains in effect is also confusing to the public, at best, and risks being overtly misleading. It also has the unfortunately effect of creating the appearance of "bait and switch" — a special permit is granted for a fifteen story project, and switched to apply to a megatower.

ii. <u>The DCP, MOEC, and all regulatory and approval offices including the Office of the Manhattan Borough President must fully explain that the LSRD Modifications are subject to study, investigation, and hearing procedures for issuing Findings under ZR 78-313, and the Scope of the EIS should include or cross reference all evaluation of the project carried out under ZR sections 78-311, 312, and 313.</u>

As noted above, the Two Bridges LSRD is governed by the provisions of Chapter 8 of Article VII of the *Zoning Resolution of the City of New York (ZR)*, the General Purposes of which are to set forth regulations "designed to deal with certain types of problems which arise only in connection with large-scale residential developments and to promote and facilitate better site planning and community planning through modified application of the district regulations in such developments." (Section 78-01).

Section 78-043 of the ZR describes the requirements for findings as affirmative standards constituting a burden of proof to be met by the proponents:

The requirements for findings as set forth in this Chapter ***shall constitute a condition precedent to the grant of any such modification by special permit or otherwise***. The decision or determination of the City Planning Commission shall set forth each required finding in each grant of modifications for a large-scale residential development. ***Each finding shall be supported by substantial evidence or data*** considered by the Commission in reaching its final decision (emphasis added).

Sections 78-311 and 78-312 of the Zoning Resolution provides that the City Planning Commission may authorize modifications to open space, lot size, building location, height and setback, entrances, floor area ratios and other design and construction elements for the purpose of achieving better site planning and community planning, but only if the Commission can make findings in accordance with Section 78-313, which provides conditions precedent whose standards must be met with supportable data for such modifications:

> (a) that such modifications will aid in achieving the general purposes and intent of this Chapter as set forth in Section 78-01 (General Purposes);
>
> (b) that such distribution of floor area, dwelling units, rooming units, open spaces, locations of buildings, or location of primary business entrances, show windows or signs will permit better site planning and will thus benefit both the residents of the large-scale residential development and the City as a whole;
>
> (c) that such distribution or location will not unduly increase the bulk of buildings, density of population, or intensity of use in any block, to the detriment of the occupants of buildings in the block or nearby blocks;
>
> (d) that such distribution or location will not affect adversely any other zoning lots outside the large-scale residential development by restricting access to light and air or by creating traffic congestion;
>
> (e) where portions of the total required open space are pooled in common open space areas or common parking areas, that such common areas will, by location, size, shape and other physical characteristics, and by their relationship to surrounding development and the circulation system, permit realization of the full community service of advantages for which such pooled areas are designed;
>
> (f) where one or more zoning lots in the large-scale residential development do not abut mapped streets, that suitable private access to mapped streets will be provided conforming to standards which will ensure adequate circulation and make adequate provision for public services; and
>
> (g) the modification of height and setback will not impair the essential character of the surrounding area and will not have adverse effects upon the access to light, air and privacy of adjacent properties.

It is worth noting that the standards for these Findings correlate to many confirmed adverse impacts anticipated by the EIS. However, unlike environmental assessments that may only trigger so-called "mitigation," the consequences of construction, operation, and maintenance of this Megatower Group have a high probability of negatively implicating the purpose and intent of the LSRD formation, failing to benefit the nearby residents or City as a whole, increasing bulk and density to the detriment of occupants of nearby blocks, restricting access to air and light, and causing congestion, impeding realization of the full community service of advantages for which such pooled areas are designed, impairing the essential character of the surrounding area, and having adverse effects upon the access to light, air and privacy of adjacent properties, thus disqualifying the project form obtaining a Special Permit.

It bears repeating that the specific requirements of the ZR 78-311 and 312 procedures related to the issuance of "Findings" under section 78-313 has been obfuscated—at best—by both the Lead Agency and the applicant in the Draft Scope of Work, the EAS, and all other documents and assessments prepared for these projects. The Final Scope of Work should be updated to make clear that the ZR affirmative standards are applicable and must be met.

iii. Consistency Assessment for Projects in a Coastal Zone

The EIS must include a fully completed NYC Waterfront Revitalization Program Consistency Assessment Form (WRP CAF) and supporting data including but not limited to disclosure of federal funds used (including Section 8 payments, or financing securitized by Section 8 or other Federal payments or subsidies for housing); affects on water quality designations due to combined sewer overflows in the Newtown Creek drainage basins; direct and indirect discharges, including toxins, hazardous substances, and other pollutants, effluent, and waste in the East River, the Newtown Creek, New York Harbor, and all water affected by sewage collection, treatment, or failure thereof.

The WRP CAF can not and should not be limited to flood hazard and sea level rising mentioned as the text of the bullet point on Page 20 of the DSOW appears to suggest.

The significant problems and effects of constructing in this coastal floodplain evidenced by the Extell Tower construction must inform the WCF CAF. Foundation issues, cracking and water intrusion to nearby buildings, interference with existing infrastructure (e.g. steam pipes) all support evaluation of the efficacy of constructing in this area of Manhattan Island.

For these and other reasons, the Federal Emergency Management Agency and the NYS Department of State are Involved Parties in the Two Bridges Megatower Project EIS and must participate in its preparation.

4. Socioeconomic Conditions

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

However, because this proposed construction affects a Large Scale Residential Development Zoning Area, the assessment is not limited to the categories outlined in the CEQR Technical manual, but must also evaluate outcomes and long term effects under the standards set forth in Section 78-01 of the *Zoning Resolution of the City of New York* which states:

> For large-scale residential developments involving several zoning lots but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and bulk controls. For such developments, the regulations of this Chapter are designed to allow greater flexibility for the purpose of securing better site planning for development of vacant land and to provide incentives toward that end while safeguarding the present or future use and development of surround-

ing areas and, specifically, to achieve more efficient use of increasingly scarce land within the framework of the overall bulk controls, to enable open space in large-scale residential developments to be arranged in such a way as best to serve active and passive recreation needs of the residents, to protect and preserve scenic assets and natural features such as trees, streams and topographic features, to foster a more stable community by providing for a population of balanced family sizes, to encourage harmonious designs incorporating a variety of building types and variations in the siting of buildings, and thus to promote and protect public health, safety and general welfare.

The Scope of Work must also include all aspects of the socio-economic conditions studied, investigated and used to make the ZR Section 313 Findings prior to issuance of the Special Permit.

5. Shadows

The proposed action to construction of three new megatowers will create shadows with significant detrimental impact on the surrounding areas. The required shadows assessment must address two key adverse impact issues resulting from the proposed action:

i. **Public Housing residences are sunlight-sensitive resources:** Since Jacob Riis first published *How the Other Half Lives*, public and affordable housing investment in New York City has sought to overcome the darkness and despair of early tenement housing. For over a century after its publication, New York's zoning laws were repeatedly updated to assure all apartment rooms had light. Public housing projects were built in what is known as the tower-in-the-park style—an adaptation of contemporary housing complexes pioneered by Le Corbusier—to provide L-shaped apartment design that came together tetris-style in green, open space to ensure every unit had light shining in the apartment throughout the day. These historic zoning and public investment in housing remain sunlight-sensitive assets, and must be evaluated as such in the Two Bridges shadows assessment.

ii. **Compliance with Section 78-313 Findings**: The shadows assessment must be consistent with the Findings under Section 78-313 of the *Zoning Resolution of the City of New York,* and found in compliance with all applicable subsections, including (b), (c), (d), and (g).

6. Wastewater Treatment/Drainage Basin/Clean Water Act Compliance

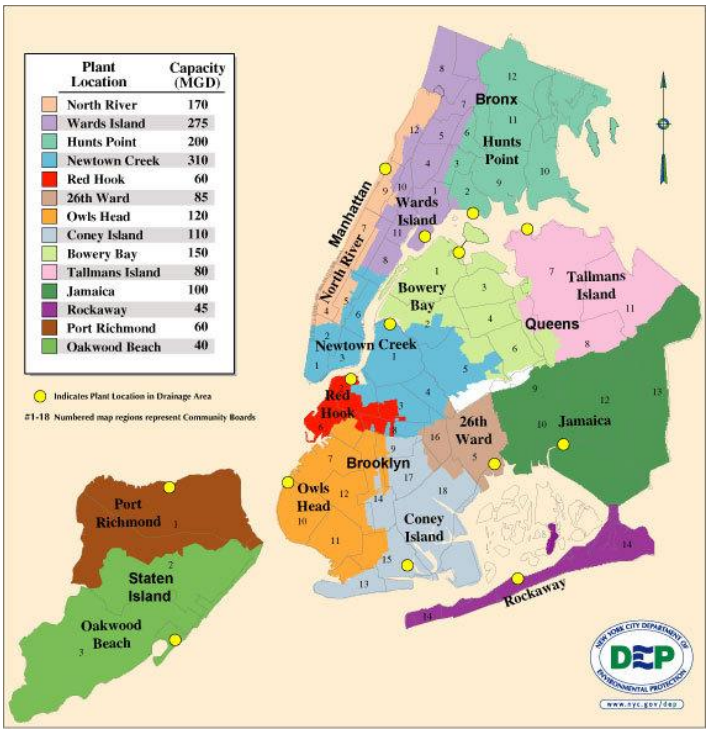
The Draft SOW states, "According to the CEQR Technical Manual, a water and sewer infrastructure assessment analyzes whether a proposed project **may adversely affect New York City's water distribution or sewer *system*** and, if so, assess the effects of such projects to determine whether their impact is significant, and present potential mitigation strategies and alternatives" (emphasis added).

i. The Water Distribution and Sewer System affected by the Megatower Group encompasses infrastructure, pumping, flow, flow control, treatment, and discharge capacities of the Newtown Creek Drainage basin extending throughout Lower Manhattan to 14th Street on the West Side and 71st Street on the East Side

When it rains in New York City, raw sewage bypasses treatment plants and flows directly into city waterways. Even a relatively small amount of storm water—one twentieth of an inch of

rainfall—can overwhelm aging and clogged system components and trigger the Combined Sewer Overflow (CSO) system. The New York State Department of Environmental Conservation (DEC) has identified Combined Sewer Overflows (CSOs) as the single largest source of pathogens to the New York Harbor system, due to their contribution of fecal coliform. Besides the human waste, any oil, industrial waste or household garbage that happens to be on the street when a rainstorm begins are swept by the flowing street water into the CSO system as well. The toxic soup flows untreated out of pipes that feed directly into the waterways.

The New York State Department of Environmental Conservation administers the State Pollutant Discharge Elimination System ("SPDES") permit program (ECL §17-0801, et seq.) to which New York City is jurisdictionally subject. New York City operates under multiple SPDES permits for its wastewater treatment plants, and for its Municipal Separate Storm Sewer Systems (MS4). In general, the SPDES program prohibits any discharge of pollutants to the waters of the State without a permit establishing pollutant limitations and treatment requirements. Thus, SPDES permits set certain effluent limitation parameters, determined according to ECL § 17-0809 and 6 NYCRR Part 750-1.11, in order to avoid contravention of mandated federal water pollution control requirements and water quality standards ("WQS"). Those conditions address not only the allowable parameters for discharge of pollutants to waters of the State, but also the manner in which the permittee is to **operate, maintain, monitor and report** on its regulated facilities and activities.



The proposed Megatower Group project will be located in the drainage area that feeds to the Newtown Creek Waste Water Treatment Plant (NCWWTP) (see map above). Combined sewage and rainwater from the Lower East Side, along with areas such as the Financial District, Tribeca, Greenwich Village, Chinatown, Midtown East and the East Side up to 71st Street, flow through 180 miles (290 km) of sewer and interceptor pipes to the Thirteenth Street Pumping Station at 13th Street and Avenue D, from where it is sent under the East River to the NCWWTP. Normal influx is 170 million gallons per day (mgd), which increases to 300 mgd during wet weather.

The plant opened in 1967 and its expansion and modernization was completed in February 2009, but in spite of a 50% increase in capacity and extended secondary treatment to all of its inflow, NCWWTP remains out of compliance. As of 2014, NYC has failed to meet 1972 federal Clean Water Act for mandates for secondary treatment removal of 85% of pollutants from incoming sewage, or with New York State's 1992 order to NYC to prevent non-compliance overflows by 2013. A series of enforcement actions has generated multiple Notices of Violation and

Orders on Consent designed to bring New York City into compliance with the Clean Water Act without success.

Major zoning changes and large scale development continues unabated throughout the NCWWTP basin. The addition of a Megatower Group in an already dense area with a high volume of restaurants, hotels, education and healthcare facilities, as well as residences affects the capacity and flow control of the entire NCWWTP drainage system and adds to the likelihood of continued CSOs. The Two Bridges Megatower Project EIS must assess the full impacts to pipe and plant loading, as well as the adverse impacts from ongoing CSO overflow to the East River and other public waters.

ii. <u>The Scope of Work must analyze the additive impacts of the Megatower Group for possible compliance interference with Administrative and Consent Orders to the City of New York as well as continued listing of the Newtown Creek as an Impaired Water under the Federal Clean Water Act and current NYC SPDES permits</u>

Currently, the New York City Department of Environmental Protection (DEP) is under a 2005 Order on Consent from the DEC pursuant to its SPDES permit to reduce CSOs from its sewer system to improve the water quality of its surrounding waters. In 2011, DEC and DEP identified numerous modifications to the CSO Consent Order, including integration of green infrastructure and substitution of more cost-effective grey infrastructure, and agreed to fixed dates for submittal of the Long-Term Control Plans (LTCP). The 2005 Order was updated and modified in 2012 with a penalty and new compliance requirements, to include an LTCP for NCWWTP.

As part of Clean Water Act requirements for periodic assessments of water quality, Section 303(d) of the Act requires states to identify "Impaired Waters" where specific designated uses are not fully supported, and for which the state must consider the development of a Total Maximum Daily Load (TMDL) or other strategy to reduce the input of the specific pollutant(s) that restrict waterbody uses in order to restore and protect such uses. In October of 2016, the DEC submitted to USEPA the Proposed Final New York State 2016 Section 303(d) List of Impaired/TMDL Waters. The list identifies those waters that do not support appropriate uses and that require development of a Total Maximum Daily Load (TMDL) or other restoration strategy.

Newtown Creek is included on the 2016 Section 303(d) List of Impaired waters by DEC. Newtown Creek was among several waterbodies approved for delisting in 2012 by USEPA because required control measures other than a TMDL were expected to result in attainment of water quality standards within a reasonable period of time. In approving the delisting, USEPA had determined that the updated 2005 Order was consistent with the National CSO Control Policy and that "pursuant to this policy the Long Term Control Plans (LTCPs), when implemented, are expected to result in the attainment of water quality standards."

However, the required controls as outlined in detail in the modified 2005 NYC CSO Consent Order have not been fully implemented. Therefore, rather than delist Newtown Creek in 2016, DEC opted to retain these waters on Part 3c of the listing as waterbodies for which TMDLs are deferred pending the submittal and approval of the waterbody-specific Long Term Control Plans (LTCPs) to address these pollutants. Upon DEC approval of LTCPs that meet the requirements of the Order, the waterbodies covered by the LTCP will be delisted and assigned to

a different followup category. The Newtown Creek LTCP was originally slated for completion by June of 2017.

On August 31, 2016, USEPA issued an Administrative Order to New York City requiring it to develop a plan to address continued sewer backups into residents' basements and other public and private property. The order gave the city 120 days to submit a plan to EPA for approval to work toward the elimination of unauthorized wastewater releases from sewer backups citywide over the next seven years.

This order notes that New York City has made progress in responding to complaints in recent years, but it does not have a ***comprehensive plan*** to prevent and further reduce the number of sewer backups. The order is designed to ensure that the city prevents sewer backups through a systematic and proactive program, as other large cities have. USEPA specifically noted that raw sewage in people's homes and in buildings where they work creates health risks, which can be avoided by a proactive strategy to cut sewage backups. The Plan would have been due by the end of 2016.

iii. Summary of Required Water/Sewer Analysis Scope for Two Bridges Megatower Group Analysis

Contrary to NYS laws and regulations, CEQR, and other legal requirements, the Draft SOW attempts to limit areas of assessment solely to drainage on the site where the megatowers will be constructed. In light of the facts and legal issues outlined above, particularly the ongoing violations of the Clean Water Act by the New York City sewage system, the Two Bridges Megatower Project EIS must assess the additive load from three megatowers to the entirety of the **system** affected, including:

(a) The capacity of piping systems to transmit combined sewage and rainwater to the Newtown Creek Wastewater Treatment Plant (NCWWTP) without violation of law or permit requirements

(b) Interference with flow control, sewer backup mitigation, access, and fair usage by other neighborhoods already reliant on the piping, overflow, basin, and pumping capacity of the Newtown Creek drainage area, including Chinatown, the Financial District, East Midtown, the Upper East Side, Financial District, Chelsea, Tribeca, and all other areas of eastern, lower, and lower western Manhattan in the NCWWTP drainage area

(c) The capacity of the affected waters (East River, New York Harbor, Hudson River, Newtown Creek) to accept combined sewer outfalls from locations throughout the NCWWTP drainage area in light of current capacity overload in the NCWWTP system

(d) The capacity of the NCWWTP itself to accept and process the combined sewer overflow from the drainage area

(e) The high volume of combined sewer overflows already occurring in the NCWWTP drainage area

(f) The massive additive load to the sewage system under construction, permitted, or planned (including major zoning expansions under consideration in the NCWWTP Drainage Area such as Midtown East) including but not limited to additive development in Chinatown, the

Financial District, East Midtown, the Upper East Side, Financial District, Chelsea, Tribeca, and all other areas of eastern, lower, and lower western Manhattan in the NCWWTP drainage area,

(g) The effects with and without capital and operational elements of the Long Term Control Plan for the NCWWTP required by statute and consent order

(h) The volume of sewer backup complaints and notices of violation in the NCWWTP drainage area

(i) The high concentration of existing restaurants, hotels, medical facilities, retail food establishments, colleges and universities, schools, senior centers, food trucks, and other commercial and residential users of the sewer system components throughout the NCWWTP drainage area

(j) Compliance with requirements of the Comprehensive Plan compelled by USEPA Administrative Order dated August 31, 2016 (Docket Number: CW A-02-2016-3012, which includes Newtown Creek WWTP Permit No. NY0026204)

(k) Compliance with 2012 Consent Order as modified, including implementation of Long Term Control Plans

(l) Compliance with standards required for de-listing of the NewTown Creek as an "Impaired Water" under section 303 of the Clean Water Act

(m) Issuance of Section 78-313 Findings: The wastewater system assessment must be evaluated under Section 78-313 of the *Zoning Resolution of the City of New York,* and found in compliance with all applicable subsections, especially whether capacity and flow control increases in the Two Bridges LSRD from the proposed project will affect the City as a whole

Systemwide assessment is necessary because this EIS must evaluate combined sewage overflow and capacity not just for "impacts" but for substantive legal and financial requirements and implications.

iv. <u>The DSOW should evaluate whether a "Hookup Moratorium" is appropriate for the area pending completion of the Long Term Control Plan for the NCWWTP, and full compliance with the Consent and Administrative Orders noted above</u>

The Two Bridges megatower Group is likely to have not only multiple adverse environmental effects, but affect investment decision-making for limited New York City funds available to meet Clean Water Act requirements made necessary by today's overloads. Ongoing violations of the Clean Water Act such as those occurring now have resulted in serious consideration of a "hookup moratorium" in the past, a situation that may be again applicable given the overwhelming volumes of development added to the NCWWTP Drainage Area as well as the millions of additional square feet currently under construction, permitted, or planned in an area draining to an impaired water.

In light of the foregoing, the US Environmental Protection Agency (Region II), NYS Department of Environmental Conservation, and the NYC Department of Environmental Protection must be considered Involved Parties in the Two Bridges Megatower Group EIS, and included in its preparation.

7. Solid Waste

i. The evaluation of solid waste must assess additive collection trips, including truck emissions and traffic congestion from pickup to final disposition of the discarded material, including impacts at the ultimate disposal site and transport corridors.

ii. **Compliance with Section 78-313 Findings**: The solid waste assessment must be consistent with Findings under Section 78-313 of the *Zoning Resolution of the City of New York,* and found in compliance with all applicable subsections, including (b), (c), (d), and (g).

8. Energy

i. The scope of the energy consumption analysis of the Two Bridges Megatower Group must include liquid fuel, natural gas, and electricity consumption, and should be integrated with the Air Quality analysis, especially as the energy production on- and offsite will create emissions directly attributable to consumption, operations, and maintenance of the Megatower Group. The scope of energy analysis should include, but is not limited to the following factors:

(a) The capacity of delivery systems to provide sufficient fuel and electric energy based on transmission and capacity planning for New York City, especially in light of planned closure of the Indian Point Nuclear Power Plant as a source of electric generation for operation and maintenance of the Megatower Group

(b) Interference with substation capacity, demand management, or other energy efficiency programs mandated by City, State and federal law, as well as total energy consumption reduction programs advocated by all agencies and divisions of the government of the City of New York

(c) Current and future capital spending requirements for generation, transmission, distribution, and demand management system requirements for electricity service to sustain electric load requirement of the service area in which the Two Bridges Megatower Group will be operated and maintained that will be passed through to ratepayers in the same system

(d) Supply and delivery system capacity for natural gas consumption requirements of the Two Bridges Megatower Group, including transmission, distribution and delivery capacity in the service system area

(e) Construction and placement capacity for the physical energy delivery components required, including pipes, wires, and other energy delivery infrastructure, with particular emphasis on availability subsurface, surface, and elevated capacity for safe emplacement of physical components,

ii. **Compliance with Section 78-313 Findings**: The energy effects assessment must be consistent with Findings under Section 78-313 of the *Zoning Resolution of the City of New York,* and found in compliance with all applicable subsections, including (b), (c), (d), and (g). In particular, the Findings should be based on sufficient information and analysis showing that the construction and operation of the buildings themselves, as well as energy, waste han-

dling, and other operations and maintenance activities will not materially interfere with the energy infrastructure operating for the benefit of other buildings and residents in the LSRD.

9. Transportation

The DSOW claims that C6-4 zoning is "typically" mapped in areas in districts "well served" by transportation, the lead agency must demonstrate that current conditions continue to meet the "well served" standard. By most measures, the public transportation systems have developed into total inadequacy in light of the major increase in ridership, overcrowding, and deterioration of capital and maintenance. The ability to meet the flow and service conditions "presumed" by C6-4 zoning has a direct bearing on the granting of this Special Permit as a major modification, since resident and trip loads that exceed the C6-4 zoning parameters could be construed as a functional variance of the current zoning in addition to a major modification of a Special Permit. Air QualityMOVES data insufficient under 78-311 and 312

10. Involved Parties

The scope, scale, and environmental impacts presented by the addition of 4,775 new residences into a few square blocks coupled with the significant number of oversized, dense, and use intense infrastructure components cumulatively planned for the Newtown Creek Drainage area and Lower Manhattan in general, the following agencies must be involved in the DCP evaluation of the impacts of this and related projects:

1. Department of Housing and Urban Development (HUD): The full extent to which Federal funds will be used for capital, debt services, or lending leverage must be described in the DSOW, and HUD included as an involved agency in the event such monies are key to construction and operation. In the alternative, the DSOW must describe how the EIS will conform to any applicable HUD regulations under 24 CFR Part 58.

2. USEPA: The USEPA is an involved party due to significant legal compliance requirements affected by the project under two major statutes:

    i. The Clean Water Act: USEPA Administrative Compliance Order No. CWA-02-2016-3012 for State Pollution Discharge Elimination System permit violations including NY0026204 pertaining to the Newtown Creek Wastewater Treatment Plant

    ii. Comprehensive Environmental Response, Liability and Compensation Act (CERCLA, also known as "Superfund")—Newtown Creek, he single location of wastewater treatment for the project and dozens of other large-scale developments adding to the will occur, is the site of a major Superfund Cleanup. A draft report of the investigative phase was submitted to EPA for review on November 15, 2016 pursuant to a Consent Order for the site. Given the sensitivity of the area to additive contaminants and the overarching need to comply with the federal cleanup requirements, USEPA expertise and oversight is required for the Two Bridges EIS.

3. NYSDEC: The State DEC has filed an Order on Consent (CSO Order Modification to C02-20000107-8; DEC Case No. C02-20110512-25) for violations of Article 17 of the Environmental Conservation Law and Part 750, et seq., of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York. This Order includes completion of a Long Term Control Plan (LTCP) for the Newtown Creek, whose plant will be fed by the cumulative devel-

opment of the proposed action and multiple other oversized infrastructure projects that will cumulatively affect the NCWWTP.

4. NYCDEP: The DEP is legally responsible for New York City compliance with various sewage compliance orders affected by the proposed construction and operation of the Megatower Group.

5. FEMA: The Two Bridges LSRD is located in a mapped floodplain; introduction of over 5,000 new residences (including the current Extell Tower construction) requires involvement of the federal agency charged with assuring compliance with floodplain construction. FEMA involvement is particularly important given evidence of construction issues arising from the Extell Tower construction, including damage to infrastructure, water intrusion, and other built and natural infrastructure problems arising from attempting massive megatower builds in a floodplain.

IV. Project Alternatives

An EIS must contain an evaluation of "alternatives to the proposed action," ECL §8- 0109(2). The analysis of alternatives has been called the "driving spirit" of the SEQRA process. The SEQRA regulations require that a Draft EIS must include an alternatives analysis comparing the proposed action to a "range of reasonable alternatives...that are feasible, considering the objectives and capabilities of the project sponsor." (§ 617.9(b)(5)(v)). The current scope fails to meet this legal requirement, and therefore reasonable alternative must be included.

The DSOW should include alternative development options consistent with zoning, density, and neighborhood recognition provisions laid out in the Chinatown Working Group rezoning plan.

The Chinatown Working Group plan has widespread support throughout the community, and includes specific provisions for the Two Bridges area (subdistrict D):

- A height limit of 350'
- Anti-harassment and anti-demolition certification
- C6-4 lots rezoned to C6-4 modified
- M1-4 and C2-8 walkway be mapped as Parkland
- All M1-6 lots be maintained as M1-6
- A guarantee of at least 50% affordable housing in new development at local AMI
- Large-scale development mapped as a Special Planned Community Preservation District
- A special permit requiring that any new residential development on public housing land be 100% low-income and a full ULURP review
- Climate Change/Resilience architecture, landscape, and open space features to accommodate sea level rise and water detention, including green infrastructure and retention tanks

Alternatives should also include DCP developed options for compatible uses of the target open space that is in keeping with required benefit to the residents and City as a whole. These can include:

- Development of a much needed electric vehicle charging station on Site 5 for use by the growing fleet of City electric vehicles
- Stand-alone grocery and other food market options that alleviate food desert issues for Two bridges without compromising the current air, light, density, and character features integral to the residential community

V. Cumulative Impacts

The DSOW fails to include legally required cumulative impact analysis. Although "cumulative impacts" are not defined by SEQRA or its implementing regulations, the DEC SEQR Handbook describes the requirements for their analysis (page 41):

> These are impacts on the environment that result from the incremental or increased impact of an action(s) when the impacts of that action are added to other past, present and reasonably foreseeable future actions. Cumulative impacts can result from a single action or a number of individually minor but collectively significant actions taking place over a period of time. Either the impacts or the actions themselves must be related.
>
> Cumulative impacts must be assessed when actions are proposed to or will foreseeably take place simultaneously or sequentially in a way that their combined impacts may be significant. Assessment of cumulative impacts is limited to consideration of probable impacts, not speculative ones.

In the case of the Two Bridges Megatower Group, all the EIS impact categories are affected by accumulated effects of multiple large-scale developments in the immediate neighborhood for the past several years, and expected into the future, e.g., Extell Tower, Essex Crossing, South Street Seaport residential and commercial, multiple hotels, and expanded museums, to name only a few examples. The accumulated load and impact to airshed, sewage, drinking water distribution, transportation, school, energy production and distribution, steam, open space and other assessment categories from this Megatower Group must be evaluated for its addition to the load burdens presented by the significant infrastructure, population, mobility, services, and other capacity burdens accumulating throughout the Lower Manhattan ecosystem.

Thank you for the opportunity to submit these comments and participate in the EIS process.

Very truly yours,

for

Lower East Side Organized Neighbors

Tanya Castro-Negron, LE2RA
David Nieves, Seward Park Ext. & NMASS
Tony Queylin, Two Bridges Tower & NMASS
Irene HongPing Shen, CSWA
David Tieu, CSWA

CC: Nydia Velasquez, U.S. Congressman, 10th District of New York (by Email)
Gail Brewer, Manhattan Borough President (by Email)
Margaret Chin, City Council District 1 (by Email)
Daniel Squadron, New York State Senate (by Email)
Yuh-Line Niou, New York State Assembly (by Email)
Catherine R. McCabe, Acting Regional Administrator, US EPA Region 2
Basil Segos, Commissioner, New York State Department of Environmental Conservation
Robert J. Fenton, Jr., Administrator, Federal Emergency Management Agency
Mirza Orioles, Deputy Regional Administrator, US Dept. of Housing and Urban Development
Vincent Sapienza, Commissioner, New York City Department of Environmental Protection

URBAN JUSTICE CENTER

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August 11, 2017

Director Marisa Lago
Department of City Planning
120 Broadway, 31st floor
New York, New York 10271

HAND DELIVERED AND VIA FIRST CLASS MAIL

Re: Unlawful Process to Approve Development in the Two Bridges LSRD

Director Lago,

We are writing this letter on behalf of GOLES (Good Old Lower East Side), CAAAV: Organizing Asian Communities, Tenants United Fighting for the Lower East Side (TUFF-LES), and Lands End One Tenant Association (LEOTA) to bring your attention to legal deficiencies in the Department's treatment of applications for new construction in the Two Bridges Large-Scale Residential Development (LSRD) area filed by JDS Development Group, Two Bridges Associates, LP (joint venture of CIM Group & L&M Development Partners), and Starrett Development. Developers seek approval for the following changes to the Two Bridges LSRD:

- **Adding a thousand-foot-tall building with 660 residential units on Rutgers Slip** which requires approval for increasing floor area and lot coverage beyond what is now permitted; and approval for reconfiguring the existing building to allow for new ground floor retail.
- **Adding an 800-foot building (two towers) with 1,350 units on Cherry Street** which requires approval for increasing floor area and lot coverage beyond to what is now permitted; approval for relocating 103 parking spaces; and approval for enlarging ground floor retail space.
- **Adding a 700-foot building with 765 units on Clinton Street** which requires approval for increasing floor area and lot coverage beyond what is now permitted.[1]

[1] *See Two Bridges LSRD Draft Scope of Work for Preparation of a Draft Environmental Impact Statement*, at pgs. 2-3.

In his August 11, 2016, letter (enclosed), former Director Carl Weisbrod arbitrarily classified the requested approvals to add four new towers and nearly 3,000 new units as "minor modifications" to the existing LSRD and unlawfully determined that the completion of an Environmental Impact Statement and your Department's own examination of "the affect the proposed buildings will have on light and air in the surrounding area, as well as neighborhood consequences related to increased density (such as the need for schools), among many other factors" is the appropriate pathway for approving them.

The Zoning Resolution of the City of New York (herein "ZR") permits development in the LSRD area only as described in the original LSRD application and subsequent amendments; amendments may be Authorized by the City Planning Commission (CPC) or granted via a Special Permit after specific findings are made.[2] Special Permit applications must go through the Uniform Land Use Review Procedure (ULURP); City Council may "take up" Special Permit applications for an up or down vote.[3]

The enormous buildings JDS Development Group, Two Bridges Associates, LP and Starrett Development seek to build now were not part of the original LSRD plan as adopted in 1972, nor part of the amendments made for construction in later Authorized and Permitted Phases.[4]

The ZR does not allow for *any* modification of previously granted Authorizations and Special Permits in the Two Bridges LSRD.[5]

In the August 2016 letter, your Department's former Director referred to Section 2-06(g)(5)(ii) of the ULURP Rules in his letter outlining the Enhanced EIS process for approving a "minor modification" to an existing LSRD. The Rule the Director attempted to rely on does not belong in the approval process for changes to an LSRD. The Rule he cited has only been adopted for application in a specific context: when a Land Use application is altered in the midst of ULURP review after the CPC has voted on a prior version; the rule provides the standard for determining whether a new CPC vote is needed during the period for City Council review. The text of the Rule itself is clear:

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[2] *See* Zoning Resolution of the City of New York §§ 78-311, 78-312, 78-313.

[3] *See* ULURP Rules, New York City Charter §§ 197-d(b)(2) - (3) & 197-c(a)(4).

[4] Subsequent to the adoption of the Two Bridges LSRD by City Council in 1972, several amendments have been approved for subsequent Phases of development. City Council approved the most recent phase of development on Parcel 4B, Block 248, lots 15, 76 in 1995 via a vote on an amendment application that included an Authorization, a Special Permit and two certifications after ULURP on March 7, 1995. *See* C 980078 ZSM.

[5] Modification of previously granted LSRD Authorizations and Special Permits may only be sought and approved for three specifically identified LSRD parcels in the entire City: (1) vacant parcels in the West Side Urban Renewal Area, id. § 78-06(b)(2), (2) vacant parcels in Queens Community District 7, id. § 78-06(b)(4), and (3) parcels used as open space for the term of the URA Plan in the Ruppert Brewery URA, id. § 78-06(b)(7). Two Bridges is not an LSRD plan that can be modified.

> The Commission shall receive from the City Council *during its fifty (50) day period for review* copies of the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and to determine… whether the modification requires the initiation of a new application.[6]

Any other use of this rule is *ultra vires*: it is outside the scope of authority delegated to your Department pursuant to the requirements of the City Administrative Procedure Act. Any determination based on such a misuse of a rule is null and void. The applications filed by JDS Development Group, Two Bridges Associates, LP, and Starrett Development are not, at this time, going through ULURP; there has been no CPC hearing or vote. **The rule former Director Weisbrad cited is irrelevant and its application here is unlawful.** It cannot be used to circumvent the approval procedures mandated in the ZR. Further, any reliance on approvals granted for past projects is misplaced because those approvals cannot be transferred to the present applications[7] and have lapsed.[8]

Your Department must direct JDS Development Group, Two Bridges Associates, LP, and Starrett Development to seek approval for making changes to the existing Two Bridges LSRD area plan by seeking Authorizations and Special Permits to alter it to allow for the towers they seek to build. Should approvals for the proposed towers be granted at the conclusion of the deficient process outlined in the August 2016 letter and now underway, our clients will exercise their right to seek judicial review.

Best,

Paula Z. Segal, Esq. Melissa B. Risser, Esq. Adrien A. Weibgen, Esq.

---

[6] *See Windsor Owners Corp. v. City Council of City of New York*, 23 Misc.3d 490 (Sup. Ct., N.Y. Cty. 2009).

[7] For example, M 120183 ZSM (July 8, 2013)(an Authorization for a 120-unit palliative care building that was not funded or built) and C 950078 ZSM (Jan. 18, 1995)(Special Permit and Authorization to approve a 21-story building that was subsequently funded and built) describe specific projects distinct from the ones developers seek to have approved today.

[8] Prior approvals automatically lapse when projects do not move substantially forward within four years. Zoning Resolution of the City of New York §§ 78-07; 11-42 ("Any authorization or special permit granted by the City Planning Commission … shall automatically lapse if substantial construction, in accordance with the plans for which such special permit or authorization was granted, *has not been completed within four years* from the effective date of such permit or authorization" (emphasis added)). The HealthCare Chaplaincy approval, the latest granted in the Two Bridges LSRD, lapsed on July 8, 2017, as construction on that project as approved had not even begun by that day. Even the HealthCare Chaplaincy would need to seek a new approval in order to be permitted to build exactly what was allowed it in 2013; relying on that approval for out-of-scale construction of an entirely different form than was approved clearly violates the ZR.

CC: NYC Mayor Bill de Blasio, via email
First District Council Member Margaret Chin, via email
Manhattan Borough President Gale Brewer, via email
NYC Comptroller Scott Stringer, via email
NYC Public Advocate Letitia James, via email
Robert Dobruskin, Department of City Planning, via email
Malinda Rachel, Department of City Planning, via email
Jim Merani, Department of City Planning, via email
Hannah Marcus, Department of City Planning, via email
Kenneth J. Knuckles, Esq., Vice Chairman, City Planning Commission, via DCP
Rayann Besser, Commissioner, City Planning Commission, via email
Irwin G. Cantor, P.E., Commissioner, City Planning Commission, via DCP
Alfred C. Cerullo, III, Commissioner, City Planning Commission, via DCP
Cheryl Cohen Effron, Commissioner, City Planning Commission, via DCP
Michelle de la Uz, Commissioner, City Planning Commission, via email
Joseph Douek, Commissioner, City Planning Commission, via DCP
Richard W. Eaddy, Commissioner, City Planning Commission, via DCP
Hope Knight, Commissioner, City Planning Commission, via DCP
Anna Hayes Levin, Commissioner, City Planning Commission, via DCP
Orlando Marín, Commissioner, City Planning Commission, via DCP
Larisa Ortiz, Commissioner, City Planning Commission, via DCP
Assemblymember Yuh-Line Niou, via email
State Senator Daniel Squadron, via email
Congressional Representative Nydia Velazquez, via email
Alice Cancel, District Leader, via email
Rev. Pedro Cardi, District Leader, via email
Jamie Rogers, Chair, Community Board 3, via email
Lower East Side Organized Neighbors (LESON), via email
Two Bridges Tower Resident Association, via email

GOLES (Good Old Lower East Side), via email
CAAAV: Organizing Asian Communities, via email
Tenants United Fighting for the Lower East Side (TUFF-LES), via email
Lands End One Tenant Association (LEOTA), via email

Encl.: Former Director Carl Weisbrod August 11, 2016 letter

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE DIRECTOR

August 11, 2016

Hon. Margaret Chin
Council Member, District 1
250 Broadway, Suite 1882
New York, NY 10007

Hon. Rosie Mendez
Council Member, District 2
250 Broadway, Suite 1734
New York, NY 10007

Hon. Gale Brewer
Manhattan Borough President
1 Centre Street, 19th Floor
New York, NY 10007

Hon. Daniel Squadron
NYS State Senator, District 26
250 Broadway, Suite 2011
New York, NY 10007

Hon. Alice Cancel
NYS Assembly Member, District 65
250 Broadway, Room 2212
New York, NY 10007

Hon. Nydia Velazquez
U.S. Congresswoman, District 7
500 Pearl Street, Suite 973
New York, NY 10007

RE: Pre-Application Statements (PAS) for Two Bridges
Manhattan Blocks 246, 247 and 248

Dear Council Member Chin, Council Member Mendez, Borough President Brewer, Senator Squadron, Assembly Member Cancel, and Congresswoman Velazquez:

I appreciate your concerns regarding the proposed changes to the existing Two Bridges Large Scale Residential Development (Two Bridges LSRD) within the former Two Bridges Urban Renewal Area, as expressed in your letter to me dated June 22, 2016. I agree that the development contemplated here is significant when each proposed development is considered individually, and that the potential impacts to the surrounding neighborhood require unique consideration when the three proposed projects are assessed cumulatively.

As you are aware, the City Planning Commission created the Two Bridges LSRD in 1972 to support the Two Bridges Urban Renewal Area approved by the Commission in 1967. Through the LSRD regulations, the Commission granted waivers for distribution of permitted rooms without regard for zoning lots or district boundaries; for yard, height, and setback regulations wholly within the development; and for height and setback regulations on the periphery of the development. In 1995, the Commission granted additional waivers for height and setback regulations wholly within the development and for minimum distance between buildings.

The determination of whether a modification to a prior special permit is "major" or "minor" is based on whether the proposed modification would require new waivers or zoning actions or increase the extent of any previously granted waivers. The criteria governing this determination are those codified in Section 2-(6)(g)(5)(ii) of the ULURP Rules (attached). Here, because the proposed modifications will not require any new waivers or zoning actions or increase the extent of previously granted waivers, the modifications will be treated as "minor".

However, although these proposals will not be reviewed as major modifications, the Department of City Planning is committed to working with you closely as we review the applications for these developments. We are requiring the completion of an Environmental Impact Statement (EIS) in conjunction with these applications, and are pleased that the applicants have agreed to a coordinated review of the proposals, to ensure that both any cumulative and project-specific potential impacts are identified and addressed through the public process mandated by CEQR,

We are committed to ensuring that the proposed projects are reviewed in accordance with urban design principles that result in, among other things, an improved streetscape and pedestrian condition along both South Street and Cherry Street and attention to the relationship between existing and new buildings on the project sites. We will also closely examine the affect the proposed buildings will have on light and air in the surrounding area, as well as the neighborhood consequences related to increased density (such as the need for schools), among many other factors.

I know that the development of this area is of significant consequence to you and the neighborhood. We appreciate your engagement with these important land use matters and look forward to working closely with you as we review these proposals. Please feel free to reach out to us with any questions at any time.

Best regards,

Carl Weisbrod

Encl: *Section 2-06 City Planning Commission Actions*

Section 2-06 - City Planning Commission Actions

...

(5) Review of Council Modifications
The Commission shall receive from the City Council during its fifty (50) day period for review copies of the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and to determine:

(i) in consultation with the Office of Environmental Coordination and lead agency as necessary, whether the modification may result in any significant adverse environmental effects which were not previously addressed; and

(ii) whether the modification requires the initiation of a new application. In making this determination, the Commission shall consider whether the proposed modification:

(A) increases the height, bulk, envelope or floor area of any building or buildings, decreases open space, or alters conditions or major elements of a site plan in actions (such as a zoning special permit) which require the approval or limitation of these elements;

(B) increases the lot size or geographic area to be covered by the action;

(C) makes necessary additional waivers, permits, approvals, authorizations or certifications under sections of the Zoning Resolution, or other laws or regulations not previously acted upon in the application; or

(D) adds new regulations or deletes or reduces existing regulations or zoning restrictions that were not part of the subject matter of the earlier hearings at the community board or Commission.

If the Commission has determined that no additional review is necessary and that, either, no significant impacts will result, or that possible environmental impacts can be addressed in the time remaining for Council review, it shall so report to the Council. The Commission may also transmit any comment or recommendation with respect to the substance of the modification, and any proposed further amendment to the modification which it deems as necessary or appropriate.

If the Commission has determined that the proposed modification will require a supplementary environmental review or the initiation of a new application, it shall so advise the Council in a written statement which includes the reasons for its determination.

Two Bridges Tower Proposals-City Planning Commission Hearing-October 17, 2018

The Lower East Side Power Partnership has several concerns and advocacy recommendations regarding the proposed megatowers in Two Bridges LSRD.

SUNSHINE AND HEALTHY BONES

According to the International Osteoporosis Foundation "Sunshine is the best natural source of Vitamin D. Vitamin D helps our bodies to process calcium effectively and is essential for healthy bones."

RUTGERS COMMUNITY CENTER & PUBLIC SCHOOL 2

Two Bridges LSRD Draft Environmental Impact Statement

Figures 6-2, 6-3, and 6-9 of the Two Bridges LSRD Draft Environmental Impact Statement (DEIS) dated June 2018 show shadows on Rutgers Community Center, Public School 2, and other surrounding areas of the Lower East Side.

Manhattan Community Board 3 Two Bridges LSRD DEIS Resolution

Manhattan Community Board 3 Two Bridges LSRD DEIS Resolution, shared publicly at the Wednesday September 26, 2018 Meeting, states "Whereas, MAS has further identified that the proposed actions would generate shadow impacts on open spaces at: 1) The Rutgers Houses for approximately three hours daily during the May 6 and September 21 evaluation periods.."

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Two Bridges LSRD Final Scope of Work for Preparation of Draft Environmental Impact Statement

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Lower East Side Power Partnership (LESPP) advocates that the developers provide annual funding for Intergenerational Health, Wellness and Enrichment programming at the Rutgers Community Center if the proposed megatowers are built in the Two Bridges LSRD and for as long as they remain.

Lower East Side Power Partnership (LESPP) advocates that the developers provide annual funding for Health, Wellness and Enrichment programming at PS2 if the proposed megatowers are built in the Two Bridges LSRD and for as long as they remain.

The National Osteoporosis Society launches sunlight campaign to boost vitamin D levels in summer months

Printer friendly (https://www.iofbonehealth.org/?p=11919)

JULY 4, 2012

The Sunlight Campaign launched by the National Osteoporosis Society reminds people to get outside for a few minutes every day between May and September to keep their vitamin D levels topped up.

Vitamin D has been long known to improve bone health, by helping our bodies process calcium effectively – it is essential for bone and muscle health as it promotes calcium absorption from our food. Our bones need the added mineral to make them strong and supportive; and vitamin D may play an important role in muscle function.

So, what can I do to boost my vitamin D?

1. Sunlight is the best natural source of Vitamin D. Vitamin D helps our bodies to process calcium effectively and is essential for healthy bones.
2. Exposure to sunlight every day between 11am and 3pm from May until September will increase Vitamin D and help to keep bones healthy.
3. You should try to get 10 minutes of sun exposure to your bare skin, once or twice a day (depending on skin type), without sunscreen and taking care not to burn.
4. Always take care not to burn, especially during the strong sunshine in the middle of the day. Babies and children have very sensitive skin and need careful protection.
5. Even on cloudy days, your body can still produce Vitamin D from sunlight but it can take a little longer.
6. Get outside between May and September so that your body can produce enough Vitamin D to help see you through the winter months.
7. Make sure that you are actually outside. Your body cannot produce Vitamin D even if you are sitting by a window or in a conservatory on a sunny day. You must be outside.
8. Only a small proportion of vitamin D comes from the food we eat, but it is still important to include vitamin D rich foods in your diet, such as oily fish and eggs. Many margarines, breakfast cereals and dairy alternatives are fortified, but do check the label.
9. If you are 65+ years, not exposed to much sun (e.g. housebound or cover-up for cultural reasons) or a pregnant or breast-feeding woman, you should consider taking a daily, 10 micrograms (400IU), vitamin D supplement.

If you are fair-skinned, have lots of moles and freckles or have a family history of skin cancer, you should be particularly careful in the sun to reduce your risk of skin cancer, and avoid the strong sunshine in the middle of the day.

In 2010, the National Osteoporosis Society led a number of leading health charities with an interest in vitamin D and issued a consensus statement which agreed on a safe sun message. The statement was the result of collaborative work between the National Osteoporosis Society, the British Association of Dermatologists, Cancer Research UK, Diabetes UK, the Multiple Sclerosis Society, the National Heart Forum and the Primary Care Dermatology Society.

It's really important as many people as possible learn about how vitamin D helps build strong bones and how to get vitamin D naturally and safely from the sun. So please share this page with your friends on facebook.

For more information go to the National Osteoporosis Society (http://www.nos.org.uk/page.aspx?pid=5351)'s website.

Tag:

Member news (/news-tag/member-news/)

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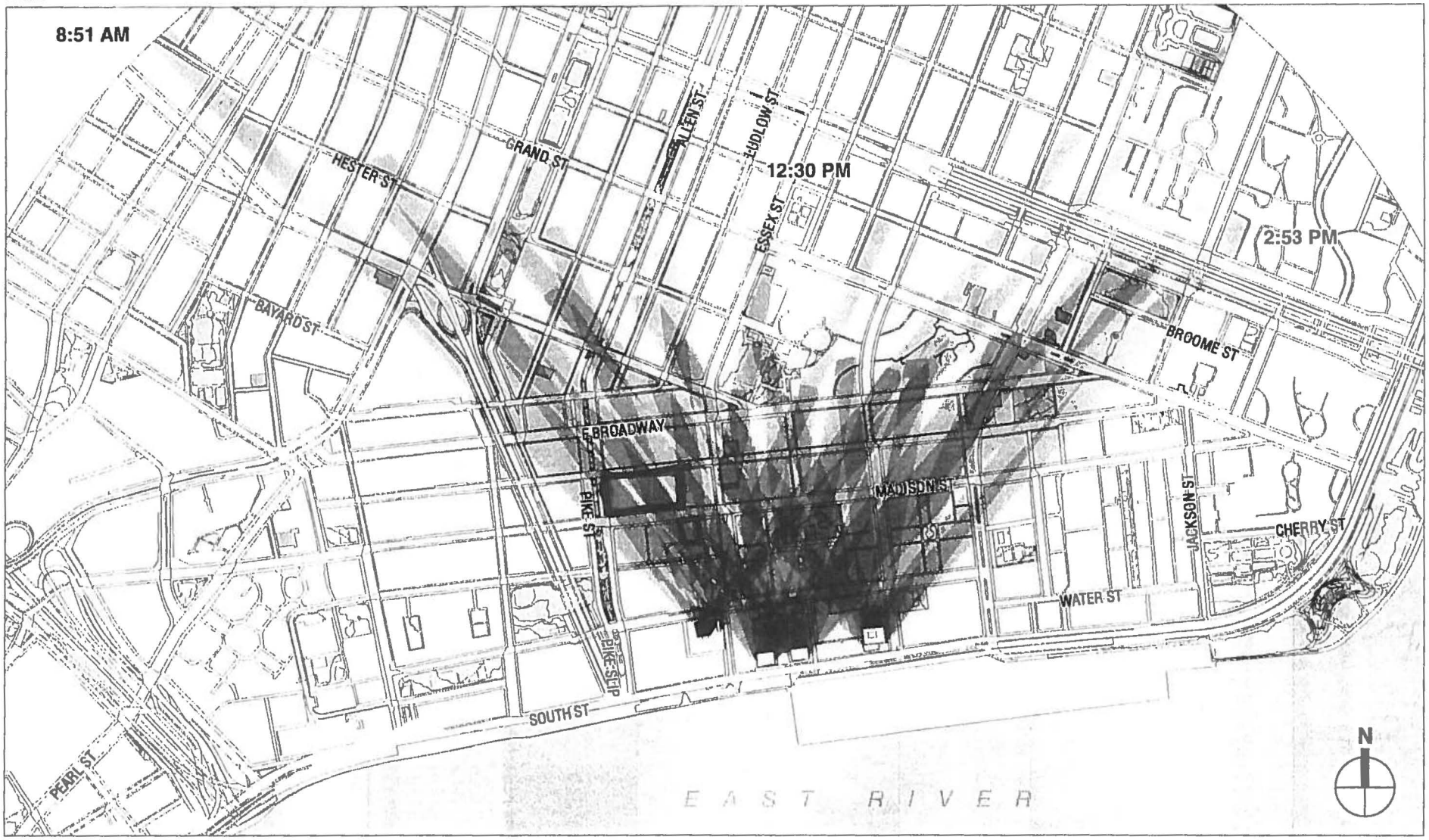
2.15.18



Publicly Accessible Open Space

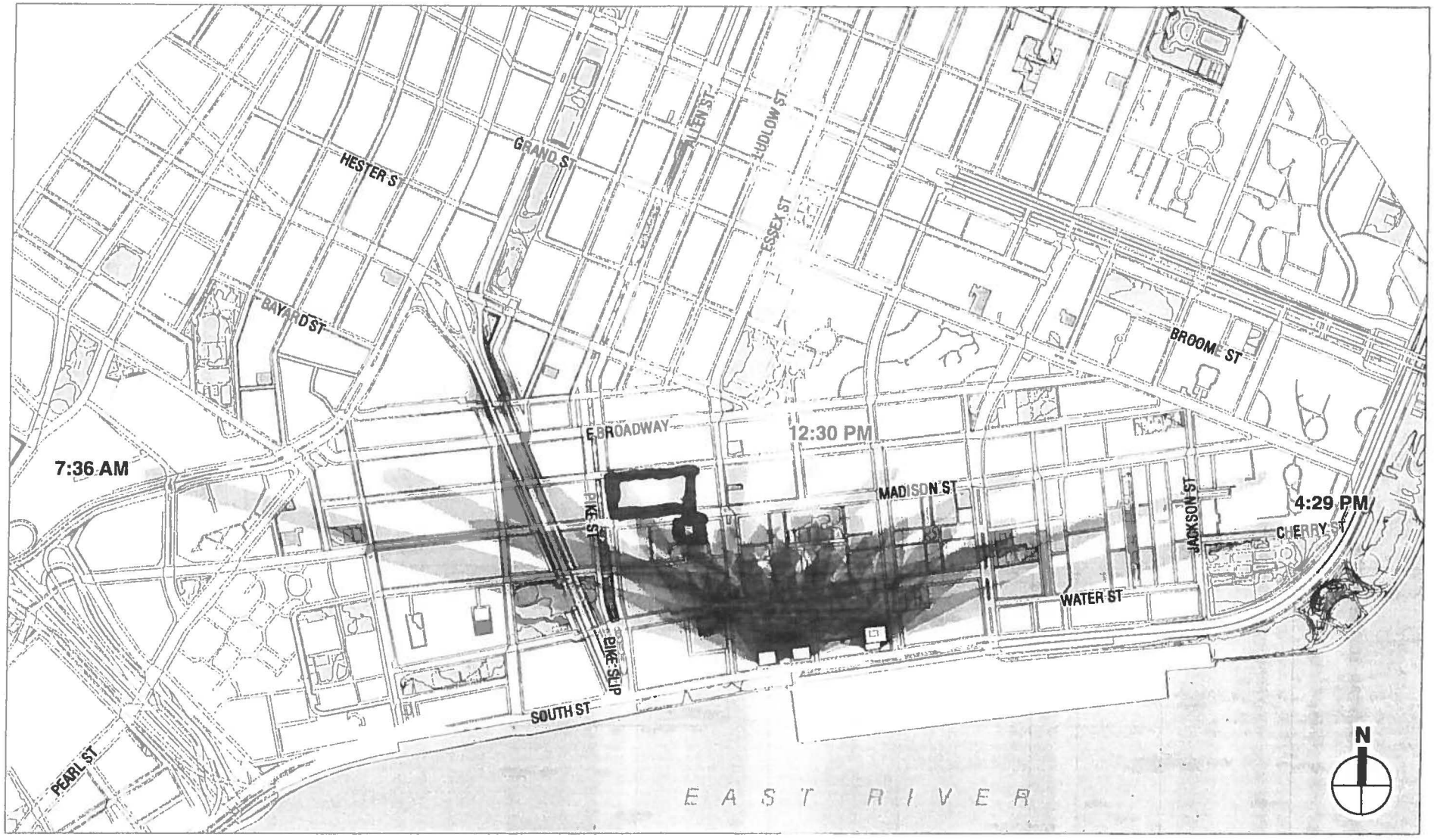
Historic Resource with Sunlight-Sensitive Features

NOTE: See Figure 6-1 for Open Space and Historic Resource Names

TWO BRIDGES LSRD

Tier 3 Assessment
December 21
Figure 6-2

2.15.18



Publicly Accessible Open Space

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Tier 3 Assessment
March 21 / September 21
Figure 6-3

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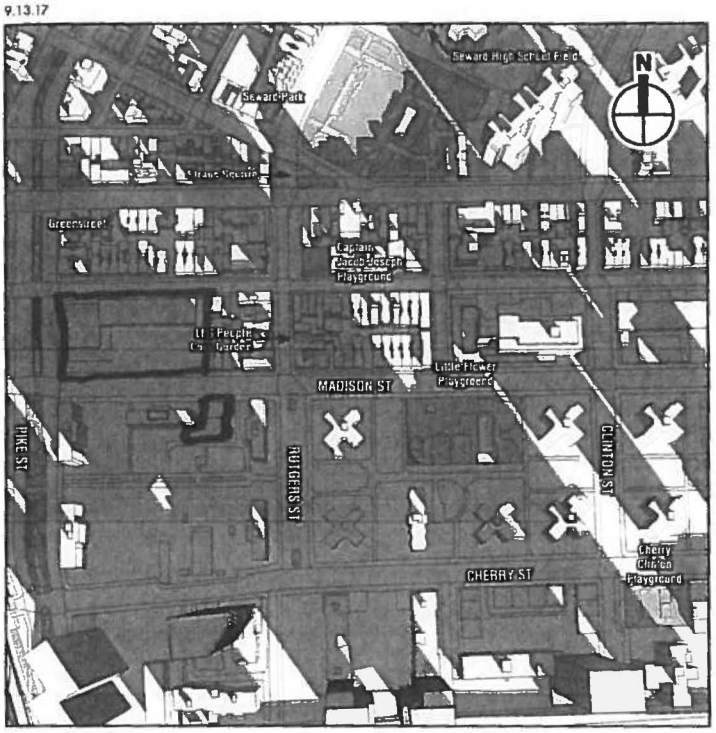

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Publicly Accessible Open Space

Incremental Shadow

Detailed Shadow Analysis
December 21

TWO BRIDGES LSRD

Figure 6-9

TABLES BY OVERAL RESPONSE

Table 11: Priorities: What kinds of community facilities do you most want to see in the community?

	% Total Respondent	Total Responses	Rank Order
Affordable sports/exercise facility	72%	304	1
Senior resource center	71%	298	2
Health center	70%	297	3
Cultural spaces	60%	254	4
Community Meeting Space	56%	236	5
Job training center	50%	213	6
Other _____	4%	15	7

Lower East Side
POWER
PARTNERSHIP

POB 1063 Stuyvesant Station, 432 E 14th ST, NYC 10009

Tel: 212 204-0668 Email: lespowerpartnership@gmail.com
Facebook: LESPowerPartnership

October 23, 2018

AKRF
Environmental, Planning, and Engineering Consultants
440 Park Avenue South 7th Floor
New York, NY 10016

Dear AKRF

The Lower East Side Power Partnership (LESPP) testified at the New York City Planning (NYCP) Public Hearing on Two Bridges on Wednesday October 17, 2018.
LESPP showed the shadow studies in the Two Bridges DEIS showing shadows on Public School 2 (PS 2) and the Rutgers Community Center. Our representative showed Figures 6-2, 6-3 and 6-9 and boldly outlined PS 2 on top and to the left of the Rutgers Community Center boldly outlined below and to the right. PS 2 and the Rutgers Community Center are also near Rutgers and Madison St entrance to the East Broadway F train station and proposed new entrance to a new wider staircase entrance to the F train.
According to the Manhattan Community Board 3 resolution concerning the Two Bridges LSRD Minor Modification shared publicly at the September 2018 meeting the "proposed mitigations to the accessibility and circulation at the F-line East Broadway station are not likely to be sufficient in offsetting the impacts that more than 5,800 new residents would have on subway line service, station accessibility, and pedestrian circulation.."
LESPP advocates for the developers to provide annual funding to PS 2 for Health, Wellness and Enrichment programming and annual funding to the Rutgers Community Center for Intergenerational Health, Wellness and Enrichment Programming if any of the proposed megatowers are built and for as long as any remain in the community.
LESPP has enclosed our presentation prepared for the October 17 event and illustrations largely placed on a poster board and presented on October 17 at the NYCP Public Hearing.
LESPP is writing to you because of our concern for the children, Seniors and residents of our community.

Sincerely

Vaylateena Jones
Lower East Side Power Partnership
President

Cc
Manhattan Borough President, Gale Brewer

NYC Council Member, Margaret Chin
NY State Senator Brian Kavanagh
NY State Assembly Member Yuh Line Niou
Director Rutgers Community Center, Bright Harold
Principal Public School 2, Silvana Ng
PS2 Parent Coordinator, Vera Chang
Capalino + Company, Ben Kleinbaum

Two Bridges Tower Proposals-City Planning Commission Hearing-October 17, 2018

The Lower East Side Power Partnership has several concerns and advocacy recommendations regarding the proposed megatowers in Two Bridges LSRD.

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RUTGERS COMMUNITY CENTER & PUBLIC SCHOOL 2

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Tag:

Member news

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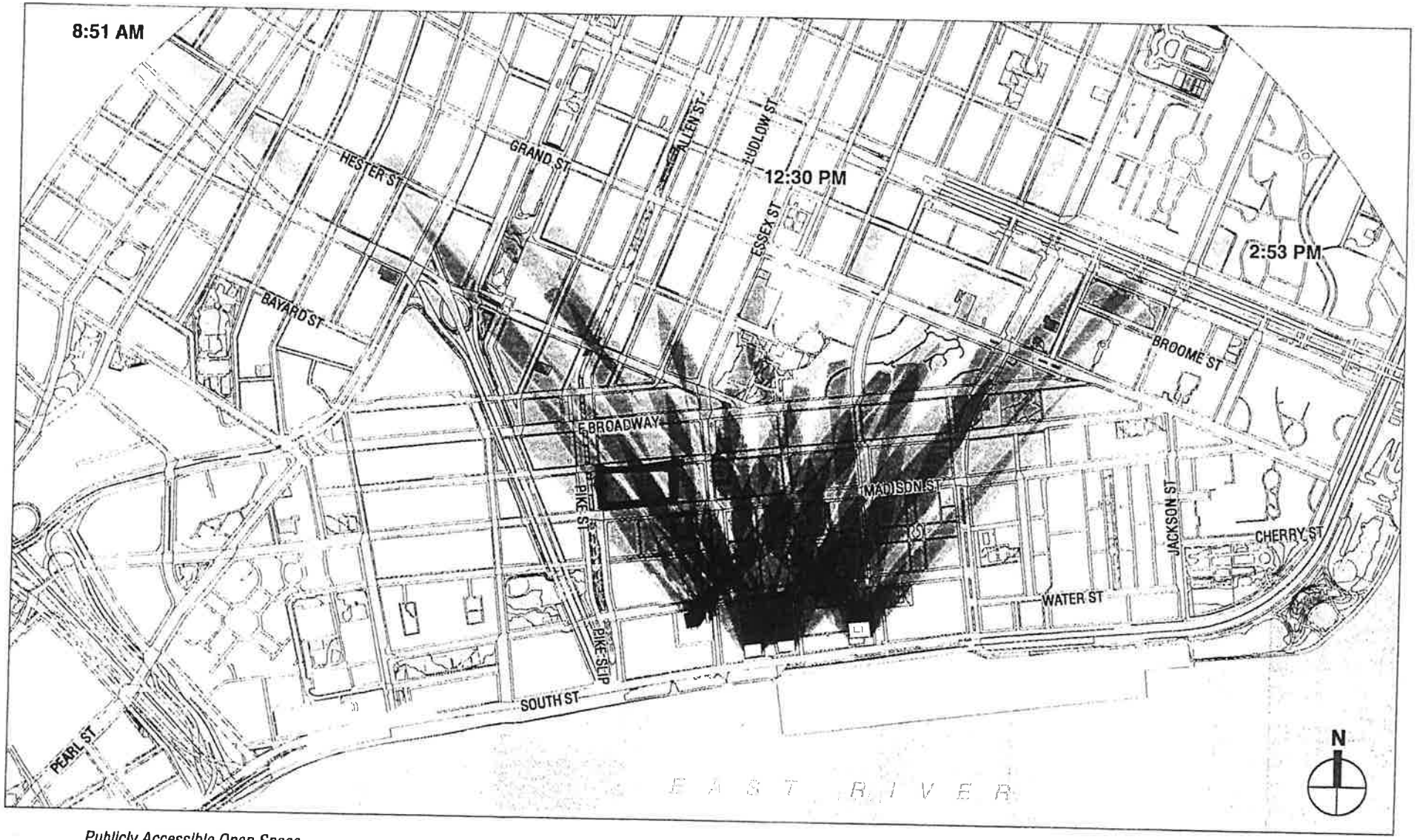

Publicly Accessible Open Space

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TWO BRIDGES LSRD

Tier 3 Assessment
December 21
Figure 6-2

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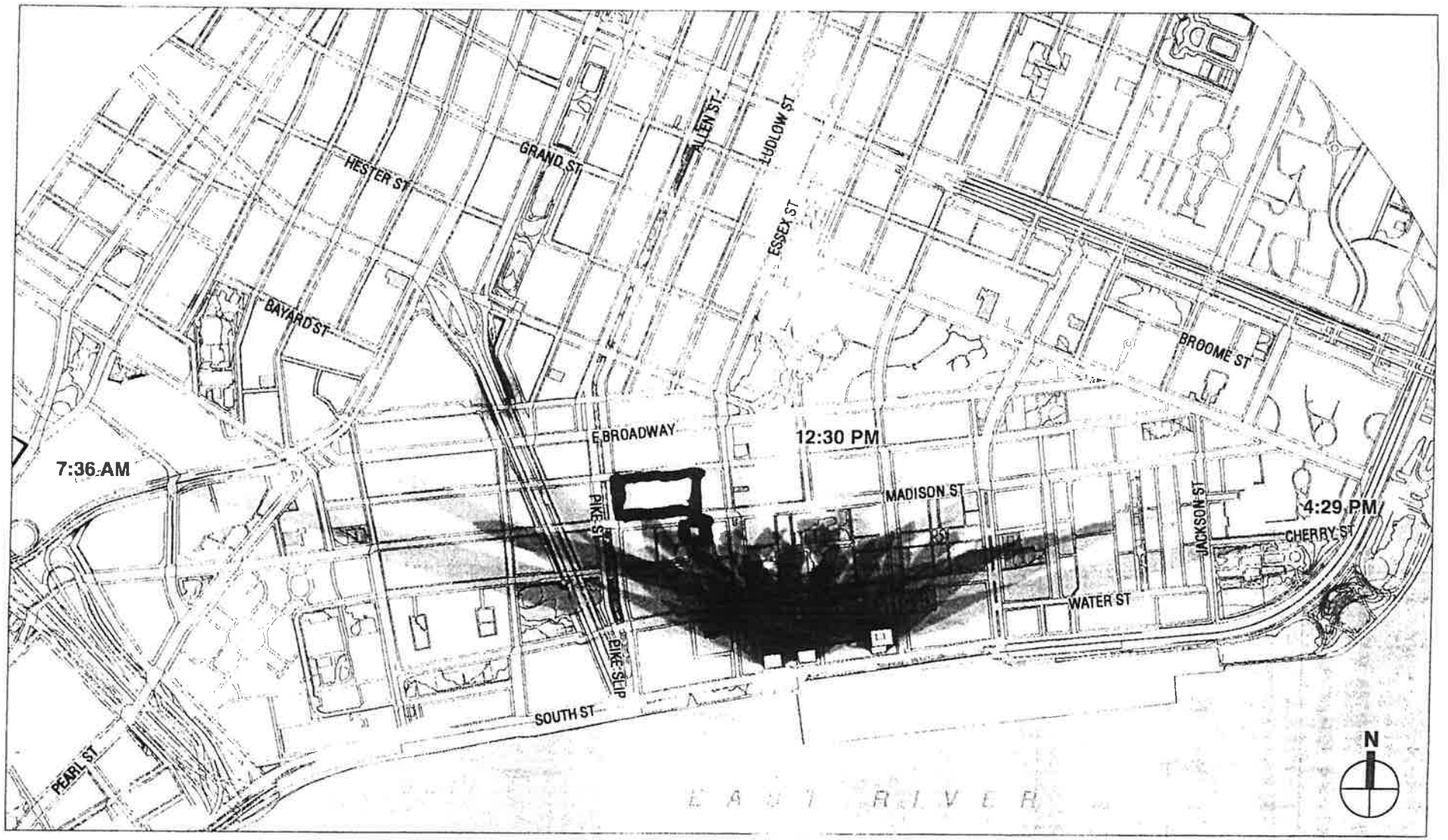

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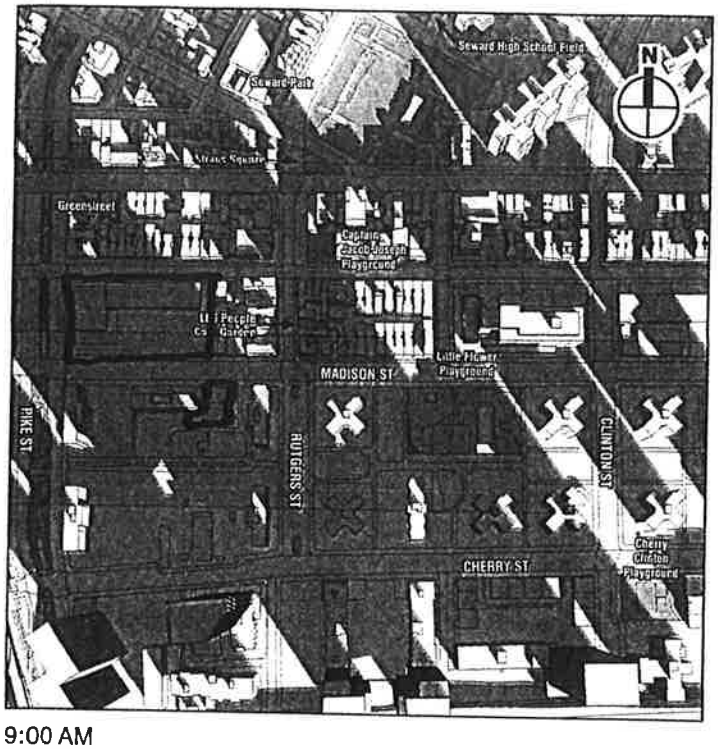
TWO BRIDGES LSRD

Tier 3 Assessment
March 21 / September 21
Figure 6-3



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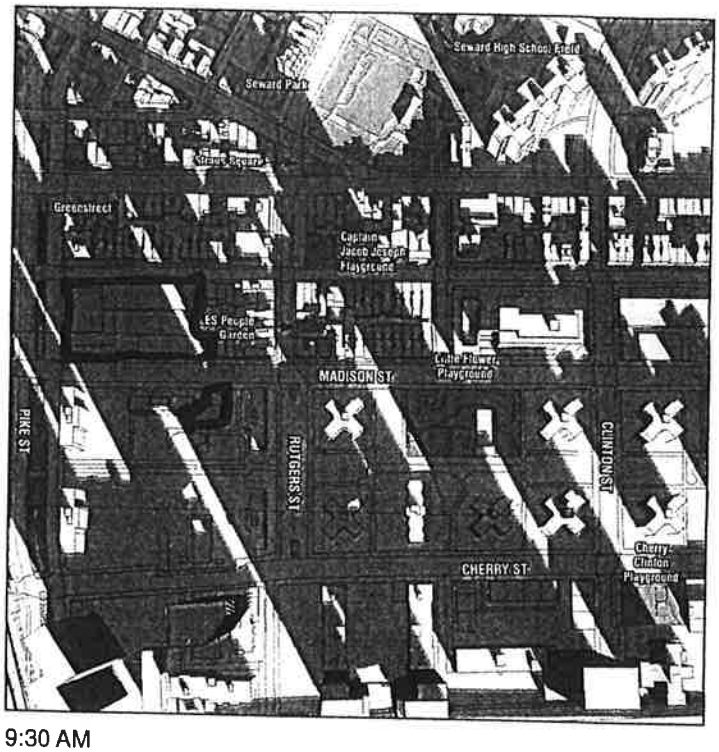

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Publicly Accessible Open Space

Incremental Shadow

TWO BRIDGES LSRD

Detailed Shadow Analysis
December 21
Figure 6-9

TABLES BY WITHIN LSRD & OUTSIDE LSRD

Table 20: Priorities: What do you believe is needed to keep the neighborhood affordable for your community?		
	Within LSRD	Outside LSRD
	Rank Order	Rank Order
Low prices for local everyday needs (grocery store, pharmacy, school supplies, etc.)	5	3
Low prices for local retail (clothes, home goods, gas, etc.)	**3**	**2**
Amount of affordable housing (more units available at various AMI levels)	7	5
Price of affordable housing (at 10% AMI [$16,210 for a family of 1] and below)	**1**	**1**
Affordable parking spaces for locals	**2**	4
Child day care, senior center, etc	4	7
Small business planning support and improvements for local stores	6	6
Other _____	8	8

Re. Project: **M 180505(A) ZSM - TWO BRIDGES**

- Application Number: **M 180505(A) ZSM**
- Project: **TWO BRIDGES**
- Public Hearing Date: **10/17/2018**
- Borough: **Manhattan**
- Community District: **3**

Submitted by:

Name: **Vaylateena Jones**
Zip: **10002**

I represent:
- **A local community group or organization**

Details for “I Represent”: **Lower East Side Power Partnership**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**
If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

Additional Comments:
I have uploaded the comments

Lower East Side Power Partnership
Two Bridges LSRD – Written Comments
Public Hearing October 17, 2018 - No. 15
Manhattan- M180505(A) ZSM- CD3

Organization: Lower East Side Power Partnership, PO Box 1063, Stuyvesant Station, 432 East 14th St, NYC 10009

Lands End II consists of "two 26-story towers at 265 and 275 Cherry Street (near Rutgers Slip) includes 490 apartments built in the late 1970s. This low and middle income complex was New York City's first Section 8 project." (Lands End II Affordable Complex on Cherry Street Sold For $279 Million-The Lo-Down)

L+M Development Partners and the CIM Group propose to construct towers more than 60 stories directly in front of the Lands End II residential complex.

The Lower East Side Power Partnership worked with leadership of the Lands End II Residents Association to create a survey to better understand how residents would be affected by the proposed developments. We administered the survey to residents of Lands End II on Friday, October 19 and Wednesday, October 24th 2018.

Windows

It is clear that the planned developments will significantly impact access to windows in Lands End II. The proposed buildings will cause 100 apartments in Lands End II to lose a window. Residents expressed serious concern about the impact of losing this vital source of natural sunlight, air, and ventilation. "Because the towers will rise right next to the existing buildings, about 100 Section 8 apartments will lose their windows facing the East River" (L + M, CIM unveil plans for two resi towers at 260 South Street-The Real Deal New York Real Estate News).

LESPP advocates that any proposed buildings be at a distance from the Lands End II apartments in order to allow present residents access to all their windows and the accompanying sunlight, air and ventilation.

Construction

Construction, air quality, and noise were the major concerns that residents expressed.

Quotes from Official Documents

1. "Construction of the proposed projects would result in some temporary disruptions in the surrounding area" (Two Bridges LSRD Draft Environmental Impact Statement DEIS).

2. "Emissions from nonroad construction equipment and on-road construction vehicles, as well as dust-generating construction activities, all have the potential to affect air quality." (Two Bridges LSRD Draft Environmental Impact Statement DEIS).

3. "265 and 275 Cherry Street appear to have insulated glass windows and an alternative means of ventilation (i.e., through the wall air conditioning units)…" (Two Bridges LSRD Draft Environmental Impact Statement DEIS).

LESPP advocates that the developers provide funding annually for prevention (upgraded extermination services, HEPA filter appliances, etc), maintenance (repairs), and upkeep at Lands End II **if any of the proposed megatowers are built and for as long as they remain in the community**. LESPP advocates that part of assessing the target of annual funding should include meeting with the residents and the Residents Association at least quarterly before, during, and after the construction if the proposed new buildings are approved.

Healthcare

Residents expressed that they depend on Gouverneur Health, which is one block away from Lands End II. Gouverneur Health is a vital and well-used resource in the community. Residents stated, however, that Gouverneur Health often refers them to Bellevue Hospital Center, to which they have difficulty traveling.

LESPP advocates that the developers provide annual funding to Gouverneur Health for Health, Wellness programming and services such as additional shuttle buses and free round-trip Metro cards for all Lands End Ii residents referred to Bellevue Hospital Center for an appointment, if any of the proposed megatowers are built and for as long as they remain in the community.

Supermarket

Residents expressed that the nearest supermarket – a Fine Fare on Clinton Street between East Broadway and Grand St, is inconvenient. The former Pathmark supermarket, which residents considered an affordable and convenient supermarket was torn down to make way for the Extell Building (1 Manhattan Plaza)._

LESPP advocates that developers provide an affordable supermarket if any of the proposed megatowers are built and for as long as any megatower remains in the community. LESPP also advocates that shuttle bus service, that can accommodate full shopping carts, be provided on the 1st and 15th of every month to Fine Fare on Clinton Street until an affordable supermarket is operational on the first floor if any of the proposed megatowers are built and for as long as any megatower remains in the community.

Transportation

Residents expressed concern that presently the F train stopping at East Broadway is often very crowded in the morning. The F train can be so crowded in the AM rush hour that passengers cannot get into the present F train and often have to wait for the next train.

LESPP advocates that there be discussions with MTA to address this concern.

Residents expressed concern about the bus service on the Lower East Side.

LESPP advocates for Select bus stops (in both directions) on Pike Street between Madison St and Henry St.

Submitted by: Vaylateena Jones

CHINESE
PROGRESSIVE
ASSOCIATION

230 Grand Street - Suite 504 New York, New York 10013 212-274-1891 cpanyc@cpanyc.org

Testimony to New York City Planning Commission
October 17, 2018
Re: Two Bridges LSRD

My name is Mae Lee. I am the executive director of the Chinese Progressive Association. The Chinese Progressive Association serves new immigrants in the Lower East Side and Chinatown area with English classes, legal assistance, assistance in navigating the neighborhood, finding resources. We help also eligible immigrants become new citizens and register to vote

Our members and clients typically work in Chinatown bakeries, hair salons, restaurants, and stores or as home health aides. Some start small neighborhood businesses or stores.

Our families often live doubled up with another family in an apartment where the children do not have a room of their own to sleep, play, study or do homework. A family of 3 typically makes about $25,000-$27,000.

When the children grow up and become independent, they often can't afford to stay in the neighborhood even if they would like to. They may earn more than their parents did but not so that they can afford the rents/prices surely being considered for these developments.

These developments as they are being proposed only offer 25% affordable housing – with the level of . of affordability still unknown. From this picture, these developments will adversely affect our ability to flourish as a vital and vibrant neighborhood powered by immigrant families and their children and grandchildren

Only the minimum is being offered to the community here.

We need more than 25% apartments designated as affordable. We also need apartments that will be affordable to households of a wide variety of income levels including low and moderate income

To date, we have not heard the above proposed in a serious way so we urge the commission to vote no on the proposal

華人策劃協會 ADVANCING OUR COMMUNITY
Chinese-American Planning Council, Inc. (CPC)
150 Elizabeth Street New York NY 10012 (212) 941-0920 fax (212) 966-8581 www.cpc-nyc.org

Chinese-American Planning Council, Inc.
City Planning Commission Testimony

Thank you City Planning Commission for the opportunity to submit written testimony. Chinese-American Planning Council (CPC) was founded as a grassroots, community-based organization in 1965 in this community board. Chinese-American Planning Council, Inc. (CPC)'s mission is to promote the social and economic empowerment of Chinese American, immigrant, and low-income communities. Our services focuses on empowering communities in four impact areas: Education, Employment, Family Support, and Community Empowerment.

CPC is the largest Asian American social service organization in the United States, providing vital resources to more than 60,000 people per year through more than 50 programs at over 30 sites across Manhattan, Brooklyn, and Queens. CPC employs over 700 staff whose comprehensive services are linguistically accessible, culturally sensitive, and highly effective in reaching low-income and immigrant individuals and families. To that end, we are grateful to testify about issues that impact the individuals and families we serve, and we are grateful to the Community Board for their leadership on these issues

The Two Bridges neighborhood has long been a haven for New York City residents seeking affordable housing. Due the redevelopment from the Two Bridges Urban Renewal Area and efforts of its community members, the current day Two Bridges neighborhood is rich with affordable housing options including three New York City Housing Developments and 1,500 low and middle-income housing units. The prevalence of affordable housing in the neighborhood has provided homes to populations who are most housing vulnerable. Segments of the population with the fewest employment opportunities, residents over 65 years of age and those with a disability make up almost 40 percent of the Two Bridges neighborhood. This is confirmed by the median household income in the Two Bridges area, which at $30,771 is below NYC's poverty line of $32.402.

The three proposed Two Bridges Towers will bring online a total of 2,775 market rate units. Though the project's draft Environmental Impact Statement (EIS) cites minimal environmental impact, the size of the project, will result in a projected 10 percent increase of population, most likely of middle and high-income residents. The significant population increase and the height of the proposed towers indicate the need for a closer look at potential direct and indirect impacts. The Community Members we serve as well as our staff are particularly vulnerable to transportation and educational impacts the project will bring. Specifically, the potential impacts the project will have on access to transportation including the traffic flow in the Two Bridges neighborhood, as well as the impact to the East Broadway train station and the bus routes M15 and M22 must be looked at. The impact on equity and excellence in the School District 1 must also be deeply examined. More analysis must be conducted on the potential impact the increase in school-aged children will have not only on the schools in the Two Bridges neighborhood, but throughout the school district as School District 1 is an elementary school choice district.

To our knowledge, there is no precedent for what will occur in the Two Bridges community, an infusion of a large number of market rate housing in a largely sheltered affordable housing community. The Two Bridges neighborhood deserves a more significant examination by the Community, City Agencies, and our elected officials.

If you have any questions, please contact Alice Wong at awong@cpc-nyc.org

To Whom It May Concern,

Please see the attached documents for comments from CAAAV and the Chinatown Tenants Union on the Two Bridges EIS.

Sincerely,
Melanie Wang

--

王忆莼 // Melanie Wang // she/her
Chinatown Tenants Union Lead Organizer
CAAAV: Organizing Asian Communities
55 Hester Street
New York, NY 10002
212-473-6485 || www.caaav.org
Please note that I am on a Sunday-Thursday schedule.

Comments to the City Planning Commission on Two Bridges Luxury Tower Proposals & Draft Environmental Impact Statement
Application Nos. M 180505(A) ZSM, M 180506(B) ZSM, M 180507(C) ZSM

October 29th, 2018

SUMMARY

CAAAV: Organizing Asian Communities stands strongly in opposition to the above-named applications and urges the Commissioners to vote against them. The purpose of Firstly, these proposal are before the Commission as a "minor modification" despite the fact that there is no process in the Zoning Resolution for modifying previously adopted LSRD plans, and as such, we urge you not to approve these towers via a process that has never been properly promulgated. Secondly, because of our organization's long-time role in Chinatown as a grassroots housing advocate, we also take a strong focus on the potential for adverse indirect residential displacement impacts, particularly as they relates to rent-regulated tenants. With respect to indirect residential displacement, there are fundamental flaws in the methodology and findings of the Draft Environmental Impact Statement (DEIS) that render its "No Impact" finding inaccurate and invalid.

ORGANIZATIONAL BACKGROUND

CAAAV: Organizing Asian Communities
CAAAV: Organizing Asian Communities is a grassroots organization based in Chinatown and founded in 1986 with the mission of organizing working-class, Asian immigrant and refugee communities in New York City towards racial, gender, and economic justice. CAAAV's roots in Chinatown date to the early 2000s, when the organization first began working street vendors and youth in the neighborhood to address the impact of broken windows policing. Since that time, CAAAV has maintained a strong membership base within the Chinatown community. In the wake of 2012's Hurricane Sandy, CAAAV coordinated almost a thousand volunteers and members to serve as first responders.

Chinatown Tenants Union Program and Membership
Since 2005, CAAAV has operated the Chinatown Tenants Union, a grassroots organizing program with a membership model focused on uniting the working-class, immigrant tenant community to fight gentrification. Membership is open to all Chinatown tenants, and members meet monthly to discuss and organize campaigns around tenants' rights, building problems, bad-acting landlords, and city and state-level housing issues. Members receive tenants rights' and leadership development training aimed at supporting them in identifying and resolving housing issues. The vast majority of Chinatown Tenants Union members are long-time, rent-stabilized tenants living in tenement buildings. Most are first-generation immigrants who came to the United States as adults, although some families are multi-generational residents of United States and Chinatown. A large number of Chinatown Tenants Union members live within and around the DEIS's ¼ mile study area, particularly in the tenement buildings on East Broadway, Henry, Madison, and Monroe streets.

DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS

CHAPTER 1: PROJECT DESCRIPTION

Scope of Work Not Responsive
The final scope of work for the Environmental Impact Statement was not fully responsive to comments submitted by the public on the draft scope of work, such as repeated requests for a study of indirect residential displacement that addresses the severe flaws in CEQR guidelines with respect to impacts to regulated housing. Therefore, omissions, misrepresentations and errors should be corrected in a Supplemental DEIS or alternately in the FEIS for the project

"Minor Modification" Misapplied
The DEIS Project Description introduces the proposed actions as "minor modifications to the existing Two Bridges Large Scale Residential Development (LSRD)… to facilitate the development of three mixed-use buildings within the Two Bridges LSRD". However, the characterization of the proposed actions as "minor modifications" is fundamentally flawed because it relies on a section of the Rules of the City of New York that is misapplied.

In a letter regarding the proposed projects dated August 16, 2016, then-Department of City Planning Director Carl Weisbrod wrote that the modifications would be treated as "minor", referencing determination criteria laid out in the Rules of the City of New York (RCNY) § 2-06(g)(5)(ii)[1]. However, this Rule does not belong in the approval process for changes to a LSRD. The Rule former Director Weisbrod cited has only been adopted for application in a specific context: when a Land Use application is altered in the midst of ULURP review after the CPC has voted on a prior version; the rule provides the standard for determining whether a new CPC vote is needed during the period for City Council review. This context is distinct from the context for the Two Brides application, in which actions have been proposed by a private applicant independent of an ongoing ULURP process. The Rule former Director Weisbrod cited is irrelevant, its application here is unlawful, and any determination based on such a misuse of a rule is null and void.

In that same letter, former Director Weisbrod stated, "I agree that the development contemplated here is significant when each development is considered individually, and that the potential impacts to the surrounding neighborhood require unique consideration when the three proposed projects are assessed cumulatively." We tend to agree, and we believe that the decision to treat a significant change to an LSRD as a minor modification has the potential to significantly impact New York City land use policy. This conclusion would impact all Large Scale special permits and perhaps even other special permits granted by the CPC outside the Large Scale special permits.

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

The analysis presented in Chapter 2 of the DEIS concludes that the proposed actions would have no adverse impacts on land use, zoning, and public policy. However, this analysis is flawed because it does not address several key issues repeatedly brought up by the public during scoping.

[1] Carl Weisbrod to Margaret Chin, Rosie Mendez, Gale Brewer, Daniel Squadron, Alice Cancel, Nydia Velazquez

Analysis Study Area

The DEIS continues to use ¼ mile for the analysis study area and does not respond to the potential direct and indirect impacts noted in the TUFF-LES, CAAAV, GOLES' and many other comments on the draft scope calling for the use of a ½ mile radius.

Chinatown Working Group Plan Not Addressed

The Chinatown Working Group (CWG) Plan, inclusive of Subdistrict D which covers the LSRD area, was approved by Manhattan Community Board 3 in 2015. As such, the consistency of the proposed developments with the CWG Plan should be considered and discussed as Public Policy.

CHAPTER 3: SOCIOECONOMIC CONDITIONS

The analysis presented in Chapter 3 of the DEIS concludes that the proposed actions would have minimal direct residential and business displacement impacts, and no adverse indirect residential or business displacement impact. However, this analysis is again based on flawed assumptions that ignore the reality of displacement in the Chinatown / Lower East Side neighborhoods.

Flaws in DEIS Analysis of Indirect Residential Displacement

The DEIS analysis of indirect residential displacement includes several key flaws that invalidate its conclusions. Firstly, it assumes that displacement pressure is equal to and the same as market pressure on rent prices. In practice, this means the DEIS assumes increased rent prices are the only relevant factor that would force tenants to move out of the neighborhood against their will. Secondly, it assumes that residential units under any sort of rent protection are so substantially protected from rent increases that they do not need to be considered in an analysis of indirect residential displacement pressure. Thirdly, it fails to consider race and ethnicity as part of its analysis, either as context informing the socioeconomic conditions in the study area, or as factors that impact tenant vulnerability to displacement pressure.

Landlord Negligence and Harassment as Displacement Pressure

Tenants living in private housing, such as rent-regulated units, that is subject to the high-pressure real estate market and related gentrification are vulnerable to displacement pressure in many forms – not simply market pressure on rents. Displacement pressure often takes the form of landlord negligence or outright harassment. Examples of these types of actions include frivolous eviction lawsuits, repeated harassment by building management, building negligence, lack of repairs, and buyout pressure. These many forms of displacement pressure have material impacts on tenants beyond just the financial. Indeed, tenants often face mental and physical health issues brought on by poor housing conditions or aggressive harassment.

As a community-based organization engaged in deep housing organizing work and community-led planning, CAAAV is regularly witness to tenant harassment practices both legal and illegal. These practices are the concrete manifestation of speculation and real estate pressure, and they create constant stress and frustration in the lives of poor and working-class immigrant tenants. They occur both in buildings owned by small landlords looking to turn over their properties after many years, and in buildings owned by predatory equity firms whose business strategy is to over-leverage rent-regulated buildings, drive those tenants out, and bring in market-rate tenants. In November 2016, State Attorney General Eric Schneiderman announced a suit against one such predatory equity firm, Marolda Properties, which had engaged in illegal tenant harassment tactics in a portfolio of buildings in Chinatown and the LES. CAAAV, working in partnership with University Settlement, Asian Americans for Equality and MFY

Legal Services, organized tenants in those buildings in 2014 and 2015, and it was tenant organizing that ultimately led to Tenant Protection Unit's investigation and later the Attorney General's case against Marolda Properties.

In 2018, the City of New York launched a pilot program to expand the Certificate of No Harassment program across the city, in recognition of the impacts of landlord harassment of rent-regulated tenants. However, this pilot is currently limited to several Community Districts across the city and does not include Manhattan CD3, which covers the study area, or indeed any CD in Lower Manhattan. The list of CD included in the pilot program is as follows:

- Bronx community district 4,
- Bronx community district 5,
- Bronx community district 7,
- Brooklyn community district 3,
- Brooklyn community district 4,
- Brooklyn community district 5,7
- Brooklyn community district 16,
- Manhattan community district 9,
- Manhattan community district 11,
- Manhattan community district 12,
- Queens community district 14.

There are provisions in the pilot program to allow in the inclusion of neighborhoods subject to city-sponsored rezonings, which the study area is not, and certain buildings across the city that have been subject to a full vacate order, participated in AEP, or with prior findings of harassment. The pilot is currently in effect for three years with no established mechanism for expansion. Based on these factors, the CONH pilot cannot be relied upon to mitigate harassment impacts to CD3.

Race & Ethnicity as Factors in Displacement Pressure

In immigrant communities, like Chinatown and Two Bridges, race and ethnicity are factors fundamentally relevant to displacement pressure. Lack of language of access or housing discrimination based on race can make tenants more vulnerable to landlord harassment. Additionally, displacement pressures are created by the steady depletion of ethnically and culturally-specific resources brought on by gentrification. This is particularly true in Chinatown, where the fabric of the working-class immigrant community depends on in-language access to stable, livable housing, local employment opportunities, and ethnically and culturally-specific goods, services, and community organizations. Each of these necessities is in turn threatened by speculation and real estate pressures in the neighborhood. Rising commercial rents and changing local demographics make it harder for small ethnic businesses to survive, which in turn weakens the network of employment opportunities, goods, and services that residents rely on.

In 2010, U.S. census noted a 17% decline of Chinese residents from Chinatown over the previous decade. This type of gentrification-driven demographic change represents a serious hardship for long-time businesses, who struggle to survive with fewer local Chinese residents. For example, Fong Inn Tofu shop on Mott Street had been open for over 40 years before it recently closed down because of loss of clientele and business. The owner had remarked upon the loss of frequent customers, who have been driven out by gentrification. Further, Chinatown residents tend to also work in the neighborhood in addition to living here. The local marketplace offering opportunities for blue-collar work and entrepreneurs alike. According to NYU Furman Center's 2015 report on the State of New York City's

Housing and Neighborhoods, 91.9% of Manhattan 3 residents had a car-free commute to work in 2013 -- which represents the highest percentage of walking commuters in the city. An affordable apartment in Chinatown allows residents participation in a vibrant and accessible labor marketplace, and for many low English proficiency workers, one that meets their language access needs.

The DEIS fails to consider the two-way relationship between residents and commercial businesses in an ethnically and culturally-specific community such as Two Bridges and Chinatown. As such, its analyses of both indirect residential and indirect commercial displacement are inadequate.

Potential Net Loss of Affordable Housing

The developers have proudly advertised the potential of the proposed projects to bring in just under 700 units of affordable housing. We are deeply concerned that because these 700 units are accompanied by over 2,100 units of luxury housing, their development will result in a net loss of affordable housing within the Chinatown and Two Bridges community. The DEIS as it stands dismisses the well-understood vulnerabilities of regulated housing and therefore completely misses an opportunity for a thorough, adequate study of potential impact to the surrounding community. State law is not satisfied by regulations that do not actually require an applicant to capture the impacts SEQR requires be captured; omissions in the Technical Manual are not sufficient cover for agencies to hide from the State law requirement that impacts on the environment must be carefully considered before an action like the one proposed here can be taken

<u>Chapter 20: Alternatives</u>

Chapter 23 of the CEQR Manual states that a description and evaluation of the range of reasonable alternatives to the action that have the potential to reduce or eliminate proposed projects impacts and are considered feasible should be considered in the EIS. Most comments on the Draft Scope of Work called for consideration of the Chinatown Working Group Plan as an alternative and in the response to these comments in the Final Scope it was stated that the CWG Plan would, in fact, be considered. Yet, in the DEIS it is not even mentioned – and certainly not evaluated and deemed to be infeasible.

This limited Alternatives analysis done in the DEIS deviates from the Final Scope. The Final Scope of Work included this language on page 43: "A discussion of other possible alternatives that may be developed in consultation with the lead agency during the EIS preparation process, such as alternatives that may reduce but not eliminate identified unavoidable adverse impacts, <u>or that may be posed by the public during the scoping of the EIS</u>." Although the Final Scope did not document which alternatives were presented by the public during the review of the Scoping of the EIS, Alternatives, including adopting Subsection D of the Chinatown Working Group Plan, *were* presented and are reflected in the Appendix to the Final Scope. Failing to include them in the DEIS belies that the whole process is seriously flawed. The way in which these alternatives are included in the FINAL Scope - as though public reviews to happen in the future as opposed to completed as prerequisite for the Final Scope - shows that DCP and the developers are both overlooking other possible alternatives. The DEIS authors saw fit to include data from the CWG report to make a case, when it suited their purposes, in the Socioeconomic chapter, but apparently failed to review the plan in its entirety.

The only alternatives that are considered are the required No Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative. The DEIS also discusses their consideration of a Lesser Density Alternative and erroneously concludes that the percentage of affordable units would necessarily remain the same thus significantly reducing the number of affordable units and substantially compromise the projects stated goals and objectives.

The CWG Plan's Subdistrict D is not a "lesser density alternative" as it does not propose a reduction in density although it would lower the permitted heights, thus requiring a different massing of the bulk.

For these reasons, the CWG plan *is* a "reasonable alternative" that should be added as an alternative considered and fully evaluated in the FEIS.

Conclusion

In conclusion, the misapplied "Minor Modification" process and flaws in the DEIS should make a vote of approval by the City Planning Commission impossible. We strongly urge the Commission to vote in opposition to the proposals as they have been brought forth.

October 29th, 2018

Marisa Lago, Chair
Kenneth J. Knuckles, Vice Chairman
Allen P. Cappelli, Commissioner
Alfred C. Cerullo III, Commissioner
Larisa Ortiz, Commissioner
Hope Knight, Commissioner
Cheryl Cohen Effron, Commissioner
Richard W. Eaddy, Commissioner
Orlando Marin, Commissioner
Joseph Douek, Commissioner
Anna Hayes Levin, Commissioner
Michelle de la Uz, Commissioner

Dear Commissioners,

We, the undersigned members of the Chinatown Tenants Union, are in opposition to the proposal for luxury towers along the waterfront. We urge you to vote against the proposal before you.

The Chinatown Tenants Union is a grassroots organizing program operated by CAAAV: Organizing Asian Communities. Our focus is on uniting the working-class, immigrant tenant community to fight gentrification. Membership is open to all Chinatown tenants, and members meet monthly to discuss and organize campaigns around tenants' rights, building problems, bad-acting landlords, and city and state-level housing issues. This letter was prepared at our October monthly meeting on October 21, 2018.

We are long-time, rent-stabilized tenants living in tenement buildings. Most of us are first-generation immigrants, and many of us live within and around the DEIS's ¼ mile study area, particularly along on East Broadway, Henry, Madison, and Monroe streets.

Our reasons for opposition are as follows:

1. The proposal has enormous potential to bring increased gentrification and displacement pressures to our community.

2. The legal protections for rent-regulated residential units are already not strong enough to properly protect residents from displacement pressure. Following the construction of these towers, rent-regulated units will be even more subject to displacement pressure. Therefore, the proposal has the capacity to displace many rent-regulated tenants.
3. Displacement pressure results in material consequences for rent-regulated tenants. Many rent-regulated tenants face landlord harassment in the form of intentionally neglected repairs, lack of heat or hot water, improper and/or illegal rent increases, and frivolous eviction lawsuits.
4. During the construction, there will be adverse traffic, noise, and air pollution impacts to the surrounding area which have not been properly addressed or mitigated.
5. No mitigations have been proposed to address potential impacts to schools overcrowding the community.

We ask you to vote in opposition to these proposals, to protect the conditions and quality of our community.

Thank you for your time and attention.

Sincerely,
The Chinatown Tenants Union

CAAAV
ORGANIZING ASIAN COMMUNITIES

反对水边发展!

保护唐人街! 反对贵族化!

姓名 Name	地址 Address	电话/电子邮件 Telephone Number	签名 Signature
JIAN CHEN	26 MADISON ~~ST~~ APT 3J	646-704-7961	
GUO ZHEN DIAN	80 MADISON ST #26 NEW YORK NY 10002	6467148289	GUO ZHEN DIAN
WANG MEIFANG	123 Division St. #8 New York NY 10002	646-945-1738	MEIFANG WANG
YOH LINGCHANG	154 Broome St Apt 20	718-873-6647	Yoh Ling Chang
Iris Liang	106 Madison Street # 5B, NYC 10002	347-335-9902	Iris Liang
Joyce Yu	106 Madison St, #5D NY 10002	917-697-2822	Joyce
Yindie Huang	77 Madison ST Apt #3 NY NY 1000	646-515-3695	Yindie Huang
MAN WAI TSUI	77 madison st APT#14 NY NY 10002	516-967-9695	Man Wai Tsui
Raymond	138 5th Ave	646 918 -8178	
Jackie Dai	77 madison st, APT 13, NY, NY 10002	646-249-4113	Jackie Dai

CAAAV
ORGANIZING ASIAN COMMUNITIES

反对水边发展!

保护唐人街! 反对贵族化!

姓名 Name	地址 Address	电话/电子邮件 Telephone Number	签名 Signature
Guo Qi Guan	54 Henry ST 3RD New York NY 10002	917-678-2228	Guo Qi Guan
Baan	195 Madison St. 8th New York NY 10002	917-501-4306	Baan
~~ZHU BEN~~ Wen Sheng Zheng	81 Bowery #13	917 399 3112	ZHENG WEN SHENG
Ben Ren Zhu	81 Bowery #26	917 526 4688	ZHU BEN REN
Liu Su Zhen	51 Mott St #4	646-236-3104	LIU SHU ZHEN
Bin Liang	85 COLUMBIA ST #21A	347-905-3285	
(Chen, Ren Ping)	53 Monroe St., Apt. 7	646-624-9158	

CAAAV
ORGANIZING ASIAN COMMUNITIES

Testimony of Liang Ming Xue to the City Planning Commission
On Two Bridges LSRD

October 17th, 2018

我今天的目的是要求您们城市计划委员会投票“NO”，反对水边的高级公寓大楼建议。
My purpose today is to ask you, the City Planning Commission, to vote “No” and oppose the proposal for luxury towers along the waterfront.

我是唐人街的居民和唐人住客协会的会员。我住在 53 Monroe 街，在这里住了二十多年。我的公寓是租金稳定公寓。
I am a Chinatown resident and a member of the Chinatown Tenants Union. I live at 53 Monroe Street, and I have lived there for more than twenty years. My apartment is rent-stabilized.

我们在这边，以前是很稳定的。现在，因为有贵族化，有很多房东骚扰，去干涉我们。虽然环境影响声明的结论是租金稳定的租户不会受到间接住宅转移的影响，但我知道这是不对的。我们这些周围社区低收入租户会受非常大的影响。
For those of us who live along the waterfront, life used to be very stable. But now, because of gentrification, there is a lot of landlord harassment and displacement. Although the Environmental Impact Statement concluded that rent-stabilized tenants are not impacted by indirect residential displacement, I know this is false. Low-income residents in the community are deeply impacted by these issues.

2015 年的时候，有一位新房东买了我们两个楼宇，51 和 53 Monroe 。我看到他们买了楼宇以后有很大的改变。他们做了很多装修，也开始骚扰住客赶他们走。
In 2015, a new landlord purchased our two buildings, 51 and 53 Monroe. I saw enormous changes occur after they purchased the building. They started doing a lot of construction, and they began harassing tenants in order to encourage people to leave.

我们楼里面有 15 个单元。以前，都是租金稳定住客。我们很多都相互认识。现在 2018 年，已经有 8 个家庭搬走了。新搬进来 的住客每月租金 3 千以上。所以贵族化对我们租金稳定的住客会有很大的影响。
There are 15 units in our building. In the past, they were all rent-stabilized tenants. We all knew each other. Now, in 2018, eight families have moved away. New tenants pay upwards of $3,000 per month in rent. This shows the impact gentrification has had on rent-stabilized tenants.

我们周围有很多小孩和老人. 我有两个小孙子，一个是 5 岁，一个是 3 三岁多。如果您决定支持这三个高级公寓大楼，他们将会受到影响。
In our community there are many children and seniors. I have two young grandchildren, one five years old and one a little bit more than three years old. They are the ones who will be impacted if you approve these three luxury towers.

施工期间会有很多灰尘。我们社区学校本来已近很难找到位子。 一旦新楼建成并且许多人搬进来，它将变得更加困难。
There will be significant dust during construction. In our community, it is already difficult to get a spot in schools for children. Once the buildings are built and many people move in, it will become even more of a challenge.

出于这些原因，我请你投票 No 并否决这个提案。 谢谢。For these reasons, I ask you to vote no and turn down the proposal. Thank you.

Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

Re: Critique of the Two Bridges Large Scale Residential Development On Grounds of Failure to Comply with NYC Zoning Resolutions and Inadequate Assessment of Adverse Impacts in Draft Environmental Impact Statement "Two Bridges Large Scale Residential Development Area Project" CEQR No. 17DCP148M.

October 29, 2018

INTRODUCTION

This submission is filed on behalf of the Lower East Side Organized Neighbors ("**LESON"**)[1], the Chinese Staff & Workers' Association ("**CSWA**")[2], National Mobilization Against Sweatshops ("**NMASS**")[3], and Youth Against Displacement ("**YAD**")[4]—groups of activists and

[1] The Lower East Side Organized Neighbors (LESON) is a group made up of concerned residents of the Lower East Side and its surrounding areas, including Antonio Queylin of 82 Rutgers Slip apt. 22J NY, NY 10002. These residents have joined together to challenge projects, policies, and other issues which they believe adversely impact the current and future preservation of their community.

[2] The Chinese Staff & Workers' Association (CSWA) is a nonprofit, nonpartisan workers' rights organization based in New York City, with its primary office in the Lower East Side. CSWA primarily assists workers in restaurants, the garment industry, and construction industries; however it is active among workers in a variety of professions. Many of its over 2,000 worker members reside in, or work in, the Lower East Side.

[3] Founded in 1996, National Mobilization Against Sweatshops (NMASS) is a workers membership organization that was started by young working people in New York City. Since their founding, they have focused on the right to a 40-hour workweek at a living wage for all. They have a Workers' Center in the Lower East Side, and many of their members, supporters, and activist leaders reside in the Two Bridges area.

[4] Youth Against Displacement (YAD) is a group of activists helping young people in New York City organize to fight displacement. YAD is active in both Chinatown and the Lower East Side,

community leaders in the Lower East Side who oppose the construction of the Two Bridges Large Scale Residential Development Area Project ("**the Project**"). We present this submission to the City Planning Commission ("**CPC**") as part of the public input process following the October 17, 2018 hearing.

The purpose of this submission is to bring the CPC's attention to deficiencies in the Department's treatment of applications for new construction in the Two Bridges Large-Scale Residential Development ("**LSRD**") area filed by JDS Development Group, Two Bridges Associates, LP (a joint venture of CIM Group & L&M Development Partners), and Starrett Development. First, we argue that the October 17, 2018 hearing was inadequate, as the developers did not fulfill their disclosure burden. Second, we argue that construction of the Project requires new permits and violates Zoning Ordinance 78-313[5]. Finally, we argue that the Draft Environmental Impact Statement ("**DEIS**") titled "Two Bridges Large Scale Residential Development Area Project"[6] provided inadequate assessment of adverse impacts.

BACKGROUND

In New York City, LSRDs are subject to regulations in the NYC Zoning Resolution ("**ZR**") that govern use, bulk, parking, and other applicable rules. They are also subject to special provisions that are designed to allow for greater site planning flexibility and encourage more efficient use of scarce land. An LSRD can only be approved if the CPC finds that the redistribution of bulk and open space on a particular site will result in better site planning and create a better relationship amongst buildings and open areas. Substantial updates or changes to an LSRD must be approved

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and deeply concerned about zoning policies and development projects which lack community involvement and encourage gentrification that is adverse or careless toward the interests of long-time residents.

[5] *See* NYC Housing Ordinance 78-313 https://zr.planning.nyc.gov/article-vii/chapter-8/78-313.

[6] CEQR No. 17DCP148M.

by the CPC, which is required to consider whether the changes need waivers or zoning actions not included in any previous approvals.

In the case of the Two Bridges LSRD application[7], three developers seek modifications to the existing site plan regarding height and setback rules and minimum distance between buildings requirements. They seek these modifications to allow for the construction of high-density towers on the former Two Bridges Urban Renewal Area ("**URA**"). These developers are JDS Development Group, Two Bridges Associates, LP, and Starrett Development ("**the developers**"). Though the full extent of modifications have not been clearly articulated by the developers, it is apparent that they are at least seeking approval for the following modifications to the Two Bridges LSRD:

1. **Adding a thousand-foot-tall building with 660 residential units on Rutgers Slip** with increased floor area and lot coverage. Seeking approval for reconfiguring the existing Rutgers Slip building to allow for new ground floor retail.

2. **Adding an 800-foot building (two towers) containing 1,350 units on Cherry Street,** with increased floor area and lot coverage beyond what is now permitted. Requesting approval for relocating 103 parking spaces at the buildings on Cherry Street. Requesting approval for enlarging ground floor retail space for the buildings on Cherry Street.

3. A modification on Clinton Street which would revise the Special Permit by moving parcel boundaries in a way that allows for the combination of Parcels 4A and 4B into a new Parcel 4. The developers do this in order to build **an entirely new, approximately 1,008-foot-tall building with ground floor retail.**

[7] For more information, see pages 2 and 3 of the Two Bridges LSRD Draft Scope of Work for Preparation of a Draft Environmental Impact Statement, *found at* https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/two-bridges/00-deis.pdf?r=1.

In response to the developers' application for modification, former CPC Director Carl Weisbrod determined that modifications to the Project did not need any special permits or waivers[8]. As such, it is currently the City's position that completion of an Environmental Impact Statement and CPC examination is sufficient for the Project's approval.

We strongly reject former Director Weisbrod's assessment, and argue that approval for these modifications is illegal and inappropriate for the Lower East Side. We assert that the Two Bridges LSRD proposal of more than 2,000 market rate units and only 694 units with any affordability requirements does not contribute enough to the Projects' stated purpose of advancing the Housing New York plan[9]. This proposal provides for the owners to receive full property tax exemptions, but the rents for regulated units would still be too high for the majority of current residents to afford.[10] Due to its hugely disproportionate scale and the lack of accessibility for truly low-income neighborhood residents, we maintain that approving this Project will lead to massive displacement and gentrification in the community. In stating our gentrification concerns, we echo the conclusion of a recent Pratt Center Report, which holds that the CEQR Technical Manual's "step-by-step methodology is based on a series of unjustified

[8] *See* Letter from DCP Director Carl Weisbrod to elected advocates, August 11, 2016.

[9] *See* The Housing New York Plan, *at* http://www.nyc.gov/html/housing/assets/downloads/pdf/housing_plan.pdf.

[10] Nearly 30 percent of residents in the Lower East Side live below the poverty line, with the median income for a family of three being just over $30,000. To this population, only deeply affordable housing units are accessible. For more information of the demographics in this neighborhood, see Community Board 3's most recent Community Health Profile at https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-mn3.pdf.

assumptions that easily lead to minimizing vulnerability and therefore, a finding of no significant adverse impact to the existing community[11]."

ARGUMENT

PART I: FAILURE OF THE HEARING AS A RESULT OF INADEQUATE DISCLOSURE

The DEIS environmental review is part of a **disclosure** process. Modification of an LSRD requires a detailed plan and evidence that proposed modifications are keeping with the purposes of the LSRD. Here, the developers did not provide enough detail about their requested modifications to satisfy this process. It is not the CPC's job to fill in the blanks when developers fail to make a proposal explaining and defending the modifications that they seek.

In both the DEIS "Project Description" and the hearing on October 17, 2018, the developers did not clearly describe the proposed modifications they are seeking, how these modifications relate to specific previous Special Permits or subsequent amendments, or how they would enable the proposed development to occur. For example, the developers have thus far only stated that the modifications to the LSRD would "modify the approved site plans to enable the proposed developments to be constructed utilizing unused existing floor area." This kind of vagueness fails to satisfy the purpose of environmental review and robs the public of its right to weigh in on this Project and its existing permits and waivers.

Because they failed to properly disclose information about their requested modifications, the developers must prepare a proposal that addresses the change to the existing LSRD plan. Once this is completed, the DEIS must be redone so that there is enough information available to fully reassess the Project in light of site planning goals and zoning requirements. This will allow them to satisfy the disclosure process, and give the community enough information to evaluate the impacts of the application.

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[11] *See* FLAWED FINDINGS: HOW NYC'S APPROACH TO MEASURING DISPLACEMENT RISK FAILS COMMUNITIES, https://www.prattcenter.net/sites/default/files/flawed_findings_full_report_pratt_center_0.pdf.

Our comments emphasize the severity of this disclosure shortcoming, and how it is made even worse because of the many shortcomings of the DEIS.

PART II: ZONING RESOLUTION CRITIQUE

1. The Developers Cannot Rely on the Original Special Permit or Subsequent Amendments, and thus They Must Seek New Permits.

The Two Bridges neighborhood is a former URA, an area where the city sought to remove blight and create mixed-income housing and employment opportunities. In 1972, the area was designated as an LSRD area, a district in which the city allows flexibility to normal land-use regulations in order to facilitate air rights transfers and encourage the most space-efficient site plans for development that covers multiple property lots.

It is significant that the LSRD was created after the 1961 Zoning Resolution of the City of New York 1 initially assigned C6-4 zoning to the lots in the LSRD. The LSRD is more restrictive than the underlying zoning, and the zoning resolution is clear that where there are two sets of regulations applicable to a particular lot, the more restrictive terms control[12]. Since the LSRD is more restrictive and more recent than the underlying zoning, all development must comply with it.

The ZR allows development in the LSRD area only as described in the original LSRD application and subsequent amendments.[13] Despite this, the developers are asking for

[12] Zoning Resolution of the City of New York §§ 11-22 ("Whenever any provision of this Resolution and any other provisions of law, whether set forth in this Resolution or in any other law, ordinance or resolution of any kind, impose overlapping or contradictory regulations over the use of land… **that provision which is more restrictive or imposes higher standards or requirements shall govern**") (emphasis added).

[13] CPC21885 (June 15, 1973; CPC approval is subject to the same conditions enumerated in the May 15, 1972 approval); C760143ZLM (February 9, 1977 CPC approval includes this condition:

modifications that were never raised in the original LSRD application or subsequent amendments. Notwithstanding the fact that the original Special Permit has limitations on things like the maximum developable floor area, lot coverage, and location of buildings, the developers are seeking modifications to massively expand development. The changes and new buildings the applicants seek to build were not part of the original LSRD plan as adopted in 1972, nor part of the amendments made for construction in later Authorized and Permitted Phases. As stated previously, these enormous changes include:

1. Adding a thousand-foot-tall building with 660 residential units on Rutgers Slip with increased floor area and lot coverage. Seeking approval for reconfiguring the existing Rutgers Slip building to allow for new ground floor retail.

2. Adding an 800-foot building (two towers) containing 1,350 units on Cherry Street, with increased floor area and lot coverage beyond to what is now permitted. Requesting approval for relocating 103 parking spaces at the buildings on Cherry Street. Requesting approval for enlarging ground floor retail space for the buildings on Cherry Street.

3. A modification on Clinton Street which would revise the Special Permit by moving parcel boundaries in a way that allows for the combination of Parcels 4A and 4B into a

"The premises shall be developed in size and arrangement substantially as proposed and as indicated on plans filed with the application"); N830316ZAM (December 8, 1982 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N850737ZAM (August 28, 1985 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N860727ZAM (March 17, 1986 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); C950078ZSM (January 18, 1995 CPC approval includes this condition: "The property that is the subject of this application (C950078ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by The Edelman Partnership/Architect, filed with this application and incorporated in this resolution: Drawing No. A-4, Zoning Data 9/20/94 and Drawing No. A-6, Site Plan, Site Sections 8/31/94").

new Parcel 4. The developers do this in order to build an entirely new, approximately 1,008-foot-tall building with ground floor retail.

Additionally, the developers have tried to inappropriately include requests for other modifications to ZR provisions, even outside of the proposed LSRD modifications discussed above. These include:

1. A Starrett application for modification to ground-floor commercial use: In addition to modification of the previously approved plans for the LSRD, the developers are also seeking a discretionary "Certification to Modify Ground-Floor Commercial Use Requirement" because 259 Clinton falls into a "high density Commercial District." There are separate findings listed for this Certification, as required by the ZR. This separate Certification was not presented at earlier phases of the ad hoc approval process being used here.

2. A Starrett application for modification to open space: The site where Starrett seeks to add a 700-foot building with 765 units on Clinton Street was mandated to be a permanent playground and open space when the Commission approved its use in conjunction with the Department of Environmental Protection's adjacent water tunnel project only ten years ago.[14]

All amendments to the LSRD must be authorized by the CPC or granted a Special Permit by it after specific findings are made.[15] Since the modifications the developers seek—including the

[14] April 21, 2008 / Calendar No. 1 C 070212 PCM CPC *report available at* https://www1.nyc.gov/assets/planning/download/pdf/about/cpc/070212.pdf (the Two Bridges area "has a critical need for usable, well-maintained, high-quality open space, and therefore, strongly urges that D.E.P., or any subsequent city agency or other entity responsible for the playground, assures maximum public access and maintains it at a high standard"). *See Two Bridges tower site was slated to be public playground*, August 10, 2018, The Village, available at http://thevillager.com/2018/08/10/two-bridges-tower-site-was-slated-to-be-public-playground/

[15] *See* ZR §§ 78-311, 78-312, 78-313; New York City Charter §§ 197-d(b)(2) - (3) & 197-c(a)(4).

entirely new, 1,008-foot-tall building on a newly combined parcel—are not listed in either the original LSRD Special Permit or any of the subsequent amendments, the developers cannot piggyback off these documents in order to get approval. As such, the developers must file entirely new permit applications.

4. The Project Fails to Satisfy ZR 78-313's Requirements

Even if the CPC does not believe that the developers should be required to file entirely new permit applications, the modification application should still be denied because the proposed Two Bridges LSRD does not comply with the New York City ZR regulations described in Article VII, Chapter 8[16]. According to ZR 78-313, requests for modifications must meet a number of conditions as a prerequisite for approved. The Project does not satisfy these criteria, because of the many unmitigated adverse impacts that will result if these towers are allowed to be built. The conditions most applicable to the project are described as follows[17]:

Pursuant to 78-313 (a), modifications must aid in achieving the general purposes and intent of the LSRD, which includes the promotion and facilitation of better site planning and community planning.[18] The modifications must also enable open space to be arranged to best serve the active and passive recreation needs of residents and the City as a whole.[19] As will be discussed under our DEIS critique section's "Open Space" and "Shadows" analysis, the modifications will not best serve the needs of area residents because they will lead to development that will have permanent adverse effects in the project area.

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[16] *See* the New York City Zoning Resolution, Article VII, Chapter 8 https://www1.nyc.gov/assets/planning/download/pdf/zoning/zoning-text/art07c08.pdf?r=0517.

[17] The ZR 78-313 provisions that are discussed give the most obvious showing of the inconsistencies between the proposed building and the findings that need to be made. However, we assert that the Project also fails to satisfy the other 78-313 criteria.

[18] *See* 78-313 (a),

[19] *Id.*

Pursuant to 78-313 (b), the distribution of floor area and dwelling units must benefit residents of the LSRD and must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks.

This Project will not benefit residents. Based on the DEIS, the proposed developments will result in unmitigated adverse impacts on socioeconomic conditions, health and safety, neighborhood character, open space, education, shadows, transportation, and policy compliance. Cumulatively, these adverse effects should be seen as significant.

Further, this Project will unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks. It will do this by adding approximately 6,000 new residents through the construction of over 1.5 million gross square feet of residential development within disproportionately massive towers that will loom over all other neighborhood buildings, at heights of respectively 1,008, 798, and 730 feet tall.

Pursuant to 78-313 (d), the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion. However, as described in the shadows, open space, and traffic sections below, approval would significantly limit light and air in the neighborhood and cause both major road congestion and strained public transportation conditions.

Pursuant to 78-313 (g), the modification of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties. However, as will be discussed in the DEIS analysis, the proposed development at Site 4A/4B would dwarf the existing buildings in the area. The tallest proposed development (Site 4A/4B) will be over 15 times taller than the median height of existing buildings within the primary area.[20] There are 370 buildings within the primary study area (quarter-mile distance). The mean height of these buildings is 67 feet, hundreds of feet shorter than the proposed projects. Within the secondary study area there are 1,414 buildings, these have

[20] *See* DEIS, *supra* note 7.

a mean height of just approximately 62 feet. It is clear that the proposed developments will be out of context with existing buildings in the primary and secondary areas. As a result of this height disparity, the Project would block light throughout the neighborhood, including all light at the existing Two Bridges Helen Hayes Senior Residences at 80 Rutgers Slip.

As a result of the above, permits for all three projects should be denied approval.

PART III: DEIS CRITIQUE

Many aspects of the DEIS present serious concerns that were not adequately addressed in the environmental review process. Significantly, we note that there was no cumulative analysis done for the areas mentioned in the DEIS. This is an alarming omission, as the Department of Environmental Conservation ("**DEC**") State Environmental Quality Review ("**SEQR**") Act Handbook's description of the requirements for a cumulative analysis clearly applies to the Project. Failing to fulfill this requirement of SEQR is illegal, as CEQR is New York City's process for implementing SEQR, and can be no less stringent than its state counterpart.[21] As SEQR states:

> Cumulative impacts must be assessed when actions are proposed to or will foreseeably take place simultaneously or sequentially in a way that their combined impacts may be significant. Assessment of cumulative impacts is limited to consideration of probable impacts, not speculative ones.

As related to the Project, the DEIS impact categories are affected by the cumulative effects of all factors described below, including shadow, sewage, transportation, education, health and safety, open space, and policy compliance. When considered together, we argue that the Project's impact to these categories constitutes a significant adverse impact for the neighborhood. These categories must be evaluated on a cumulative basis.

[21] *See* CEQR FAQs, *at* https://www1.nyc.gov/site/oec/environmental-quality-review/ceqr-faqs-general.page/

Even not considered cumulatively, we argue that the DEIS overlooked many factors that make these categories significant adverse impacts. As such, the CPC must reevaluate the DEIS in light of the following:

A. <u>Shadows</u>

The DEIS makes significant adverse findings about the effect that shadows cast by the Project will have on the Lower East Side. As light is a public resource, the loss of LSRD-established rights to light and air should be seen as a deprivation of public goods.

As part of these findings, the DEIS concludes that the Project will cause a loss of sunlight in at least 34 locations adding cumulative shadows to those already being cast by One Manhattan. Though the DEIS notes that "the majority of these new shadows would be limited in extent and duration and would typically only occur during some seasons," this statement does not resolve concerns about the impacts. First, it makes broad claims without providing the community with a baseline methodology from which to assess those claims. Second, it too easily dismisses the extent of the shadows' potential effects on the community by only considering a very limited range of potential negative repercussions instead of looking at a broader range of likely effects. To flesh out these arguments, we argue them at length below:

1. **The DEIS makes broad claims without providing the community with a baseline methodology from which to assess those claims.**

The DEIS fails to elaborate on its methodology and give the CPC or residents a way to assess their claims. To evaluate whether effects from the Project's shadows will be insignificant, the DEIS must be redone to include metrics by which community members can better assess the effects of light deprivation. These should include a month-by-month breakdown of sunlight availability for areas that are in danger of being affected by shadows from the Project. This is important because light varies wildly by season, so deprivation must be understood as a shifting concept of harmfulness. For example, New York City has only slightly more than 9 hours of daylight in December[22]. During this season, the multiple instances of 2-3 hours of light

[22] For more information on the availability of winter sunlight in New York City, see the tables at https://www.timeanddate.com/sun/usa/new-york?month=12.

deprivation described in the DEIS could account for light deprivation lasting more than a quarter of the day. Thus, even if deprivation "would typically only occur during some seasons," this could cause such a significant deprivation of that season's light that the loss should be considered extremely serious.

2. **The DEIS too easily dismisses the extent of the shadows' potential effects on the community by only considering a limited range of potential negative repercussions instead of looking at a broader range of likely effects.**

The DEIS speaks sparingly about the residential nature of some of the affected locations. It is uncontested that shadows from the Project will "adversely affect other zoning lots outside the large scale residential development by restricting access to light…"[23]These "adverse effects upon the access to light, air, and privacy of adjacent properties" have a human element that is not discussed, and have the potential to affect the health and safety of residents. Light deprivation has been scientifically proven to affect mood, for example. Seasonal Affective Disorder (SAD) is one type of mental health problem that can occur as a result of restricted access to light[24]. Its prevalence is between 1% and 10% of the population, and it is characterized by feelings of irritability, fatigue, sadness, and suicidal thoughts[25]. This is just way among many through which the shadows may have an effect on the health and safety of Lower East Side residents.

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[23] ZR 78-313(d).

[24] According to the Mayo Clinic, one cause of Seasonal Affective Disorder (SAD) is "[t]he reduced level of sunlight in fall and winter" which can "disrupt your body's internal clock and lead to feelings of depression." The Clinic also notes that this lack of sunlight can aggravate depressive and manic episodes for people who suffer from bipolar disorder. For more information, see https://www.mayoclinic.org/diseases-conditions/seasonal-affective-disorder/symptoms-causes/syc-20364651.

[25] For more information about the symptoms of SAD, see the National Institute for Mental Health's description at: https://www.psychiatryadvisor.com/depressive-disorder/seasonal-affective-disorder-diagnosis-and-treatment/article/649714/.

Children have the potential to be especially harmed by these shadows. Of the 34 locations affected, the DEIS found that two open space playgrounds will experience especially significant adverse shadow impact: the Cherry Clinton Playground and the Lillian D. Wald Playground. Per the DEIS, these sites "contain basketball courts, handball courts, playground/fitness equipment, seating areas, trees, and landscaping," and are in danger of being cast in shadows which "would significantly affect the user experience" as well as vegetation growth. During some periods, the shadows could be so pronounced that their presence "would eliminate virtually all the sun." this is especially concerning given the purpose of public, open resource playgrounds. In a city where greenspace and outdoor play is limited, these playgrounds constitute a vital means through which children and adolescents can get outside, engage with nature, and exercise. Degrading the usability of these public resources could affect childhood development negatively[26].

Making these areas darker has implications for the community at large as well. By making these areas less well-lit, the Project may discourage the use of these playground's valuable public fitness equipment, sports areas, and seating areas. With less light also comes the potential for crime, as less resident use and poor lighting[27] could make the programs ideal places to hide or conduct illegal activities.

Additionally, these shadows are concerning given the transportation patterns of Lower East Side residents. The area surrounding the Project is served by relatively few subway lines, bus lines, and other means of public transit.[28] As a result, Lower East Side residents are more likely than

[26] For more on the importance of playgrounds in childhood development, see https://opinionator.blogs.nytimes.com/2011/04/07/the-power-of-the-playground/.

[27] For more information on how poor lighting can be linked to increased criminal activity, see https://www.crimesolutions.gov/PracticeDetails.aspx?ID=38.

[28] The Lower East Side is currently underserved by public transportation, and has been described as a "high-density, low-income neighborhood with poor access to transit." For more on the fight for greater public transit access in the LES and other underserved neighborhoods, see http://fourthplan.org/action/new-subways/

other New York City residents to walk or ride their bikes as a primary mode of transportation. In the winter months, these commuting methods are already made more difficult by the city's frigid temperatures. With the addition of shadows from the Project—which could lower temperatures by 10 to 15 degrees according to some estimates[29]—these commuters would have to endure even colder, more uncomfortable, and more dangerous walking and biking conditions. Further, with more sidewalks in shadow, additional pedestrian dangers are easy to imagine. Lower shadow temperatures could cause ice to freeze more solidly and lead to greater numbers of slip-and-fall accidents, cause residents and businesses to spend longer on winter cleanup, and more quickly lead to sidewalk deterioration as a result of increased salting.

B. Neighborhood Character

Historically, the Lower East Side and Chinatown have been working-class areas of immigrants. This has led to vibrant racial, ethnic, and cultural diversity in these neighborhoods. Currently, 82 percent of residents are people of color. Nearly half of the area's residents are Chinese, with an additional one quarter being Latinx. Further, 46 percent are foreign born, with 41 percent having limited English proficiency. As the City continues to change, these long-time residents have struggled to continue living in their neighborhoods. With rents spiking dramatically, developers have used illegal means to push them out, and poor infrastructure has put them in danger.

Residents and workers in New York's Lower East Side and Chinatown have fought against luxury development since the 1980s. In 1986, the CSWA won a precedent-setting case that required the City to assess the impact of development on the displacement of people and businesses. This case ultimately stopped a developer from building luxury residences on a vacant lot and sparked discussion about changing the City's environmental review process. Yet, while New York's Chinatown expanded in those years, the decline of the neighborhood's garment industry in the 1990s, increasing real estate speculation, and relaxed rent regulation laws have made the neighborhood much less affordable for new immigrants.

[29] For a longer discussion on temperature differences between sunlight and shade, see https://homeguides.sfgate.com/difference-between-air-temperature-shade-sun-92497.html/

In the past decade since 9/11, zoning and commercial development have emerged as the dominant struggles in New York's Lower East Side and Chinatown. The battle has broken out between residents, workers, and small business owners—who want to maintain Chinatown's varied network for low-income immigrants—and big developers—which covet the neighborhood's rising property values for higher-income households. As the garment industry has shrunk post 9/11, developers have converted many former factories into loft units that now sell for millions of dollars in the heart of the neighborhood. Furthermore, tenement buildings have similar exteriors as decades ago, but landlords flouting rent regulation laws are increasingly illegally evicting low-income tenants in favor of residents who can afford rents closer to $2,000 and $3,000 per month.

Many polices have accelerated this gentrification. In November 2008, the New York City Council unanimously approved the East Village-Lower East Side rezoning, New York's third largest rezoning plan since it changed the zoning code in 1961 despite vigorous protest by Chinatown and Lower East Side residents and workers and a petition opposing it with more than 10,000 signatures. Although the City determined that the rezoning would not significantly harm the community, independent analysis by urban planners concluded that the rezoning would push luxury development into Chinatown and the Lower East Side and disproportionately impact these low-income and immigrant communities. In particular, opponents feared the resulting increase in density by more than 100 percent on Houston and Delancey Streets; Avenue D, where public housing is located; and Chrystie Street, which runs into Chinatown, would accelerate luxury development. Accelerating gentrification pinched from two sides.

In September 2011, the City Council also unanimously approved a Business Improvement District ("**BID"**), a public-private entity with the power to tax property owners covering a significant portion of Chinatown, with the asserted goal of cleaning its streets and making other neighborhood "improvements." The City approved the BID even though small business and property owners filed unprecedented numbers of objections. BID opponents feared that the BID

fees assessed on each property would raise commercial rents and increase displacement and vacancies of commercial properties. BID opponents also feared that the BID would facilitate zoning the already-congested Canal Street for even bigger luxury buildings.

Most recently, the threat to public land has become more evident. Local community boards and officials have agreed to build 50 percent luxury housing and 50 percent "affordable" housing on the Seward Park Urban Renewal Area, the largest remaining piece of city-owned property in the Chinatown and Lower East Side area where low-income housing was demolished more than four decades ago. Yet, even the "affordable" housing called for on this site largely falls out of reach for many Chinatown and Lower East Side families with low and median incomes.

Even considering all of these factors, this Project presents one of the greatest challenges ever faced by residents who wish to keep Chinatown and the Lower East Side affordable. These towers are hundreds of feet higher than any other buildings in the neighborhood, and present the potential for an influx of people the likes of which this community has never seen. Given that these towers are predominately made up of luxury condominiums, these residents will be mostly wealthy and at odds with the rest of this working-class, and low-income community. Since their needs will be different, this new influx of people will drastically speed up gentrification, as they seek goods, services, and businesses which serve a higher income clientele than the neighborhood has historically supported. This will push out businesses that serve unique immigrant needs, by providing culturally significant foods and multi-lingual customer service. Additionally, if retail displacement occurs, current residents could likely be priced out of future retail opportunities in the area.

The Lower East Side and Chinatown are the most quickly gentrifying neighborhood in Lower Manhattan[30]. Given this reality, the DEIS underplayed the huge impact that the Project will have

[30] *See Behold, NYC's 15 Most Rapidly Gentrifying Neighborhoods,* https://ny.curbed.com/2016/5/9/11641588/nyc-top-15-gentrifying-neighborhoods-williamsburg-harlem-bushwick (Notably, the area is also the second-most quickly gentrifying neighborhood in **all** of Manhattan, second only to Central Harlem.)

on a neighborhood that is already struggling fiercely to hold onto its character and remain affordable.

C. Open Space

The proposed development would overburden existing open space and offers no new open space to address the demand expected from the approximately 6,000 new residents. According to the DEIS, the proposed development would decrease the open space ratio—which is a measure of acres of open space per 1,000 residents—by over 7 percent.[31]

This is significant, especially in a neighborhood as under served by open space as Two Bridges. Despite the impacts, the DEIS offers no acceptable mitigation measures. According to the DEIS, one of the primary proposals that the developer has suggested is expanding and enhancing private open space in the area. This does not solve the problem, as private open space is typically not publicly accessible—people rarely feel comfortable entering the courtyards and gardens of apartment buildings which they do not reside in. Assuming that private open space could be a viable solution here ignores this reality.

D. Transportation

1. Traffic

The DEIS analysis on traffic was inadequate.The Two Bridges area struggles with road congestion from the Brooklyn and Manhattan Bridges and FDR Drive. Per the DEIS, the proposed projects would result in additional significant adverse traffic impacts at six intersections during the weekday AM peak hour, five intersections during the weekday midday peak hour, and 10 intersections during the weekday PM peak hour. According to Table 21-1 of the DEIS, a maximum of 10 intersections and 18 lane groups will experience significant adverse impacts. The weekday PM Peak Hour will be most affected. Cumulative effects of the Project and existing traffic issues must be studied.

[31] *See* MAS NYC Report at https://www.mas.org/wp-content/uploads/2018/10/2018-10-09-MAS-Comments-on-Two-Bridges-for-CPC-FINAL.pdf.

For mitigation of these impacts, the DEIS does not go beyond identifying the implementation of standard traffic mitigation measures such as signal timing and lane restriping. Equally concerning is that the mitigation measures have yet to be approved by the DOT and may in fact be deemed infeasible, which would leave the impacts unmitigated. This is unacceptable for this neighborhood. The possibility of other modes of transportation is not explored.

2. **Public Transportation Concerns**

Since this area has limited access to public transit, there must be additional analysis on public transportation concerns. We are concerneed with potential effects of the Project on biking. As was noted during the October 17, 2018 hearing, Citibike use is already so high that finding a bike in the morning is a large challenge.[32] As the developers noted, they currently have no plans to increase bike availabilty in the area.[33] Further, discussion of the Project's effect on the subway and bus system must be more extensive. The Project's building site is conveniently served by only one subway line—the East Broadway-Rutgers Street Station (F). This station has an average has an average weekday ridership of 14,365. Though the developers have offered to add an additional enterance, this does nothing to address concerns about increased crowding on platforms or the train, especially during peak hours. Additionally, there is no discussion of how the Project will affect crowding on the M9 bus.

Finally, though the CEQR Technical Manual notes that a parking shortfall resulting from a project in Manhattan does not constitute a significant adverse impact, this should be reconsidered. The above mentioned problems, paired with the influx of large construction crews who will work in the area for the projected building period of *at least* 36 months, signal that transportation problems should be taken very seriously, and cumulatively should be seen as a significant adverse effect.

E. <u>Education</u>

[32] CPC comments at October 17, 2018 hearing.

[33] Developer response to CPC comments at October 17, 2018 hearing.

Because of the sheer size of this Project, there will be increased neighborhood density, which will likely extend to a higher density of children. This will put pressure on public schools in the Lower East Side. Paired with already existing education issues in the area, the cumulative effect will create a significant adverse impact.

1. School Utilization

The DEIS must address how this increased density will affect the community's public school system. In the development scenario without housing units reserved for seniors, elementary school utilization in Community School District 1, Subdistrict 1 would increase from 90 percent to 111.3 percent capacity.[34] Utilization in Community School District 1, as a whole, would increase to 100 percent. Publicly funded childcare facilities face similar impacts with regard to utilization. According to the DEIS, publicly funded childcare facilities in the study area are currently operating at 87 percent capacity, with 160 available slots.[35] With the proposed development, the utilization would increase to 110 percent, resulting in a deficit of 119 daycare slots[36]. Despite these impacts, the DEIS does not propose any specific mitigation measures to address capacity issues for either public schools or publicly funded childcare facilities. Specific mitigation measures must be addressed in the FEIS.

2. School Diversity and Funding for Low-Income Students

Beyond failing to adequately address concerns about school utilization, the DEIS also fell short in raising concerns about how the Project will change the socioeconomic makeup of schools—given that it will contain many luxury condos. Even if the children of these more affluent families decide to attend private or non-local schools, their families incomes will still affect funding for low-income students through programs like Title I.[37]

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[34] *See* MAS NYC Report, *supra* note 24.

[35] *Id.*

[36] *Id.*

[37] For a discussion of this topic in the context of Brooklyn, see https://in.chalkbeat.org/posts/ny/2018/02/12/when-diversity-backfires-how-schools-can-lose-funding-as-they-try-to-integrate/.

F. Health and Safety

The Project site is located in an area that is dangerously close to the highway. For residents of the tower, this opens up the potential for exposure to dangerous levels of emissions, noise pollution, and air pollution[38]. Even if this is mitigated by the building being sealed, it remains a problem in the open spaces that the building is touting as part of its appeal.

1. Fire Safety Concerns with Inter-building Voids

The Project's proposed Site 4 has a large inter-building void at the base that allows its towers to rise over an existing neighboring building. An inter-building void is a space in a building that may be nominally used for mechanicals or egress but which is largely empty space, devoid of residential, commercial or community facility floor area. Currently, the Fire Department of the City of New York's ("**FDNY**") has serious concerns about this building method, and its potential to hinder the efforts of firefighters.

On May 3, 2018, the FDNY's Bureau of Operations cited both general and specific operational and safety concerns regarding a 150-foot inter-building void. The proposed inter-building void on Site 4 is larger than the one at 62nd Street Periscope Tower that caused the FDNY to express concern[39]. It is therefore likely that they would have the same concerns with this proposed inter-building void. The DEIS does not analyze how this building will address the concerns the FDNY outlined as policy, including concerns that, in case of fire:

a. There may be limited access for the FDNY to blind elevator shafts… or find access doors from the fire stairs.
b. There may be limited ability for FDNY personnel and occupants to cross over from one egress stair to another within the shaft in the event that one of the stairs becomes untenable.

[38] *See* https://www.epa.gov/sciencematters/living-close-roadways-health-concerns-and-mitigation-strategies.

[39] For more on the FDNY's concern and the community's response, see the Zoning Complaint at https://www.landmarkwest.org/wp-content/uploads/2018/09/Challenge_36w66th_final-1-17.pdf.

c. It is unclear whether inter-building void space will be protected by a sprinkler as a "concealed space"
d. It is unclear whether there be provisions for smoke control/smoke exhaust within the void space
e. It is unclear how the FNDY will access void space that contain mechanical equipment

The DEIS did not address these concerns. Until these concerns are studied and addressed, building an inter-building void at Site 4 creates a health and safety risk for both future tower dwellers and neighboring Lower East Side residents.

2. Noise

Beyond dangers to the health and safety of future residents of the Project, there is also danger to neighboring residents. In an area with many old buildings that are poorly insulated from sound, construction noises will likely be very disruptive. Though this is a problem for all development, it is especially problematic for this Project because of the size of the towers. Typical buildings in this area are much smaller, with much faster construction schedules. In contrast, the building of this Project will lead to prolonged noise. The DEIS does not account for this.

3. Pollution

Along the same lines, the DEIS fails to consider dangers caused by increased pollution in the region. Many buildings in the Lower East Side are old and lack central air conditioning, thus prompting residents to keep their windows open during hot days in the fall, spring, and summer. This—along with the aforementioned poor insulation—creates a greater risk for current residents to inhale pollution from the construction site. As above, this is more of a concern than in typical construction because of the grossly disproportionate size of these towers in contrast to normal construction in the neighborhood.

4. Infrastructure Damages

Finally, there is danger that the project will disrupt other buildings as it settles, leading to infrastructure damages and safety risks for current residents. This has already happened in the area, with the One Manhattan building recently causing cracks in adjacent residences[40]. Given

[40] *See* https://ny.curbed.com/2016/2/25/11112698/extell-one-manhattan-square-construction-halted/; *See also* https://www.google.com/search?ei=eGbGW4HrO6Ln_Qbxw

the size of this Project and the fact that it is being built on a floodplain, residents are concerns that neighboring buildings are at risk. The DEIS should take these fears into account.

5. Gentrification driven Over-Policing

The DEIS does nothing to examine the adverse impacts that gentrification driven over-policing would have on the existing community[41]. This is important given that the area is made up of low-income communities of color, who are especially vulnerable to police brutality. Given the national attention on examples of police misconduct and undue violence by police members, it is essential that a study be done with an eye to the effects that over-policing could have on the safety of local youth.

f. Socioeconomic Conditions

The DEIS states that 88 percent of residents in the Lower East Side area live in buildings protected by rent control, rent stabilization, or other government controls.[42] However, the DEIS overestimates how well protected these residents actually are. In many areas of the city, especially low-income neighborhoods that are being rezoned, tenants in rent-stabilized units are often susceptible to harassment and eviction by landlords pressured by a rising housing market. In fact, there has been a loss of at least 950 regulated units in the area over the past decade1 ; and there were over 300 eviction cases filed since 2013, including 135 at 82 Rutgers Slip alone[43].

LYY&q=extel+settle+crack+Lower+East+side+fire&oq=extel+settle+crack+Lower+East+side+fire&gs_l=psy-ab.3...12374.13405..13569...0.0..0.87.449.6.....0....1..gws-wiz.....0i71.KOWSbyhIuvI.

[41] For more information on this phenomenon, see e.g., *Order Maintenance: Policing and Its Role in Gentrification* http://www.opportunityinstitute.org/blog/post/order-maintenance-policing-and-its-role-in-gentrification/; *Policing and Gentrification: Mass Displacement and the "Community Watch,"* https://itsgoingdown.org/policing-and-gentrification-mass-displacement-and-the-community-watch/.

[42] *See* DEIS report, *supra* note 5.

[43] As documented at Map Charting Displacement and Evictions, https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909.

The DEIS does not acknowledge this, nor does it offer a plan to address this significant adverse effect.

g. Sewage

The DEIS was incomplete in its analysis of the effects that the Project could have on the Lower East Side's sewage system. Importantly, it failed to do this in three ways. First, it failed to conduct an Infrastructure Analysis, as required by Chapter 13 of the City Environmental Quality Review ("**CEQR**") Manual. Second, it failed to address concerns about sewage capacity and infrastructure compliance. Third, it failed to consider cumulative impact on the sewage system, in the context of simultaneous and recent nearby development.

1. **CEQR Requires an Infrastructure Analysis that was not done here.**

Per Chapter 13 of the CEQR Manual[44], projects that increase density or change drainage conditions on a large site **"**require an infrastructure analysis.**"** The rationale behind this is rooted in fear of potential environmental impacts, especially as related to concerns like street flooding, sewer back-ups, increases in combined sewer overflows, and pollutant loadings contained in combined sewer overflows or direct storm water discharges to the City's surrounding waterbodies. This Analysis must be rigorous, and CEQR is clear in its requirements:

> The necessary analysis of sewage typically focuses on the effects of increased sanitary and storm-water flows on the City's infrastructure serving the site. Therefore, the study area includes the WWTP and the conveyance system comprising that plant's drainage basin and affected sewer system (whether combined or separate). Therefore, in order to determine the appropriate study area, it must: 1) Identify the wastewater treatment plant(s) that would serve the site; 2) Identify affected components of the downstream collection system, including pumping stations, regulators and interceptors;

[44] To view the CEQR Manuel, see http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/2014_ceqr_technical_manual_rev_04_27_2016.pdf.

> If the area of the proposed project is currently served by a combined sewer system, describe and show on a map the affected combined sewer system, including affected drainage or catchment areas, outfalls, and receiving waterbodies.[45]

1. **The Project Fails to Meet Requirements about Sewage Capacity and Sewage Infrastructure Compliance.**

Beyond failing to do an Infrastructure Analysis, the DEIS did not treat seriously the finding that sewage loading exceeds the current system capacity. As it currently stands, the proposed building footprints are not within the limits of the existing sewers, and the Project will overload the existing sewage system capacity. This is noted on page 11-7 describing the sewer conveyances, but it is only briefly mentioned and never fully explored. As such, a more thorough analysis is needed to explain what this will mean for future and existing residents, especially in terms of impacts to regulators, interceptors, drainage and catchment, outfalls, receiving water bodies, and compliance with requirements found in the Newtown Creek Wastewater Treatment Plant Long Term Control Plan (CEQR 322.1). This analysis should include how the system will operate in the dry season versus the rainy season, as sewer capacity overload varies based on these factors. During this weather analysis, it is especially important to think about the impact of potential unique weather events, given that that the Project is planned to sit on a floodplain.

2. **The Effects of the Project Must Be Analyzed for Compounding Impact with Neighboring Buildings.**

The acknowledged overload to the sewage system must be assessed for cumulative impact, given problems with recent nearby construction. Specifically, we raise concerns about compounding load levels from One Manhattan, the Essex Crossing Megaproject, 1 Seaport and other scaled development feeding the same sewer shed infrastructure and using the same infrastructure. Because all of these are linked to the same sewage infrastructure, there must be an evaluation of the capacity of this linked infrastructure, focusing on regulators and interceptors, affected

[45] For more information, see CEQR Technical Manual, p. 13-1, http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/2014_ceqr_technical_manual_rev_04_27_2016.pdf.

drainage or catchment areas, outfalls, and receiving waterbodies. In doing this, the DEIS is required to engage in a cumulative impact analysis.

Although sewer permit issuance does not require a separate EIS, no sewer permit can be considered while City Officials are aware that the system capacity would be overloaded and compliance interference is likely. In this situation, granting sewage permits to the Project puts the Lower East Side at risk for major sewage failures. Without fully evaluating potential system overload, violations, and compliance interference could be tantamount to knowing conversion of public property to private use or as official misconduct. To look at only this Project is to ignore the reality of recent rapid development in the area, and the effect of that collective development on aging infrastructure.

h. **Policy Compliance**

The DEIS does not consider how the Project relates to several important city policy goals and programs. This oversight creates a risk that the Project will conflict with other goals for the area, creating compliance issues and ultimately stifling the effectiveness of existing initiatives. Without these policies being considered in the DEIS analysis, it cannot be considered accurate. For example, the DEIS does not evaluate consistency with *NextGeneration NYCHA* plan[46] and proposals at the adjacent La Guardia Houses[47]. Despite the proximity to the East River waterfront and the resiliency project area, the DEIS also does not consider compliance with the *Lower Manhattan Coastal Resiliency Project*[48] and the *East Side Coastal Resiliency Project*[49].

[46] *See* the *NextGeneration NYCHA* plan at https://www1.nyc.gov/assets/nycha/downloads/pdf/nextgen-nycha-web.pdf.

[47] *See e.g.*, La Guardia Houses RFP, https://www1.nyc.gov/site/hpd/developers/request-for-proposals/nycha-nextgen-neighborhoods-laguardia-houses-rfp.page.

[48] For more information, see the *Lower Manhattan Coastal Resiliency Project at* https://www.nycedc.com/sites/default/files/files/rfp/qa-documents/LMCR%20Information%20Session%20Presentation.pdf.

[49] *See East Side Coastal Resiliency Project*, http://www.nyc.gov/html/planyc/downloads/pdf/150319_ESCR_FINAL.pdf.

Finally, the DEIS does not consider several important recent new policy initiatives, including the *Where We Live* fair housing initiative[50] and Department of City Planning concerns and contemplated policy changes surrounding the construction of inter-building voids[51].

Conclusion

Approval of the Project would violate the NYC Zoning Resolution, ignore many adverse impacts from the DEIS—including non-compliance with the cumulative analysis required by SEQR, and reject the purpose of the LSRD. Therefore, we urge the CPC to reject this illegal Project.

October 29, 2018

Respectfully Submitted,

s/ *Kimerling*

Ken Kimerling
Audrey Winn*[52]

Asian American Legal Defense and Education Fund
99 Hudson St,
New York, NY 10013

[50] For more information, see Brochure from the *Where We Live* fair housing initiative, http://hpdwwlnyc.wpengine.com/wp-content/uploads/2018/09/where-we-live-nyc-brochure.pdf

[51] In January 2018, Mayor de Blasio announced at a Town Hall on the Upper East Side that the City is developing policies that will address what are now known as "inter-building voids." This was reiterated by the Mayor at a June 2018 Town Hall on the Upper West Side. The DEIS does not discuss how this building will be consistent with DCP's changing policy on inter-building voids or identify modifications or mitigations to ensure consistency with this policy. DCP's Manhattan Office has formed a working group that is developing policies that will prevent this building technique. For more information on DCP opposition and this problem more generally, see *City Wants to Cut Down on Supertalls*, https://www.crainsnewyork.com/article/20180207/REAL_ESTATE/180209904/new-york-city-seeks-to-stop-developers-from-putting-buildings-on-stilts.

[52] Audrey Winn is a law clerk and Skadden Fellow at AALDEF, currently waiting for bar admission.

(212) 966-5932

Mail

Two Bridges LSRD Written Testimony - Klein Slowik on Behalf of Two Bridges Townhouse Condominiums

JR

Justin Rostoff <JRostoff@buildinglawnyc.com>
10/29/2018 4:35 PM

To: 17DCP148M_DL Cc: Chris Slowik

Klein Slowik-TBTC 10-29-18 Two...
9.43 MB

Hello-

I am submitting the attached written testimony, with exhibits, for Chris Slowik of Klein Slowik PLLC, on behalf of our client, Two Bridges Townhouse Condominiums, in opposition to the Two Bridges LSRD DEIS.

Thank you,

Justin Rostoff

KS KLEIN SLOWIK PLLC

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October 29, 2018

Marisa Lago, Chair
The City of New York
City Planning Commission
120 Broadway
New York, NY 10271

Re: Two Bridges LSRD
Draft Environmental Impact Statement
CEQR No.: 17DCP148M
ULURP Nos.:
Site 4 (4A/4B): M 180507 (C) ZSM
Site 5: M 180505 (A) ZSM
Site 6A: M 180506 (B) ZSM
N180498 ZCM

Dear Chair Lago,

Our firm has been retained by the condominium board of Two Bridges Townhouse Condominiums (the "Board") to represent their interests in opposing the three proposed modifications to the Two Bridges Large-Scale Residential Developemt ("Two Bridges LSRD"). Two Bridges Townhouse Condominiums ("TBTC") is located within the Two Bridges LSRD on Site 6B, Block 246, Lots 1101-1057. TBTC is comprised of three, 3-story walk-up buildings directly abutting Site 6A which is the proposed development site for applicant LE1 Sub LLC.

This written testimony shall supplement the verbal testimony of Justin Rostoff of Klein Slowik, provided at the Wednesday, October 17, 2018 Public Hearing [No. 19] regarding Calendar Nos. 15, 16, & 17.

TBTC explicitly opposes that the three (3) proposed modifications within the Two Bridges LSRD should be considered "minor modifications," thus falling outside of requisite ULURP procedures. TBTC further opposes the current determination that the three (3) proposed modifications may proceed and receive City Planning Commission ("CPC") authorization without first receiving the express authorization from TBTC and all property owners within the Two Bridges LSRD.

The June 22, 2018 Notice of Completion of the Draft Environmental Impact Statement, published by the Department of City Planning City of New York, Environmental Assessment and Review Division, states that "***Site 6B on Block 246, Lots 1101-1057 . . . would not be affected by the proposed actions.***" See Exhibit A, p. 2 (emphases added). This is patently incorrect and without any basis in fact as evidenced by the findings of Jonathan J. Miller, CRE, CRP, President & CEO of Miller Samuel Inc.

Miller Samuel Inc. was retained by TBTC to conduct an analysis of the property value impact to TBTC in the event that TBTC consented to the three (3) proposed modifications to the Two Bridges LSRD. The findings and conclusions of Mr. Miller, who conducted the analysis and produced the report (the "Miller Report"), are extraordinarly qualified and credible. Mr. Miller is on the Mayor's Economic Advisory Panel for the New York City Office of Management & Budget, the New York State Divison of the Budget Economic Advisory Board, provides market analysis to the Federal Reserve, United State Department of Housing and Urban Development, and has a myriad of peer reviewed and governmentally commissioned reports and publications on real estate appraisal analyses. See Exhibit B.

The Miller Report found that "the proposed super tall projects would remove most of what little direct natural light the subject project currently enjoys." Exhibit B, p.22. In other words, the proposed modifications, if approved, would eliminate nearly all of TBTC's access to direct natural light, putting TBTC in a state of perpetual darkness and shade. This environmental impact that would undoubtedly eliminate nearly all direct natural light translates to a $20,900,000.00 loss in value to TBTC. See id., at pp.32-33.

Furthermore, the Miller Report conveyed concerns that TBTC "may also be exposed to long-term damage of their foundation which may not be uncovered long after the proposed buildings are completed." See Exhibit B, p. 33. To state that "**Site 6B on Block 246, Lots 1101-1057 . . . would not be affected by the proposed actions**" is a blatant and utter non sequitur in the face of logis and reason.

In addition to the adverse impacts suffered solely by TBTC, communal adverse impacts will also ensue if the proposed modifications are authorized, as clearly set forth by The City of New York, Manhattan Community Board 3's ("CB3") September 2018 Vote Sheet & Response for Two Bridges Draft Environmental Impact Statement. See Exhibit C, pp. 1-5, 24-52.

We concur with CB3 in that the applicants' three (3) proposed modifications are in no way, and are inconceivably "minor modifications." The applicants' land use applications claiming "minor modifications" is legally incorrect, socially offensive, and TBTC directly opposes, and requests CPC to do the same, the determination that the applicants' modifications shall be considered "minor modifications."

At no point has CPC nor any agency of the City of New York provided an explanation as to why the three (3) proposed super tall megatowers shall be considered "minor modifications" for CPC review procedures. In fact, the determination is solely based on an August 11, 2016 opinion letter from Carl Weisbord, the then-director of the Department of City Planning, which incorrectly relies on Section 2-06(g)(5)(ii) of the ULURP rules in determining that the modifications shall be legally considered "minor modifictions." See Exhibit D.

TBTC concurs with the following comment of Paula Z. Segal, Esq. found in Footnote four (4) of the Attorney Segal's submitted written testimony on behalf of Community Development Project:

> In the August 2016 letter, Department of City Planning's former Director referred to Section 2-06(g)(5)(ii) of the ULURP Rules in his letter outlining the Enhanced EUS process for approving a "minor modification" to an existing LSRD. The Rule the Director attempted to rely on does not belong in the approval process for changes to an LSRD. The Rule he cited has only been adopted for application in a specific context: when a Land Use application is altered in the midst of ULURP review after the CPC has voted on a prior version; the rule provides the standard for determing whether a new CPC vote is needed during the period for City Council Review. The text of the Rule itself is clear: "The Commission shall receive from the City Council *during its fifty (50) day period for review* copies of the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and determine . . . whether the modification requires the initiation fo a new application." *See Windsor Owners Corp. v. City Council of City of New York*, 23 Misc.3d 490 (Supp Ct., N.Y. Cty. 2009). Any other use of this rule is *ultra vires*: it is outside the scope of authority delegated to your Department pursuant to the erquirements of the City Administrative Procedure Act. Any determination based on such a misuse of a rule is null and void. The applications filed by JDS Development Group, Two Bridges Associates, LP, and Starrett Development are not, at this time, going through ULURP; there has been no CPC hearing or vote. The rule former Director Weisbrod cited is irrelevant and its application here is unlawful. It cannot be used to circumvent the approval procedures mandated in the ZR [zoning resolution].

See also Exhibit E.

Notably, at CPC's June 25, 2018 Public Hearing on this matter, the representative from the City of New York Department of City Planning admitted that the three proposed modifications are by no means "minor."

The determination that the applicants' proposed modifications are "minor modifications" is thus incorrect with no basis in law, and TBTC strongly opposes said determinations by the applicants and the Department of City Planning. Therefore, CPC should determine that the modifications are not "minor modifications," and shall use the respective discretionary authority in mandating that the applicants' proposed modifications proceed through ULURP.

As stated in Zoning Resolution § 78-06 (Ownership), "no authorization . . . or modification thereto, shall be gratned for such *large-scale residential development* unless the applicant(s) acquired actual ownership (. . . for all zoning lots comprising the *large-scale residential development*) . . . ." See Exhibit F. Since the three applicants herein do not have actual ownership of all zoning lots within the Two Bridges LSRD, authorization by CPC and any modification cannot proceed without the express authorization of the remaining zoning lot owners within the Two Bridges LSRD.

CPC may not provide their discretionary authorization pursuant to Zoning Resolution § 78-311 (Authorizations by the City Planning Commission) of any proposed modification, regular or "minor," without satisfying the conditions precedent pursuant to Zoning Resolution § 78-313 (Findings). See Exhibits G & H. Upon review, CPC shall not authorize the three (3) proposed modifications to the Two Bridges LSRD as the impacts of the proposed developments make it impossible to satisfy the necessary conditions precedent set forth in §§ 78-313(a)-(d) & (g). See id.

As stated in CPC's July 2, 2008 Report No. N 050402 ZRM, "[modifications] to LSRDs generally require that all owners of property within the LSRD consent to the modification." See Exhibit I. Further, one-third (1/3) of the proposed development is currently being challenged in the New York Supreme Court, New York County, with regards to the issue of zoning lot authorization to the proposed modifications to the Two Bridges LSRD See Exhibit J.

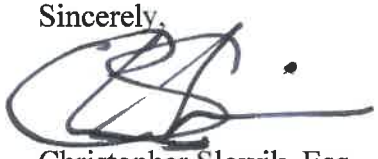
Recently, in Little Cherry LLC v. Cherry Street Owner LLC et al., Index No. 654136/2016, Little Cherry (the party-in-interest in the Two Bridges LSRD) which is located on Site 4A/4B, Block 248, Lot 76, is claimimg that JDS Development Group cannot proceed with development without their express authorization. See id. Little Cherry LLC's claims were strong enough to withstand JDS Development Group's motion to dismiss.

Thus, TBTC opposes any determination by CPC that contradicts with the position that TBTC and all property owners and parties-in-interest within the Two Bridges LSRD must provide their express authorization before any modification may be applied for and authorized by CPC.

In conclusion, TBTC explicitly opposes that the three (3) proposed modifications within the Two Bridges LSRD shall be considered "minor modifications," and the determination that the three (3) proposed modifications may proceed and receive CPC authorization without first receiving the express authorization from TBTC and all property owners within the Two Bridges LSRD.

Thank you.

Sincerely,



Christopher Slowik, Esq.

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EXHIBIT A

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

June 22, 2018

NOTICE OF COMPLETION OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
Two Bridges LSRD

Project Identification
CEQR No. 17DCP148M

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

SEQRA Classification: Type I

Contact Person
Robert Dobruskin, AICP, Director (212) 720-3423
Environmental Assessment and Review Division
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. The proposal involves actions by the City Planning Commission of the City of New York. Digital copies of the DEIS are available for public inspection online at DCP's website. A public hearing on the DEIS will be held at a later date to be announced. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

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A. INTRODUCTION

This Draft Environmental Impact Statement (DEIS) considers the minor modifications to the existing Two Bridges Large Scale Residential Development (LSRD) (the proposed actions) proposed by the applicants—Cherry Street Owner, LLC (an affiliate of JDS Development Group, and Two Bridges Senior Apartments LP); Two Bridges Associates, LP (a joint venture between CIM Group and L+M Development Partners); and LE1 Sub LLC—to facilitate the development of three new mixed-use buildings within the Two Bridges LSRD (the proposed projects). The Two Bridges LSRD is bounded by the midblock area between Clinton Street and Montgomery Street; Cherry, Clinton, and South Streets; and midblock between Rutgers Slip and Pike Slip.

As described below, the three project sites—Sites 4 (4A/4B), 5, and 6A—are located in a C6-4 zoning district within the Lower East Side neighborhood of Manhattan in Community District (CD) 3, within the boundaries of the Two Bridges LSRD. (The numbering of the sites in this document corresponds with that used in the Two Bridges LSRD.) Site 4 (4A/4B), controlled by Cherry Street Owner, LLC, occupies the northeast corner of Block 248, Lots 15, 70, and 76. Site 5, owned by Two Bridges Associates, LP, occupies Block 247, Lots 1 and 2. Site 6A is owned by LE1 Sub LLC and occupies Block 246, Lot 5. C6-4 districts are commercial districts that permit a maximum floor area ratio (FAR) of 10.0 for commercial, community facility, or residential uses (or up to 12.0 FAR with inclusionary housing). The three proposed projects have separate developers, approvals, and financing; however, they are being considered together for environmental review purposes since all three project sites are located within the Two Bridges LSRD and would be developed during the same construction period. As such, the potential environmental impacts of the three proposed projects are considered cumulatively.

Together, the three proposed projects would contain a total of approximately 2,527,727 gross square feet (gsf) of new Use Group 2 residential space, approximately 10,858 gsf of Use Group 6 retail space, and approximately 17,028 gsf of community facility space. Based on this gross residential floor area, and assuming a gross floor area of 850 square feet (sf) per residential unit,[1] the three proposed new buildings would contain a total of up to 2,775 new dwelling units, of which 25 percent or up to 694 units would be designated as permanently affordable,[2] including approximately 200 new units of low-income senior housing. The Two Bridges LSRD Approvals would limit the number of new residential units on each site.

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[1] 850 sf is the area assumed for individual residential units in CEQR analyses; however, the minimum legal size of a residential unit is 640 sf. If larger units are provided, then there would be a smaller number of residential units and affordable residential units.

[2] A portion of the affordable units would be made permanently affordable pursuant to requirements of the "R10 Program," set forth in Zoning Resolution Sections 23-154(a) and 23-90. The remainder of the affordable units would be made permanently affordable pursuant to Regulatory Agreements with the New York City Department of Housing Preservation and Development (HPD) as established in consultation with the applicants. For purposes herein, permanent or permanently affordable housing shall refer to units made permanently affordable both through the R10 Program and the Regulatory Agreements.

The three proposed projects would also contain a total of approximately 22,779 sf of new publicly accessible and private open space. On Site 5, the existing approximately 22,440 sf of private Rutgers Slip Open Space would be enlarged by approximately 11,110 sf, and the total of approximately 33,550 sf (approximately 0.77 acres) would be dedicated as publicly accessible open space. Across the three project sites, a total of approximately 80,020 sf of both publicly accessible and private open space would be altered with new amenities, such as new landscaping, paving, seating, and play areas. The proposed actions would also result in additional resiliency measures at each site, new landscaping, and ground floor retail. No new parking would be created with the proposed projects; however, the existing 103 at-grade parking spaces on Site 5 would be relocated to a below-grade facility in the proposed building on that site.

The proposed actions are subject to City Environmental Quality Review (CEQR). The New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC), is the lead agency for the environmental review.

B. AREA AFFECTED BY THE PROPOSED ACTIONS

The area to be affected by the proposed actions is located in the Lower East Side neighborhood of Manhattan in CD 3, within the boundaries of the Two Bridges LSRD. The three project sites are Site 4 (4A/4B) on Block 248, Lots 15, 70, and 76; Site 5 on Block 247, Lots 1 and 2; and Site 6A on Block 246, Lots 1 and 5. The other sites within the Two Bridges LSRD—Site 6B on Block 246, Lots 1101-1057 and Site 7 on Block 245, Lot 1—would not be affected by the proposed actions. Site 6B is currently occupied by three 3-story buildings with a total of 57 residential units, and Site 7 is currently occupied by a 27-story residential building with 250 units and 30 parking spaces.

BACKGROUND

The former Two Bridges Urban Renewal Area (TBURA) was designated as an urban renewal area on January 15, 1961. This area covered 14 acres along the East River in Lower Manhattan bounded by Market Street to the west, South Street to the south, Montgomery Street to the east, and Cherry Street to the north. Development in the former TBURA was governed by the Two Bridges Urban Renewal Plan (TBURP), the goals of which included eliminating blight and restoring the residential character of the area; providing well-designed low, moderate, and middle income housing; providing convenient recreational, commercial, and community facility uses; achieving high quality urban design, architecture, street and open space elements; and strengthening the City's tax base by encouraging development and employment opportunities in the area. The TBURP was originally approved by the CPC and the Board of Estimate (BOE) in 1967. Over the years, the TBURP was amended and the TBURA was developed. The TBURP expired in June 2007.

The Two Bridges LSRD was originally approved by the CPC on May 17, 1972 (CP-21885) and was last amended on August 23, 2013 (M120183 ZSM). The 2013 amendment was to allow for the development of a new mixed-use building on Site 5, as well as the enlargement of existing retail use and the relocation of 103 existing accessory surface parking spaces on that site. That proposed development did not occur. The Two Bridges LSRD includes six of the former TBURA parcels, which were initially developed in seven stages pursuant to the Two Bridges LSRD Approvals (see **Appendix A**). The Two Bridges LSRD is bounded by the midblock area between

Clinton Street and Montgomery Street; Cherry, Clinton, and South Streets; and midblock between Rutgers Slip and Pike Slip. The Two Bridges LSRD Approvals, as amended, remain in effect.

All of the project sites are located within a C6-4 zoning district, a district that has been mapped in the project area since 1961. C6 districts are commercial districts that permit a wide range of high-bulk commercial uses that require a central location. C6 districts permit corporate headquarters, community facilities, and high-rise residences in mixed-use buildings. C6-4 districts also permit a maximum FAR of 10.0 for commercial, community facility, or residential uses (or up to 12.0 FAR with inclusionary housing). As C6-4 districts are typically mapped in districts that are well served by mass transit, off-street parking is generally not required. One parking space per 4,000 zoning square feet (zsf) of new community facility or commercial space is permitted and limited to 100 spaces, or 225 spaces for mixed-use developments. All new parking spaces must be located in an enclosed building. There is no height limitation in C6-4 districts.

PROJECT SITES

SITE 4 (4A/4B)

Site 4 (4A/4B) includes Block 248, Lots 15, 70, and 76 and contains a total lot area of 69,210 sf, with approximately 335,434 of existing zsf for a built FAR of 4.85 FAR (if assumed as a single zoning lot). Up to approximately 495,086 existing zsf remains unbuilt (based on a maximum of 12 FAR, with inclusionary housing). Lot 70 is owned by Two Bridges Senior Apartments LP, and Lot 76 is owned by Two Bridges Housing Development Fund Company, Inc. Lot 76 and a portion of Lot 70 are under contract for purchase by applicant Cherry Street Owner, LLC (with Two Bridges Senior Apartments LP retaining ownership of the remainder of Lot 70). Lot 70 is occupied by the Two Bridges Helen Hayes Senior Residence at 80 Rutgers Slip, an approximately 85,615-gsf (109-unit), 10-story residential (Use Group 2) building, and has four surface accessory parking spaces and 3,928 sf of open space. Lot 76 contains 235 Cherry Street, a partially vacant, approximately 11,575-gsf one-story commercial building with Use Group 6 retail and 280 sf of open space. Lot 15 is occupied by the Two Bridges Tower at 82 Rutgers Slip, an approximately 255,447-gsf (198-unit), 21-story mixed-use residential building with an 11-space enclosed accessory parking facility, and 11,660 sf of paved, private but publicly accessible open space to the north of the building, adjacent to 235 Cherry Street and 80 Rutgers Slip. The existing residential buildings on Lot 70 (80 Rutgers Slip) and Lot 15 (82 Rutgers Slip) contain affordable housing, including affordable senior housing at 80 Rutgers Slip. Site 4 (4A/4B) is located on the west side of Rutgers Slip, between Cherry Street to the north and South Street to the south. Site 4 (4A/4B) has three existing curb cuts, one each on Cherry Street, Rutgers Slip, and South Street. An as-of-right zoning lot merger would be required in order to facilitate this project. Lot 15 would be part of the zoning lot.

SITE 5

Site 5—owned by applicant Two Bridges Associates, LP—comprises Lots 1 and 2 of Block 247 and is located between Cherry Street, South Street, Rutgers Slip, and the former alignment of Jefferson Street (demapped). Site 5 has approximately 615,071 of existing zsf, for a built FAR of 4.24. Up to approximately 1,125,301 zsf remains unbuilt (based on a maximum of 12 FAR, with inclusionary housing).

The Land's End II development on Site 5 includes two 26-story rental apartment buildings for low-income households at 265 and 275 Cherry Street (634,983 gsf and 490 units total); a paved surface parking lot with 103 parking spaces on South Street; a paved area between the private Rutgers Slip Open Space and the west side of the 265 Cherry Street building; and private playgrounds and landscaped seating areas in the private courtyard area between the two buildings). The building at 265 Cherry Street includes a small amount of local retail use on the ground floor. Site 5 also includes the private Rutgers Slip Open Space along the Rutgers Slip block frontage that contains playgrounds, seating areas, and a basketball court. Site 5 has four existing curb cuts on Cherry Street and five existing curb cuts on South Street.

(E) Designations Assigned to the Site

Lot 2 on the Site 5 project site is assigned an (E) Designation for air quality, noise, and hazardous materials, listed in the DCP (E) Designation database as E-312, established in the 2013 *Two Bridges (Health Care Chaplaincy) Environmental Assessment Statement* (CEQR No. 12DCP157M, M120183ZSM). The hazardous materials (E) Designation requires that a Phase I of the site be submitted to the New York City Office of Environmental Remediation (OER) for review and approval, along with a soil and groundwater testing protocol. OER would make a determination regarding whether remediation is necessary based on the results of the testing. If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER, and provide documentation that the work has been satisfactorily completed. In addition, an OER-approved construction-related health and safety plan would be implemented during excavation and construction activities.

The (E) Designation for air quality requires that the proposed building on this site use natural gas as the only fossil fuel for any on-site heating and water systems, and must be located on the tallest portion of the proposed building. The proposed building's on-site heating and hot water systems would also be designed to ensure that maximum concentrations of nitrogen dioxide do not exceed the National Ambient Air Quality Standard (NAAQS) on a 1-hour average basis. To attain this standard, the proposed building's boilers used for space heating would have low-NO_x (<16 ppm) burners, the boilers used for hot water would utilize low-NO_x (<20 ppm) burners, and the boilers would have a stack placement of a minimum of 260 feet from the lot line facing Cherry Street or a minimum of 236 feet from the lot line facing Rutgers Slip. The maximum capacity of equipment used for space heating and hot water would be 6 MMBTU/hour.

The (E) Designation for noise requires that future community facility uses must provide up to 38 dBA of window/wall attenuation to achieve interior noise levels of 45 dBA.

SITE 6A

Site 6A comprises Block 246, Lots 1 and 5, with Lot 5 owned by LE1 Sub LLC. The development site is part of a merged zoning lot that also includes Lot 1. Site 6A is located on the west side of Clinton Street at South Street. Lot 5 is currently vacant; Lot 1 is occupied by 275 South Street, a 19-story, 262,877 zsf/gsf (256-unit) residential building, and a 34-space accessory surface parking lot facing South Street. Site 6A contains a total lot area of 71,357 sf, with approximately 262,877 of existing zsf, for a built FAR of 3.53. Approximately 593,407 zsf remains unbuilt (based on 12 FAR, with inclusionary housing). Two existing curb cuts provide access to this parking lot from South Street.

C. PROPOSED ACTIONS

ACTIONS NECESSARY TO FACILITATE THE PROPOSED PROJECTS

The proposed projects each require a minor modification to the previously approved Two Bridges LSRD (originally approved by CP-21885; last amended by M 120183 ZSM).[3] (See **Appendix A** for a summary of previously granted LSRD certifications, authorizations, and special permits, the "LSRD Approvals.") The proposed modifications to the Two Bridges LSRD Special Permit (see **Table B**, LSRD Zoning Calculations in **Appendix B**) would enable the development of three new mixed-use buildings within the Two Bridges LSRD. The new mixed-use developments on each of the three project sites would comply with the underlying C6-4 district regulations applicable to the sites under the Zoning Resolution, and no discretionary use or bulk waivers would be required to facilitate the proposed projects. However, the previously approved Two Bridges LSRD site plans restrict the maximum developable floor area, lot coverage, location of buildings, and other features of development on the Two Bridges LSRD sites as shown in **Table B**, LSRD Zoning Calculations in **Appendix B**. While the proposed actions would not change the maximum FAR, floor area, or building envelopes permitted by the underlying zoning district, the requested minor modifications would modify the approved site plans to enable the proposed developments to be constructed within the Two Bridges LSRD boundary, utilizing unused existing floor area. Therefore, to facilitate the proposed projects described below and summarized in **Table S-1**, modifications to the Two Bridges LSRD Approvals are being requested from the CPC.

The proposed minor modification for Site 4 (4A/4B) would revise the Two Bridges LSRD parcel boundaries to combine Parcels 4A and 4B into new Parcel 4. It would also revise the Two Bridges LSRD Approvals to modify the site plans to enable the use of unused existing floor area on the development site within a building envelope that is permitted by the underlying C6-4 zoning district regulations. These modifications would facilitate the development of a new approximately 1,008-foot-tall residential building with ground floor retail on a portion of Lot 70. This new building would cantilever over the existing 10-story senior housing building at 80 Rutgers Slip on Lot 70 and the 1-story commerical building on Lot 76. It would provide new amenities, including pavers, plantings, and seating at the existing open space on Lots 15, 70, and 76. No new parking would be provided. The existing buildings on Lots 15, 70, and 76 would be retained; however, the ground floor and westernmost portion of the existing building on Lot 70 (80 Rutgers Slip) would be reconfigured to allow for the introduction of ground floor retail and to accommodate the new development.

[3] The M 120183 ZSM approval would be withdrawn upon approval of the minor modifications for the proposed projects.

Table S-1
Proposed Projects

Use (GSF)	Site 4 (4A/4B)[1]	Site 5[3]	Site 6A[6]	Total
Use Group 2 (Residential)	629,944 gsf[2]	1,227,932 gsf[4]	669,851 gsf	2,527,727 gsf
Residential Units	660 DUs	1,350 DUs (100 senior)	765 DUs (100 senior)	2,775 DUs (200 senior)
Affordable Unit Count	25 percent (up to 165 DUs)	25 percent (up to 338 DUs)	25 percent (up to 191 DUs)	Up to 694 DUs
Use Group 6 (Retail)	3,124 gsf	5,319 gsf	2,415 gsf	10,858 gsf
Community Facility	None	17,028 gsf	None	17,028 gsf
Accessory Parking	None	103 *below-grade*	None	103 *below-grade*
Private Open Space	None	19,579 sf[5]	3,200 sf	22,779 sf
Maximum Building Height	±1,008'	±798'	±730'	
Maximum Building Width	±121'	±283'	±137'	
Maximum Building Depth	±85'	±110'	±150'	

Notes:
[1] Does not include the existing development on Site 4 (4A/4B) (85,615 gsf [109 units] residential, 3,928 sf open space, and 4 surface parking spaces at 80 Rutgers Slip/Lot 70; 227,895 gsf residential [198 units], 27,552 gsf community facility, 11 enclosed accessory parking spaces, and 11,660 sf open space at 82 Rutgers Slip/Lot 15; and 11,575 gsf retail and 280 sf open space at 235 Cherry Street/Lot 76). Absent the proposed projects (the No Action condition), existing development on Site 4 (4A/4B) would remain, and the existing retail in the Lot 76 building would be re-tenanted. With the proposed projects, (the With Action condition), 10 existing units from the 80 Rutgers Slip building would be relocated into the new building, for a total of 99 remaining units at 80 Rutgers Slip and up to 670 new units in the new building (including the 10 relocated senior housing units). The existing retail at 235 Cherry Street would be re-tenanted in the With Action condition, and the 15,868 sf of existing open space on Lots 15, 70, and 76 would be altered with new amenities, including new pavers, plantings, and seating. The existing residential building with accessory parking at 82 Rutgers Slip/Lot 15 would remain in the With Action condition, but the 4 parking spaces at 80 Rutgers Slip/Lot 70 would be removed.
[2] For the purposes of determining the number of units to be analyzed, 8,079 gsf of community room and 5,113 gsf of ground-floor common area were subtracted from this total.
[3] Does not include the existing development on Site 5 (634,983 gsf residential [490 units] and 2,024 gsf retail at 265-275 Cherry Street), which would remain the same in the No Action and With Action condition.
[4] For the purpose of determining the number of units to be analyzed, 81,683 gsf of residential amenity space, which includes building amenities (±55,356 gsf) and cellar level parking (±26,327 gsf) was subtracted from the total residential gsf, resulting in 1,146,249 gsf, with ±1,350 DU at 850 sf/DU.
[5] New open space. The existing open space on Site 5 (approx. 64,152 sf) would also be altered with new amenities, including play equipment, basketball courts, and landscaping, walking paths, and seating.
[6] Does not include the existing development on Site 6A/Lot 1 (262,877 gsf residential [256 units] and 34 accessory surface parking spaces at 275 South Street), which would remain the same in the No Action and With Action condition.

The proposed minor modification for Site 5 would revise the Two Bridges LSRD Approvals to modify the site plans to enable the use of unused existing floor area on the development site within a building envelope that is permitted by the underlying C6-4 zoning district regulations. The modifications would facilitate the development of a new mixed-use building with residential and community facility uses located in two towers (approximately 748 feet tall and 798 feet tall) on a shared base, replacing a paved surface parking lot. The development would relocate the existing 103 surface parking spaces to a new below-grade garage in the proposed building; however, no new parking would be created. The two existing 26-story residential buildings at 265 and 275 Cherry Street would be retained, and ground floor retail space along Cherry Street would be enlarged. The existing private courtyard between the 265 and 275 Cherry Street buildings would be relandscaped and the existing private Rutgers Slip Open Space would be enlarged, reconstructed with new amenities, including play equipment, basketball courts, and landscaping, walking paths, and seating and would be dedicated as publicly accessible open space.

The proposed minor modification for Site 6A would revise the Two Bridges LSRD Approvals to modify the site plans to enable the use of ususued existing floor area on the development site within a building envelope that is permitted by the underlying C6-4 zoning district regulations. These

modifications would facilitate the development of a new 730-foot-tall building on Lot 5 with retail and residential space, replacing an existing paved surface parking lot. No new parking would be provided. The existing 19-story residential building at 275 South Street on Lot 1 would remain. Separate from the minor modification, and not subject to environmental review, the Site 6A project also would require a certification pursuant to Section 32-435 of the Zoning Resolution of the City of New York to waive the ground-floor retail requirement along Clinton Street, a "wide street" as defined in the Zoning Resolution.

There will be a Restrictive Declaration in connection with the proposed minor modifications to the Two Bridges LSRD Approvals. The Restrictive Declaration is expected to:

- Provide for the implementation of "Project Components Related to the Environment" (PCREs) (i.e., certain project components which were material to the environmental analyisis); and
- Provide for measures necessary to mitigate any significant adverse impacts.

D. DESCRIPTION OF THE PROPOSED PROJECTS

SITE 4 (4A/4B) PROJECT

The proposed Site 4 (4A/4B) project would be approximately 632,376 gsf of new mixed-use, primarily residential development and would cantilever over the existing one-story retail building on Lot 76 (235 Cherry Street) and the 10-story residential building on Lot 70 (80 Rutgers Slip)). The new building would reach a height of approximately 80 stories (approximately 1,008 feet tall, including mechanical screen) and would provide approximately 629,944 gsf of residential use (in addition to the remaining 84,923 gsf of residential use at 80 Rutgers Slip). The new development would contain up to 660 new units (in addition to 10 units that would be relocated from 80 Rutgers Slip to the new building),[4] 25 percent of which would be designated as permanently affordable (up to 165 units). Portions of the existing 80 Rutgers Slip building would be integrated into the new building, including 10 residential units (which would be allocated for senior housing). The proposed program is expected to include a community room and ground-floor retail, which would be introduced into the existing 80 Rutgers Slip ground floor. The existing 21-story building located on Lot 15 (82 Rutgers Slip) would remain; the one-story, approximately 11,575-gsf retail building on Lot 76 (235 Cherry Street) would also remain and be re-tenanted. An additional approximately 3,124 gsf of retail space would be introduced in the base of the 80 Rutgers Slip building. The overall development on Site 4 (4A/4B) would total approximately 985,013 gsf, of which approximately 632,376 gsf would be in addition to existing development. The residential units within the existing buildings on Lot 70 (80 Rutgers Slip) and Lot 15 (82 Rutgers Slip) would remain affordable, consistent with the existing regulatory agreements governing each building.

During construction of the proposed Site 4 (4A/4B) building, 10 dwelling units in the 80 Rutgers Slip building would be removed and replaced in the new Site 4 (4A/4B) building. An additional nine dwelling units in the 80 Rutgers Slip building would be renovated. The Site 4 (4A/4B) applicant intends to relocate the approximately 19 residents living in these units during the

[4] The Two Bridges LSRD table would limit the new residential development on Site 4 (4A/4B) to 660 dwelling units, in addition to the 10 units that would be relocated from the existing building.

construction period to comparable, newly renovated units within the 80 Rutgers Slip building as they become available, or if necessary, to units in neighboring buildings. As units in 80 Rutgers Slip become available prior to construction, they would not be re-tenanted, but instead would be renovated and offered as temporary or permanent dwelling units for residents of the relocated or renovated units. There are currently nine vacant units within the building that would be renovated and made available. Because the 80 Rutgers Slip building is under a U.S. Department of Housing and Urban Development (HUD) regulatory agreement, the dwelling units and residents could only be moved under a relocation plan approved by HUD. Such approval would be granted by HUD and is not part of the proposed actions. To date, the Site 4 (4A/4B) applicant has submitted a plan to HUD and approval is pending. The Site 4 (4A/4B) applicant has stated that they would coordinate the project construction to minimize disruptions to these tenants and to ensure that, to the extent possible, residents of these units remain in the building throughout construction. No residents would be permanently displaced from Site 4 (4A/4B).

The proposed Site 4 (4A/4B) project would also provide additional resiliency measures at the site, with physical strategies being designed and implemented around Lot 70 that are intended to protect the existing building at 80 Rutgers Slip and the new building on Site 4 (4A/4B). As shown on the site plan, new pavers, plantings, and seating would be installed on the existing approximately 15,868 sf (0.36 acres) of private open space on Lots 15, 70, and 76. The existing curb cuts on Rutgers Slip and Cherry Street would be removed and the existing curb cut on South Street would remain; no new curb cuts would be required.

SITE 5 PROJECT

The proposed Site 5 project would be an approximately 1,244,960-gsf mixed-use development with two towers on a shared base. The new development, which would be oriented perpendicular to the existing buildings at 265 and 275 Cherry Street and parallel to South Street, would reach heights of approximately 63 and 70 stories (maximum heights of 748 feet and 798 feet, respectively, including mechanical screen). The proposed project would provide up to 1,350 residential units (average size 850 sf/unit),[5] 25 percent of which would be designated as permanently affordable (up to 338 units, including approximately 100 new units of low-income senior housing), and approximately 17,028 gsf of community facility use. The project would maintain the 103 surface accessory parking spaces that currently exist on site, relocating these spaces to a garage in the lower level of the proposed building. The proposed project would also enlarge the ground floor retail fronting Cherry Street by approximately 5,319 gsf, in one-story expansions of the 265 and 275 Cherry Street buildings. The existing buildings (634,983 gsf residential and 2,024 gsf retail at 265-275 Cherry Street) would remain. The residential use in those buildings (490 units) would remain affordable, consistent with the long-term regulatory agreement for that development.

The Site 5 project would enlarge the existing private Rutgers Slip Open Space by replacing an existing paved surface parking area between the private Rutgers Slip Open Space and the 265 Cherry Street building with open space amenities. This area, in addition to the existing private Rutgers Slip Open Space, would total approximately 33,550 sf (approximately 0.77 acres) and

[5] The Two Bridges LSRD table would limit the new residential development on Site 5 to 1,350 dwelling units.

would be dedicated as publicly accessible open space. New amenities would be installed in the enlarged Rutgers Slip Open Space area including play equipment, basketball courts, landscaping, walking paths, and seating. In addition, the Site 5 project would enlarge the existing approximately 29,664-sf private open space between 265 and 275 Cherry Street (the "courtyard area") by approximately 2,649 sf, totaling approximately 32,313 sf (0.74 acres) of private open space. The courtyard area would include new landscaping, seating, and play areas.

The Site 5 project would provide additional resiliency measures at new building and physical strategies would be employed around the site to assist in protecting the 265 and 275 Cherry Street buildings. Two existing curb cuts north of 265 and 275 Cherry Street would be closed and replaced with a single central curb cut in this area on Cherry Street. On South Street, two existing curb cuts would be used to access the resident and visitor drop-off and the lower level parking garage in the new building. Two other existing curb cuts on South Street may be modified. The Jefferson Street walkway curb cuts would be maintained on Cherry and South Streets. No new curb cuts would be required.

SITE 6A PROJECT

The proposed Site 6A project would be an approximately 672,266-gsf mixed-use development on Lot 5. Based on current plans, the building is expected to reach a height of approximately 63 stories (approximately 730 feet tall, including mechanical screen) and would provide up to 669,851 gsf of residential use (up to 765 residential units),[6] 25 percent of which would be designated as permanently affordable (up to 191 units, including approximately 100 new units of low-income senior housing), as well as approximately 2,415 gsf of retail use. The proposed actions would also result in additional resiliency measures at the site, including locating critical infrastructure components above flood elevation and implementing physical strategies to assist in protecting the new building. The Site 6A project would also provide approximately 3,200 sf (0.07 acres) of new private open space on site. The existing building (275 South Street) and accessory surface parking lot on Lot 1 would remain. The existing curb cuts on South Street would remain; no new curb cuts would be required.

E. PURPOSE AND NEED

The goals and objectives of the proposed actions, as intended by the project applicants, are to create up to 2,775 new residential units within Manhattan CD 3, of which 25 percent or up to 694 residential units would be designated as permanently affordable, including approximately 200 new units of low-income senior housing, advancing a City-wide initiative to build and preserve 200,000 affordable units over 10 years in order to support New Yorkers with a range of incomes; provide additional resiliency measures at each site; achieve high quality urban design, architecture, community facility space, and open space elements; enhance the surrounding streetscape and enliven the pedestrian experience, through the creation of new buildings, landscaping, and open space on the project sites, including both new and altered on-site open space (of which 33,550 sf would be dedicated as publicly accessible); add to the retail mix already located in the Two

[6] The Two Bridges LSRD table would limit the new residential development on Site 6A to 765 dwelling units.

Bridges neighborhood; and strengthen the City's tax base by encouraging development and employment opportunities in the area.

The purpose and need for the minor modifications is described below for each proposed development site.

SITE 4 (4A/4B)

The proposed minor modification of the Two Bridges LSRD would facilitate the further development of Site 4 (4A/4B) with new permanently affordable and market-rate housing; up to 660 new residential units in total would be provided, with 25 percent designated as permanently affordable (up to 165 units). (In addition, 10 units would be relocated from 80 Rutgers Slip to the new building, and would be allocated for senior housing.) It is the Site 4 (4A/4B) applicant's intention that the proposed actions allow for the Site 4 (4A/4B) development to provide capital to two non-profit organizations in support of their ongoing efforts to provide, support, and maintain affordable housing for New Yorkers. The Site 4 (4A/4B) development would also change the streetscape and pedestrian environment with the installation of new pavers, plantings, and seating at the existing approximately 15,868 sf (0.36 acres) of private open space located on Lots 15, 70, and 76, and would provide additional local retail opportunities by increasing the ground floor retail at this site. The proposed actions would also result in additional resiliency measures at the site, with physical strategies being implemented around Lot 70 of Site 4 (4A/4B) that are being designed are intended to protect the existing building at 80 Rutgers Slip and the new building on Site 4 (4A/4B).

SITE 5

The proposed minor modification of the Two Bridges LSRD would facilitate the further development of Site 5 by replacing a surface parking lot with new permanently affordable and market-rate housing, community facility space, and retail. The new Site 5 development would provide up to 1,350 new units, 25 percent of which would be designated as permanently affordable (up to 338 units, including approximately 100 new units of low-income senior housing). In addition, the proposed Site 5 project would help address the continuing need for independent living facilities for seniors in New York City, by creating approximately 100 new units of low-income senior housing) as part of the permanently affordable housing to be provided on that site. With the proposed minor modification, the proposed development also would enlarge the existing private Rutgers Slip Open Space on Site 5 to approximately 33,550 sf (approximately 0.77 acres). The Rutgers Slip Open Space, which would be dedicated as publicly accessible, would include play equipment, basketball courts, walking paths, and seating. The Site 5 project would also enlarge the existing private open space between 265 and 275 Cherry Street and would provide new amenities, including new landscaping, seating, and play areas. The changes to the Rutgers Slip Open Space would be experienced by pedestrians along Rutgers Slip accessing the East River waterfront from the upland neighborhood. Additional ground-floor retail spaces would be provided at 265 and 275 Cherry Street. The proposed actions would also result in additional resiliency measures at Site 5. The first floor of the new building would be located above the flood plain elevation, and physical strategies would be employed around the site to assist in protecting the 265 and 275 Cherry Street buildings.

SITE 6A

The proposed minor modification of the Two Bridges LSRD would facilitate the further development of Site 6A with new permanently affordable and market-rate housing. The new Site 6A development would provide up to 765 new units in total, with 25 percent designated as permanently affordable (up to 191 units). In addition, the proposed Site 6A project would help address the continuing need for independent living facilities for seniors in New York City, by creating approximately 100 new units of low-income senior housing as part of the permanently affordable housing to be provided on that site. With the proposed minor modification, new development would replace a vacant lot and provide new ground floor retail to the streetscape and pedestrian environment along Clinton and South Streets that would add to local retail opportunities. The proposed actions would also result in additional resiliency measures at the site, including locating critical infrastructure components above flood elevation and implementing physical strategies to assist in protecting the new building. The proposed Site 6A development also would create approximately 3,200 sf (0.07 acres) of new private open space on Site 6A.

F. ANALYSIS FRAMEWORK

The 2014 *CEQR Technical Manual* serves as a general guide on the methodologies and impact criteria for evaluating the proposed projects' potential effects on the various environmental areas of analysis. In disclosing impacts, the environmental impact statement (EIS) considers the proposed projects' potential adverse impacts on its environmental setting. A future build year of 2021 is examined to assess the potential impacts of the proposed actions. Consequently, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives include descriptions of existing conditions, conditions in the future without the proposed projects (the No Action scenario), and conditions in the future with the proposed projects (the With Action scenario). The incremental difference between the No Action and With Action conditions is analyzed to determine the potential environmental effects of the proposed projects. **Table S-2** summarizes the incremental difference between the No Action and With Action conditions for each of the three project sites. In order to understand how the cumulative impacts of the proposed projects might change if one or more of the projects is delayed indefinitely or ultimately not pursued, the EIS provides a qualitative analysis of certain permutations in a separate chapter, "Project Permutations."

Table S-2
Incremental Increases for Each Project Site

	SITE 4 (4A/4B)—INCREMENT	SITE 5—INCREMENT	SITE 6A—INCREMENT
Land Use			
Residential	Yes ■ No □	Yes ■ No □	Yes ■ No □
If yes, specify the following			
Describe type of residential structures	**+80 floors**	**Lots 1/2: +63 and 70 floors**	**Lot 5: 1 63 floors**
No. of dwelling units	**+up to 660 DUs**	**Lots 1/2: +up to 1,350 DUs**	**Lot 5: +up to 765 DUs**
No. of low- to moderate-income units	**+up to 165 DUs**	**Lots 1/2: +up to 338 DUs**	**Lot 5: + up to 191 DUs**
Gross Floor Area (sq. ft.)	**+629,252 gsf**	**Lots 1/2: +1,227,932 gsf**	**Lot 1: No change** **Lot 5: +668,252 gsf**
Commercial	Yes ■ No □	Yes ■ No □	Yes ■ No □
If yes, specify the following:			
Describe type (retail, office, other)	**N/A**	**Retail**	**Retail**
Gross floor area (sq. ft.)	**+3,124 gsf**	**Lot 1: +5,319 gsf**	**Lot 5: +2,415 gsf**
Manufacturing/Industrial	Yes □ No ■	Yes □ No ■	Yes □ No ■
If yes, specify the following:			
Type of use			
Gross floor area (sq. ft.)			
Open storage area (sq. ft.)			
If any unenclosed activities, specify			
Community Facility	Yes ■ No □	Yes ■ No □	Yes □ No ■
If yes, specify the following			
Type	**No change**	**Lot 1: No change** **Lots 1/2: General community facility use**	**N/A**
Gross floor area (sq. ft.)	**No change**	**Lots 1/2: +17,028 gsf**	**N/A**
Vacant Land	Yes □ No ■	Yes □ No ■	Yes □ No ■
If yes, describe			
Other Land Uses	Yes ■ No □	Yes ■ No □	Yes ■ No □
If yes, describe	**Lot 76: No change**	**Lots 1/2: 19,579 gsf private open space (new); + 33,550 sf *(total dedicated publicly accessible open space, including new and enhanced existing open space)***	**Lot 5: 3,200 sf private open space (new)**
Parking			
Garages	Yes ■ No □	Yes ■ No □	Yes □ No ■
If yes, specify the following:			
No. of public spaces	**N/A**	**0 (No change)**	**N/A**
No. of accessory spaces	**No change**	**Lot 2: +103**	**N/A**
Lots	Yes ■ No □	Yes □ No ■	Yes ■ No □
If yes, specify the following:			
No. of public spaces	**No change**	**0 (No change)**	**Lot 1: No change**
No. of accessory spaces	**(4) accessory spaces**	**Lot 2: (103)**	**Lot 1: No change**
Population			
Residents	Yes ■ No □	Yes ■ No □	Yes ■ No □
If "yes", specify number	1,419	2,838	1,580
Briefly explain how the number of residents was calculated	**Average household size of 2.15 from Manhattan Community District 3 Profile (Sources: U.S. Census Bureau, 2000 and 2010 Censuses SF1 Population Division—NYC Department of City Planning [Dec 2011]). Average household size of 1.5 assumed for senior units under With Action Condition.**		
Businesses	Yes ■ No □	Yes ■ No □	Yes ■ No □
If "yes", specify the following:			
No. and type	**TBD/retail, community facility**	**TBD**	**TBD/retail**
No. and type of workers by business	**Approx. 42 retail, 28 community facility**	**Approx. 16 retail, 17 community facility**	**Approx. 8 retail**
No. and type of non-residents who are not workers	**TBD**	**TBD**	**TBD**
Briefly explain how the number of businesses was calculated	**Retail including dining: 333 sf/employee. Community facility: 1,000 sf/employee.**		
Other (students, visitors, concert-goers, etc.)	Yes □ No ■	Yes □ No ■	Yes □ No ■
If any, specify number			
Briefly explain how the number was calculated			
Zoning			
Zoning classification	**C6-4**		
Maximum amount of floor area that can be developed	**No change**	**No change**	**No change**
Predominant land use and zoning classifications within land use study areas or a 400-foot radius of proposed project	**No change**	**No change**	**No change**

BUILD YEAR

The proposed projects each would be developed in a single phase; the construction period for each is anticipated to be between 30 and 36 months. Therefore, a future build year of 2021, when the projects are anticipated to be complete and operational, is examined in the EIS to assess the potential impacts of the proposed actions.

EXISTING CONDITIONS

For each technical area assessed in the EIS, the existing conditions on the project sites and in the relevant study areas is described. The analysis framework begins with an assessment of existing conditions because these can be most directly measured and observed. The assessment of existing conditions does not represent the condition against which the proposed actions are measured, but serves as a starting point for the projection of future conditions with and without the proposed actions and the analysis of potential impacts.

NO ACTION SCENARIO

For the No Action scenario, it is assumed that the project sites would continue in their existing conditions, including the Rutgers Slip Open Space on Site 5 remaining private open space. The existing retail in the Lot 76 building (235 Cherry Street) on Site 4 (4A/4B) would be re-tenanted. No new development would occur on the project sites. **Table S-3** summarizes the No Action conditions for the three project sites.

Table S-3
No Action Scenario

Use (GSF)	Site 4 (4A/4B)[1]	Site 5	Site 6A	Total New
Use Group 2 (Residential)	*Existing*: 313,510 gsf *New*: 0	*Existing*: 634,983 gsf *New*: 0	*Existing*: 262,877 gsf *New*: 0	0
Residential Units	*Existing*: 307 DUs *New*: 0	*Existing*: 490 DUs *New*: 0	*Existing*: 256 DUs *New*: 0	0
Affordable Unit Count	*Existing*: 307 DUs *New*: 0	*Existing*: 490 DUs *New*: 0	*Existing*: 128 DUs *New*: 0	0
Use Group 6 (Retail)	*Existing*: 11,575 gsf (retenanted) *New*: 0	*Existing*: 2,024 gsf *New*: 0	*Existing*: 0 *New*: 0	0
Community Facility	*Existing*: 27,552 gsf *New*: 0	*Existing*: 0 *New*: 0	*Existing*: 0 *New*: 0	0
Accessory Parking	*Existing*: 15: (4 *at-grade,* 11 *in parking garage)* *New*: 0	*Existing*: 103 *at-grade* *New*: 0	*Existing*: 34 *at-grade* *New*: 0	0
Private Open Space	*Existing*: 15,868 sf *New*: 0	*Existing*: 64,152 sf *New*: 0	*Existing*: 0 *New*: 0	0
Vacant	*Existing*: 0 *New*: 0	*Existing*: 0 *New*: 0	*Existing*: 20,177 sf *New*: 0	0

Note:
[1] 80 Rutgers Slip/Lot 70: 85,615 gsf [109 units] residential, 3,928 sf open space, and 4 surface parking spaces; 82 Rutgers Slip/Lot 15: 227,895 gsf residential [198 units], 27,552 gsf community facility, 11 accessory enclosed parking spaces, and 11,660 sf open space; 235 Cherry Street/Lot 76: 11,575 gsf retail and 280 sf open space.

The No Build projects anticipated to be complete by 2021 in the study areas are considered in the various technical analyses presented in this EIS.

WITH ACTION SCENARIO

In the With Action scenario, the proposed projects described above would be constructed on the project sites (see also **Table S-2**).

It is assumed that, in addition to modifying the amount of floor area, number of dwelling units, lot coverage, and open space available to the project sites under the Two Bridges LSRD, the minor modifications to the Two Bridges LSRD Approvals would also establish building envelope and

site plan controls for each project. Because the Two Bridges LSRD site plans would provide controls with respect to the maximum building envelopes and development programs, this EIS assumes the details of the proposed programs and designs as the reasonable worst-case development scenario.

ANALYSIS OF PROJECT PERMUTATIONS

Where significant adverse impacts and mitigation needs have been identified under the cumulative impact analysis of all three projects, further detail is provided to identify mitigation requirements for each project. In order to understand how the cumulative impacts of the proposed projects might change if one or more of the projects is delayed indefinitely or ultimately not pursued, the EIS provides a qualitative analysis of such permutations in a separate chapter—"Project Permutations." The analysis is limited to the evaluation of specific locations or facilities for which impacts and mitigation needs have been identified under the cumulative impact analysis of all three projects. The assessments for the relevant technical areas are targeted to focus on those impacted areas.

G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE, ZONING, AND PUBLIC POLICY

The analysis presented in this chapter concludes that the proposed actions would not result in significant adverse impacts on land use, zoning, or public policy.

The proposed minor modifications to the Two Bridges LSRD Approvals would enable the development of three new mixed-use buildings within the Two Bridges LSRD. While the proposed actions would not change the maximum allowable FAR, floor area, or building envelopes permitted by the underlying zoning district regulations, the requested minor modifications would enable larger developments than are permitted by the previously approved Two Bridges LSRD site plan by utilizing unused existing floor area. With the proposed actions, the proposed buildings themselves would be larger and taller than the existing buildings in the surrounding area. The proposed developments would include residential, community facility, retail, and new open space uses, and would not add any types of uses not already located within the Two Bridges LSRD. The proposed buildings would result in up to approximately 2,775 new dwelling units, of which 25 percent or up to 694 units would be designated as permanently affordable, including approximately 200 new units of low-income senior housing. This permanently affordable housing would support the Mayor's affordable housing programs. The proposed projects would also create new community facility uses, new retail uses, dedicated publicly accessible open space at Rutgers Slip Open Space on Site 5, and expanded and altered on-site private open space. At-grade parking on Site 5 would be relocated to a below-grade parking facility in the proposed Site 5 building.

The proposed projects are located within the City's Coastal Zone. The proposed projects would provide resiliency measures intended to support the adopted resiliency policies of New York City regarding resiliency along the waterfront areas of Manhattan, including *Vision 2020: New York City Comprehensive Waterfront Plan*. The proposed projects were reviewed for consistency with the policies of the City's Waterfront Revitalization Program (WRP). The WRP analysis concluded that the proposed projects would support the adopted resiliency policies of New York City and would be consistent with the relevant WRP policies.

SOCIOECONOMIC CONDITIONS

DIRECT RESIDENTIAL DISPLACEMENT

A screening-level assessment finds that the proposed projects would not result in significant adverse socioeconomic impacts due to direct residential displacement. The proposed projects would not directly displace any residents from the socioeconomic conditions study area.

On Site 4 (4A/4B), there are 10 DUs that would be removed from the 80 Rutgers Slip building and replaced in the new Site 4 (4A/4B) building. An additional nine DUs in the 80 Rutgers Slip building would be renovated. The Site 4 (4A/4B) applicant intends to relocate the approximately 19 residents living in these units during the construction period to comparable, newly renovated units within the 80 Rutgers Slip building as they become available, or, if necessary, to units in neighboring buildings. As units in 80 Rutgers Slip become available prior to construction, they would not be re-tenanted, but instead would be renovated and offered as temporary or permanent dwelling units for residents of the relocated or renovated units. There are currently nine vacant units within the building that would be renovated and made available. Because the 80 Rutgers Slip building is under a HUD regulatory agreement, the dwelling units and residents could only be moved under a relocation plan approved by HUD. Such approval would be granted by HUD and is not part of the proposed actions. To date, the Site 4 (4A/4B) applicant has submitted a plan to HUD and approval is pending. The Site 4 (4A/4B) applicant has stated that they would coordinate the project construction to minimize disruptions to these tenants and to ensure that, to the extent possible, residents of these units remain in the building throughout construction. No residents would be permanently displaced from Site 4 (4A/4B). Irrespective of the applicant's ability to provide replacement units for the residents of these 19 units within the building, this level of potential direct residential displacement is well below the 500-resident threshold warranting assessment under CEQR, and would not constitute a significant adverse environmental impact.

DIRECT BUSINESS DISPLACEMENT

A screening-level assessment finds that the proposed projects would not result in significant adverse socioeconomic impacts due to direct business displacement. There is one business on the project sites (Site 5) that may require temporary displacement during construction—the Stop 1 Food Market. The Site 5 applicant is committed to working with Stop 1 Food Market to remain in operation during construction, if determined to be feasible, and to provide an opportunity for the business to re-tenant the building when the new space is ready for occupancy. However, if Stop 1 Food Market did not re-tenant the space, its displacement would not constitute a significant adverse environmental impact as defined under CEQR. The potential loss of employment (approximately 10 workers[7]) falls well below the 100-employee threshold for assessment, and in this respect, its potential displacement would not alter the socioeconomic character of the neighborhood. In addition, while the Stop 1 Food Market is a convenient source of goods for residents of the study area and the project sites in particular, its products and services are not unique to the study area; alternative sources of similar products and services are available within

[7] The worker estimate for the Stop 1 Food Market is based on in-person observation by an AKRF, Inc. staff member on February 21, 2017, and assumes that up to three work shifts are required to staff this 24-hour food market.

close proximity. Finally, there are no regulations or publicly adopted plans aimed at preserving a market of this size (approximately 2,100 gross square feet [gsf]) within the neighborhood.

INDIRECT RESIDENTIAL DISPLACEMENT

A preliminary assessment finds that the proposed projects would not result in significant adverse environmental impacts due to indirect residential displacement. Under CEQR, the objective of the indirect residential displacement analysis is to determine whether a project may either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. Based on *CEQR Technical Manual* guidelines, a vulnerable population is defined as renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicate that they may not support substantial rent increases. In the case of the proposed projects, most study area residents are not vulnerable to displacement as defined under CEQR; it is estimated that 88 percent of study area rental units are in buildings protected by rent control, rent stabilization, or other government regulations that protect rents from market influences generated by changes in market conditions. Those not vulnerable to displacement include study area residents living within the large concentration of New York City Housing Authority (NYCHA) public housing within the study area. It is reasonable to conclude that a vast majority of low- and moderate-income households in the study area live in housing that is protected by rent control, rent stabilization, or other government regulations limiting rent increases, and therefore are not vulnerable to displacement due to increased rents as defined under CEQR.

While the proposed projects would add new population which, in the aggregate, would have a higher average household income than the average household income in the study area, the proposed projects would not introduce a new trend or accelerate the existing trend as defined under CEQR. There is already a readily observable trend toward higher incomes and new market-rate residential development in the study area. The average monthly asking rent (lowest 10th percentile) for non-rent-protected units in the study area currently ranges from approximately $1,900 for a studio unit to $3,300 for a three-bedroom unit; these rents are generally not affordable to low- and moderate-income households. The proposed projects are expected to introduce a higher percentage of affordable housing than is expected from planned development projects in the future No Action condition, which are primarily market-rate. In this respect, the proposed projects would serve to maintain a study area housing stock that is affordable to households with a wider range of incomes as compared to the No Action condition, in which projects are expected to continue the trend towards market-rate development and rising residential rents in the study area.

INDIRECT BUSINESS DISPLACEMENT

A preliminary assessment finds that the proposed projects would not result in significant adverse impacts due to indirect business displacement. The proposed projects would facilitate the introduction of new residential, commercial, and community facility uses. The project sites and broader socioeconomic study area have well-established residential and retail markets such that the proposed projects would not be introducing new economic activities to the project sites or to the study area.

Although some retail stores may be indirectly displaced, their displacement would not constitute a significant adverse environmental impact under CEQR. As of 2015, Retail Trade industry stores in the study area represent less than three percent of retail stores in Manhattan and less than one percent of retail stores in New York City. The stores that would be vulnerable to indirect displacement, while fostering economic activity in the local area, are not of substantial economic value to the City or region, and their displacement would not significantly affect neighborhood character. Storefronts that are vacated due to indirect displacement would not likely remain vacant; more likely, they would turn over to other retail or community facility uses that could better capitalize on the market. The proposed actions could generate additional local demand for neighborhood retail and services. However, the additional population resulting from the proposed projects is not so large as to substantially transform the retail character of the neighborhood. Therefore, the limited indirect retail displacement that could result from the proposed projects would not lead to major changes within nearby commercial strips, and would not result in significant adverse socioeconomic impacts.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

A preliminary assessment finds that the proposed projects would not result in significant adverse impacts due to adverse effects on specific industries. The assessment considers whether a substantial number of residents or workers depend on the goods or services provided by the affected businesses, or if the proposed projects would result in the loss or substantial diminishment of a particularly important product or service within the industry. The proposed projects would not significantly affect the business conditions in any industry or any category of business within or outside the study area. The one business that could be temporarily displaced by the proposed projects—the Stop 1 Food Market—does not represent a critical mass of businesses within any City industry, category of business, or category of employment. Although this business is an amenity to the community, the goods and services offered can be found elsewhere within the socioeconomic study area, within a broader trade area, and within the City as a whole. The products and services offered by the potentially displaced business are not expected to be essential to the viability of other businesses within or outside the study area. Finally, the proposed projects would not result in significant indirect business displacement, and therefore would not substantially reduce employment or have an impact on the economic viability in any specific industry or category of business.

COMMUNITY FACILITIES AND SERVICES

PUBLIC SCHOOLS

The project sites are located in Community School District (CSD) 1, which is a school district that has an elementary and intermediate school choice program. Given the small geographic size of the district, DCP, in consultation with the New York City School Construction Authority (SCA), determined that a district-wide analysis that includes CSD 1 and Sub-district 1 is appropriate for the public schools analysis. Therefore, although utilization would increase at the sub-district level, the potential for significant impacts is determined based on an analysis of CSD 1 as a whole. In CSD 1 as a whole (in the scenario that conservatively assumes the 200 permanently affordable units may not be developed exclusively for seniors), the proposed projects would result in a significant adverse impact on public elementary schools, as described below. The proposed actions

would not result in any significant adverse impacts to intermediate schools within the sub-district or high schools.

Elementary Schools—Sub-District 1 of Community School District (CSD) 1

In the future with the proposed projects (both scenarios), the elementary school utilization rate in CSD 1, Sub-district 1, would be greater than 100 percent, and the proposed projects would result in an increase to the collective utilization rate of more than five percentage points over the No Action condition. However, given characteristics of the district, the potential for significant impacts is determined based on an analysis of CSD 1 as a whole, as described below.

Elementary Schools—CSD 1, "Choice District"

In CSD 1, in the scenario that assumes 200 of the permanently affordable units would be for senior housing, the proposed projects would result in an increase of more than five percentage points over the No Action condition, while elementary school utilization would remain just below 100 percent, and therefore would not result in a significant adverse impact. However, in the scenario that conservatively assumes the 200 permanently affordable units may not be developed exclusively for seniors, the proposed projects would result in an increase of more than five percentage points over the No Action condition and elementary school utilization would be just over 100 percent. Therefore, in this scenario, the proposed projects would result in a significant adverse impact on public elementary schools in CSD 1 as a whole.

Intermediate Schools—Sub-District 1 of CSD 1

In the future with the proposed projects (both scenarios), while the intermediate school collective utilization rate would increase by more than five percentage points over the No Action condition, intermediate school utilization in Community School District 1, Sub-district 1, would remain below 100 percent. Therefore, the proposed projects would not result in a significant adverse impact to intermediate schools within the sub-district.

High Schools

In the future with the proposed projects (both scenarios), the utilization of public high schools would remain below 100 percent, and the proposed projects would not result in an increase of five percentage points or more in the collective utilization rates. Therefore, the proposed projects would not result in a significant adverse impact on high schools.

PUBLIC LIBRARIES

The proposed projects would not result in any significant adverse libraries impacts.

For the libraries within the study area (Seward Park Library, Chatham Square Library, and Hamilton Fish Park Library), the catchment area population increases attributable to the proposed projects are below the five percent threshold cited in the *CEQR Technical Manual*. Therefore, the proposed projects would not result in a noticeable change in the delivery of library services.

PUBLICLY FUNDED CHILD CARE FACILITIES

The proposed projects would result in significant adverse impacts to publicly funded child care facilities in the scenario that conservatively assumes that 200 units of affordable senior units would not be developed exclusively for seniors.

In the future with the proposed projects, in the scenario that assumes 200 of the permanently affordable units would be for senior housing, publicly funded child care facilities in the study area would operate over capacity; however, the proposed projects would not result in an increase in demand of more than five percentage points over the No Action condition. Therefore, the proposed projects would not result in a significant adverse impact on child care facilities. However, in the scenario that conservatively assumes the 200 permanently affordable units may not be developed exclusively for seniors, child care facilities in the study area would operate over capacity and the increase in the utilization rate would be over five percentage points. Therefore, in the latter scenario, the proposed projects would result in a significant adverse impact on child care facilities.

OPEN SPACE

The proposed projects would not directly displace any publicly accessible open space resources. The proposed projects would result in project-generated shadows impacts on two opens space resources—the Cherry Clinton Playground and the Lillian D. Wald Playground—as discussed in "Shadows" and in "Mitigation." The reductions in the total, active, and passive open space ratios in the With Action condition would result in significant adverse open space impacts based on a quantitative analysis of indirect effects, as set forth in the *CEQR Technical Manual*.

DIRECT EFFECTS

No publicly accessible open space resources would be physically displaced as a result of the proposed projects. In two cases, project-generated shadows would be substantial enough in extent and/or duration to significantly affect the use or vegetation of the open space resource: the Cherry Clinton Playground on the December 21 analysis day (use, but not vegetation), March 21/September 21 analysis day (use and vegetation), and on the May 6/August 6 analysis day (use only); and the Lillian D. Wald Playground on the March 21/September 21 analysis day (use only). Further, the active areas of these two open space resources would be less affected by shadows than the passive areas, as described in "Shadows." Potential measures to mitigate the project-generated shadows impacts on these two open space resources are discussed in "Mitigation," and include dedicated funding for enhanced maintenance at these two playgrounds. The proposed projects would not result in any significant adverse operational air quality or noise impacts affecting open space resources.

INDIRECT EFFECTS

The proposed projects would increase utilization of study area resources due to the introduction of a substantial new residential population. In the future with and without the proposed projects, the total, active, and passive open space ratios in the open space study area would remain below the City's median of 1.5 acres of total open space per 1,000 residents and the City's planning goal of 2.5 acres of total open space per 1,000 residents. With the proposed projects, the study area's total open space ratio would decrease by 7.36 percent, the active open space ratio would decrease by 8.17 percent, and the passive open space ratio would decrease by 6.45 percent. According to the *CEQR Technical Manual*, an action may result in a significant adverse open space impact if it would reduce the open space ratio by more than 5 percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. Therefore, the reductions in the total, active, and passive open space ratios with the proposed projects would

result in a significant adverse open space impact based on quantitative analysis of indirect effects, as set forth in the *CEQR Technical Manual*.

According to the *CEQR Technical Manual*, projects that may result in significant quantitative impacts on open space resources are typically further assessed in a qualitative assessment to determine overall significance of the impact. While the proposed projects would result in an increase in demand for open space resources, they would also provide new and enhanced private open spaces for building residents. These open space amenities would help meet some of the residents' passive and active open space needs. On Site 5, the existing private Rutgers Slip Open Space would be dedicated as publicly accessible open space, resulting in approximately 33,550 sf (0.77 acres) of new publicly accessible open space. The Rutgers Slip Open Space would be enlarged and reconstructed with new amenities for both active and passive use, such as play equipment, basketball courts, walking paths, and seating. While the approximately 33,550 sf of dedicated publicly accessible open space that would be developed with the proposed projects would reduce the significant adverse open space impacts, it is not sufficient to avoid significant adverse open space impacts.

As described above, based on the quantitative analysis, which found that the decrease in the total, active, and passive open space ratios with the proposed projects would exceed the *CEQR Technical Manual* guidelines of 5 percent, the proposed projects would result in a significant adverse impact on open space. Potential mitigation measures for the open space impacts are described in the Mitigation analysis, and include funding for the renovation of existing open spaces in the vicinity of the project sites. Potential resources to be reconstructed are Coleman Playground, Captain Jacob Joseph Playground, and Little Flower Playground.

SHADOWS

The proposed projects would result in a significant adverse shadows impact at two sunlight-sensitive open space resources.

The shadows analysis shows that incremental shadows cast by the proposed projects would reach 34 sunlight-sensitive resources. However, the majority of these new shadows would be limited in extent and duration and would typically only occur during some seasons. Therefore, no significant adverse shadows impacts would occur at these 34 sunlight-sensitive resources.

Two sunlight-sensitive resources would experience significant adverse shadows impacts—the Cherry Clinton Playground and the Lillian D. Wald Playground. These open space resources contain basketball courts, handball courts, playground/fitness equipment, seating areas, trees, and landscaping.

Project-generated shadows would fall on the Cherry Clinton Playground on the December 21, March 21/September 21 and May 6/August 6 analysis days, beginning in the early afternoon hours and remaining throughout most of the day. The long afternoon duration and large extent of incremental shadow on the Cherry Clinton Playground would significantly affect the user experience on these analysis days, as well as the vegetation on the March 21/September 21 analysis day.

On the March 21/September 21 analysis day, the proposed projects would cast large areas of new shadow on the Lillian D. Wald Playground for an hour, including a 15-minute period when incremental shadow would eliminate virtually all the sun. Smaller incremental shadows would fall

on the playground for an additional 50 minutes. Given that weather on March 21/September 21 analysis day can be cool making sunlit areas important to users, and given the large extents and long duration of the incremental shadow, the incremental shadow from the proposed projects would significantly affect the user experience in the Lillian D. Wald Playground on this analysis day.

Potential measures to mitigate the significant adverse shadows impacts on these two open space resources are being explored by the applicants in consultation with DCP and NYC Parks, and will be refined between the DEIS and FEIS. As described in "Mitigation," potential mitigation measures include dedicated funding for enhanced maintenance to mitigate the significant adverse impact to the users and the trees of the Cherry Clinton Playground, and the users of the Lillian D. Wald Playground.

HISTORIC AND CULTURAL RESOURCES

The proposed actions would not result in any significant adverse impacts to historic and cultural resources.

ARCHAEOLOGICAL RESOURCES

The Phase 1A Archaeological Documentary Study of the three project sites, prepared by AKRF, Inc. in July 2017, determined that undisturbed portions of Site 5 and Site 6A possess moderate to high sensitivity for landfill deposits and landfill-retaining structures and low to moderate sensitivity for historic period streetbed deposits and early wooden water mains. Site 4 (4A/4B) was determined to have low sensitivity for both types of resources. The Phase 1A study recommended further archaeological analysis in the form of archaeological monitoring at Site 5 and Site 6A and the preparation of an Unanticipated Discoveries Plan for Site 4 (4A/4B). All additional archaeological analysis would be conducted in coordination with the New York City Landmarks Preservation Commission (LPC). In a comment letter dated July 19, 2017, LPC concurred with the conclusions and recommendations of the Phase 1A Archaeological Documentary Study.

In the event that archaeological monitoring confirms the presence of archaeological resources within the areas of archaeological sensitivity as identified in the Phase 1A study, then additional archaeological investigations (e.g., a Phase 2 Investigation or a Phase 3 Data Recovery as described above) would be conducted. Pursuant to CEQR, should significant (e.g., National Register-eligible) archaeological resources be identified in any of the completed archaeological investigations, the disturbance or removal of such resources through the construction of the proposed projects would constitute a significant adverse impact. However, as outlined above, at this time only the potential for archaeological resources has been identified in certain locations on the project sites. As set forth in the *CEQR Technical Manual*, a "site's actual, rather than potential sensitivity cannot be ascertained without some field testing or excavation."[8] The presence of any significant archaeological resources would be determined through additional archaeological investigations and consultation with LPC. With the completion of the Unanticipated Discoveries Plan for Site 4 (4A/4B), the completion of additional archaeological investigations at Sites 5 and

[8] *CEQR Technical Manual* (March 2014): page 9-10 (http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/09_Historic_Resources_2014.pdf).

6A, and LPC concurrence with the conclusions of those investigations, the proposed projects would not result in significant adverse impacts to archaeological resources. The applicants would enter into a Restrictive Declaration requiring that these additional archaeological investigations (including any relevant Unanticipated Discoveries and Archaeological Monitoring Protocols) would be undertaken in consultation with LPC.

ARCHITECTURAL RESOURCES

There are no known or potential architectural resources on the project sites. Therefore, the proposed projects would not result in any direct or indirect effects to architectural resources on the project sites.

Portions of three architectural resources are located in the study area—the Manhattan Bridge, the FDR Drive, and the East River Bulkhead. The proposed projects would not eliminate or substantially obstruct important public views of the Manhattan Bridge or the FDR Drive, as views to all significant elements of these historic resources would be maintained and any changes to views from nearby vantage points would be consistent with the evolving nature of the built environment of New York City. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the proposed projects to any historic resource's setting. The proposed projects would not adversely affect the portion of the East River Bulkhead located in the study area. Because the bulkhead is at and below the water's edge, it is only visible from locations immediately adjacent to the East River, and does not include any components visible from the project sites. There is no meaningful physical or visual relationship between the project sites and the East River Bulkhead.

None of the architectural resources in the study area have sunlight-sensitive features, and thus the proposed projects would not introduce significant new shadows or result in the significant lengthening of the duration of existing shadows over historic architectural resources or historic landscapes in the study area.

Construction of the new buildings on Site 5 and Site 6A would occur within 90 feet of portions of the FDR Drive, a historic resource that was designed to withstand the vibration effects of continuous vehicle usage. Between the DEIS and FEIS, the applicants would consult with LPC and the New York City Department of Transportation (NYCDOT) to determine whether a Construction Protection Plan (CPP) for the FDR Drive is warranted. Should LPC and/or NYCDOT request the preparation of a CPP, it would be prepared in accordance with the guidelines of *TPPN #10/88*, as well as LPC's guidance document *Protection Programs for Landmarked Buildings* and the National Park Service's *Preservation Tech Notes, Temporary Protection #3: Protecting a Historic Structure during Adjacent Construction*. With the CPP in place, construction would not be expected to result in significant adverse impacts to the portion of the FDR Drive located within 90 feet of Site 5 and Site 6A. No other architectural resources are located within 90 feet of the project sites.

Therefore, the proposed projects would not result in any significant adverse direct or indirect impacts to any historic architectural resources on the project sites or in the study area.

URBAN DESIGN AND VISUAL RESOURCES

The proposed actions would not result in significant adverse impacts on urban design and visual resources.

The proposed actions would not result in significant adverse impacts to urban design. The proposed buildings would be consistent with the massing, materials, and forms of new development projects in the primary and secondary study areas, including the 80-story building under construction at One Manhattan Square directly west of Site 4 (4A/4B) and the multi-building, mixed-use Essex Crossing development currently under construction. With the proposed projects, all three proposed buildings would include ground floor design elements that would add active ground floor uses to the surrounding area that are intended to enliven the streetscape of the nearby study area. These project components are also intended to enhance the pedestrian experience of the urban design characteristics of the project sites and surrounding area.

The proposed actions would not result in significant adverse impacts on view corridors or visual resources in the study area. While the proposed projects would add three new tall buildings to the area, they would not eliminate any significant publicly accessible view corridors or completely block public views to any visual resources, result in any substantial changes to the built environment of a historic district, or result in an area-wide rezoning. Further, the proposed buildings would not obstruct any existing view corridors or views to visual resources in the primary or secondary study areas. Therefore, the proposed projects would not result in any significant adverse impacts on urban design and visual resources.

PEDESTRIAN WIND CONDITIONS

A wind tunnel assessment was undertaken to evaluate pedestrian-level wind conditions at the project sites to determine whether pedestrian-level winds could potentially exceed the safety criterion in the With Action condition. The proposed projects would result in some elevated pedestrian-level wind conditions primarily or entirely during the winter months (November to April), when there is generally less pedestrian activity. However, these conditions would be similar to those at comparable locations in the City. Potential measures to reduce or minimize the effects of pedestrian-level winds in the With Action condition have been evaluated, including planting marcescent tree species (deciduous trees that retain their leaves in the winter) and implementing architectural elements such as a canopy or a parapet. The results of the pedestrian wind analysis demonstrate that with the implementation of certain measures, no significant adverse urban design impacts would result from potential pedestrian wind conditions. The Restrictive Declarations for each of the proposed projects will contain provisions defining circumstances under which changes to the final building design or tree planting layout may be required to undergo wind tunnel analysis to confirm their effectiveness in addressing the potential for elevated pedestrian wind conditions.

Further consultation with DCP, NYCDOT, NYSDOT, as needed, and the applicants will continue between the DEIS and FEIS regarding measures for reducing elevated wind conditions.

NATURAL RESOURCES

The proposed projects would not result in any significant adverse impacts to natural resources. Although the proposed actions would result in the disturbance of certain habitats identified in the *CEQR Technical Manual* that include “paved roads/paths,” “urban vacant lots,” “mowed lawns with trees,” and “urban structure exteriors,” these four ecological communities provide limited habitat to wildlife other than species common to urban areas. Loss of this habitat area may adversely affect individual wildlife unable to find suitable available habitat in the vicinity of the study area; however, loss of individuals of these common species would not result in a significant

adverse impact to populations of these species within the New York City metropolitan region. In addition, all landscaping and tree replacement and/or restitution for removed trees would occur in compliance with Local Law 3 and Chapter 5 of Title 56 of the Rules of the City of New York, and would have the potential to benefit natural resources by improving the quality of existing wildlife habitat.

The proposed projects would consider design features to minimize the potential for nighttime and daytime bird collisions, and thus potential impacts to migratory bird populations. Nighttime collisions with the proposed buildings would likely be a rare occurrence and have no significant impact on migratory birds. The potential for daytime collisions at the proposed buildings would depend on the design and glass coverage of the proposed buildings as well as the presence of nearby vegetation. To minimize the potential for daytime bird collisions, design features would be considered, such as the use of patterned or fritted glass on the first two stories of the buildings at locations where trees would be adjacent to the project site buildings. Therefore, the proposed projects would not result in significant adverse impacts to wildlife at the individual or population level.

The incremental shadows from the proposed projects would not adversely affect aquatic resources (plankton or fish) in the East River. Therefore, project-generated shadows would not result in any significant adverse impacts to aquatic biota of the East River. Therefore, the proposed actions would not result in significant adverse impacts to natural resources.

Further, the proposed projects would include approximately 22,779 sf of new open space—including both private and publicly accessible open space—and approximately 80,020 sf of existing private open space that would be altered with amenities, including new landscaping and open areas that would contain new trees and other plantings and increased permeable surfaces. In addition, on Site 5, the Rutgers Slip Open Space would be dedicated as publicly accessible, totaling approximately 33,550 sf (approximately 0.77 acres), including alterations to approximately 22,440 sf of existing open space and approximately 11,110 sf of new open space. These project components would have the potential to provide new habitat for wildlife currently found within and adjacent to the study area.

HAZARDOUS MATERIALS

The proposed projects would not result in any significant adverse impacts related to hazardous materials. All three project sites are approximately 10 feet above sea level. The original shoreline in the vicinity of the project sites roughly extended east–west across the middle of the current project sites, so all three project sites contain fill (of unknown origin). Additionally, the three project sites historically included automotive repair facilities and petroleum storage tanks. Although these site histories indicate the potential for subsurface contamination (and such contamination was found at Site 5, the only one of the sites where a subsurface investigation has been performed), the hazardous materials assessment concluded that no significant adverse impacts related to hazardous materials would be expected to occur, either during or following the construction of the proposed projects, given the construction requirements associated with the Hazardous Materials (E) Designations which would be applied to each of the project sites (Lot 2 of Site 5 already was already given this designation during a prior environmental review). Construction activities would be performed in accordance with the following measures:

- Complying with the Hazardous Materials (E) Designation requirements, i.e., prior to any new construction entailing subsurface disturbance, the applicants would submit to OER, for review and approval, a Phase I ESA and sampling protocol (for any additional subsurface investigation) for each of the three project sites. A report documenting the subsurface investigation findings along with a RAP setting out procedures to be followed prior to, during, and following construction (e.g., for soil management, dust control, air monitoring for workers and the community, health and safety, and vapor controls for each new building) is then submitted for OER review and approval. For each project site, documentation that the RAP procedures were properly implemented is required by OER before New York City building permits allowing occupancy can be issued.
- During excavation for the proposed projects on each project site, any known or unexpectedly encountered tanks would be properly closed and removed along with any contaminated soil and would be registered with DEC and/or the New York City Fire Department, if applicable. Any evidence of a petroleum spill would be reported to DEC and addressed in accordance with applicable requirements.
- If dewatering were to be required for construction at any of the three project sites, testing would be performed to ensure that the groundwater would meet the New York City Department of Environmental Protection (DEP) sewer discharge requirements. If necessary, the water would be pretreated prior to discharge to the City's sewer system, as required by DEP permit/approval requirements.
- Prior to and during any demolition or renovation of any structures on the project sites, City, State, and Federal requirements relating to asbestos-containing materials (ACM) and lead-based paint (LBP) would be followed. The existing one-story community room on the eastern portion of Lot 70 of Site 4 (4A/4B), which was constructed in approximately 2004, would not be expected to include LBP or significant quantities of ACM, although ACM can sometimes be present in recent roofing components.

With these measures, no significant adverse impacts related to hazardous materials would be expected to occur as a result of the proposed projects.

WATER AND SEWER INFRASTRUCTURE

The analysis finds that the proposed actions are not anticipated to result in any significant adverse impacts on the City's water supply or wastewater and stormwater conveyance and treatment infrastructure. The proposed projects would result in an increase in water consumption and sewage generation on the project sites as compared with the No Action condition. While the proposed projects would result in an incremental water demand of 1,022,347 gallons per day (gpd), based on results of two hydrant flow tests conducted by DEP in the vicinity of the project sites and confirmation by DEP, the proposed projects are expected to be adequately served by the existing infrastructure. Therefore, the proposed projects would not be anticipated to result in any significant adverse impacts to the City's water supply.

While the proposed projects would generate 588,010 gpd of sanitary sewage more than in the No Action condition, this incremental increase in sewage generation would be approximately 0.12 percent of the average daily flow at the Newtown Creek Waste Water Treatment Plant (WWTP) and would not result in an exceedance of the plant's permitted capacity. This incremental increase

in volume would not be anticipated to result in a significant adverse impact on the City's sanitary sewage treatment system, and would not exceed the capacity of the Newtown Creek WWTP.

The overall volume of stormwater runoff and the peak stormwater runoff rate from the project sites is anticipated to remain approximately the same as in existing conditions. With the incorporation of selected best management practices (BMPs), the peak stormwater runoff rates would be reduced from the future without the proposed actions and therefore would not be anticipated to have a significant impact on the downstream City combined sewer system or the City sewage treatment system.

SOLID WASTE AND SANITATION SERVICES

The analysis finds that the proposed projects would not result in a significant adverse impact on solid waste and sanitation services. The proposed projects would not directly affect a solid waste management facility. The proposed projects would collectively generate approximately 58 tons per week of solid waste over the No Action condition, of which approximately 98 percent (57.00 tons) would be handled by the New York City Department of Sanitation (DSNY), and approximately two percent (1.30 tons) would be handled by private carters. This correlates to approximately five additional truckloads per week of solid waste handled by DSNY. The amount of commercial waste estimated to be produced in the With Action condition represents a decrease compared to the existing and No Action conditions, therefore the number of truckloads per week handled by private carters would be reduced. The additional solid waste resulting from the proposed projects, to be handled by DSNY, would be a negligible increase relative to the approximately 12,260 tons of solid waste handled by DSNY every day, or the 9,000 tons handled by private carters.[9] As such, the proposed projects would not result in an increase in solid waste that would overburden available waste management capacity. Furthermore, the proposed projects would not conflict with, or require any amendment to, the City's solid waste management objectives as stated in SWMP.

ENERGY

The preliminary analysis concluded that the proposed projects would not result in any significant adverse energy impacts. The proposed projects are projected to generate an incremental demand for approximately 326,881 million British thermal units (BTUs) of energy per year. This energy demand represents the total incremental increase in energy consumption between the future without the proposed projects (the No Action condition) and the future with the proposed projects (the With Action condition). As explained in the *CEQR Technical Manual*, the incremental demand produced by most projects would not create a significant impact on energy capacity, and detailed assessments are only recommended for projects that may significantly affect the transmission or generation of energy. The proposed projects would generate an incremental increase in energy demand that would be negligible when compared to the overall demand within Consolidated Edison's (Con Edison's) New York City and Westchester County service area. Therefore, the proposed projects would not result in any significant adverse energy impacts.

[9] About DSNY: http://www1.nyc.gov/assets/dsny/about/inside-dsny.shtml, accessed July 2017.

TRANSPORTATION

The proposed projects would result in significant adverse traffic, transit (subway station elements), and pedestrian impacts. The proposed projects would not result in significant adverse impacts on subway and bus line haul or parking availability.

TRAFFIC

Based on a detailed assignment of project-generated vehicle trips, 31 intersections were identified as warranting detailed analysis for the weekday AM, midday, and PM peak hours. The detailed analysis concluded that in the future with the proposed projects, there would be significant adverse impacts at six intersections during the weekday AM peak hour, five intersections during the midday peak hour, and 10 intersections during the PM peak hour.

Table S-4 provides a summary of the impacted locations by lane group and analysis time period. Potential measures to mitigate the projected traffic impacts are described in the Mitigation analysis.

Table S-4
Summary of Significant Adverse Traffic Impacts

Intersection		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour
EB/WB Street	**NB/SB Street**			
South Street	Pike Slip			SB-L
South Street	Clinton Street			EB-LT
South Street (North)	Montgomery Street	SB-TR		WB-LTR NB-LT
South Street (South)		SB-LT		SB-LT
Madison Street	Pike Street (East)	EB-LT		EB-LT
Madison Street	Montgomery Street			NB-LTR
East Broadway	Pike Street (East)	NB-L	NB-L	EB-L NB-L
	Pike Street (West)	EB-TR	EB-TR	EB-TR
Division Street	Market Street		NB-L	
Canal Street	Allen Street			EB-LTR
Delancey Street	Allen Street		WB-L	WB-L
Division Street	The Bowery	WB-L		
East Broadway	Chatham Square		SB-L	NB-R SB-L
Worth Street/Oliver Street	Chatham Square	EB-L (Worth Street) EB-LTR (Worth Street) SB-TR	EB-L (Worth Street) EB-LTR (Worth Street) SB-TR	EB-L (Worth Street) EB-LTR (Worth Street) WB-R SB-TR
Worth Street	Centre Street	WB-T		
Total Impacted Intersections/Lane Groups		6/10	5/8	10/18

Notes: L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound**.**

TRANSIT

The preliminary transit screening assessment concluded that a detailed analysis of station circulation elements and control areas is warranted for the East Broadway-Rutgers Street Station

(F line) for the weekday AM and PM peak hours. A subway line-haul (F line) analysis was also conducted for the weekday AM and PM peak hours.

The line-haul analyses showed that the proposed projects would not result in a significant adverse subway line-haul impact. The subway station analysis identified significant adverse stairway impacts for the S1 stairway during the weekday AM and PM peak hours, and the P3 stairway for the weekday AM peak hour. Discussions with New York City Transit (NYCT) to identify feasible mitigation measures are presented in "Mitigation."

PEDESTRIANS

Weekday peak period pedestrian conditions were evaluated at key area sidewalk, corner reservoir, and crosswalk locations. Based on the detailed assignment of pedestrian trips, 18 sidewalks, 16 corner reservoirs, and 12 crosswalks were selected for detailed analysis for the weekday AM, midday, and PM peak hours. As summarized in **Table S-5**, significant adverse impacts were identified for one sidewalk during the weekday AM and PM peak hours, two crosswalks during the weekday AM peak hour, one crosswalk during the weekday midday peak hour, and two crosswalks during the weekday PM peak hour. Potential measures (i.e., crosswalk widenings, signal timing adjustments, etc.) were identified to mitigate the pedestrian impacts, as described in the Mitigation analysis.

Table S-5
Summary of Significant Adverse Pedestrian Impacts

Pedestrian Element	Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour
North Sidewalk of Madison Street between Rutgers Street and Pike Street	Impacted		Impacted
Rutgers Street and Madison Street North Crosswalk	Impacted		
Rutgers Street and Madison Street West Crosswalk	Impacted		Impacted
Rutgers Street and Cherry Street South Crosswalk		Impacted	Impacted

VEHICULAR AND PEDESTRIAN SAFETY

Crash data for the study area intersections were obtained from NYSDOT for the time period between November 1, 2013 and October 31, 2016. During this period, a total of 278 injuries, and 96 pedestrian/bicyclist-related accidents occurred at study area intersections. A rolling total of accident data identified three high crash locations in the 2013 to 2016 period, Allen Street and Canal Street, the Bowery and Canal Street at the Manhattan Bridge, and Chatham Square/Park Row at Worth Street/Mott Street. A summary of the identified high crash locations, prevailing trends, project-specific effects, and recommended safety measures is provided in **Table S-6**.

Table S-6
Summary of High Crash Locations

High Crash Intersections	Prevailing Trends	Peak Hour Project-Specific Effects	Recommended Safety Measures
Allen Street and Canal Street	None	Incremental trips: 54 vehicles	Install pedestrian countdown timers on all crosswalks
The Bowery and Canal Street	None	Incremental trips: 62 vehicles	Install pedestrian countdown timers on the east crosswalk
Chatham Square/Park Row and Worth Street/Mott Street	None	Incremental trips: 61 vehicles	No recommendations

Source: NYSDOT crash data; November 1, 2013, to October 31, 2016.

PARKING

The With Action public parking utilization is expected to increase to 113, 132, 116, and 112 percent of the ½-mile off-street parking capacity during the weekday morning, midday, evening, and overnight time periods, respectively. These utilization levels represent parking shortfalls of 293, 755, 373, and 274 spaces during the corresponding weekday peak periods. It is expected that excess parking demands resulting from the proposed projects during the weekday peak periods would need to be accommodated by on-street parking or off-street parking beyond ½-mile walk from the project sites. Alternatively, motorists could choose alternate modes of transportation. As stated in the *CEQR Technical Manual* and discussed in the parking analysis methodology section below, a parking shortfall resulting from a project located in Manhattan does not constitute a significant adverse parking impact, due to the magnitude of available alternative modes of transportation.

AIR QUALITY

The proposed actions would not result in significant adverse air quality impacts. Concentrations of particulate matter less than 10 microns in diameter (PM_{10}) due to the proposed projects would not result in any violations of NAAQS at intersections in the study area, and incremental concentrations of particulate matter less than or equal to 2.5 microns in diameter ($PM_{2.5}$) would not exceed the City's *de minimis* criteria for $PM_{2.5}$. In addition, concentrations of CO and $PM_{2.5}$ from the parking facility associated with the proposed projects would not result in any significant adverse air quality impacts.

An analysis was performed of the emissions and dispersion of nitrogen dioxide (NO_2) and PM_{10} from heating and hot water systems for the proposed projects, as well as potential combined heat and power (CHP) systems sources associated with the proposed Site 5 building, which determined that such emissions would not result in a violation of NAAQS. Emissions of $PM_{2.5}$ were analyzed in accordance with the City's current $PM_{2.5}$ *de minimis* criteria, which determined that the maximum predicted $PM_{2.5}$ increments from the proposed projects would be less than the applicable annual average criterion of 0.3 µg/m3 for local impacts and 0.1 $\mu g/m^3$ for neighborhood-scale impacts. The air quality modeling analysis also determined the highest predicted increase in 24-hour average $PM_{2.5}$ concentrations would not exceed the applicable *de minimis* criterion. To ensure that there are no significant adverse impacts resulting from the proposed actions due to heating and hot water and CHP emissions, certain restrictions would be required for the proposed projects.

The analysis of the emissions from heat and hot water systems from the existing building at 80 Rutgers Slip determined that there would be no significant adverse air quality impacts on the proposed residential uses on Site 4 (4A/4B).

GREENHOUSE GAS AND CLIMATE CHANGE

GREENHOUSE GAS EMISSIONS

The proposed projects would be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual.*

The building energy use and vehicle use associated with the proposed projects would result in up to approximately 21 to 22 thousand metric tons of carbon dioxide equivalent (CO_2e) emissions per year. Total greenhouse gas (GHG) emissions associated with the construction, including direct emissions and upstream emissions associated with construction materials, would be approximately 250 thousand metric tons.

The *CEQR Technical Manual* defines five goals by which a project's consistency with the City's emission reduction goal is evaluated: (1) efficient buildings; (2) clean power; (3) sustainable transportation; (4) construction operation emissions; and (5) building materials carbon intensity.

The applicants have stated that they are currently evaluating the specific energy efficiency measures and design elements that may be implemented, and are required at a minimum to achieve the energy efficiency requirements of the New York City Building Code. In 2016, as part of the City's implementation of strategies aimed at achieving the OneNYC GHG reduction goals, the City substantially increased the stringency of the building energy efficiency requirements. In 2016, the City also published a pathway to achieving the GHG reduction goals in the building sector. Should the measures identified as part of that pathway or other measures not yet implemented be adopted by the City in the future, they may apply to the proposed projects similar to any new building (if prior to building approval) or existing building (after construction), and the proposed projects would implement any measures required under such programs. Therefore, the proposed projects would support the goal identified in the *CEQR Technical Manual* of building efficient buildings.

The inclusion of a cogeneration system is under consideration for Site 5. If included, the system would produce electricity on-site while providing heat as a byproduct, and would reduce the electricity demand from the grid while burning natural gas on-site. The heat produced would offset some or all of the natural gas required to provide heat and hot water for Site 5. Although the potential cogeneration system under consideration for Site 5 could decrease the net building energy consumption (electricity and fuel use combined), based on the current carbon intensity of electricity in New York City, the cogeneration could increase building energy GHG emissions for Site 5 by approximately 10 percent, representing approximately 3 percent of the total potential GHG emissions for the proposed projects.

Overall, the proposed projects would support the goal identified in the *CEQR Technical Manual* of building efficient buildings. The proposed projects also would support the other GHG goals by virtue of their proximity to public transportation, reliance on natural gas, commitment to construction air quality controls, and the fact that as a matter of course, construction in New York City uses recycled steel and includes cement replacements. All of these factors demonstrate that the proposed projects would support the GHG reduction goal.

Therefore, based on the commitment to energy efficiency and by virtue of location and nature, the proposed projects would be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

RESILIENCE TO CLIMATE CHANGE

The new construction for the proposed projects would be designed to provide flood resilience to the potential conditions projected through the 2050s, and the designs would be adaptive such that enhancements could be implemented in the future to further protect uses up to the potential flooding conditions projected for the end of the century, if necessary, based on future adjustments to end-of-century potential flood elevations estimates. This would include protecting all critical infrastructure up to potential flood conditions projected out to the year 2100, elevating all residential units above those levels, and designing non-critical uses located below the potential flood elevations projected for 2050 to either be protected from flood waters via stand-alone deployable barriers or to flood and quickly recover from severe flooding events. Nothing in the projects' designs would structurally or otherwise preclude the introduction, at a later date, of additional flood protection measures (such as flood barriers) to protect project elements up to potential flood elevations projected for 2100.

NOISE

The analysis finds that the proposed projects would not result in any significant adverse noise impacts. The proposed projects would not generate sufficient traffic to have the potential to cause a significant noise impact (mobile source). It is assumed that the proposed buildings' mechanical systems (i.e., heating, ventilation, and air conditioning [HVAC] systems) would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the proposed projects would not result in any significant adverse noise impacts related to building mechanical equipment (stationary sources).

Due to existing high levels of ambient noise in the area, building attenuation would be required to ensure that interior noise levels meet the CEQR criteria. The proposed designs for the three proposed buildings include acoustically rated windows and central air conditioning as alternate means of ventilation. The proposed buildings would provide sufficient attenuation to achieve the CEQR interior $L_{10(1)}$ noise level guideline of 45 dBA or lower for residential or community facility uses and 50 dBA or lower for retail uses. The window/wall attenuation and alternate means of ventilation requirements will be codified in a Noise (E) Designation as follows:

> **To ensure an acceptable interior noise environment, the building façade(s) or future development at the project sites must provide minimum composite building façade attenuation as shown in Table 17-9 of the *Two Bridges LSRD EIS* in order to ensure an interior L_{10} noise level not greater than 45 dBA for residential and community facility uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the buildings without degrading the acoustical performance of the building façade(s) must also be provided.**

NEIGHBORHOOD CHARACTER

The proposed actions would not result in significant adverse impacts associated with neighborhood character. The project sites and surrounding area encompass the entirety of the Two Bridges section of the Lower East Side neighborhood of Manhattan and adjacent portions of Chinatown. As described in the relevant chapters of this EIS, the proposed actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; or noise. Although significant adverse impacts would occur with respect to increased utilization of open space, shadows on two open spaces, and increased traffic, pedestrians, and transit riders, these impacts would be at least partially mitigated and would not result in a significant overall change to the determining elements of neighborhood character. Further, it is the applicants' intent that the proposed actions would result in benefits to neighborhood character. New development on the project sites would replace underdeveloped sites with new mixed-use buildings with ground floor design elements that would contribute active ground floor uses to the surrounding area that are intended to enliven the streetscape. These project components—in addition to the enlarged and dedicated publicly accessible Rutgers Slip Open Space and the new and altered private open space on the project sites—are intended to enhance the urban design conditions of the project sites and surrounding area, thereby contributing to the neighborhood character. In addition, mitigation measures would minimize or eliminate anticipated project impacts to open spaces in the study area and to the East Broadway-Rutgers Street subway station.

CONSTRUCTION

Construction of the proposed project would have the potential to result in significant adverse construction-period traffic impacts, a parking shortfall during peak construction, and construction-period noise impacts.

ENVIRONMENTAL PERFORMANCE

- An emissions reduction program would be implemented during construction to minimize the effects on air quality and would include to the extent practicable measures such as the use of dust control, ultra-low sulfur diesel (ULSD) fuel, best available technologies, and newer and cleaner equipment;
- A report documenting the subsurface investigation findings along with a Remedial Action Plan (RAP) establishing procedures to be followed prior to, during, and following construction (e.g., for soil management, dust control, air monitoring for workers and the community, health and safety, and vapor controls for each new building). These reports would be submitted to the NYC Office of Environmental Remediation (OER), for review and approval;
- Construction of the proposed projects would not only include noise control measures as required by the *New York City Noise Control Code*, but may also include measures such as the use of quieter equipment, where practicable; and
- If determined appropriate by LPC and NYCDOT, a CPP would be developed in coordination with LPC and NYCDOT to protect the nearby portion of the Franklin Delano Roosevelt (FDR) Drive.

With the implementation of the measures described above, the construction effects of the proposed projects on the surrounding area would be substantially reduced. However, as described in detail below, even with these measures in place, construction activities associated with the proposed projects would result in significant adverse transportation and noise impacts during the construction period. Additional information for key technical areas is summarized below.

TRANSPORTATION

Based on the construction trip projections and comparison with the operational trip analysis results, construction of the proposed projects would have the potential to result in significant adverse traffic and pedestrian impacts, and the potential for a parking shortfall during peak construction, as summarized below.

Traffic

During peak construction, project-generated vehicle trips would be less than what would be realized with the full build-out of the proposed projects in 2021. Therefore, the potential traffic impacts during peak construction would be within the envelope of significant adverse traffic impacts identified for the future with the proposed projects (With Action condition) in the operational Traffic analysis. As described in the Mitigation analysis, all of the significant adverse traffic impacts identified at the 14 study area intersections could be fully mitigated except for those at the Chatham Square and Worth Street/Oliver Street intersection, where the impacts have been deemed unmitigatable. During construction of the proposed projects, any significant adverse construction traffic impacts could similarly be mitigated with the measures described in the Mitigation analysis. At the Chatham Square and Worth Street/Oliver Street intersection, during construction there could similarly be a potential for unmitigated significant adverse traffic impacts.

Parking

The anticipated construction activities are projected to generate a maximum parking demand of 355 spaces during peak construction. Conservatively assuming the parking utilization under the No Action condition where there would be a total parking shortfall of 646 spaces during the weekday midday period, the construction worker demand of 355 spaces would result in a parking shortfall of 1,001 spaces during the peak construction period. The parking demand associated with construction workers commuting via auto would be temporary in nature. It is expected that excess parking demand resulting from the proposed projects during the weekday peak periods would need to be accommodated by limited on-street parking spaces, or in off-street parking facilities located more than a ½-mile walk from the project sites. Alternatively, motorists could choose to use alternate modes of transportation. As stated in the *CEQR Technical Manual*, a parking shortfall resulting from a project located in Manhattan does not constitute a significant adverse parking impact, due to the magnitude of available alternative modes of transportation.

Transit

During peak construction, project-generated transit trips would be less than those with the full build-out of the proposed projects in 2021. In addition, construction worker trips would occur outside of typical commuter peak periods (when transit ridership is typically higher). Nonetheless, since significant adverse stairway impacts were identified for the commuter peak periods in the Transportation analysis, additional counts and analyses for the East Broadway F train station were

undertaken for the construction peak hours, which verified that construction of the proposed projects is not expected to result in the potential for any significant adverse transit impacts.

Pedestrians

During peak construction, the project-generated pedestrian trips would be less than those with the full build-out of the proposed projects in 2021. Although significant adverse pedestrian impacts were identified in the operational Transportation analysis for one sidewalk and three crosswalk locations during peak periods for the full build-out of the proposed projects, the construction worker trips would be made outside of these peak periods when background pedestrian levels would be lower. Therefore, the potential pedestrian impacts that would occur during peak construction are expected to be within the envelope of significant adverse pedestrian impacts identified in the Transportation analysis for the full build-out of the proposed projects, and therefore the construction-period pedestrian impacts could be similarly mitigated by the recommended measures described in the Mitigation analysis.

AIR QUALITY

An emissions reduction program would be implemented at each of the projects sites to minimize the effects of construction activities on the surrounding community. Measures would include, to the extent practicable, dust suppression measures, use of ULSD fuel, idling restrictions, diesel equipment reduction, best available tailpipe reduction technologies, and the utilization of newer equipment. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both nonroad and on-road sources determined that $PM_{2.5}$ and PM_{10}, annual-average NO_2, and carbon monoxide (CO) concentrations would be below their corresponding *de minimis* thresholds or NAAQS, respectively. Therefore, construction of the proposed projects would not result in significant adverse air quality impacts due to construction sources.

NOISE

The detailed modeling analysis concluded that construction of the proposed projects has the potential to result in construction noise levels that exceed *CEQR Technical Manual* noise impact criteria for an extended period of time at the façades of residences facing the project sites on Cherry Street; the eastern, southern, and western façades of 64 Rutgers Street; 80 Rutgers Slip; the northern, eastern, and a portion of the southern façades of 82 Rutgers Slip; a portion of the northern façade and the eastern and western façades of 265 and 275 Cherry Street; residences immediately adjacent to Site 6A; portions of the northern and western façades of 286 South Street; and portions of the northern and eastern façades of the residences west of Site 4 (4A/4B). Construction noise levels of this magnitude for such an extended duration would constitute a significant adverse impact.

At other receptors near the project construction areas—including open space, residential, and institutional receptors—noise resulting from construction of the proposed projects may at times be noticeable, but would be limited to the construction period and would generally not exceed typical noise levels in the nearby area, and therefore, would not be considered a significant adverse noise impact.

VIBRATION

The buildings of most concern with regard to the potential for structural or architectural damage due to vibration are the existing residential buildings immediately surrounding the project construction areas. At the buildings and other structures immediately adjacent to the project construction areas, vibration due to construction of the proposed projects within 25 feet may result in PPV levels between 0.50 and 2.0 in/sec, which is generally considered acceptable for a non-historic building or structure.

In terms of potential vibration levels that would be perceptible and annoying, the equipment that would have the most potential for producing levels that exceed the 65 VdB limit is the pile driver. The pile driver has the potential to produce perceptible vibration levels (i.e., vibration levels exceeding 65 VdB) at receptor locations within a distance of approximately 550 feet depending on soil conditions. However, the operation of the pile driver would only occur for limited periods of time at a particular location and therefore would not result in any significant adverse impacts. Therefore, there is no potential for significant adverse vibration impacts from the proposed projects.

ALTERNATIVES

In accordance with the *CEQR Technical Manual*, an analysis of alternatives to the proposed projects was prepared. Alternatives selected for consideration in an EIS are generally those which are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action. Two alternatives were analyzed—a No Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative. In addition, a Lesser Density Alternative was considered which would eliminate the significant adverse impacts of the proposed projects—both mitigated and unmitigated—by reducing the density of each proposed project. However, this alternative would require density reductions of a magnitude that would significantly reduce the amount of permanently affordable housing that could be provided by the proposed projects and would substantially compromise the proposed projects' stated goals and objectives. Therefore, a Lesser Density Alternative was determined infeasible and was not considered further.

NO ACTION ALTERNATIVE

The No Action Alternative assumed that in the future without the proposed projects (the No Action condition), the project sites would continue as in the existing conditions except that the partially vacant retail building on Site 4 (4A/4B) would be re-tenanted. No new development would occur on the project sites. The No Action Alternative also considers approved or planned development projects within the appropriate study area that are likely to be completed by the analysis year.

Under this alternative, the significant adverse impacts related to elementary schools, child care, open space, shadows, transportation, and construction-period transportation and noise would not occur. As compared to the proposed actions, the intended public benefits associated with the proposed projects—the provision of a substantial amount of new permanently affordable housing, urban design improvements, including an enlivened streetscape with new retail spaces, and new and improved publicly accessible and private open spaces—would not occur in the No Action Alternative.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impact Alternative considered the full range of impacts identified for the proposed projects to determine what avoidance measures would be required for the different types of impacts. The proposed projects would result in significant adverse impacts to public elementary schools, publicly funded child care, open space, shadows, pedestrians, and construction-period pedestrians, all of which could be partially or fully mitigated as described in the Mitigation analysis. The proposed projects are anticipated to result in unmitigatable significant adverse impacts in the areas of traffic, transit, and construction-period traffic and noise. The traffic, transit, and construction-period traffic and noise analyses concluded that no reasonable alternative could be developed to eliminate the proposed projects' unmitigated significant adverse impacts without substantially compromising the proposed projects' stated goals.

MITIGATION

COMMUNITY FACILITIES AND SERVICES—PUBLIC ELEMENTARY SCHOOLS

As described above, in the With Action condition that conservatively assumes the 200 permanently affordable units may not be developed exclusively for seniors, the proposed projects would result in a significant adverse impact on public elementary schools in CSD 1.

Possible mitigation measures for this significant adverse impact would be developed in consultation with DCP, the New York City Department of Education (DOE), and SCA, and would be refined between the DEIS and the FEIS. The mitigation measures would reflect the nature and scope of the elementary school impact, taking into account the assessment in "Community Facilities." DOE and SCA would continue to monitor trends in demand for school seats in the area. DOE and SCA responses to identified demand could take place in stages and include administrative actions and/or enlargement of existing schools. The *CEQR Technical Manual* lists potential mitigation measures for public school impacts. These measures may include, but are not limited to, relocating administrative functions to another site, thereby freeing up space for classrooms; making space within the buildings associated with the proposed projects or elsewhere in the school study area available to DOE; and/or restructuring or reprogramming existing school space within a district. Other measures may be identified in consultation with DOE and SCA that would not create additional capacity but may nevertheless serve to alleviate capacity constraints. Absent the implementation of such measures, if needed, the proposed projects would have an unmitigated significant adverse impact on public elementary schools.

COMMUNITY FACILITIES AND SERVICES—PUBLICLY FUNDED CHILD CARE FACILITIES

In the With Action condition that conservatively assumes the 200 permanently affordable units may not be developed exclusively for seniors, the proposed projects would result in a significant adverse impact on child care facilities.

Possible mitigation measures for this significant adverse impact would be developed in consultation with the New York City Administration for Children's Services (ACS) and may include provision of suitable space on-site for a child care center, provision of a suitable location off-site and within a reasonable distance (at a rate affordable to ACS providers), or funding or making program or physical improvements to support adding capacity to existing facilities if determined feasible

through consultation with ACS, or providing a new child care facility within or near the project sites. The Restrictive Declarations for the proposed projects would require the applicants to work with ACS to consider the need for and the implementation of one or more measures as listed above to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded child care facilities within the 1½-mile study area or within Community Board 3. Absent the implementation of such mitigation measures, if needed, the proposed projects would have an unmitigated significant adverse impact on publicly funded child care facilities.

OPEN SPACE

The reductions in the total, active, and passive open space ratios in the With Action condition would result in a significant adverse open space impact based on a quantitative analysis of indirect effects, as set forth in the *CEQR Technical Manual*.

The *CEQR Technical Manual* lists potential mitigation measures for open space impacts. These measures include, but are not limited to, creating new open space within the study area; funding for improvements, renovation, or maintenance at existing local parks; or improving existing open spaces to increase their utility or capacity to meet identified open space needs in the area, such as through the provision of additional active open space facilities. With the proposed projects, on Site 5, the existing approximately 22,440-sf private Rutgers Slip Open Space would be enlarged to approximately 33,550 sf (0.77 acres), dedicated as publicly accessible open space, and reconstructed with amenities for both active and passive use, such as play equipment, basketball courts, walking paths, and seating. While the approximately 33,550 sf of dedicated publicly accessible open space that would be developed with the proposed projects would reduce the significant adverse open space impacts, it is not sufficient to avoid significant adverse open space impacts.

Potential mitigation measures for the open space impacts are being explored by the applicants in consultation with DCP and the New York City Department of Parks and Recreation (NYC Parks) and will be refined between the DEIS and FEIS. Funding for renovation of existing open spaces in the vicinity of the project sites has been identified as a potentially practicable mitigation measure. Coleman Playground, Captain Jacob Joseph Playground, and Little Flower Playground have been proposed as potential candidates for reconstruction.

Reconstruction of these three open space resources could provide for up to 3.5 acres of revitalized open space. Representative examples of types of features that could be improved or integrated into the reconstruction parks are described below:

- **Coleman Playground**—Comprehensive reconstruction of the various park features; installation of synthetic turf and field lighting; reprogramming of the playground and interior asphalt path components to make better use of underutilized paved areas for public recreation and to create a more integrated park experience; and improvement of the edge treatments along the park's street frontages. This could include the installation of new play equipment, spray showers, lighting, seating, paving, and safety surfaces; improvements to seating and pathways; and sidewalk replacements.
- **Captain Jacob Joseph Playground**—Comprehensive reconstruction of the playground, including improved perimeter conditions, water service, lighting; new landscape and enhanced greening of the site; replacement of playground equipment and safety surface; and enhanced seating.

- **Little Flower Playground**—Comprehensive reconstruction of the playground to repair and replace deteriorated features and revitalize underutilized areas, including refurbishment of comfort station; repair or replacement of benches, play equipment safety surface, and fencing; court renovations; installation of new plantings and ground cover for enhanced greening of the site; and installation of BBQ units, new picnic tables, drinking fountains, and garbage receptacles.

These potential mitigation measures for the open space impacts are being explored by the applicants in consultation with DCP and NYC Parks and will be refined between the DEIS and FEIS. If the significant adverse impacts on open space would not be fully mitigated, the proposed projects would result in unmitigated significant adverse impacts on open space.

SHADOWS

Incremental shadows cast by the proposed projects would be substantial enough in extent and/or duration to significantly affect two sunlight-sensitive open space resources—the Cherry Clinton Playground and the Lillian D. Wald Playground.

The *CEQR Technical Manual* identifies several measures that could mitigate significant adverse shadow impacts on open spaces, including modifying the height, shape, size or orientation of a proposed development in order to eliminate or reduce the extent and duration of incremental shadow on the resource; relocating sunlight-sensitive features within an open space to avoid sunlight loss; relocating or replacing vegetation; and undertaking additional maintenance to reduce the likelihood of species loss. Potential mitigation measures for the shadows impacts are being explored by the applicants in consultation with DCP and NYC Parks, and will be refined between the DEIS and FEIS. Potential mitigation measures include dedicated funding for enhanced maintenance at the Cherry Clinton Playground and the Lillian D. Wald Playground to mitigate the significant adverse shadows impacts to the users and the trees of the Cherry Clinton Playground, and the users of the Lillian D. Wald Playground. If feasible mitigation measures are identified, the impacts would be considered partially mitigated. As the significant adverse shadows impacts would not be fully mitigated, the proposed projects would result in unmitigated significant adverse shadows impacts to these resources.

TRANSPORTATION

Traffic

As discussed in the Transportation analysis, traffic conditions were evaluated at 31 intersections for the weekday AM, midday, and PM peak hours. In the With Action condition, there would be the potential for significant adverse traffic impacts at 6 intersections during the weekday AM peak hour, 5 intersections during the weekday midday peak hour, and 10 intersections during the weekday PM peak hour, as summarized above in **Table S-4**.

The majority of the locations where significant adverse traffic impacts are predicted to occur could be fully mitigated with the implementation of standard traffic mitigation measures (e.g., signal timing changes and lane restriping), as described below. The proposed traffic mitigation measures would be subject to approval by NYCDOT. If these measures are deemed infeasible and no alternative mitigation measures can be identified, then the identified significant adverse traffic impacts would be unmitigated.

The significant adverse traffic impacts at the South Street and Montgomery Street intersection and at the Chatham Square and Worth Street/Oliver Street intersection could not be mitigated; these intersections are projected to experience unmitigated significant adverse traffic impacts.

Transit

As described in the Transportation analysis, subway station circulation elements and control areas were analyzed for the East Broadway-Rutgers Street station (F line) for the weekday AM and PM peak hours. In the With Action condition, the proposed projects are expected to result in significant adverse subway stairway impacts at this station's S1 stairway at the northwest corner of Rutgers Street and Madison Street during both the weekday AM and PM peak hours, and the P3 platform stairway for the weekday AM peak hour. Several potential options were explored to mitigate the identified impacts. The mitigation measures considered for the proposed projects include building a new subway entrance (street-level stairway S2) at the northeast corner of Rutgers Street and Madison Street and widening the street-level stairway (P3) and adjoining mezzanine level stairway (ML7). These measures would fully mitigate the identified significant adverse impacts. Coupled with these stairway improvements would be two new elevators that would make the station ADA-compliant for vertical circulation. These elevators would be located at the north end of the station as the platform at the south end has a column structure that precludes the elevators from being built next to the new street and mezzanine stair. NYCT has performed conceptual engineering studies and at this point in time the mitigation measures appear to be feasible. If during later engineering phases these measures are deemed infeasible and no alternative mitigation measures can be identified, then the significant adverse stairway impacts would be unmitigated.

Pedestrians

Pedestrian conditions were evaluated at 18 sidewalks, 16 corners, and 12 crosswalks for the weekday AM, midday, and PM peak hours. In the With Action condition, the proposed projects would result in significant adverse pedestrian impacts at one sidewalk during the weekday AM and PM peak hours, two crosswalks during the weekday AM peak hour, one crosswalk during the weekday midday peak hour, and two crosswalks during the weekday PM peak hour, as summarized above in **Table S-5**.

As discussed above, the new S2 stairway is expected to result in a shift of pedestrian paths leading to/from the East Broadway-Rutgers Street subway station. As a result, the identified significant adverse impacts at the north sidewalk of Madison Street between Rutgers Street and Pike Street, and the north and west crosswalks of the Rutgers Street and Madison Street intersection would also be mitigated. To accommodate the new S2 stairway, the north sidewalk on Madison Street between Rutgers Street and Jefferson Street would need to be widened. With increased pedestrian flow on the east side of Rutgers Street to/from the new S2 stairway, a new significant adverse impact was identified for the east crosswalk of the Rutgers Street and Madison Street intersection. The potential pedestrian mitigation measures consist of signal timing changes and crosswalk widening that are generally considered feasible, and widening the width of the north sidewalk at the northeast corner of Rutgers Street and Madison Street (in connection with the proposed subway station mitigation) to facilitate increased pedestrian space. Similar to traffic, the proposed pedestrian mitigation measures would be subject to approval by NYCDOT. Absent NYCDOT approval, the significant adverse pedestrian impacts would remain unmitigated.

CONSTRUCTION

Construction of the proposed projects would result in some temporary disruptions in the surrounding area. Construction activities associated with the proposed projects would result in temporary significant adverse impacts in the areas of transportation and noise. Potential measures to mitigate these temporary significant adverse impacts are described below.

Transportation

During peak construction, the project-generated traffic and pedestrian trips would be less than what would be realized with the full build-out of the proposed projects in 2021. Therefore, the potential traffic and pedestrian impacts during peak construction would be within the envelope of significant adverse impacts identified for the future with the proposed projects (With Action condition). The traffic and pedestrian mitigation measures identified in Transportation for the full build-out of the proposed projects could be implemented at any time during the construction period at the discretion of NYCDOT to address actual conditions experienced at that time. For transit, the projected subway stairway impact would not occur during the construction period.

Noise

No feasible and practicable mitigation measures have been identified that would fully mitigate the construction-period noise impacts. As described below, the identified the construction-period noise impacts would remain unmitigated.

Based on field observations, the buildings where construction-period noise impacts have been identified appear to have insulated glass windows and an alternative means of ventilation (through-the-wall air conditioning units, PTAC units, and window air conditioning units). The provision of replacement windows is not anticipated to provide substantial improvement in the amount of façade attenuation or reduction in interior noise levels at all impacted receptor locations at buildings with existing through-the-wall air conditioning units, PTAC units, or window air conditioning units. These air conditioning units, which are necessary to maintain the closed-window condition, would remain as a pathway for construction noise to enter the building. Therefore, there are no feasible and practicable mitigation measures that could further reduce or fully eliminate the potential significant adverse construction-period noise impacts at these locations. The provision of replacement windows at the residences west of Site 4 (4A/4B) is not anticipated to be practicable as these buildings are currently under construction and would be expected to be provided with high-quality double glazed windows.

Between the DEIS and FEIS, further measures to reduce or eliminate the potential for these significant construction-period noise impacts will be considered and evaluated, such as the use of quieter construction equipment, changes to the construction logistics plans, and alternative noise barriers or other shielding methods. If feasible mitigation measures are identified, the impacts would be considered partially mitigated. In the absence of feasible mitigation, the proposed projects would result in unavoidable adverse construction-period noise impacts.

PROJECT PERMUTATIONS

Table S-7 summarizes the anticipated impacts of the proposed projects if one or more of the proposed projects is delayed indefinitely or ultimately not pursued.

Table S-7
Project Permutations Impacts Summary

	Future with Proposed Projects—Site 5 and Site 6A Projects Only	Future with the Proposed Projects—Site 4 (4A/4B) and Site 6A Projects Only	Future with the Proposed Projects—Site 4 (4A/4B) and Site 5 Projects Only	Future with Site 4 (4A/4B) Project Only	Future with Site 5 Project Only	Future with Site 6A Project Only
Public Elementary Schools	No	No	No	No	No	No
Publicly Funded Child Care	No	No	No	No	No	No
Open Space	Yes	No	Yes	No	No	No
Shadows—Cherry Clinton Playground December 21	Yes	Yes	No	No	No	Yes
Shadows—Lillian D Wald Playground March 21/September 21	Yes	No	No	No	No	No
Shadows—Cherry Clinton Playground March 21/September 21	Yes	Yes	No	No	No	Yes
Shadows—Cherry Clinton Playground May 6/August 6	No	No	No	No	No	No
Traffic	Yes, except at South Street/Pike Slip, Division/Pike Streets, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Division/Market Streets, Allen/Delancey Streets, Chatham Square/East Broadway, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Division/Pike Streets, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Madison/Pike Streets, East Broadway/Pike Street, Canal/Allen Streets, Division/Market Streets, Allen/Delancey Streets, Bowery/Division/Doyers Streets, Chatham Square/East Broadway, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Division/Market Streets, Allen/Delancey Streets, Chatham Square/East Broadway, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Madison/Pike Streets, East Broadway/Pike Street, Canal/Allen Streets, Division/Market Streets, Allen/Delancey Streets, Bowery/Division/Doyers Streets, Chatham Square/East Broadway, and Worth/Centre Streets
Subway Station	Yes	Yes	Yes	Yes	Yes	Yes
Pedestrians	Yes	Yes	Yes	Yes, except at Rutgers/Madison Street E crosswalk	Yes	Yes
Construction—Traffic	Yes, except at South Street/Pike Slip, Division/Pike Streets, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Division/Market Street, Allen/Delancey Streets, Chatham Square/East Broadway, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Division/Pike Streets, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Madison/Pike Streets, East Broadway/Pike Street, Canal/Allen Streets, Division/Market Streets, Allen/Delancey Streets, Bowery/Division/Doyers Streets, Chatham Square/East Broadway, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, East Broadway/Market Street, Allen/Delancey Streets, and Worth/Centre Streets	Yes, except at South Street/Pike Slip, Madison/Pike Streets, Madison/Montgomery Streets, East Broadway/Pike Street, Canal/Allen Streets, Division/Market Streets, Allen/Delancey Streets, Bowery/Division/Doyers Streets, Chatham Square/East Broadway, and Worth/Centre Streets
Construction—Pedestrians	Yes	Yes	Yes	Yes, except at Rutgers/Madison Street E crosswalk	Yes	Yes

S-7 (cont'd)
Project Permutations Impacts Summary

	Future with Proposed Projects—Site 5 and Site 6A Projects Only	Future with the Proposed Projects—Site 4 (4A/4B) and Site 6A Projects Only	Future with the Proposed Projects—Site 4 (4A/4B) and Site 5 Projects Only	Future with Site 4 (4A/4B) Project Only	Future with Site 5 Project Only	Future with Site 6A Project Only
Construction-Noise	Yes, at a portion of the northern façade and the eastern and western façades of 265 and 275 Cherry Street; the façades of residences facing the project sites on Cherry Street; the residences immediately adjacent to Site 6A; and portions of the northern and western façades of 286 South Street	Yes, at the eastern, southern, and western façades of 64 Rutgers Street; 80 Rutgers Slip; the northern, eastern, and a portion of the southern façades of 82 Rutgers Slip; and portions of the northern and eastern façades of the residences west of Site 4 (4A/4B); and the façades of residences facing the project sites on Cherry Street; the residences immediately adjacent to Site 6A; and portions of the northern and eastern façades of 286 South Street	Yes, at the eastern, southern, and western façades of 64 Rutgers Street; 80 Rutgers Slip; the northern, eastern, and a portion of the southern façades of 82 Rutgers Slip; portions of the northern and eastern façades of the residences west of Site 4 (4A/4B); and a portion of the northern façade and the eastern and western façades of 265 and 275 Cherry Street	Yes, at the eastern, southern, and western façades of 64 Rutgers Street; 80 Rutgers Slip; the northern, eastern, and a portion of the southern façades of 82 Rutgers Slip; and portions of the northern and eastern façades of the residences west of Site 4 (4A/4B)	Yes, a portion of the northern façade and the eastern and western façades of 265 and 275 Cherry Street	Yes, at the façades of the residences facing the project site on Cherry Street; the residences immediately adjacent to Site 6A; and the northern and western façades of 286 South Street

PUBLIC HEALTH

The analyses presented in this EIS conclude that the proposed projects would not result in unmitigated significant adverse impacts in air quality, water quality, hazardous materials, or operational noise. The analysis presented in the construction analysis determined that construction activities could potentially result in unmitigated significant adverse construction-period noise impacts at receptors in the vicinity of the proposed projects' work areas. However, construction of the proposed projects would not result in chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels, as per the *CEQR Technical Manual*. Consequently, construction of the proposed projects would not result in a significant adverse public health impact.

UNAVOIDABLE ADVERSE IMPACTS

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impact; and
- There are no reasonable alternatives to the proposed actions that would meet the purpose and need for the actions, eliminate the impact, and not cause other or similar significant adverse impacts.

As described in the Mitigation analysis, a number of the potential impacts identified for the proposed project could be mitigated. However, as described below, in some cases, impacts from the proposed project would not be fully mitigated.

COMMUNITY FACILITIES AND SERVICES

Public Elementary Schools

As discussed in the Community Facilities assessment and the Mitigation analysis, in the With Action condition scenario that conservatively assumes the 200 permanently affordable units may not be developed exclusively for seniors, the proposed projects would result in a significant adverse impact on public elementary schools in CSD 1.

Possible mitigation measures for this significant adverse impact would be developed in consultation with the DCP, DOE, and SCA, and would be refined between the DEIS and the FEIS. The mitigation measures would reflect the nature and scope of the elementary school impact, taking into account the assessment in Community Facilities. DOE and SCA would continue to monitor trends in demand for school seats in the area. DOE and SCA responses to identified demand could take place in stages and include administrative actions and/or enlargement of existing schools. The *CEQR Technical Manual* lists potential mitigation measures for public school impacts. These measures may include, but are not limited to, relocating administrative functions to another site, thereby freeing up space for classrooms; making space within the buildings associated with the proposed project or elsewhere in the school study area available to DOE; and/or restructuring or reprogramming existing school space within a district. Other measures may be identified in consultation with DOE and SCA that do not create additional capacity but may nevertheless serve to alleviate capacity constraints. Absent the implementation of such measures, if needed, the proposed projects would result in unavoidable adverse impacts on public elementary schools.

Publicly Funded Child Care Facilities

As detailed in the Community Facilities assessment and the Mitigation analysis, in the With Action condition scenario that conservatively assumes the 200 permanently affordable units may not be developed exclusively for seniors, the proposed projects would result in a significant adverse impact on child care facilities.

Possible mitigation measures for this significant adverse impact would be developed in consultation with ACS and may include provision of suitable space on-site for a child care center, provision of a suitable location off-site and within a reasonable distance (at a rate affordable to ACS providers), or funding or making program or physical improvements to support adding capacity to existing facilities if determined feasible through consultation with ACS, or providing a new child care facility within or near the project sites. As a city agency, ACS does not directly provide new child care facilities, instead it contracts with providers in areas of need. ACS is also working to create public/private partnerships to facilitate the development of new child care facilities where there is an area of need. As part of that initiative, ACS may be able to contribute capital funding, if it is available, towards such projects to facilitate the provision of new facilities.

The Restrictive Declarations for the proposed projects would require the applicants to work with ACS to consider the need for and the implementation of one or more measures as listed above to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded child care facilities within the 1½-mile study area or within Community Board 3. Based on the analysis presented in the Community Facilities assessment, which accounts for the current inventory of publicly funded child care facilities and conservative future background projections, to avoid a significant adverse impact, the number of permanently affordable units introduced by the proposed projects would need to be reduced to 534 permanently affordable residential units, which would generate approximately 61 children eligible for public child care services. An increase of 61 eligible children would increase child care facility utilization in the study area by less than five percent. With the assumption of 694 permanently affordable residential units, none of which would be dedicated as senior units, the proposed projects would generate 80 eligible children and would need to provide 19 child care slots to reduce the increase in the utilization rate to less than 5 percent. Absent the implementation of such mitigation measures, if needed, the proposed projects would result in unavoidable adverse impacts on publicly funded child care facilities.

OPEN SPACE

As discussed in the Open Space and Mitigation analyses, the reductions in the total, active, and passive open space ratios in the With Action condition would result in a significant adverse open space impact based on the quantitative analysis of indirect effects, as set forth in the *CEQR Technical Manual*. With the proposed projects, on Site 5, the existing approximately 22,440-sf private Rutgers Slip Open Space would be enlarged to approximately 33,550 sf (0.77 acres), dedicated as publicly accessible open space, and reconstructed with amenities for both active and passive use, such as play equipment, basketball courts, walking paths, and seating. While the approximately 33,550 sf of dedicated publicly accessible open space that would be developed with the proposed projects would reduce the significant adverse open space impacts, it is not sufficient to avoid significant adverse open space impacts.

Potential mitigation measures for the open space impacts are being explored by the applicants in consultation with DCP and NYC Parks, and would be refined between the DEIS and FEIS. Funding

for renovation of existing open spaces in the vicinity of the project sites has been identified as a potentially practicable mitigation measure. Coleman Playground, Captain Jacob Joseph Playground, and Little Flower Playground have been proposed as potential candidates for reconstruction, as described in the Mitigation analysis. The mitigation measures would partially mitigate the open space impacts. If the significant adverse impacts on open space would not be fully mitigated, the proposed projects would result in unavoidable significant adverse impacts on open space.

SHADOWS

As discussed in the Shadows and Mitigation analyses, the proposed projects' buildings would result in project-generated incremental shadow at the Cherry Clinton Playground and the Lillian D. Wald Playground that would be substantial enough in extent and/or duration to significantly affect the use or vegetation of the resource, as described below:

- Cherry Clinton Playground on the December 21 analysis day (use, but not vegetation), March 21/September 21 analysis day (use and vegetation) and on the May 6/August 6 analysis day (use only); and
- Lillian D. Wald Playground on the March 21/September 21 analysis day (use only).

Potential measures to mitigate the significant adverse shadows impacts on these two open space resources are being explored by the applicants in consultation with DCP and NYC Parks, and would be refined between the DEIS and FEIS. Potential mitigation measures include dedicated funding for enhanced maintenance to mitigate the significant adverse impact to the users and the trees of the Cherry Clinton Playground, and the users of the Lillian D. Wald Playground. If feasible mitigation measures are identified, the impacts would be considered partially mitigated. As the significant adverse shadows impacts would not be fully mitigated, the proposed projects would result in unavoidable significant adverse shadows impacts to these resources.

TRANSPORTATION

As discussed in the Transportation and Mitigation analyses, the significant adverse traffic impacts at the intersections of South Street and Montgomery Street during the weekday AM and PM peak hours, and Chatham Square and Worth Street/Oliver Street during the weekday AM, midday, and PM peak hours could not be mitigated; these intersections are projected to experience unmitigated significant adverse traffic impacts.

The proposed projects would result in significant adverse impacts to the East Broadway-Rutgers Street subway station's S1 stairway on the northwest corner of Rutgers Street and Madison Street, and the P3 platform stairway. Based on consultation with NYCT, the significant adverse impact on the S1 stairway could be mitigated by opening a new subway entrance across Rutgers Street from the existing S1 stairway on the northeast corner of the intersection, and the significant adverse impact on the P3 stairway could be mitigated by a two-foot widening of the existing 5.0 foot wide stair. Any stairway modification at this station would require associated improvements to comply with the Americans with Disabilities Act (ADA); therefore, two ADA-compliant elevators would need to be added to the station. The feasibility of these mitigation measures will be further reviewed by NYCT and NYCDOT between the DEIS and the FEIS. If the mitigation measures are deemed infeasible and no alternative mitigation measures can be identified, the proposed projects would result in unavoidable adverse impacts to the S1 and P3 stairways.

CONSTRUCTION

Traffic

During peak construction, project-generated vehicle trips would be less than what would be realized with the full build-out of the proposed projects in 2021. Therefore, the potential traffic impacts during peak construction would be within the envelope of significant adverse traffic impacts identified for the future with the proposed projects (With Action condition) and most of these impacts could be fully mitigated. However, at the South Street and Montgomery Street and the Chatham Square and Worth Street/Oliver Street intersections, there could similarly be the potential for unmitigated significant adverse traffic impacts during construction.

Noise

As discussed in the Construction and Mitigation analyses, the detailed analysis of construction-period noise determined that construction of the proposed projects has the potential to result in construction-period noise levels that would constitute significant adverse construction-period impacts at certain noise receptor locations.

Based on field observations, the buildings where construction-period noise impacts have been identified appear to have insulated glass windows and an alternative means of ventilation (through-the-wall air conditioning units, PTAC units, and window air conditioning units). The provision of replacement windows is not anticipated to provide substantial improvement in the amount of façade attenuation or reduction in interior noise levels at all impacted receptor locations at buildings with existing through-the-wall air conditioning units, PTAC units, or window air conditioning units. These air conditioning units, which are necessary to maintain the closed-window condition, would remain as a pathway for construction noise to enter the building. Therefore, there are no feasible and practicable mitigation measures that could further reduce or fully eliminate the potential significant adverse construction-period noise impacts at these locations. The provision of replacement windows at the residences west of Site 4 (4A/4B) is not anticipated to be practicable as these buildings are currently under construction and would be expected to be provided with high-quality double glazed windows.

Between the DEIS and FEIS, further measures to reduce or eliminate the potential for these significant construction-period noise impacts will be considered and evaluated, such as the use of quieter construction equipment, changes to the construction logistics plans, and alternative noise barriers or other shielding methods. If feasible mitigation measures are identified, the impacts would be considered partially mitigated. In the absence of feasible mitigation, the proposed projects would result in unavoidable significant adverse construction noise impacts.

GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

The proposed projects are not expected to induce any significant additional growth beyond that identified and analyzed in this EIS.

The proposed projects would be limited to the project sites, which consist of Block 248, Lots 15, 70, and 76 (Site 4 [4A/4B]); Block 247, Lots 1 and 2 (Site 5); and Block 246, Lot 5 (Site 6A), in the Lower East Side neighborhood of Manhattan. The proposed projects would increase the density of the project sites by introducing up to 2,775 new dwelling units, of which 25 percent or up to 694 units would be designated as permanently affordable, including approximately 200 units

of new low-income senior housing; approximately 10,858 gsf of new retail space; approximately 17,028 gsf of additional community facility space; and approximately 22,779 sf of new open space—including both publicly accessible and private open space. On Site 5, the existing approximately 22,440 sf of private Rutgers Slip Open Space would be enlarged by approximately 11,110 sf, and the total of approximately 33,550 sf (approximately 0.77 acres), would be dedicated as publicly accessible open space. Across the three project sites, a total of approximately 80,020 sf of both publicly accessible and private open space would be altered with new amenities, such as new landscaping, paving, seating, and play areas, compared to existing conditions. These uses would be consistent with the existing uses in the surrounding area. As discussed in the Socioeconomic Conditions assessment, while the proposed projects would add new population which, in the aggregate, would have a higher average household income than the average household income in the study area, there is already a readily observable trend toward higher incomes and new market-rate residential development in the study area. The proposed projects are expected to introduce a higher percentage of affordable housing than is expected from planned development projects in the future No Action condition, which are primarily market-rate. In this respect, the proposed projects would serve to maintain a study area housing stock that is affordable to households with a wider range of incomes as compared to the No Action condition, in which projects are expected to continue the trend towards market-rate development and rising residential rents in the study area. Therefore, the proposed projects are not expected to introduce or accelerate a trend of changing socioeconomic conditions.

In addition, the proposed projects would not include the introduction or expansion of infrastructure capacity (e.g., sewers, central water supply) that would result in indirect development; any proposed infrastructure improvements would be made to support development of the project sites themselves.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and built, would be expended in the construction and operation of the proposed projects. These resources include the materials used in construction; energy in the form of fuel and electricity consumed during construction and operation of the projects; and the human effort (i.e., time and labor) required to develop, construct, and operate various components of the projects.

The resources are considered irretrievably committed because their reuse for some purpose other than the proposed projects would be highly unlikely. The proposed projects constitute an irreversible and irretrievable commitment of the project sites as land resources, thereby rendering land use for other purposes infeasible, at least in the near term.

These commitments of land resources and materials are weighed against the benefits of the proposed projects. As described in the project description, the proposed projects would create up to 694 permanently affordable housing units on the project sites, including approximately 200 new units of low-income senior housing. This permanently affordable housing would make a substantial contribution to the housing production goals of the Mayor's *Housing New York: A Five-Borough, Ten-Year Plan*. The proposed actions would also result in additional resiliency measures at each site and changes to the surrounding streetscape and pedestrian experience through the creation of new landscaping and both dedicated publicly accessible and private open space on the project sites. In addition, new ground floor retail at the project sites would add to the retail mix already located in the Two Bridges neighborhood. ✷

Robert Dobruskin

Robert Dobruskin, AICP, Director Environmental Assessment and Review Division New York City Department of City Planning

cc: Marisa Lago, Chair
City Planning Commission
The Hon. Gale Brewer, Manhattan Borough President
The Hon. Margaret Chin, New York City Council, 1st District
Alysha Lewis-Coleman, Chair, Community Board 3, Manhattan
Susan Stetzer, District Manager, Community Board 3, Manhattan
Raju Mann, City Council, Director, Land Use Division
Hilary Semel, MOEC
Terrell Estesen, DEP
Gina Santucci, LPC
Owen Wells, DPR
Lisa Schreibman, NJTRANSIT
Purnima Kapur
Howard Slatkin
Naim Rasheed, DOT
Anita Laremont
Edith Hsu-Chen
Erik Botsford
Bob Tuttle
Sylvia Li
Beth Lebowitz
Steven Lenard
Jennifer Gravel
Michael Marrella
Olga Abinader
Evan Lemonides
Mauricio Garcia
Patricia Bussey
Susan Wong

APPENDIX A

A. SUMMARY OF PREVIOUSLY GRANTED LSRD CERTIFICATIONS, AUTHORIZATIONS & SPECIAL PERMITS

PARCEL 7 (STAGE I) AUTHORIZATION—CP 21885

1. Sec. 78-311(a) to permit the distribution of zoning rooms without regard for zoning lot lines and district boundary lines as required by Sec. 23-223.
2. Sec. 78-311(d) to permit the location of buildings without regard for yard regulations as required by Sec. 23-47 and 23-53.
3. Section 78-311(e) to permit the location of buildings without regard for height and setback regulations on the interior of the project as required by Sec. 23-632 and 23-64.

PARCEL 7 (STAGE I) SPECIAL PERMIT—CP21885

4. Sec. 78-312(d) to permit the locations of buildings without regard for height and setback regulations, on the periphery of the project as required by Sec. 23-632 and 23-64.

PARCEL 6A (STAGE II) AUTHORIZATION—CP21885

5. Sec. 78-311(d) to permit the location of buildings without regard for yard regulations as required by Sec. 23-47 and 23-53.

PARCEL 5 (STAGE ILL) SPECIAL PERMITS—C 760143 ZLM

6. Sec. 78-312(d) to authorize minor variations in the front height and setback regulations on the periphery of the development.
7. Sec. 78-312(f) to permit modification of the minimum spacing requirements consistent with the intent of the provisions of Sec. 23-71 (Minimum distance between buildings on a single zoning lot) and to authorize modification of the spacing required by Sec. 78-311(d) (for distance between east building on Parcel 5 and building on Parcel 6A).

PARCEL 6B (STAGE IV) AUTHORIZATIONS—N 830316 ZAM

8. Sec. 78-311(d) to authorize the location of the west building without regard for yard regulations which would otherwise apply along portions of the rear lot line wholly within the development.
9. Sec. 78-311(h) to modify the minimum spacing requirements between the west building on Parcel 6B and the building on Parcel 6A.

PARCEL 4A (STAGE V) AUTHORIZATIONS—N 850737 ZAM

10. Sec. 78-311(e) to authorize minor variations in setback regulations within the development. Deletion of Parcel 8 of Urban Renewal Plan from LSRD Plan Area.

PARCEL 4A (STAGE V) AUTHORIZATIONS—N 860727 ZAM

11. Sec. 78-41 to authorize permitted accessory, off-street parking spaces to be located within the development without regard to zoning lot lines to provide four parking spaces for Parcel 4A.

PARCEL 4B (STAGE VI) AUTHORIZATION—C 950078 ZSM

12. Sec. 78-311(e) authorize location of building without regard for height & setback regulations.

PARCEL 4B (STAGE VI) SPECIAL PERMIT—C 950078 ZSM

13. Sec. 78-312(f) authorize modification of minimum spacing requirements.

PARCEL 4B (STAGE VI) CERTIFICATIONS—C 950078 ZSM

14. Sec. 26-07 certification to modify the no curb cut on wide street regulations as required by Sec. 26-05.
15. Sec. 37-015 certification to waive retail continuity on wide street.

PARCEL 5 (UNDEVELOPED 2013 APPROVAL)—M 120183 ZSM

16. Modification to the LSRD site plan to permit an increase in community facility and total zoning floor area; to authorize a relocation of existing and development of new parking spaces; and to correct zoning calculations

B. HEIGHT & SETBACK(*) AND BUILDING SPACING(**) CONDITIONS PREVIOUSLY GRANTED AUTHORIZATION & SPECIAL PERMITS

*

Site	Location of Front Wall	Sky Exposure Plane Penetration Proposed
4A	8 ft. from Rutgers Slip	None
4B	Rutgers Slip	114.5 feet
5	Cherry Street	140.5 feet
7	Clinton Street	155 feet
	South Street	57 feet

**

Site	Location of Front Wall	Required Distance	Distance Provided
4	4B bldg. to 1 story stores	40.0a feet	30.0 feet
5	East bldg. to West bldg.	222.4 feet	160.0 feet
	East bldg. on 5 to 6A	148.5 feet	60.0 feet
6	West bldg. on 6B to 6A	87.95 feet	37.0 feet

Note: Zoning regulations have changed since these actions were granted (wall to wall = 40'; window to wall = 50'; window to window= 60').

APPENDIX B

Table B
LSRD Zoning Calculations

	Parcel	4	5	6A	6B[1]	7[1]	Total	Notes
	Stage (approved)	V (1985,1986), VI (1995)	III (1977)	II (1973)	IV (1982)	I (1972)		
	Block	248	247	246	246	245		
	Lot	15, 70, 76	1, 2	1, 5	Condo 1001–1057	1		
ZR Section	**Item**							
	ZONING DISTRICT	C6-4	C6-4	C6-4	C6-4	C6-4	C6-4	Map 12d
	LOT AREA	69,210	145,031	71,357	53,821	31,657	371,076	
32-00	**USES PERMITTED**	Use groups 1–2 (residential); 3–4 (community facility); 5–12 (retail & commercial)						
	USES PROPOSED							
	Existing Uses	UG 2, 3, 4, 6	UG 2, 6	UG 2	2	2	UG 2, 3, 4, 6	Complies
	New Building Uses	UG 2, 6	UG 2, 3, 4, 6	UG 2, 6	2	2	UG 2, 3, 4, 6	Complies
	Uses Total	UG 2, 3, 4, 6	UG 2, 3, 4, 6	UG 2, 6	2	2	UG 2, 2, 4, 6	Complies
35-31	**FAR PERMITTED**							
33-122, 23-15,	**Residential**	10	10	10	10	10	10	
33-123, 35-23,	**Community Facility**	10	10	10	10	10	10	
23-154(a), 23-90	**Commercial**	10	10	10	10	10	10	
	Residential Incl. Housing Bonus	2	2	2	2	2	2	
	Maximum Total	12	12	12	12	12	12	
	FAR PROPOSED (New and Existing)							
	Residential	11.43	11.84	11.97	1.22	8.78	9.99	Complies
	Community Facility	0.38	0.11	0.00	0.00	0.17	0.13	Complies
	Commercial	0.19	0.05	0.03	0.00	0.00	0.06	Complies
	Maximum Total	12.00	12.00	12.00	1.22	8.96	10.18	Complies
	FLOOR AREA PERMITTED							
	Residential	692,100	1,450,310	713,570	538,210	316,570	3,710,760	
	Community Facility	692,100	1,450,310	713,570	538,210	316,570	3,710,760	
	Commercial	692,100	1,450,310	713,570	538,210	316,570	3,710,760	
	Residential Inclusionary	138,420	290,062	142,714	107,642	63,314	742,152	
	Maximum Total	830,520	1,740,372	856,284	645,852	379,884	4,452,912	

[1] **Notes:**
Parcels 6B and 7 are within the LSRD, but are not being modified in conjunction with the proposed projects.

Table B (cont'd)
LSRD Zoning Calculations

	Parcel	4	5	6A	6B	7	Total	Notes
	FLOOR AREA PROPOSED							
	Residential							
	Existing (to remain)	289,561	611,348	262,877	65,793	278,000	1,507,579	Complies
	New	501,518	1,105,319	590,992	0	0	2,197,829	Complies
	Total	791,079	1,716,667	853,869	65,793	278,000	3,705,408	Complies
	Community Facility							
	Existing (to remain)	26,322	0	0	0	5,500	31,822	Complies
	New	0	16,362	0	0	0	16,362	Complies
	Total	26,322	16,362	0	0	5,500	48,184	Complies
	Commercial							
	Existing (to remain)	10,726	2,024	0	0	0	12,750	Complies
	New	2,393	5,319	2,415	0	0	10,127	Complies
	Total	13,119	7,343	2,415	0	0	22,877	Complies
	Total							
	Existing (to remain)	-296,480	613,372	262,877	65,793	283,500	929,062	Complies
	New	1,127,000	1,127,000	593,407	0	0	2,847,407	Complies
	Total	830,520	1,740,372	856,284	65,793	283,500	3,776,469	Complies

12-10	**LOT COVERAGE**							
	Required	Not applicable – LSRD refers to "lot coverage" for Urban Renewal purposes (Expired)						
	Proposed							
	Existing	25,728	24,335	13,836	21,931	10,563	96,393	Not Applicable
	New	5,952	31,008	15,696	0	0	52,656	Not Applicable
	Total	31,680	55,343	29,532	21,931	10,563	149,049	Not Applicable
12-10	**OPEN SPACE**							
	Required	Not applicable						
	Existing	43,920	120,696	57,521	31,890	21,094	275,121	Not Applicable
	Proposed	37,530	89,688	41,825	31,890	21,094	222,027	Not Applicable

Table B (cont'd)
LSRD Zoning Calculations

	Parcel	4	5	6A	6B	7	Notes
35-50	**YARDS**						
33-20, 23-40	Required	No front of side yards required; min. 8' side yard if provided. No rear yard required in R10 equivalent where rear lot line coincides with a side lot line of adjoining lot.	No front of side yards required; min. 8' side yard if provided. Rear yard equivalent required.	No front of side yards required; min. 8' side yard if provided. Along rear lot line, required residential yard depth of 30' and required commercial rear yard depth of 20'.	No front of side yards required; min. 8' side yard if provided. 30' rear yard required at the rear lot line.	No front of side yards required; min. 8' side yard if provided. 30' rear yard required at the rear lot line.	* Waiver #5 (CP21885) ** Waiver #8 (N 830316 ZAM) *** Waiver #2 (CP21885)
	Proposed	No front or rear yards provided; side yard provided in excess of 8'.	Rear yard equivalent provided.	Rear Yards: Rear yards greater than 30' provided all rear lot lines. Side Yards: Building 6A-1 provides minimum side yard depth of 30'-4". Building 6A-2 does not provide side yards. Front Yard: Provided along South Street; not provided along Clinton Street.	Minimum yards not provided**	Minimum yards not provided***	
23-65 35-60, 35-63	**HEIGHT & SETBACK**						
33-40, 23-60	Required	15' minimum tower setback 2.7 to 1 sky exposure plane from narrow street above 85'.	Cherry Street (Wide Street): Max Street Wall 85', Min 10' setback, sky Exposure Plane 5.6:1, except for towers. South Street (Narrow Street): Max Street Wall 85', Min 15' setback, sky exposure plane 2.7:1, except for towers.	Clinton Street: Above 85', 10' minimum tower setback; 5.6:1 sky exposure plane. South Street: Above 85', 15' minimum tower setback; 2.7:1 sky exposure plane.	15' minimum setback 5.6 to 1 sky exposure plane from wide street above 85'.	15'/20' minimum setback 5.6/2.7 to 1 sky exposure plane from wide/narrow street above 85'.	* Waiver #10 (N850737 ZAM) & #12 (C 950078 ZSM) ** Waiver #7 (C760143 ZLM) *** Waiver #3 (CP21885 & #4 (CP21185) ****Waiver #6 (C760143 ZLM)
	Proposed	Cherry Street: 15' setback at 51.5'; South Street: 40' setback above 40'; Rutgers Slip: Building 4-4 provides 15' setback; Buildings 4-3 & 4-1 provide 8.14' & 8.08' setbacks; Building 4-1 penetrates sky exposure plane for 114.5.*	Cherry Street: Existing building rises without setback within 10' of street line, and penetrates sky exposure plane to a height of 146'-6". **** South Street: Building not within initial set back distance; all portions of building that pierce sky exposure plane comply with Tower Regulations.	Clinton Street – Building 6A-2: 10' setback above 50'-5". South Street – Building 6A-2: 43'-3" setback above 50'-5".	Building does not exceed 85'.	Clinton Street: Penetrates sky exposure plane for 155'. *** South Street: Penetrates sky exposure plane for 57'. ***	

Table B (cont'd)
LSRD Zoning Calculations

	Parcel	4	5	6A	6B	7	Notes
23-711	**MINIMUM DISTANCE**						
	Required	Wall to Wall – 40' Wall to Window – 50' Window to Window – 60'					* Waiver #13 (C 950078 ZSM) ** Waiver #9 (N 830316 ZAM) *** Waiver #7 (C 760143 ZLM) previously granted but no longer necessary
	Provided	30.17' between buildings 4-1 and 4-2*	Existing buildings separated 160' Window to Window. Complies under current zoning. *** Proposed building. Above a height of 85', Tower C and Tower D are separated by a min 60'.	Building 6A-1 and 6-2 abut.	37' between buildings 6A and 6B.**	N/A	

	Parcel	4	5	6A	6B	7	TOTAL	Notes
13-012	**PARKING (Accessory)**							
	Required	0	0	0	0	0	0	
	Proposed							
	Existing	11	103	34	12	30	190	Complies
	New	-4	0	0	0	0	-4	Complies
	Total	7	103	34	12	30	186	Complies
36-61	**LOADING**							
36-62	**Required**	No accessory loading required for community facility, or first 25,000 sf of retail					0	
	Proposed	No loading proposed					0	Complies

EXHIBIT B

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October 15, 2017

VIA EMAIL btracy@quinnmccabe.com

Two Bridges Townhouses Condominium Association
c/o Tudor Realty Services Corp.
250 Park Avenue South, 4th Floor
New York, NY 10003

Contact
Benjamin Fox Tracy, Esq.
Quinn McCabe LLP
9 East 40th Street – 14th Floor
New York, NY 10016

Re: *Analysis of property value impact of consent agreement after proposed modifications to Two Bridges Large Scale Residential Development (LSRD)*
291-295 Cherry Street, 305-311 Cherry Street, 251-255 Clinton Street

Mr. Tracy:

On behalf of the Two Bridges condominium association which are comprised of the above captioned properties, you have requested an analysis of the value impact of the modification to the Two Bridges Large Scale Residential Development (LSRD) both to the subject project and proposed projects.

- The client has indicated that such modification will allow the development of an additional 2.5 million square feet of residential luxury condominiums within the LSRD by Cherry Street Owner, LLC, an affiliate of JDS Development Group, and Two Bridges Senior Apartments LP; Two Bridges Associates, LP, a joint venture between CIM Group and L+M Development Partners; and LE1 Sub LLC. Each developer is looking for different modifications to LSRD to enable their development plans. This analysis looks at the impact to the condominium development in total and is not broken out by each proposed project.
- The client has expressed concern that these "super tall" development projects in such close proximity will have an adverse impact on the amount of natural light that currently exists.

The appraiser relied on client information that included the expertise of other client experts to analyze the impact of a zoning change to the subject project.

Their analysis concluded that the zoning change would:

- Expand the allowable 1.5 million square feet of floor area by an additional 2.5 million square feet of floor area to a total of approximately 4 million square feet (167% increase).
- Construction of three approximately 72 to 100 story mixed use buildings with significant residential components.

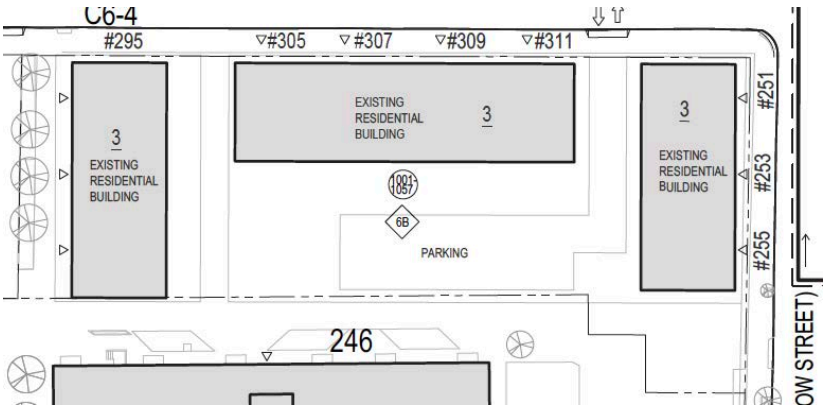
Qualifications – abbreviated with full cv attached

I am a New York certified real estate appraiser with 31 years of complex residential valuation experience and am the co-founder, president and chief executive officer of Miller Samuel Real Estate Appraisers & Consultants. I am on the Mayor's Economic Advisory Panel for the New York City Office of Management and Budget, the New York State Division of the Budget Economic Advisory Board and provide market analysis to the Federal Reserve, United States Department of Housing and Urban Development and other federal, state and local agencies. I have been admitted as an expert witness in the Supreme Court of the State of New York County of New York, United States Bankruptcy Court, Civil Court of the City of New York United States District Court Northern District of Illinois, United States District Court Southern District of New York, United States District Court Northern District of California - San Jose Division, District of Columbia Superior Court and County of Los Angeles Superior Court. For the past 23 years, I have authored of a series of regional U.S. housing market reports for Douglas Elliman Real Estate including the New York City metro area, South Florida, Aspen and Los Angeles.

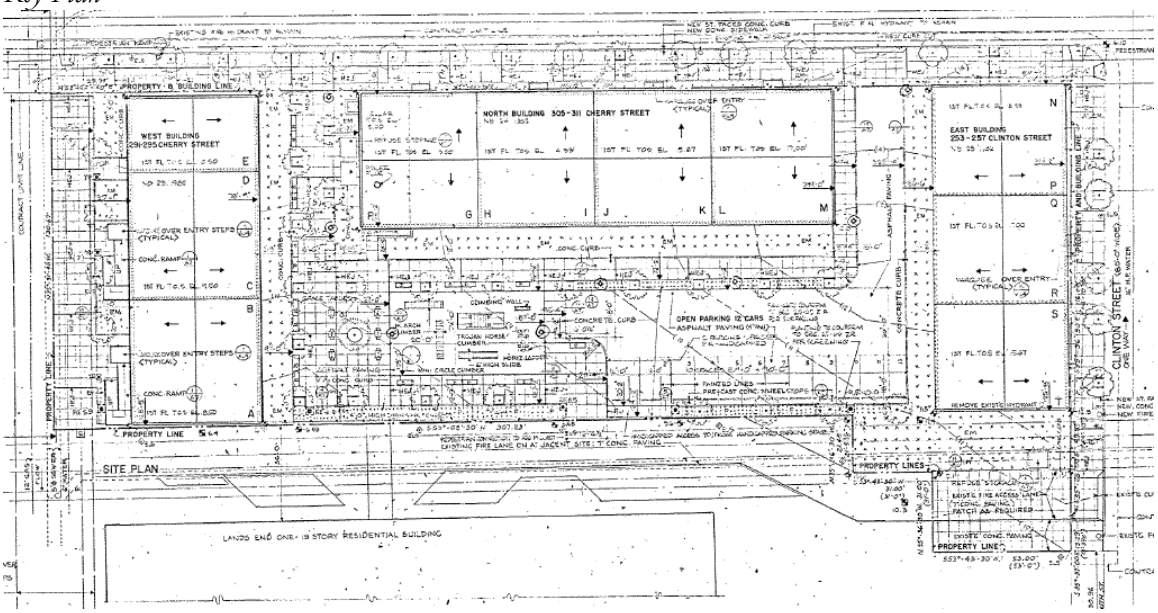
This consulting assignment is made for the specific use of the parties involved in this matter.

Discussion of the subject property known as The Two Bridges Townhouses Condominium ("Two Bridges")

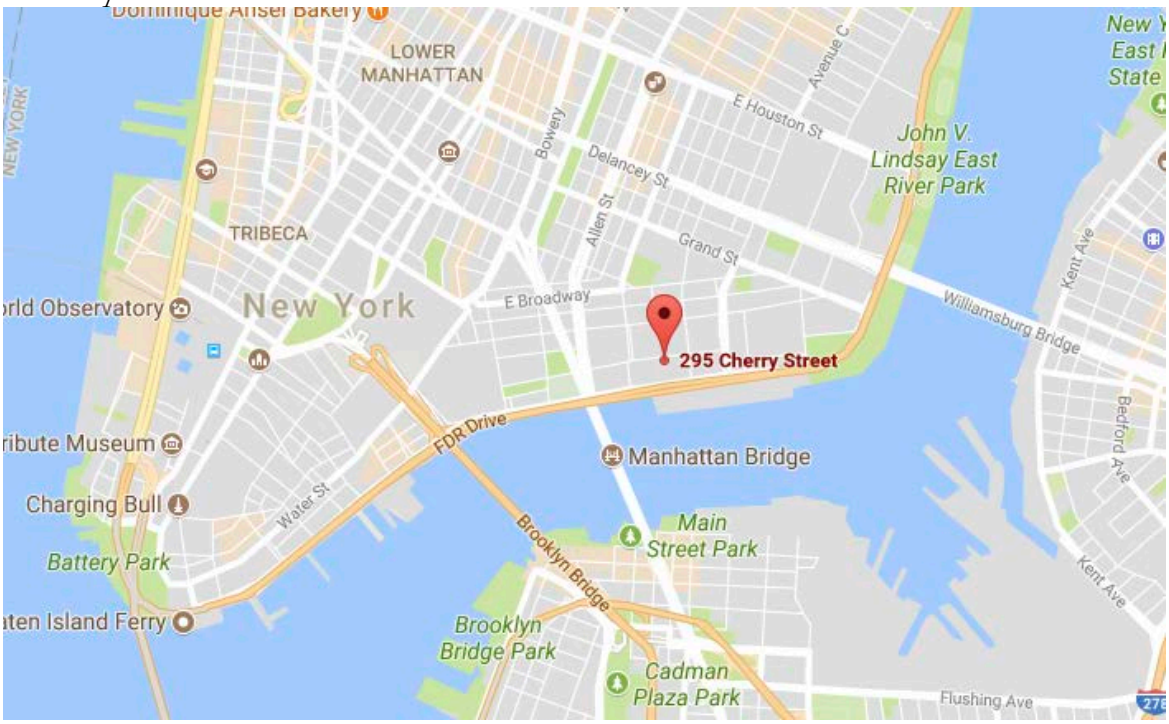
The subject is a 3-story walk-up project comprised of 3 buildings known as 291-295 Cherry Street, 305-311 Cherry Street, 251-255 Clinton Street. There are 10 addresses, each with separate entrances.



Key Plan



Area Map



291 Cherry Street #B2 Photos

Entrance

West View

West View

Living Room

Kitchen

Bedroom

Hall

Bath

Bedroom

East view over rear yard and parking lot of complex

East view over rear yard and parking lot of complex

Subject Photos of Complex

West end, looking south: 291-295 Cherry Street

West end, looking east: 305-311 Cherry Street

Cherry Street west entrance to rear yard

East end, looking west: 305-311 Cherry Street

Entrance to parking lot on east end of Cherry Street

East end, looking west from Cherry Street/Clinton Street Corner

East end, looking south: 253-257 Clinton Street

East end, looking north: 253-257 Clinton Street

East end, looking north: 253-257 Clinton Street

Discussion of the Two Bridges LSRD

The modifications to the Two Bridges LSRD Plan are described in Table 1 below. This will result in an additional 2,503,365 square feet or 2,500,000 (rd) additional square feet of residential space.

The development sites range in height from 724 feet to 1,008 feet. For illustrative purposes, with an allotment of 10 feet per floor, these projects would range from 72 to 100 stories and would be considered "super talls" (i.e. more than 50 stories). Since the subject project is a 3-story walkup, the impact to views and natural light from these proposed developments in the immediate vicinity is likely similar whether referring to a 72-story building or 100-story building.

Table 1
Proposed Projects

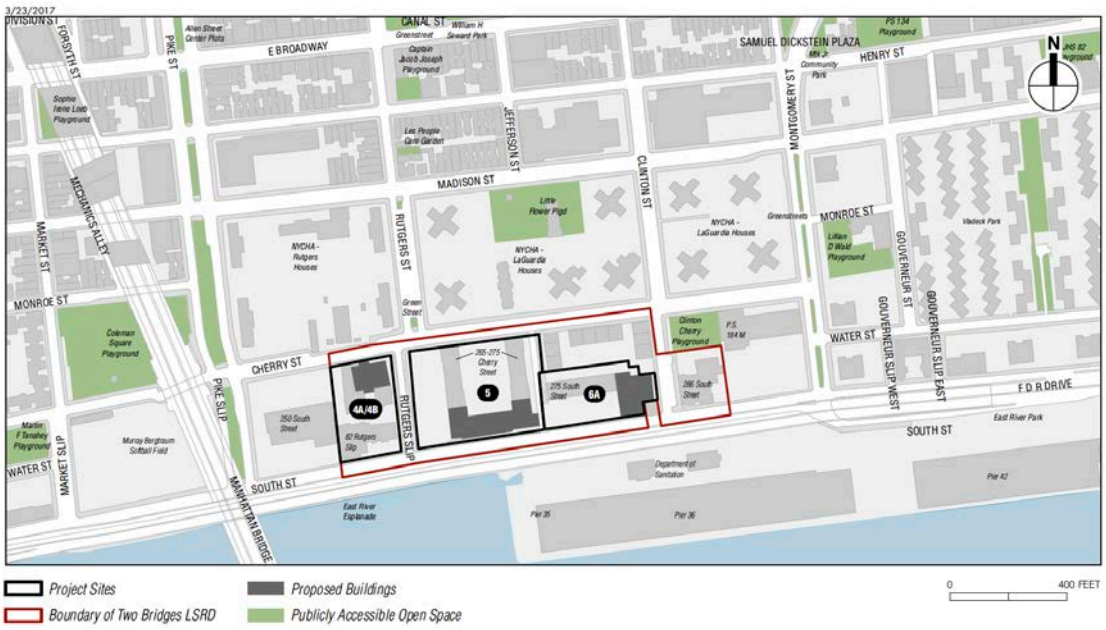
Use (GSF)	Site 4 (4A/4B)[1]	Site 5[3]	Site 6A[6]	Total
Use Group 2 (Residential)	617,464 gsf[2]	1,227,932 gsf[4]	655,463 gsf	2,503,365 gsf
Residential Units	660 DUs	1,350 DUs (100 senior)	765 DUs (100 senior)	2,775 DUs (200 senior)
Affordable Unit Count	25 percent (up to 165 DUs)	25 percent (up to 338 DUs)	25 percent (up to 191 DUs)	Up to 694 DUs
Use Group 6 (Retail)	3,124	5,258 gsf	2,506	10,888 gsf
Community Facility	None	17,028 gsf	None	17,028 gsf
Accessory Parking	None	103 *below-grade*	None	103 *below-grade*
Private Open Space	None	19,579[5]	3,200	22,779
Maximum Building Height	±1,008'	±800'	±724'	
Maximum Building Width	±121'	±283'	±137'	
Maximum Building Depth	±85'	±110'	±150'	

Notes:

1. Does not include the existing development on Site 4 (4A/4B) (85,615 gsf [109 units] residential, 3,928 sf open space, and 4 surface parking spaces at 80 Rutgers Slip/Lot 70; 227,895 gsf residential [198 units], 27,552 gsf community facility, 11 enclosed accessory parking spaces, and 11,660 sf open space at 82 Rutgers Slip/Lot 15; and 11,575 gsf retail and 280 sf open space at 235 Cherry Street/Lot 76). In the No Action condition, existing development on Site 4 (4A/4B) would remain, with minor changes to the existing 80 Rutgers Slip/Lot 70 building, and the existing retail in the Lot 76 building would be re-tenanted. In the With Action condition, 10 existing units from the 80 Rutgers Slip building would be relocated into the new building, for a total of 99 remaining units at 80 Rutgers Slip, and up to 670 new units would be developed in the new building (including the 10 relocated senior housing units). The existing retail at 235 Cherry Street would be re-tenanted in the With Action condition, and the 15,868 sf of existing open space on Lots 15, 70, and 76 would be improved. The existing residential building with accessory parking at 82 Rutgers Slip/Lot 15 would remain in the With Action condition, but the 4 parking spaces at 80 Rutgers Slip/Lot 70 would be removed.
2. For the purposes of determining the number of units to be analyzed, 8,079 gsf of community room and 5,113 gsf of ground-floor common area were subtracted from this total.
3. Does not include the existing development on Site 5 (633,523 gsf residential [490 units] and 2,085 gsf retail at 265-275 Cherry Street), which would remain the same in the No Action and With Action condition.
4. For the purpose of determining the number of units to be analyzed, 81,683 gsf of residential amenity space, which includes building amenities (±55,356) and cellar level parking (±26,327) was subtracted from the total residential gsf, resulting in 1,146,249 gsf, with ±1,350 DU at 850 sg/DU.
5. New open space. The existing open space on Site 5 (approx. 64,152 sf) would also be improved.
6. Does not include the existing development on Site 6A/Lot 1 (262,877 gsf residential [256 units] and 35 accessory surface parking spaces at 275 South Street), which would remain the same in the No Action and With Action condition.

Since this zoning modification is an "all or nothing" scenario with all property owners in the LSRD required to sign off, it is not appropriate to parse out the impact to the subject project by the various proposed developments. For the same reason, it is also not appropriate allocate the impact among the individual condo unit in the subject project.

The LSRD zoning area is presented as a red outline in the map below for three sites: 4 (4A/B), 5 and 6. The subject project is located to the north of site 6 and east of site 5.



Subject Unit Sales/Listings

A survey of closed sales from the Two Bridges project has been presented in the following table.

Sales History

Date	Address	Price	SqFt	Price/SqFt
3/5/15	#J1 - 257 CLINTON STREET	$700,000	1,113	$629
4/11/14	#I1 - 307 CHERRY STREET	$490,000	681	$720
11/25/13	#P2 - 253 CLINTON STREET	$830,000	938	$885
7/8/13	#M3 - 311 CHERRY STREET	$585,000	828	$707
1/7/13	#H2 - 307 CHERRY STREET	$650,000	1,239	$525
5/9/12	#L1 - 311 CHERRY STREET	$605,000	856	$707
Average		**$643,333**	**943**	**$683**

Source: Streeteasy

The average sales price for the subject project was $643,333 or $683 per square foot over the past 5 years but there hasn't been a sale in two and a half years. The average sales size was 943 square feet.

Rentals Listings
There are no rental units actively listed at the present time.

Sales Listings
Unit 291 Cherry Street #B2 is the only active listing in the project and was inspected by the appraiser at the site visit. The interior was inspected on October 4, 2017 and is the effective date of this analysis. Access was provided by the listing agent and the building porter. It is

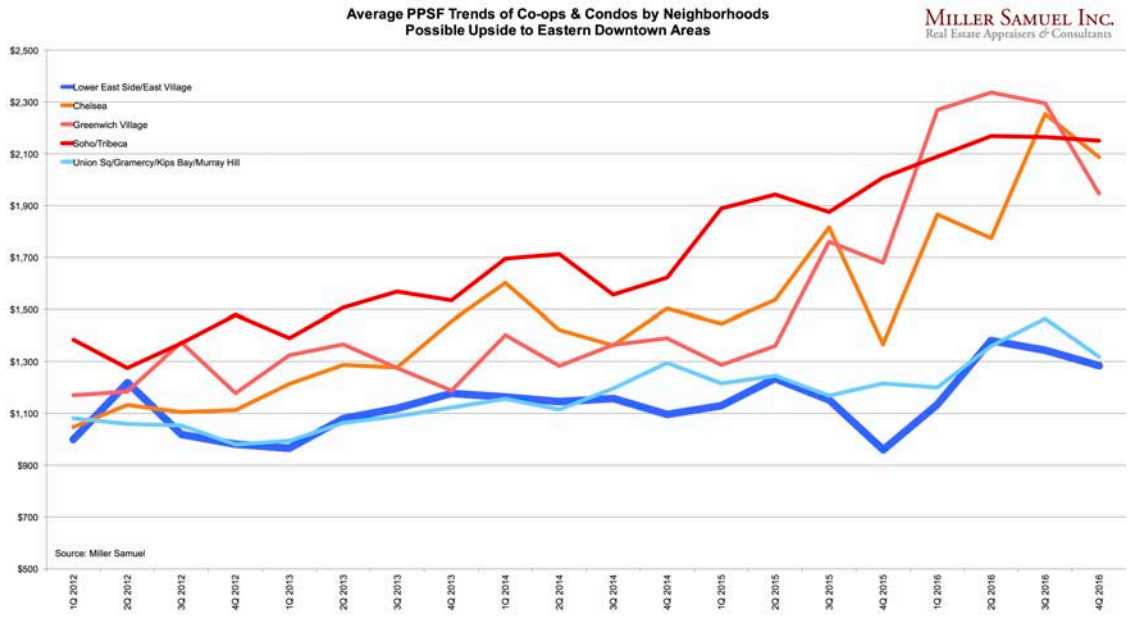
an 875-square foot renovated 2-bedroom, 1-bath unit facing south over the western alley way. This unit was listed for $1,189,000 on April 27, 2017. The asking price was dropped to $985,000 on July 9, 2017 or $1,126 per square foot. According to the client, this listing recently went to contract for the reduced $985,000 asking price or $1,126 per square foot although the appraiser did not have access to the sales contract. This unit is well above the $683 per square foot five-year sales history in the project however it was an active listing for approximately 5 months before it sold and is more consistent with the overall neighborhood price levels presented in the following analysis.

Market Conditions of the overall Lower East Side Market

According to published market analysis through our report series, the Lower East Side/East Village condo market showed an average price per square foot of $1,243 in 3Q12 and $1,113 in 3Q17, down 10.4% over 5 years. The average sales price over the same period jumped 35.1% to $2,095,450 from $1,551,116 over the same period as average sales size surged 50.8% from the introduction of new development units into the neighborhood. The Lower East Side is one of the last neighborhoods to see large scale gentrification as evidenced by the nearby projects being proposed. The housing market remains particularly tight with a lack of supply more acute in the entry and mid-market segments that the subject project represents. The $1,113 average price per square foot of the neighborhood in 3Q17 is consistent with the $1,126 price per square foot of the most recent contract in the subject building. Roughly speaking, an average square footage of 943 for recent sales in the building, the gross-sell out of 943 square feet x $1,126 price per square foot of 57 apartments would be $60,523,626 or $60,500,000 (rd) as of the effective date of the report.

Market Conditions of Lower East Side New Development Market

The subject neighborhood is considered one of the last large Manhattan markets that will see extensive new development activity in the coming years. Most of the surrounding neighborhoods saw their price trends rise over the past 5 years while the subject neighborhood was relatively stable.



242 Broome Street

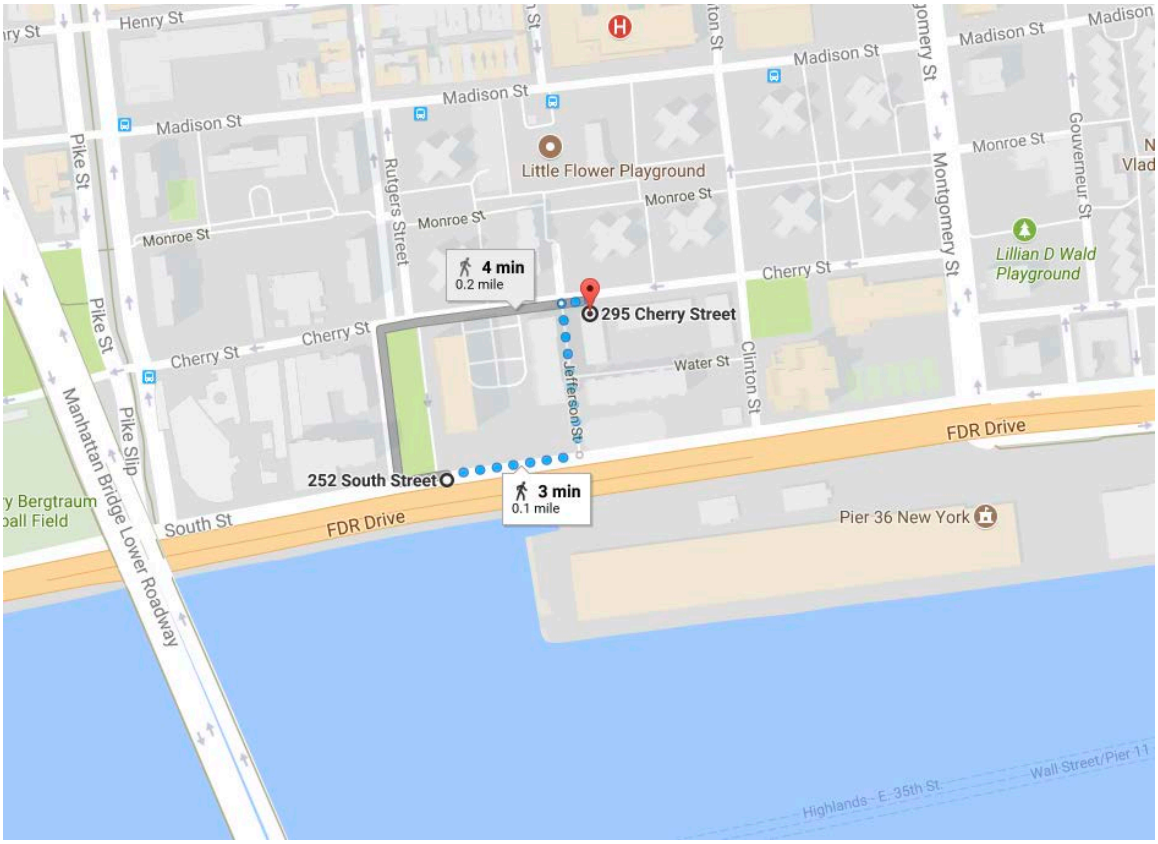
There are a number of new development projects in the subject neighborhood. One of the most prominent projects is known as 242 Broome at the Essex Crossing multi-phase development site. This building is a 55 unit 14-story project that is expected to be completed in 2018. There are 20 listings under contract with an average list price of $2,127,250 or $1,977 per square foot. Because this project is not a "super tall" the average price per square foot in the building is less than a super tall would be.

One Manhattan Square
The new project located at 252 South Street is an 800-foot tall, 815 unit, 80-story glass tower that is expected to be completed by 2019. The building height of this "super tall" is bracketed by the height of the proposed projects adjacent to the Two Bridges subject property that ranged from 72 to 100 stories. There are 89 units under contract with an average list price of $1,824,348 or $2,220 per square foot. The average sales size to date is 822 square feet assuming the units are selling at full asking price.

The following rendering shows the completed tower adjacent to the Manhattan Bridge.

The following photo was taken on the date of inspection and is only a few blocks west of the subject project.

The subject project is a few blocks to the east of 252 South Street (One Manhattan Square).



Analysis of reduced natural light on value

Because the subject project is three stories, the sight line for residential occupants does not clear the elevated FDR drive to the south of the project.

South View towards FDR from South Street/Clinton Street

East View on South Street Shows late morning shadows

The proposed super tall projects would remove most of what little direct natural light the subject project currently enjoys.

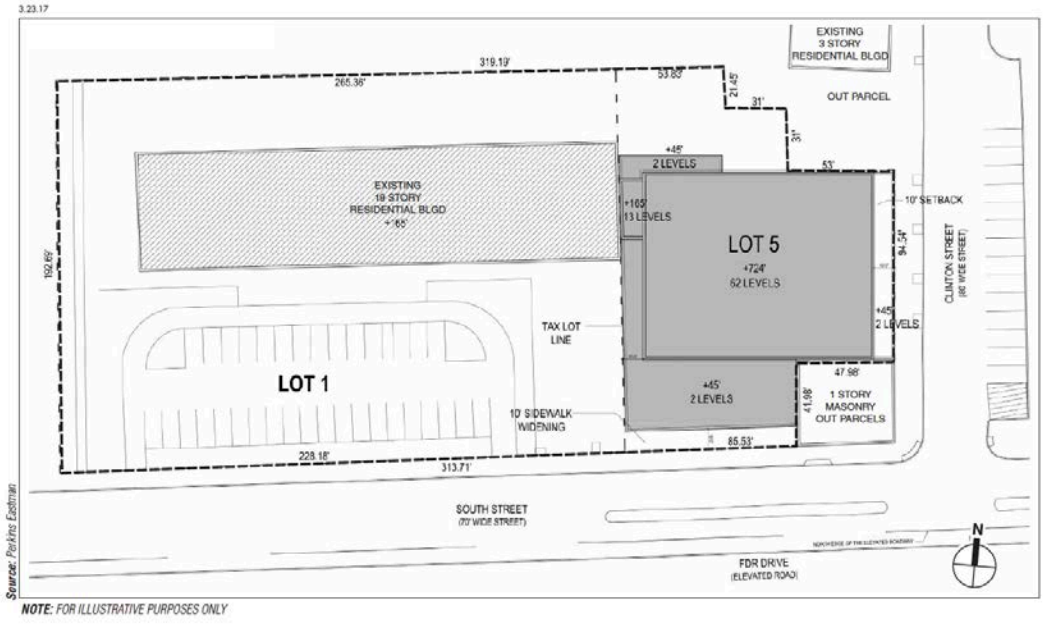
Northeast and North Views from Cherry Street/Clinton Street at 10:40am

Site 6A

The following building located to the southeast of the subject project creates shadows that extend northwestward towards Cherry Street.

27-Story building on Clinton Street/South Street looking east on South Street

As a result, development site 6A to the west would continue the "wall" with a 72' story development, nearly flush with the adjacent 19-story building to the west and the windows of southern-most subject building at 255 Clinton Street.



View West overlooking 6A site from Clinton Street

View West overlooking 6A site from Clinton Street

South View on Clinton Street

North View on Clinton Street

West View From Clinton Street/South Street

North View from South Street (Subject Project in background)

North View From South Street

North View From South Street Between Sites 4A/4B and 5

Discussion and analysis of the loss of natural light
From 2003-2007 I co-authored a research paper along with Ioan Voicu and Michael Schill of New York University School of Law and the NYU Wagner Graduate School of Public Service's Furman Center for Real Estate and Urban Policy titled *The Condominium v. Cooperative Puzzle: An Empirical Analysis of Housing in New York City*. The paper was presented at several U.S. economic forums during 2003 and 2004 including The American Real Estate and Urban Economics Association Annual Meeting in San Diego, The American Bar Association in New York, The New York University School of Law Faculty Workshop and The American Real Estate Society Annual Meeting in Monterey, California. The Journal of Legal Studies at the University of Chicago published the paper in 2007.

Using appraisal data from our firm we found that the difference between a "good" and "average" view was worth 8.4 percent for condominiums. However, one must be careful not to confuse the view amenity with the floor level amenity, especially with the proliferation of "super talls" in the current new development market and their impact on natural light and the resulting quality of life concerns.

In 2012, I was the source for a New York Magazine article on value and natural light. In the following info graphic from the article, I had extracted a 10% adjustment for the additional value for clearing the roof line of the adjacent building in a single floor which allowed more natural light into the apartment on the higher floor.

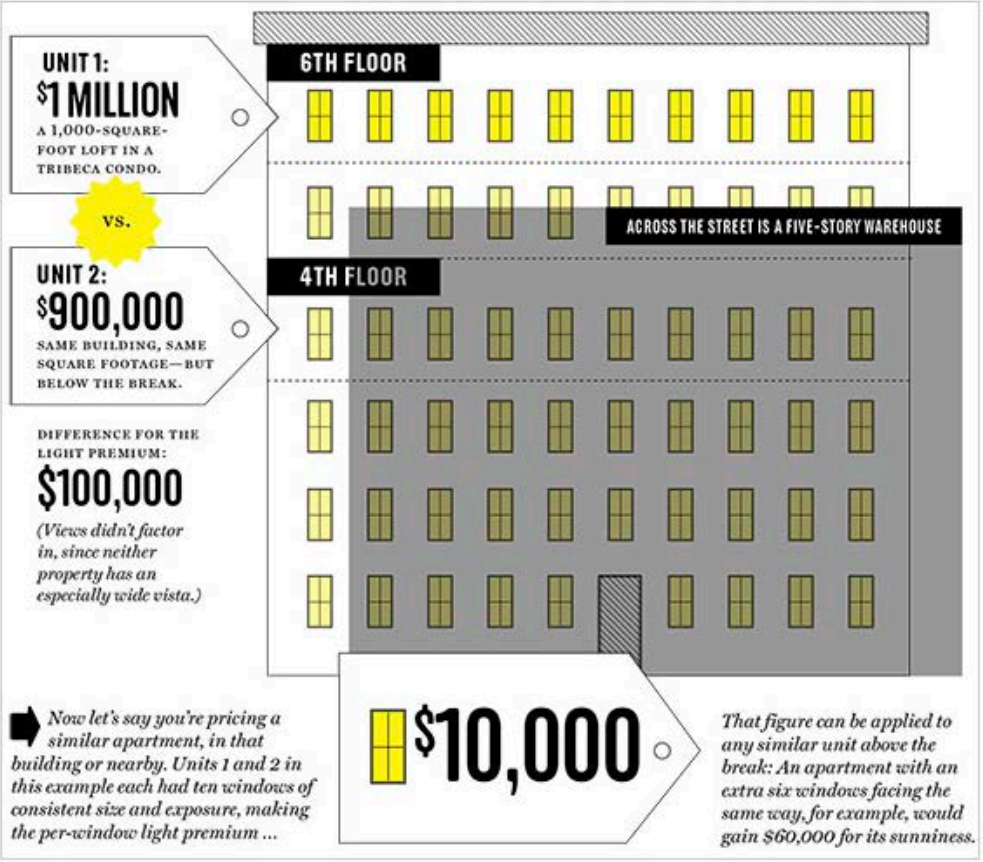
NEW YORK REAL ESTATE

What's the Price of Light?

Appraiser Jonathan Miller conducts an assessment.

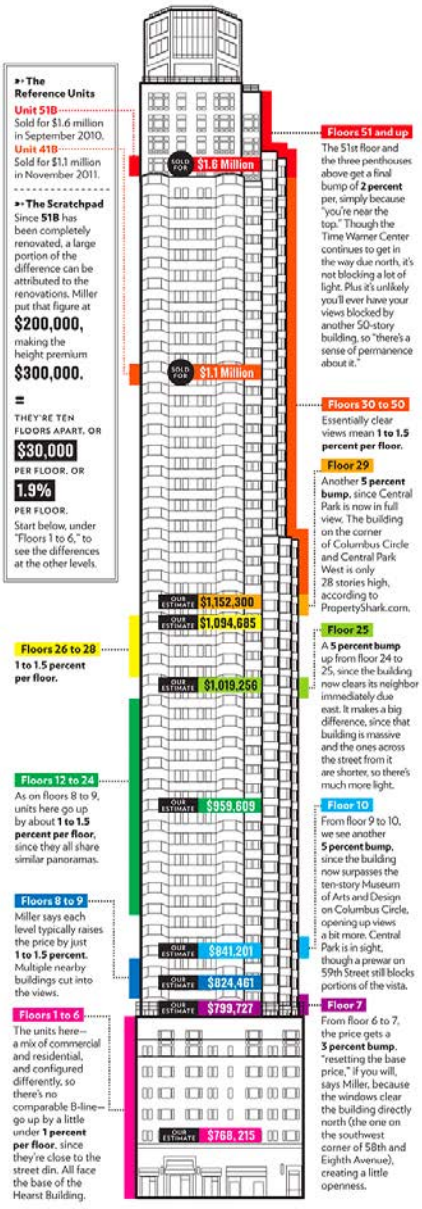
By S.Jhoanna Robledo Published Dec 2, 2012 Comment

Miller started by looking for a pair of recently sold apartments differentiated by a **light break**—that is, one of them looks directly at the building across the street, and the other is high enough to see over it. Everything else about the two units had to match.

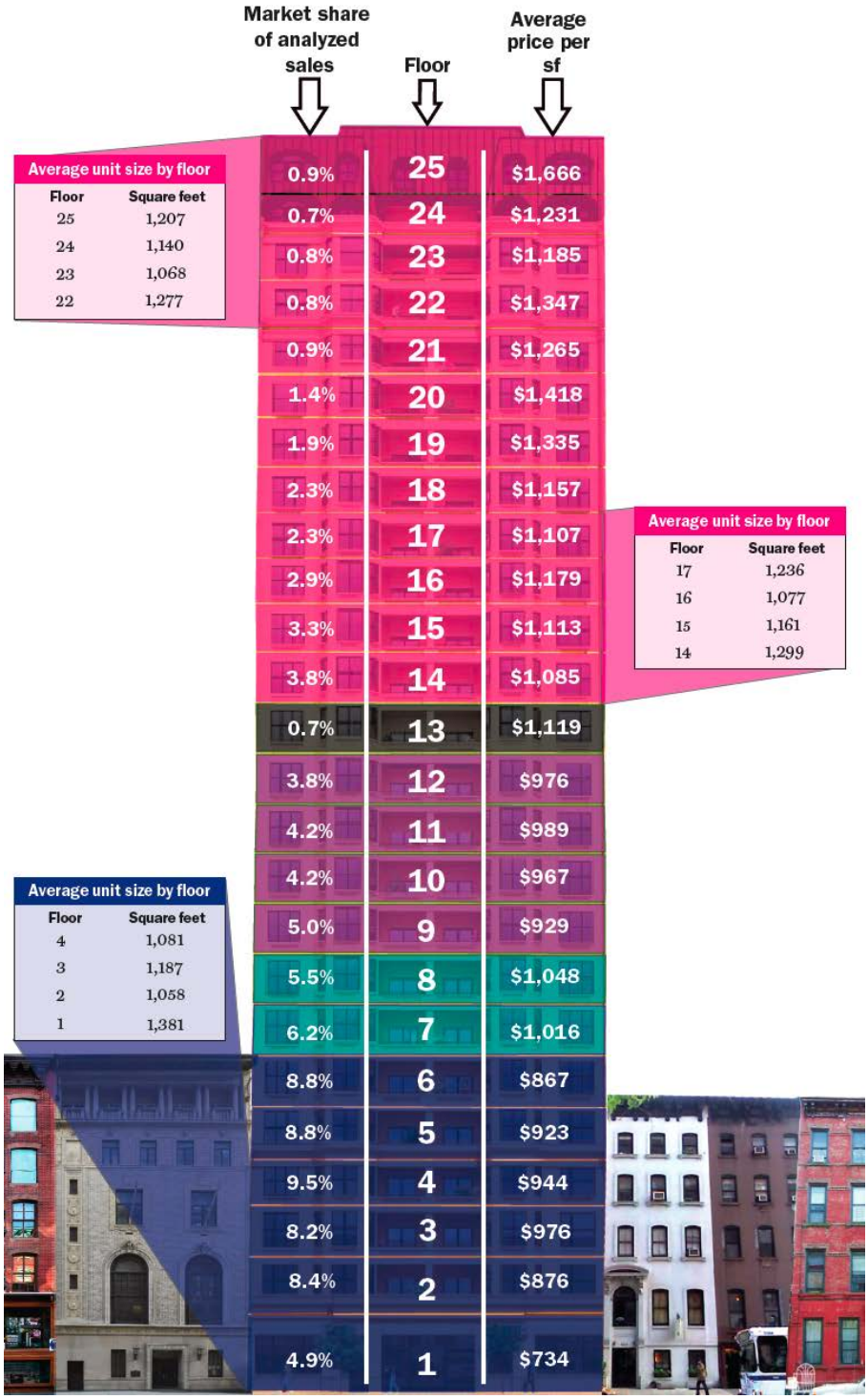


In a follow-up to the previous New York Magazine article on natural light, I was also the source of an article that explained the premium for floor level in the Manhattan high-rise market. This market driver for height has been made evident by the recent proliferation of "super tall" construction over the past five years that has been enabled by advances in construction materials and engineering. In our appraisal practice we found that buyers pay a premium for higher floor level due to market perceptions for enhanced security, privacy and less street noise. This is considered separate and apart from the view amenity.

Using "paired sales analysis" – comparing two like condos with floor level as their only differentiation - I was able to estimate prices across the building. It was interesting to note that when I compared the 1% to 1.5% premium per floor level before considering view, the methodology was the same used by the original developer in 1987 when the condo project located at 301 West 57th Street was built.



In the following info graphic for the study I compiled for The Real Deal magazine in 2010, I used a blending of floor level and view of all sales analyzed by floor level. The view break from the sixth to the seventh floors was apparent as were the premiums shown for floor level on the high floors. The same general trends were observed.



In the subject scenario, the situation is exactly the opposite. The project will receive less light than before the super tall structures are developed. Therefore, it is logical that if there is a premium observed for the higher floor level amenity, then there must be a discount for lower floor level, especially in the context of these new projects forming a "wall" that obstructs the quantity of natural light the subject project is exposed to.

Using the lower end of the range and selecting 1% per floor found in the earlier research, the value of the natural light blocked by the 72-story building on site 6A (and the other 2 buildings that are taller on sites 4A/4B and 5) less 3 floors for the subject would be 69% for this very specific amenity measured from the top floor. It would be more reasonable to measure this amenity from the halfway point of the building to take the entire building under consideration. With 69% divided in half, 34.5% will be applied to the gross sellout volume of the subject project estimated earlier at approximately $60,500,000.

$60,500,000 gross sales volume x 34.5% floor level adjustment equals $20,900,000 as of the effective date of this analysis.

This amount represents a reasonable value for the loss of natural light to the Two Bridges project should the letter of consent be signed. This letter, when signed by all owners in the LSRD agreeing to the modification of zoning, enables the development of an additional 2,500,000 square feet of residential condominiums within the LSRD.

Potential gross sell-out resulting from LSRD zoning modification

The modification of existing zoning within the LSRD is expected to enable the construction of an additional 2,500,000 square feet of residential development, likely in the form of condominiums. This will take the form of three "super talls" of mixed use development. Whatever form this development takes, whether condo, rental or affordable, we are addressing the potential of the additional 2,500,000 square feet, not the project as a whole. And given the construction of One Manhattan Square a few blocks away, the analysis of a condo is more supported in the market than whatever the developers intentions are for the product type.

In order to attach a reasonable value to the additional buildable square footage allowed by the zoning modification of the LSRD as per the client, it would be reasonable to apply the roughly $2,200 per square feet believed to be achieved by the nearby "super tall" under construction at 252 South Street to the additional square footage.

$2,200 per square foot x 2,500,000 square feet equals $5,500,000,000 ($5.5 billion).

Conclusions
The following conclusions were reached in this analysis:

- The modifications to the Two Bridges LSRD Plan are described by the client would result in an additional 2,503,365 square feet or 2,500,000 rounded additional square feet of residential space to the developers.
- Nearby One Manhattan Square suggests a $2,200 price per square foot for the residential components of the proposed developments in the LSRD.
- The construction of an additional 2,500,000 square feet of residential condominiums at $2,200 square feet would translate to a gross sell out value of $5,500,000,000.
- With an allotment of 10 feet per floor, these new projects would range from 72 to 100 stories and would be considered "super talls" (i.e. more than 50 stories).
- Since this zoning modification is an "all or nothing" scenario with all property owners in the LSRD required to sign off, it is not appropriate to parse out the impact to the subject project by the various proposed developments. For the same reason, it is also not appropriate allocate the impact among the individual condo units in the subject project.
- With 57 units combined with the $1,126 average price per square foot of the first project sales in two and a half years with an average square footage of 943 would infer a potential gross sellout of approximately $60,500,000 (rounded).
- The value of reduced natural light was 34.5% of the Two Bridges potential gross sellout or $20,900,000 as of the effective date of this analysis.

Condo association items outside of our analysis for discussion
The following views are outside of this assignment or my specific expertise but have been shared with me by the condo board to append to my above analysis.

- The additional 2.5 million development space enabled by the zoning modification will help generate roughly $5.5 billion in value to the developers. The board suggests that the value to Two Bridges should be in the range of 10-50 bps. Based on the low end of their estimate, 10 bps is equivalent to $5.5 million in addition to the $20,900,000 estimated in the earlier analysis.
- Additional concerns such as noise level, pollution, deterioration of quality of life during the construction phase would be difficult to quantify.
- The condo may also be exposed to long-term damage of their foundation which may not be uncovered long after the proposed buildings are completed.

Sincerely,

MILLER SAMUEL INC.

Jonathan J. Miller, CRE, CRP
President/CEO
New York State General Certified
No. 46-12550

Certification, Limiting Conditions, CV

Certification
I certify that, to the best of my knowledge and belief:

• The statements of fact contained in this report are true and correct.
• The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
• I have no (or the specified) present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
• I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
• My engagement in this assignment was not contingent upon developing or reporting predetermined results.
• My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this report.
• My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
• I have made a personal inspection of the interior of one unit and the exterior of the property that is the subject of this report.
• No one provided significant real property appraisal assistance to the appraiser signing this certification.

Sincerely,

MILLER SAMUEL INC.

Jonathan J. Miller, CRE, CRP
President/CEO
New York State General Certified
No. 46-12550

Assumptions and Limiting Conditions

This report is subject to underlying assumptions and limiting conditions qualifying the information contained in the report as follows:

The analysis applies only to the property specifically identified and described in the ensuing report.

Information and data contained in the report, although obtained from public record and other reliable sources and, where possible, carefully checked by the appraiser, are accepted as satisfactory evidence upon which rests the final expression of property value.

The appraiser has made no legal survey nor has he commissioned one to be prepared; therefore, reference to a sketch, plat, diagram, or previous survey appearing in the report is only for the purpose of assisting the reader to visualize the property.

It is assumed that all information known to the client and relative to the valuation has been accurately furnished and that there are no undisclosed leases, agreements, liens, or other encumbrances affecting the use of the property.

Ownership and management are assumed to be competent and responsible.

No responsibility beyond reason is assumed for matters of a legal nature, whether existing or pending.

Information identified as being furnished or prepared by others is believed to be reliable, but no responsibility for its accuracy is assumed.

The appraiser, by reason of this report, shall not be required to give testimony as an expert witness in any legal hearing or before any court of law unless justly and fairly compensated for such services.

By reason of the purpose of the analysis and use of the report herein set forth, the value reported is only applicable to the property rights appraised, and the report should not be used for any other purposes.

Possession of this report or a copy thereof does not imply right of publication, nor use for any purpose by any other than the person to whom it is addressed, without the written consent of the author.

Cash flow projections are forecasts of estimated future operation characteristics and are predicated on the information and assumptions contained within the report. The achievement of the financial projections will be affected by fluctuating economic conditions and is dependent upon other future occurrences that cannot be assured. Actual results may well vary from the projections contained herein. The appraisers do not warrant that these forecasts will occur. Projections may be affected by circumstances beyond the current realm of knowledge or control of the appraisers.

The appraisers are not engineers, and any references to physical property characteristics in terms of quality, condition, cost, suitability, soil conditions, flood risk, obsolescence, etc., are strictly related to their economic impact on the property. No liability is assumed for any engineering-related issues.

Neither all nor part of the contents of this report (especially any conclusions of value, or references to the identity of the appraiser or the firm with which he is connected, or to the designations) shall be reproduced for dissemination to the public through advertising media, public relations media, sales media, or any other public means of communication without the prior consent and written approval of the appraiser.

The appraiser has no knowledge whether or not the subject property meets the requirements of the Americans with Disabilities Act of 1990, nor does he have any knowledge of the effect, if any, of this act on the market value of the subject property. Should the client have any concerns about the effect of the requirements of this act on the subject property, a qualified expert in this field should be engaged, if desired.

Unless otherwise stated in this report, the existence of hazardous materials, which may or may not be present on the property, were not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of such substances as urea-formaldehyde foam insulation, toxic waste, asbestos, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

Extraordinary Assumptions

- This assignment contains the extraordinary assumption that the consent letter must be signed for the client in order for the zoning modification be approved to enable development of 3 "super tall" structures as presented in the report.

Hypothetical Conditions

- This assignment contains no hypothetical assumptions.

Appraisal Certification
Certified General Real Estate Appraiser, State of New York No. 46-12550
Certified General Real Estate Appraiser, State of Connecticut No. RCG.0001243

Professional Affiliations
Counselors of Real Estate (CRE)
Relocation Appraisers and Consultants, Inc. (RAC), President and former board member
Certified Relocation Professional (CRP)
Real Estate Board of New York (REBNY), Appraiser "A" Member
Urban Land Institute, Associate Member (ULI)
Worldwide Employee Relocation Council (WERC)
New York Coalition of Appraiser Professionals (NY-Cap), founding board member

Companies
Miller Samuel Inc., President/CEO, Co-Founder
Miller Cicero, LLC, Managing Principal, Co-Founder

Advisory - Government
NYC Mayor's Economic Advisory Panel, New York City Office of Management and Budget
New York State Division of the Budget Economic Advisory Board
New York City Council Finance Committee Economic Advisory Board

Advisory – Startups
Trulia, Inc. Industry Advisory Board, *2006-2014*
Buyside Industry Advisory Board *2013-*
NeighborhoodX, Advisory Board 2016-
one fine stay, Advisor, *2015-*
TheGuarantors, Advisory Board 2016-
Radar Logic, Advisor 2007-2008

Advisory – Special
Urban Land Institute Resilience Panel – Norfolk, VA *December 14-19, 2014*
Urban Land Institute Task Force – How Sandy will affect Real Estate Property Values *2013*
Fannie Mae Co-op Roundtable Panel Member *2000-2006*
WERC Co-op advisory panel *1998*

Teaching
New York State Real Estate Instructor for both qualifying and continuing education courses
New York State Real Estate Appraiser instructor for both qualifying certified general and continuing education courses.

Venues Admitted as Expert Witness
United States District Court Northern District of Illinois
United States District Court Southern District of New York
United States District Court Northern District of California - San Jose Division
District of Columbia Superior Court

Supreme Court of the State of New York County of New York
United States Bankruptcy Court
Civil Court of the City of New York
County of Los Angeles Superior Court

Market Reports via Douglas Elliman Real Estate
New York City
- Manhattan Sales *quarterly*
- Manhattan, Brooklyn & Queens Rentals *monthly*
- Manhattan Decade Sales *annual*
- Manhattan Townhouse Sales *annual*
- Riverdale Sales *quarterly*
- Northern Manhattan Sales *quarterly*
- Brooklyn Sales *quarterly*
- Queens Sales *quarterly*
- Northwest Queens Sales *quarterly*

New York City Suburbs
- Long Island Sales *quarterly*
- Long Island Decade Sales *annual*
- Hamptons Sales *quarterly*
- North Fork Sales *quarterly*
- Hamptons & North Fork Decade Sales *annual*
- Westchester County, NY Sales *quarterly*
- Putnam & Dutchess Counties, NY Sales *quarterly*
- Fairfield County, CT Sales *quarterly*
- Greenwich, CT Sales *quarterly*

South Florida
- Miami Beach + Barrier Islands Sales *quarterly*
- Miami Coastal Mainland Sales *quarterly*
- Boca Raton Sales *quarterly*
- Fort Lauderdale Sales *quarterly*
- Palm Beach Sales *quarterly*
- Wellington Sales *quarterly*
- Delray Beach *quarterly*
- Jupiter/Palm Beach Gardens Sales *quarterly*

California
- Los Angeles Sales *quarterly*
- Venice/Mar Vista Sales *quarterly*
- Malibu/Malibu Beach Sales *quarterly*

Colorado
- Aspen, CO Sales *quarterly*

Market Reports via others
- New York City Sales, Miller Samuel *quarterly*
- Washington DC Metro Area Pending Home Sale Index (MRIS) *monthly 2010-2011 (still in use)*
- Baltimore Metro Area Pending Home Sale Index (MRIS) *monthly 2010-2011 (still in use)*

Blogs/Podcasts
Matrix: Interpreting the Real Estate Economy *2005- (www.millersamuel.com/blog)*
Soapbox: Appraiser Industry Issues, Ethics and Ideas 2005-2009 *(merged with Matrix)*
The Housing Helix Podcast with Jonathan Miller *2009-2012 (merged with Matrix)*

Columns
Curbed NY *Three Cents Worth* column *2004-2016*
Curbed DC *Three Cents Worth* column *2011-2012*
Curbed Miami *Three Cents Worth* column *2012-2015*
Curbed Hamptons *Three Cents Worth* column *2009-2015*
Curbed LA *Three Cents Worth* column *2015-2016*
Curbed Ski *Three Cents Worth* column *2015*
Bloomberg View Contributor *weekly 2014-2015*
Crain's New York Business *monthly* Economic Spotlight *2003-2009*
New York Times Topics Blog *periodic 2008-2009*
The Huffington Post *periodic 2009*

Newsletter
'Jonathan Miller's Housing Notes' newsletter *weekly (Fridays) March 2015-*

Talk Radio, Television
Bloomberg News *Bloomberg Surveillance Radio* guest, guest-host *periodic*
Bloomberg News *Bloomberg Surveillance Television* guest, guest-host *periodic*
Bloomberg News *The Bloomberg Advantage Radio* guest, guest-host *periodic*
WOR am710 *Eye on Real Estate*, co-founder, housing market expert *weekly 2009-2012*

Data Contribution
Bloomberg Markets Manhattan Luxury Sales Price Indices *2012-*
Bloomberg Markets Manhattan Luxury Rental Price Indices *2012-*
New York Times on the Web market data by zip code *2003-2017*
New York Times Real Estate *Calculator* column *periodic 2016-*
The Real Deal *Market Data Book* charts *annual 2007-*
Crain's New York Business *Market Facts* data *annual 2005-*
The Downtown Alliance (Manhattan) *Real Estate Market Overview, quarterly 2012-*
Trulia.com aggregated data, *quarterly*, *2006-2012*

Business Mentoring
In 2006, Jonathan joined the first industry advisory board of Trulia, Inc., before the web site was launched and remained on it until the merger with Zillow in 2014 when it was disbanded. He was the only IAB member to remain through the entirety of the advisory board's existence. Trulia is a San Francisco-based Internet listing search engine aggregator. He provided ongoing real estate expertise that included reporting, co-hosting report releases, interpreting real estate information and was a trusted advisor to the co-founders. In 2007, he was part of a technology startup known as Radar Logic that developed a national real estate housing index based on a price per square foot metric to allow Wall Street to trade housing derivatives and compete with Case Shiller. In 2013, he became an investor, advisor and director of market insights to the U.S. real estate technology startup Buyside (formerly BuyerMLS). He currently advises a number of other real estate technology

related startups in various stages of development including NeighborhoodX (2016-), one fine stay (2015-) and TheGuarantors (2016-).

Summary
Jonathan Miller is President and CEO of Miller Samuel Inc., a real estate appraisal services firm established in 1986 covering the New York City metropolitan area. Miller Samuel provides property analysis on as much as $5 billion worth of property per year. The company's clients include domestic and international financial institutions, law firms, consulting firms, developers, employee relocation companies, co-op and condo boards, managing agents, individuals, government agencies and U.S., New York State and New York City courts.

Jonathan along with John Cicero, MAI, CRE, FRICS are co-founders and managing principals of Miller Cicero, LLC which provides commercial real estate valuation services in the New York City metro area to financial institutions, pension fund advisors, law firms, owners and investors. Property types include multi-family apartment buildings, office buildings, warehouses, mixed-use property and development sites.

He is a graduate of Michigan State University. After working for a third party institutional services firm in Chicago, he had a short but successful stint as a real estate salesperson, first in suburban Chicago and then in Manhattan. He eventually became the sales director of a 300-unit condo project on Manhattan's Upper East Side before co-founding Miller Samuel in 1986.

Jonathan has performed wide-ranging valuation assignments covering mortgage origination, relocation, foreclosure, workouts, fractional and partial interests, easements, stigma, environmental, litigation, bankruptcy, asset valuation, share allocation, divorce, trust and estate matters, mediation and court testimony. He has been an expert witness in venues including: United States District Court Northern District of Illinois, United States District Court Southern District of New York, United States District Court Northern District of California - San Jose Division, District of Columbia Superior Court, Supreme Court of the State of New York County of New York, United States Bankruptcy Court, Civil Court of the City of New York and County of Los Angeles Superior Court. Jonathan is known for his extensive experience as a "neutral" appraiser in matrimonial and other legal matters. Both he and his firm are most often court-appointed to perform appraisals for both parties.

Jonathan has been a featured speaker, panelist or moderator at functions held by the New York Times, New York University, Urban Land Institute, Real Estate Lenders Association (RELA), Inman Connect New York, Inman Connect San Francisco, Inman Data Summit, The Real Deal Magazine, Crain's New York Magazine, Reuters Housing Summit, ERC, RAC, Douglas Elliman, National Realty Club, The Harvard Club, The Harvard Business School Club of New York, 92nd Street Y, Real Estate Next, B'Nai Brith, New York Area Data Council, Westchester Real Estate, Inc., GreenPearl.com, REBNY's Residential Inter-Firm Forum, The Realty Alliance, The Columbia Business School Alumni Club of New York, Long Island Community Bankers Group, Westchester County Board of Realtors, the Long Island Chapter of the Appraisal Institute, Great Lakes Council of the Appraisal Institute, South New Jersey Chapter of the Appraisal Institute and the Northeast New Jersey Chapter of the Appraisal Institute. He presents periodic appraisal or market condition seminars and sessions for The Real Estate Board of New York, real estate brokerage Douglas Elliman, First Republic Bank, U.S. housing stock research analyst Zelman & Associates, City & State

Magazine, Chase Private Client among others. Jonathan is a member of the Gerson Lehrman Group Council who rates him a *Top 5% Scholar* based on the demand for his speaking engagements, including numerous appearances in locations such as New York City and Boston.

Fannie Mae sought out his expertise on issues relating to co-ops and the development of standardized appraisal forms and had been a member of their co-op council to discuss issues affecting lenders, managing agents and appraisers. He served on the ERC Condo Co-op Task Force and was a featured speaker at the 1997 ERC National Relocation Appraisal Forum in Dallas, Texas. His views on technology and co-op apartment issues were presented the 2000 RAC Education Conference in Chicago, IL. In 1999-2000, Jonathan served on a technology advisory panel for the Employee Relocation Council in the development of an electronic infrastructure for e-commerce in the relocation industry. Jonathan was the keynote speaker at the 2011 RAC Annual Appraisal Conference in Las Vegas.

In 1998, he conceived, designed and launched www.millersamuel.com, one of the first real estate appraisal web sites in the nation devoted to market-related content, and remains one of the only resources of its kind. In 2005, he launched two blogs that are based largely on his regular commentary concerning national and regional issues relating to real estate. In his *Matrix* blog, [millersamuel.com/blog] he interprets the real estate economy across the U.S. In *Soapbox*, he discussed issues relating to the real estate appraisal industry and included regular contributions from accomplished real estate valuation professionals across the county. *Soapbox* was merged with *Matrix* in 2009.

From 2009-2012 he hosted and published *The Housing Helix Podcast with Jonathan Miller*, a discussion of all things housing with an analytical bent. He provided commentary and observations, and more than 150 interviews with experts from various walks of real estate life. Guests include Nobel laureate economist Dr. Robert Shiller of Yale University, Justin Fox of Time Magazine, Rick Sharga of RealtyTrac, Jason Bram of the Federal Reserve Bank of New York, Daniel Gross of Newsweek Magazine, Guy Kawasaki of Garage.com and Nicolas Retsinas of Harvard University.

With nearly 30,000 followers on his social media stream, he is a prolific provider of real estate related content and commentary on the housing market and the appraisal industry to foster discussion and transparency. In 2010 he created and launched new pending home sales indices in the Washington DC and Baltimore metro areas for MRIS, the largest multiple listing system in the country that are still in use today. Jonathan was a co-founder, co-host and the housing expert on the *Eye on Real Estate with Dottie Herman* radio show, a weekly 2-hour real estate talk show that began on WOR am710 whose audience was largely suburban listeners from New York, New Jersey, Pennsylvania and Connecticut. Jonathan appeared weekly on WOR from 2009-2012. The show subsequently moved to another station and remains a weekly broadcast.

In 2014 Jonathan was elected to the Board of Directors of RAC (Relocation Appraisers & Consultants) an organization of experienced appraisers that provide valuation solutions of complex residential properties for their clients including relocation, review and litigation support. In 2015 he was selected First Vice President of RAC. In 2016 he was elected President where he works to leverage membership knowledge and content for public consumption and branding. From 2014 to 2015 he was hired as a columnist to provide regular contributions to Bloomberg View, the op-ed

affiliate of Bloomberg News on issues facing the housing market. Roughly one quarter of his columns became the top read or shared articles on Bloomberg terminals worldwide.

In March 2015 Jonathan launched *Housing Notes*, his weekly newsletter on the national, regional and/or local housing markets, by focusing on what seems to be most important at that moment. The distribution list of thousands of subscribers includes the Federal Reserve, an assortment of government agencies, real estate, legal and banking industry professionals and individuals who want to know more about housing. The newsletter is free and opt-in only at http://www.millersamuel.com/housing-notes/

He is the author of a series of housing reports for Douglas Elliman Real Estate including Manhattan, Brooklyn, Queens, Long Island, The Hamptons, North Fork, Westchester, Putnam & Dutchess Counties, Fairfield County, Greenwich, Miami, Boca Raton, Fort Lauderdale, Palm Beach, Los Angeles and Aspen. In addition, he authors a number of submarkets in these areas including Northern Manhattan; Riverdale, Bronx; Wellington, Delray and Jupiter/Palm Beach Gardens in South Florida; Venice, Mar Vista, Malibu and Malibu Beach in California. These reports are produced either monthly, quarterly or annually and are a reference source on the residential real estate market by financial institutions, investors, commercial banks, local, national and international media, government agencies, academic institutions, real estate brokers, appraisers and other market participants with an annual distribution through print and the internet of more than 1,000,000. Additional markets are in development.

The market reports he prepares are periodically referenced by the Federal Reserve, the United States Department of Housing and Urban Development, The New York City Office of Management and Budget, New York State Budget Division Economic Advisory Board and others. He has participated or contributed content to real estate market research studies with academic institutions including Princeton University, Columbia University, New York University and Baruch College/City University of New York (CUNY). He co-authored a research paper along with Ioan Voicu and Michael Schill of New York University School of Law and the NYU Wagner Graduate School of Public Service's Furman Center for Real Estate and Urban Policy titled *The Condominium v. Cooperative Puzzle: An Empirical Analysis of Housing in New York City*. The paper was presented at several U.S. economic forums during 2003 and 2004 including The American Real Estate and Urban Economics Association Annual Meeting in San Diego, The American Bar Association in New York, The New York University School of Law Faculty Workshop and The American Real Estate Society Annual Meeting in Monterey, California. The Journal of Legal Studies at the University of Chicago published the paper in 2007. In addition, Jonathan's insight and research has been used as a point of reference in academic papers published in *The Journal of Finance*, *Journal of Finance and Economics* and *The Appraisal Journal*. In 2016 he authored a white paper on behalf of one fine stay, a hospitality brand owned by AccorHotels titled *The future of luxury new development in New York: Leaving $1 billion on the table*.

He has been a periodic contributor for the New York Times, providing commentary in venues such as their *Topic: Housing* blog and their *Expert Q&A* blog. He has written on appraising and market conditions for real estate related publications for Country Life UK, LiveValuation Magazine, U.S. Trust Company, RealtyTrac, The Huffington Post, Brick Underground, Real Estate Weekly, Stamford Review, New York Living, Haute Living, Habitat Magazine, Quest Magazine and Avenue Magazine. His expertise and market reports have been a daily source of local, regional, national and

international media coverage. Articles that feature his market research have been one of the top 3 most read or most shared article on the Bloomberg Terminals worldwide at least 30 times. He has has been quoted or referenced for articles appearing on the front page of The New York Times (14), The Wall Street Journal (1), Barron's (2), The New York Post (3), The New York Daily News (1), New York Newsday (2), The New York Sun (5), USA Today (2), The Financial Times (1), Crain's New York Business (3), New York Magazine (3), The Real Deal (5) The New York Observer (3), Real Estate Weekly (2) and Palm Beach Daily News/Shiny Sheet (1).

His market and appraisal expertise has been sought out by the media, government agencies and other institutions including The Federal Reserve Bank of New York, The Federal Reserve Bank of Atlanta, The Internal Revenue Service, Bureau of Labor Statistics, U.S. Department of Justice, New York State Office of the State Comptroller, New York City Independent Budget Office, Office of New York State Attorney General, U.S. House of Representatives Committee on Ways and Means and The National Association of Realtors. He has been the source of market insights for a number of magazines including The Economist, Time, BusinessWeek, Newsweek, Fortune, Forbes, Money, The Real Deal, Valuation Review, New York, Time Out, Crain's New York Business, HGTV and HousingWire. Newswire service appearances include Dow Jones, Reuters, New York Times, Bloomberg News, Inman News and The Associated Press. Print or web site appearances include The New York Times, The Wall Street Journal, New York Observer, Financial Times, Washington Post, Barron's, Grant's Interest Rate Observer, National Post, Investors Business Daily, San Francisco Chronicle, South China Morning Post, Christian Science Monitor, Valuation Review, China Times, Daily Mail, The Globe and Mail, The Financial Post, Palm Beach Daily News, Palm Beach Post, Miami Herald, LA Observed, Australian Financial Review, East End Beacon, Miami Today, Yahoo! Finance Canada, Bedford Daily Voice, Toledo Blade, Globest.com, amNew York, Miami New Times, Nuwire, Long Island Business News, Staten Island Advance, CNBC, Epoch Times, MSN Real Estate, New York Business Journal, Baltimore Sun, Washington Times, New York Post, New York Newsday, New York Daily News, New York Sun, Real Estate Weekly, DNAinfo New York, Brick Underground, AOL, Business Insider, Yahoo! Finance, Daily Beast, World Property Channel, The Low Down NY, Brownstoner, Curbed NY, Curbed DC, Curbed Hamptons, Curbed Ski, Curbed Miami, Curbed LA, Curbed National, Gothamist, Zero Hedge, Brooklyn Ink, Capital New York, Bloomberg Luxury, Bloomberg Markets and others.

Some of his television, radio and web appearances include CNBC's *Squawk Box, Sqwawk on the Street, Morning Call, Power Lunch, Worldwide Exchange, Fast Money* and the *Town Hall* special, Fox News including *Studio B with Shepard Smith*, *Fox and Friends* as well as the Fox Business Network's *Money for Breakfast*, *Neil Cavuto, Risk and Reward with Deirdre Bolton,* ABC News *Nightline* and *World News This Morning*, CNN Headline News, CNN including *The Glenn Beck Program,* CNN/Money including *Your Money with Ali Velshi* and *Your Money with Christine Romans*, Bloomberg Television's *Morning Call, Money Moves, Market Makers, On The Economy, Surveillance, Taking Stock, Street Smart* and *In Focus*, BBC *World Business Report*, CCTV America, MarketWatch TV, Reuters TV, Beast TV, Yahoo! Finance Daily Ticker, Yahoo! Finance, New York 1 News, WNBC, WPIX CW11, NPR, Marketplace APM, AP Newswire Radio, PBS' *American Consumer* and *Nightly Business Report*, SiriusXM Satellite Radio *Me & Vinnie*, *Standup! with Pete Dominick P.O.T.U.S.*, Lawline TV, WCBS Radio, Bloomberg Radio *Surveillance with Ken Prewitt and Tom Keene, Bloomberg Surveillance with Tom Keene and Michael McKee, Bloomberg Surveillance with Tom Keene and David Gura, The Hays Advantage with Kathleen Hays and Vonnie Quinn, The Bloomberg Advantage with Kathleen Hays and Pimm Fox, On the Economy*, Bloomberg Law, ABC National Radio, WOR Radio among others including a number of foreign media outlets from

Australia, Belgium, Brazil, China, Colombia, Germany, Great Britain, Ireland, Italy, Japan, New Zealand, Russia, South Korea, and Sweden.

He has consulted for television producers on time and location specific real estate conditions including HBO's 2016 documentary "Class Divide" as well as HBO's 2015 television series Vinyl.

Jonathan provides regular input for the *Beige Book*, a publication by the Federal Reserve Bank, Second District-New York as well as their *Business Leaders Survey*, U.S. Department of Labor Bureau of Labor Statistics, and the New York City Office of the Comptroller. He serves on the Mayor's Economic Advisory Panel for the New York City Office of Management and Budget, the New York State Division of the Budget Economic Advisory Board and is a member of the NYC Council Finance Committee Economic Advisory Board presenting insights on residential real estate market conditions.

Jonathan wrote a column on Vox Media's Curbed Network, namely *Curbed New York* with periodic efforts for *Curbed LA, Curbed Hamptons, Curbed DC* and *Curbed Miami (*and the former *Curbed Ski),* the most viewed real estate/neighborhood blog network in the U.S. His column *Three Cents Worth* interpreted the housing market with a graphics orientation. He provided a chart and brief commentary for Crain's New York Business magazine for their monthly *Economic Spotlight* feature from 2003 to 2009. He continues to provide statistics for their annual *Market Facts* publication. In 2016, he began to provide periodic content for the New York Times *Calculator* real estate section column. He provided quarterly statistical content to New York Times on the web from 2003-2017, the on-line entity of the New York Times Company, The Real Deal, a leading New York area real estate news magazine for their annual *Market Data* publication and to The Downtown Alliance in their quarterly publication, *Lower Manhattan Real Estate Market Overview.* He provides data to Bloomberg Markets to power three Manhattan Luxury Sales Price Indices and three Luxury Rental Price Indices available to Bloomberg Terminal subscribers.

Committees
Real Estate Issues Editorial Board, Counselors of Real Estate, 2012-2013
The James Felt Creative Counseling Award, Counselors of Real Estate, 2012-2013

Recognition
Recognized for "Keeping the Industry Honest" by The New York Post, 2016
Named one of the "20 Biggest Power Players in NYC real estate" by The New York Post, 2015
Declared the "Most Trusted Man in NYC real estate" by The New York Observer, 2015
Named one of "The Best Finance People on Twitter" by Business Insider, 2012
Named "Best Online Real Estate Expert" by Money Magazine, 2010
The 100 Most Powerful People in New York Real Estate (99th), New York Observer, 2011
The 100 Most Powerful People in New York Real Estate (86th), New York Observer, 2009
The 100 Most Powerful People in New York Real Estate (87th), New York Observer, 2008
The Economic Top 10 real estate blogs, *Matrix*, Inman News, 2008
The 25 most influential real estate blogs, *Matrix*, Inman News, 2007
Inman News Innovator, *Matrix* top 5 finalist, Inman News, 2006

Real Estate Teaching Experience Sample

How Sandy will affect Real Estate Property Values Webinar, Urban Land Institute New York, *as featured speaker,* New York, NY 2013
State of Real Estate Market, NYU Schack Institute, as *Guest Lecturer*, New York, NY 2013
Principles of Real Estate Appraising (2x year), Real Estate Board of New York [REBNY], as *Guest Lecturer*, New York, NY 2000-
How to Interpret Market Conditions (2x year) Real Estate Academy, as *Guest Lecturer*, New York, NY 2002-2012
State of the New York Housing Market Videocast (quarterly to 7,000± employees), Douglas Elliman, as *Featured Speaker*, New York, NY 2006-
State of Real Estate Market, NYU Schack Institute, as *Guest Lecturer*, New York, NY 2011
Understanding the Housing Market 1Q 2011, MillerQA as *Featured Presenter,* New York, NY 2011
Understanding the Housing Market 4Q 2010, MillerQA as *Featured Presenter,* New York, NY 2011
Understanding the Housing Market 3Q 2010, MillerQA as *Featured Presenter,* New York, NY 2010
Market Conditions, New School of Journalism, as *Guest Lecturer*, New York, NY 2010
Appraisal Principles, Real Estate Academy, as *Guest Lecturer*, New York, NY 2010
State of Residential Housing Market, Wharton Real Estate MBA Program, as *Guest Lecturer*, Philadelphia, PA 2009
Real Estate Macro-Economics (2/year course - accredited curriculum for agents seeking the NYRS designation), Real Estate Board of New York [REBNY], as *Featured Panelist*, New York, NY 2007-2011
Public Relations, The New School, as *Guest Lecturer*, New York, NY 2006
New Agent Professional Development Course (monthly), Douglas Elliman, as *Guest Lecturer*, New York, NY 2004-2010
Principles of Real Estate Appraising, Baruch College, as *Guest Lecturer*, New York, NY 2003

Conferences, Meetings and Symposium Speaking Engagements Sample [excludes periodic and ongoing client events]
The New Miami: Beyond the Beaches, Miami Herald, as *Featured Moderator*, New York, NY 2017
Finding Value in Your Assets, REBNY's 19th Annual Residential Management Leadership Breakfast, as *Keynote Speaker*, New York, NY 2017
Market Outlook 2016 and the State of the Appraisal Profession, Long Island Chapter of the Appraisal Institute as *Keynote Speaker*, Westbury, NY 2017
State of the New York Market -- 2017, Chase Private Client, as *Keynote Speaker*, New York, NY 2017
The New Way to Monetize Your Home (And How to Enjoy Other People's Luxury Real Estate Short Term), The City of Tomorrow' Summit at 92Y, as *Featured Moderator*, New York, NY 2017
Highline Meets Lowline, The City of Tomorrow' Summit at 92Y, as *Panelist*, New York, NY 2017
Changing NYC Neighborhoods, The City of Tomorrow' Summit at 92Y, as *Featured Moderator*, New York, NY 2017
State of the Market, Douglas Elliman/Gomes-Eklund Group, as *Featured Speaker*, New York 2017
Appraising and the New York Housing Market, REBNY Small Firms Committee, as *Featured Speaker*, New York 2017
Buying U.S. Properties, The Real Deal Real Estate Showcase & Forum, as *Featured Moderator*, Shanghai, China 2016
Buying a house in North America, The Real Deal Real Estate Showcase & Forum, as *Featured Moderator*, Shanghai, China 2016
Analyst call on state of U.S. housing, Zelman & Associates forum, as *Keynote Speaker*, New York, NY 2016

Market Snapshot, Manhattan Asian Real Estate Association of America (AREAA) as *Keynote Speaker,* New York, NY 2016
State of Market, Young Presidents Organization (YPO) as *Keynote Speaker,* New York, NY 2016
State of the Housing Market, ULI NY Housing Council, as *Keynote Speaker*, New York, NY 2016
Interpreting Housing Market Data, ShowingTime Executive Forum, as *Keynote Speaker*, Chicago, IL 2016
State of New Development Market, Zelman & Associates forum, as *Keynote Speaker*, New York, NY 2016
For Sale and For Rent...Trouble at the Top?, Real Estate Finance Association of CT (REFA-CT) as *Keynote Speaker, Moderator*, Stamford, CT 2016
Real Estate, Housing & Construction, City & State Magazine as *Keynote Speaker, Moderator*, *Emcee* New York, NY 2016
Market Outlook 2016 and the State of the Appraisal Profession, Long Island Chapter of the Appraisal Institute as *Keynote Speaker*, Westbury, NY 2016
Manhattan Home Buying and Selling -- 2016, Chase Private Client, as *Keynote Speaker/Moderator*, New York, NY 2016
State of the Housing Market, Real Estate Lender's Association, as *Keynote Speaker*, New York, NY 2015
The Real Estate Market Update, The Columbia Business School Alumni Club of New York, as *Keynote Speaker*, New York, NY 2015
U.S. Real Estate Market Overview, The Real Deal Real Estate Showcase & Forum, as *Moderator*, Shanghai, China 2015
New York City Real Estate Market Overview, The Real Deal Real Estate Showcase & Forum, as *Panel Member*, Shanghai, China 2015
Los Angeles Real Estate Market Overview, The Real Deal Real Estate Showcase & Forum, as *Moderator*, Shanghai, China 2015
Outlook on the Fall & Bonus Season 2015, REBNY, as *Featured Panelist*, New York, NY 2015
Exploring Linkage of NYC and National Real Estate Markets, New York Times, as *Keynote Speaker*, New York, NY 2015
State of the Housing Market, ULI NY Housing Council, as *Keynote Speaker*, New York, NY 2015
RELO Appraisal & NYC Market Conditions, New York Council of Relocation Professionals (NYCORP) as *Featured Speaker,* New York, NY 2015
Seminars at the Shore, South New Jersey Chapter of the Appraisal Institute as *Keynote Speaker,* Atlantic City, NJ 2015
Appraisals Today & Economic Conditions, REBNY as *Keynote Speaker,* New York, NY 2015
Luxury Real Estate Transactions, NYC Association of Executive and Administrative Professionals as *Moderator,* New York, NY 2015
Busting Out All Over: NYC Developers Speak, REBNY as *Moderator,* New York, NY 2015
Resilience Panel, Urban Land Institute as *Panel Member,* Norfolk, VA 2014
Economic Summit, Great Lakes Council of the Appraisal Institute, *Keynote Speaker,* Auburn Hills, MI 2014
Miami Condo Market Symposium, Urban Land Institute, SE Florida/Caribbean District Council as *Keynote Speaker & Moderator*, Miami, FL 2014
How much higher can condo prices go?, The Real Deal, *Featured Panelist,* New York, NY 2014
Becoming a Recognized Expert in your Market, RAC, *Featured Speaker,* Dallas, TX, 2014
The Future of the NYC Residential Housing Market, New York Law School Center for Real Estate Studies as *Featured Panelist*, New York, NY 2014

Market Outlook, Long Island Chapter of the Appraisal Institute as *Keynote Speaker*, Westbury, NY 2014
The State of the Market, Real Estate Bar Camp NYC, *Featured Speaker,* New York, NY 2014
When Real Estate Deals Go Bad: Effective Tools to Overcome 2013's Trickiest Roadblocks, Association of the Bar of the City of New York*,* as *Featured Panelist*, New York, NY 2013
Miami Condo Market Symposium, Urban Land Institute, SE Florida/Caribbean District Council as *Keynote Speaker & Moderator*, Miami, FL 2013
New Realities for New York Real Estate: The City that Makes Lemonade, REBNY, as *Featured Panelist*, New York, NY 2013
The New Residential Real Estate Market, The Columbia Business School Alumni Club of New York, as *Keynote Speaker*, New York, NY 2013
Long Island City Real Estate Market, LIC Partnership as *Featured Panelist*, Queens, NY 2013
The Future of the NYC Residential Housing Market, New York Law School Center for Real Estate Studies as *Featured Panelist*, New York, NY 2013
Foreclosures: Turning Singles Into Home Runs, Counselors of Real Estate, *Featured Panelist*, New York, NY 2013
Protecting your Assets: How will Sandy (and Future Storms) affect Real Estate Property Values?, Urban Land Institute, *Featured Presenter*, New York, NY 2013
The Housing Credit Cycle: "Recovery" vs. "Pre-covery", Counselors of Real Estate, *Keynote Speaker*, New York, NY 2013
2013: A Year of Recovery and Product Scarcity, Real Estate Board of New York, *Featured Panelist*, New York, NY 2013
Becoming FiDi, Downtown Alliance, *Featured Panelist,* New York, NY 2012
The Future of the NYC Residential Housing Market, New York Law School Center for Real Estate Studies as *Featured Panelist*, New York, NY 2012
Inman Connect - The State of Real Estate, Inman Real Estate Connect, as *Main Stage - Moderator*, New York, NY 2012
The State of the Market, Real Estate Bar Camp NYC, *Featured Speaker,* New York, NY 2012
Market Outlook 2012: The Intersection of Housing and Credit, Long Island Chapter of the Appraisal Institute as *Keynote Speaker*, Westbury, NY 2012
The Future of the Lower Manhattan Housing Market, Downtown Alliance, *Featured Speaker,* New York, NY 2011
The Economic Outlook: Where's the Market Heading? Inman Real Estate Connect, as *Main Stage - Moderator*, San Francisco, CA 2011
Data Visualization, Inman Real Estate Connect, as *Featured Panelist*, San Francisco, CA 2011
Data - What Do Customers Want?, Inman Real Estate Connect, as *Featured Panelist*, San Francisco, CA 2011
Real Estate Valuation for Attorneys, Association of the Bar of the City of New York*,* as *Featured Panelist*, New York, NY 2011
Real Estate Appraisers & Consultants (RAC), Annual Convention*,* as *Keynote Speaker* Las Vegas, NV 2011
State of Real Estate, Harvard Business School Club of NY, as *Featured Panelist,* New York, NY 2011
Navigating Uncertain Waters: Mortgage Lending in the Wake of the Great Recession, NYU/Furman Center, *as Featured Panelist* New York, NY 2011
Market Reporting, Counselors of Real Estate, as *Featured Panelist*, Philadelphia, PA 2010
New York Association of Realty Managers, Real Estate Expo 2010*,* as *Featured Panelist* New York, NY 2010

New York City Affordable Housing Summit, Bank of America, as *Keynote Speaker*, New York, NY 2010
Real Estate Valuation for Attorneys, Association of the Bar of the City of New York, as *Featured Panelist*, New York, NY 2010
State of the Market, Real Estate Academy, as *Guest Lecturer*, New York, NY 2010
Technology and Social Media Tools, REBNY as *Featured Panelist*, New York, NY 2010
Social Marketing and Networking, Green Pearl Events as *Featured Panelist*, New York, NY 2010
The Future of the NYC Residential Housing Market, New York Law School Center for Real Estate Studies as *Featured Panelist*, New York, NY 2010
Lending Trends 2010, Institute of Real Estate Management (IREM), as *Featured Panelist*, New York, NY 2010
Breaking into the REO Club, Inman Real Estate Connect, as *Moderator*, New York, NY 2010
Foreclosure App Shoot-Out, Inman Real Estate Connect, as *Moderator*, New York, NY 2010
Foreclosure Market Strategies, Inman Real Estate Connect, as *Moderator*, New York, NY 2010
Through The Looking Glass: Where is the Market Headed?, Association of Real Estate Women (AREW), as *Featured Panelist*, New York, NY 2009
Appraising today and the impact of HVCC, The Realty Alliance, as *Featured Speaker*, New York, NY 2009
The New Residential Housing Market in 2010, Long Island Chapter of the Appraisal Institute/Community Bankers Group, as *Keynote Speaker*, Westbury, NY 2009
Appraisers and HVCC, Westchester County Board of Realtors, as *Featured Speaker*, White Plains, NY 2009
The New Residential Real Estate Market, The Columbia Business School Alumni Club of New York, as *Keynote Speaker*, New York, NY 2009
The New World of New York City Rentals, Curbed.com @92Y/Tribeca as *Featured Speaker*, New York, NY 2009
State of the New York Brownstone Market, Friends of the Upper West Side as *Featured Speaker*, New York, NY 2009
State of the New York Housing Market, Tri-State Relocation Services (TRS), as *Keynote Speaker*, New York, NY 2009
State of the Residential Market/Observer Living panel series, New York Observer, as *Featured Panelist*, New York, NY 2009
Current Real Estate Trends, Real Estate Academy, as *Featured Speaker*, New York, NY 2009
Current Housing Market, New York City Independent Budget Office as *Featured Speaker*, New York, NY 2009
Social Marketing and Networking, GreenPearl.com as *Featured Panelist*, New York, NY 2009
The State and Future of the New York City Housing Market, Westchester Real Estate, Inc., as *Keynote Speaker*, New York, NY 2009
The State and Future of the New York City Housing Market, REBNY Downtown Committee as *Featured Speaker*, New York 2009
Economic Forecast Breakfast, Manhattan Chamber of Commerce, as *Featured Panelist*, New York, NY 2009
Making Sense of the Manhattan Market, 92nd Street Y as *Featured Panelist*, New York, NY 2009
The State and Future of the New York City Housing Market, REBNY Residential Sales Council as *Featured Speaker*, New York 2009
Appraising and the New York Housing Market, REBNY Small Firms Committee, as *Featured Speaker*, New York 2009

Crunching the Numbers to Find the Turnaround, Inman News Real Estate Connect, as *Featured Panelist* in main session, New York 2009
Be A Market Winner, REBNY Real Estate Masters Series, as *Featured Panelist*, New York 2009
State of the New York Housing Market, Tri-State Relocation Services (TRS), as *Featured Speaker*, Weehawken, NJ, 2008
The North Shore Housing Market, Prudential Douglas Elliman, as *Featured Speaker*, Port Washington, NY 2008
New York Real Estate Market Trends, Harvard Business School Club of New York, as *Featured Speaker*, New York, NY 2008
New York City Real Estate Market, Yale Club of New York, as *Featured Panelist*, New York, NY 2008
New York Real Estate Market, Gerson Lehman Group, as *Featured Speaker*, New York, NY 2008
Long Island City Powerhouse Development Opening, Prudential Douglas Elliman, as *Featured Speaker*, Long Island City, NY 2008
What's Next: When Will the Housing Market Turn, Inman Real Estate Connect as *Featured Panelist*, San Francisco, CA 2008
New York Real Estate Market, Gerson Lehman Group, as *Featured Speaker*, New York, NY 2008
State of the Housing Market, The Colony Club, as *Keynote Speaker*, New York, NY 2008
Long Island Fine Homes, Prudential Douglas Elliman, as *Featured Speaker*, Garden City, NY 2008
Economic Forecast Breakfast, Manhattan Chamber of Commerce, Manhattan Chamber of Commerce, as *Featured Panelist*, New York, NY 2008
Reuters Housing Summit, as *Featured Panelist*, New York, NY 2008
Current Real Estate Trends, Real Estate Academy, as *Featured Speaker*, New York, NY 2008
New York Metro Area Market Overview (NYS CE accredited), Long Island Chapter of the Appraisal Institute, as *Keynote Speaker*, Westbury, NY 2008
Economic Forecast Breakfast, Crain's New York Business as *Featured Speaker*, New York, NY 2008
NYC: Where Real Estate Meets Wall Street, Inman Real Estate Connect, as *Featured Panelist*, New, NY 2008
Long Island/Queens Real Estate Market, Prudential Douglas Elliman, as *Featured Speaker*, Garden City, NY 2007
U.S. Housing Market, Marcus Evans Conference: Discovering the North American Property Derivatives Market, *Featured Speaker*, New York, NY 2007
New York Real Estate Market, Gerson Lehman Group, as *Featured Speaker*, New York, NY 2007
Making Sense of the Manhattan Market, 92nd Street Y as *Featured Panelist*, New York, NY 2007
Current Real Estate Trends, Real Estate Academy, as *Featured Speaker*, New York, NY 2007
Latest Trends in Long Island Real Estate, Real Estate Next as *Featured Panelist*, Long Island, NY 2007
The Blogging Superstars, Inman Real Estate Connect as *Featured Panelist*, San Francisco, CA 2007
Data Mining: Information as Business Edge, Inman Real Estate Connect as *Moderator*, San Francisco, CA 2007
Andrew Davidson & Co., Inc.'s 15th Annual Conference, Managing Prepayment & Credit Risk in Volatile Times as *Featured Speaker,* New York, NY 2007
"Science of Real Estate" New Development Forum, The Real Deal Magazine as *Featured Panelist*, Avery Fisher Hall at Lincoln Center, New York, NY 2007
Latest Trends in Long Island Real Estate, Real Estate Next as *Featured Panelist*, Long Island, NY 2007

Long Island/Queens Real Estate Market, Prudential Douglas Elliman, as *Featured Speaker*, Garden City, NY 2007
Forecast of a Changing Housing Market, Inman Real Estate Connect as *Moderator*, New York, NY 2007
Economic Forecast Breakfast, Crain's New York Business as *Featured Speaker*, New York, NY 2007
New York Real Estate Market, Gerson Lehman Group, as *Featured Speaker*, New York, NY 2006
Are Long Islanders Seeking a More Urban Lifestyle—and What Does That Mean for the Housing Market?, Real Estate Next as *Moderator*, Long Island, NY 2006
New York Real Estate Market, Gerson Lehman Group, as *Featured Speaker*, Boston, MA, 2006
New York Real Estate Market, Gerson Lehman Group, as *Featured Speaker*, New York, NY 2006
Beyond the Bubble: Where is the Regional Housing Economy Headed Next Year?, Real Estate Next as *Featured Panelist*, Long Island, NY 2006
Making Sense of the Manhattan Market, 92nd Street Y as *Featured Panelist*, New York, NY 2006
Appraising properties for divorce purposes, New York Association of Matrimonial Trial Lawyers, as *Featured Speaker*, New York, NY 2006
Real Estate for Foreign Nationals, United States-Mexico Chamber of Commerce as Featured Panelist, New York, NY 2006
Forecast of a Changing Housing Market, Inman News Connect as *Featured Panelist*, New York, NY 2006
Residential Inter-Firm Forum, Real Estate Board of New York [REBNY] as *Featured Speaker*, New York, NY 2005
Making Sense of the Manhattan Market, 92nd Street Y as *Featured Panelist*, New York, NY 2005
A "Real" Real Estate Conversation: Buying and Selling Wisely in Today's Market, Prudential Douglas Elliman as *Featured Panelist*, New York, NY 2005
Will It Appraise?. Real Estate Board of New York [REBNY] as *Featured Panelist*, New York, NY 2005
New York City Real Estate: What does the future hold?, New York Times / Brooklyn Public Library as Featured Panelist, New York, NY 2005
Collecting Data in Manhattan, New York Area Data Council as *Featured Speaker*, New York, NY 2005
Making Sense of the Manhattan Market, 92nd Street Y as *Featured Panelist*, New York, NY 2004
Manhattan Real Estate Market, Prudential Douglas Elliman, as *Keynote Speaker*, New York, NY 2004
The Future of Real Estate, The Harvard Business School Club as *Featured Panelist*, New York, NY 2003
VU2003 (Spring), New York Times / New York University as *Featured Panelist*, New York, NY 2003
VU2002 (Fall), New York Times / New York University as *Featured Panelist*, New York, NY 2002
National Realty Club as *Featured Speaker*, New York, NY 2002
RAC Relocation Appraisal Educational Conference as *Featured Speaker*, Chicago, IL 2000
RAC Relocation Appraisal Educational Conference as *Speaker*, Wash., DC 1998
HFS Mobility Appraisal Conference as *Speaker*, Chicago, IL 1997
ERC National Appraisal Relocation Conference as *Featured Speaker*, Dallas, TX 1997

Conferences and Symposiums Attended
The City of Tomorrow' Summit at 92Y, New York, NY 2017
2016 RAC Annual Conference, RAC/North Texas Appraisal Institute, Dallas, TX 2016
2015 Great Lakes Relocation Council Conference, RAC/GLRC, Cleveland, OH 2015
NYCORP Conference, New York Council of Relocation Professionals, New York, NY 2015

Relocation Round-up 2014, RAC/TRN Conference, Dallas, TX 2014
Counselors of Real Estate 2013 Midyear Meetings, New York, NY 2013
Inman News Real Estate Connect Conference, New York, NY 2013
Inman News Real Estate Connect Conference, New York, NY 2012
Inman News Real Estate Connect Conference, San Francisco, CA 2011
Inman News Data Summit, San Francisco, CA 2011
Navigating Uncertain Waters: Mortgage Lending in the Wake of the Great Recession, NYU/Furman Center, New York, NY 2011
Inman News Real Estate Connect Conference, New York, NY 2011
Counselors of Real Estate 2012 Midyear Meetings, Philadelphia, PA 2011
VU2010 (Spring), New York Times, New York, NY 2010
Inman News Real Estate Connect Conference, New York, NY 2010
Inman News Real Estate Connect Conference, New York, NY 2009
Inman News Real Estate Connect Conference, San Francisco, CA 2008
Inman News Real Estate Connect Conference, New York, NY 2008
VU2007 (Spring), New York Times / New York University, New York, NY 2007
Inman News Real Estate Connect Conference, San Francisco, CA 2007
Inman News Real Estate Connect Conference, New York, NY 2007
Inman News Real Estate Connect Conference, New York, NY 2006
VU2002 (Spring), New York Times / New York University, New York, NY 2002
ERC eRelay™Advisory Council 2000, Wash., DC, 2000
TRS Changing Face of Relocation Summer Conference, New York, NY 1997
CRN New York/East Coast Relocation Business Conference, New York, NY 1996
PHH Homequity Inc., Relocation Appraiser Workshop, Stamford, CT 1991

Partial List of Real Estate Appraisal and Related Coursework and Seminars
Essential Elements of Disclosures and Disclaimers, McKissock, Inc. 2016
Appraisal of Land Subject to Ground Leases, McKissock, Inc. 2016
Managing Appraiser Liability, McKissock, Inc. 2016
The Dirty Dozen – Report Presentation under Standard 2, McKissock, Inc. 2016
2014-2015 7-hour National USPAP Update Course, McKissock, Inc. 2014
Residential Appraisal Review, McKissock, Inc. 2014
Land and Site Valuation, McKissock, Inc. 2014
Risky Business: Ways to Minimize Your Liability, McKissock, Inc. 2014
Supervisor-Trainee Course for New York, McKissock, Inc. 2014
Mold, Pollution and the Appraiser, McKissock, Inc. 2012
REO & Foreclosures, McKissock, Inc. 2012
Private Appraisal Assignments, McKissock, Inc. 2012
Appraisal Applications of Regression Analysis, McKissock, Inc. 2012
Connecticut Real Estate Appraisal Law Update, Dares Institute 2012
REO & Foreclosures, McKissock, Inc. 2010
Expert Witness Testimony, McKissock, Inc. 2010
2010-2011 National USPAP Update Equivalent, McKissock, Inc. 2010
Ways to Minimize Your Liability, McKissock, Inc. 2010
Introduction to Legal Descriptions for NY, McKissock, Inc. 2010
Connecticut Real Estate Appraisal Law Update, Dares Institute 2010
2008-2009 National USPAP Update Equivalent, McKissock, Inc. 2008

The Art of the Addenda, McKissock, Inc. 2008
Mortgage Fraud: Protect Yourself!, McKissock, Inc. 2008
REO & Foreclosures, McKissock, Inc. 2008
Environmental Pollution and Mold, McKissock, Inc. 2008
Disclosures & Disclaimers, McKissock, Inc. 2008
Luxury Condominium Market in Manhattan, Appraisal Institute, 2006
2006 Real Estate Economic Forecast, Appraisal Institute, 2006
Appraiser Liability, McKissock, Inc. 2006
Appraising Historic Properties, McKissock, Inc. 2006
Appraising For The Secondary Market, McKissock, Inc. 2006
2006 National USPAP Update Course, McKissock, Inc. 2006
Fair Housing, McKissock, Inc. 2006
2005 Fannie Mae Forms Revision Seminar, Appraisal Institute, 2006
"Exuberant Bubble" or "Fundamentally Sound" - Where Are Real Estate Prices Going?, Appraisal Institute, 2005
Real Estate Economic Forecast, One Economy, Two Views, Appraisal Institute, 2005
National USPAP Update Equivalency, McKissock, Inc. 2004
Appraiser Liability, McKissock, Inc. 2004
Case Studies in Limited Partnership and Common Tenancy Valuation, Appraisal Institute, 2004
The Manhattan Condo Market, Appraisal Institute, 2004
The Impact of the World Trade Center Disaster on Real Property Values Temporary or Permanent Impairment for Financial Reporting Purposes, Appraisal Institute, 2002
Arbitration of Real Estate Valuation, NYU Real Estate Institute, 2002
Commercial Space Requirements, NYU Real Estate Institute, 2002
Case Study on Investment Property Valuation, NYU Real Estate Institute, 2002
The Manhattan Skyline - One Year Later, Appraisal Institute, 2002
Real Estate Fraud: The Appraisers Responsibilities and Liabilities, Appraisal Institute, 2001
Standards of Professional Practice, Part C, Appraisal Institute, 2000
Eminent Domain and Condemnation Appraising, Appraisal Institute, 2000
Valuation of Real Estate Businesses, Appraisal Institute, 2000
eRelay™ Training, Employee Relocation Council, 1999
Real Estate Analysis and Consulting in the Future, Appraisal Institute, 1998
Appraisal Review—Residential Properties, Appraisal Institute, 1998
Relocation Appraiser Seminar, Prudential Relocation Management, 1997
Is the Comparable Comparable?, NAIFA, 1997
New York City Apartment Building Seminar, Appraisal Institute, 1997
Lead Paint Hazards: Evaluation and Control, Appraisal Institute, 1997
Standards of Professional Practice, Part B Course 420, Appraisal Institute, 1995
Fannie Mae REO Appraisal Seminar, Fannie Mae, 1995
Standards of Professional Practice, Part A Course 410, Appraisal Institute, 1995
Fair Lending and the Appraiser, Appraisal Institute, 1995
Understanding Limited Appraisal Reports & Appraisal Reporting Options, Appraisal Institute, 1994
Relocation Appraiser Seminar, Coldwell Banker Relocation Management, 1993
Market Data Analysis, NAIFA, 1991
Introduction to Investment Analysis, NAIFA, 1991
Residential Report Writing, NAIFA, 1991
Capitalization Theory and Techniques Part B, Appraisal Institute, 1990

Capitalization Theory and Techniques Part A, Appraisal Institute, 1990
Valuation and Evaluation of Proposed Projects, Appraisal Institute, 1990
Professional Practice, Appraisal Institute, 1990
Fannie Mae Project Standards Seminar, Philadelphia, PA, 1990
Narrative Report Writing Seminar, Appraisal Institute, 1990
An Introduction to Appraising Real Property Course 101 (exam challenge), Appraisal Institute, 1990
Marshall & Swift/Residential Cost Approach, NAIFA, 1989
Market Data Abstraction, NAIFA, 1989
Appraising the Residential Condominium, NAIFA, 1989
Principles of Residential Real Estate Appraising, NAIFA, 1989

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EXHIBIT C

THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 3
59 East 4th Street - New York, NY 10003
Phone (212) 533-5300
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Alysha Lewis-Coleman, Board Chair Susan Stetzer, District Manager

September 2018 Vote Sheet

Executive Committee

no vote necessary

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes

   approved by committee

2. Borough President / Councilmember: Presentation on Text Amendment requiring Special Permit to modify Two Bridges LSRD

   VOTE: TITLE: Support for Council Member Chin and Manhattan Borough President Brewer's Text Amendment requiring a special permit to modify the Two Bridges Large Scale Residential Development (LSRD)

   WHEREAS, Council Member Margaret Chin and Manhattan Borough President Gale Brewer have filed an amendment to the New York City Zoning Resolution concerning Article VII, Chapter 8 (Special Regulations Applying to Large-Scale Residential Developments); and

   WHEREAS, the proposed zoning text amendment includes a provision requiring a special permit for modifications to the existing Two Bridges LSRD in Manhattan Community District 3; and

   WHEREAS, the requirement of a special permit for modifications to the Two Bridges LSRD would ensure that proposed changes to the underlying site planning and zoning controls that govern the LSRD would go through Uniform Land Use Review Procedures (ULURP), and be subject to review by the public, Community Board 3, the Manhattan Borough President, as well as review and approval by the New York City Council; and

   WHEREAS, at this time, current proposals to modify the Two Bridges LSRD are being reviewed which would facilitate an unprecedented scale of construction and introduce a large volume of market-rate residential units, with the potential for adverse impacts that would alter the LSRD and surrounding areas permanently; and

   WHEREAS, these proposals have required only one public hearing and are not subject to mandated review by the local elected officials who represent the area; and

   WHEREAS, the historical objectives of the land use controls in the area, including the Two Bridges Urban Renewal Plan (TBURP) and the Two Bridges LSRD, have facilitated and ensured residential affordability and diversity in the area, as well as access to public open space, light, and air; and

   WHEREAS, the Council Member and Borough President's proposed text amendment would not only ensure robust public review of modifications to the Two Bridges LSRD, but would also require developments and enlargements within the LSRD to comply with Mandatory Inclusionary Housing (MIH) affordability provisions and provide on-site public amenities that benefit the local community;

   THEREFORE BE IT RESOLVED, Community Board 3 supports the zoning text amendment being proposed by Council Member Chin and Borough President Brewer; and

   THEREFORE BE IT FURTHER RESOLVED, Community Board 3 urges the Department of City Planning to consider this land use application in a timely manner.

3. CB 3 response to Two Bridges LSRD Minor Modifications

   VOTE: TITLE: Deny Approval of the Proposed Minor Modifications to the Two Bridges Large Scale Residential Development (ULURP Nos: M 180507 C ZSM; M 180505 A ZSM; M 180506 B ZSM; N180498 ZCM)

WHEREAS, on June 25, 2018, three separate land use applications seeking minor modifications to the Two Bridges Large Scale Residential Development (LSRD) were referred to Community Board 3 Manhattan for review; and

WHEREAS, the land use applications for proposed actions at 247 Cherry Street, 259 Cherry Street, and 260 South Street were filed separately by applicants Cherry Street Owner LLC, LE1SUB LLC, and Two Bridges Associates, LP, respectively, but are being considered together for the purposes of both environmental review and community board review, as all three project sites are located within the Two Bridges LSRD and would be developed during the same construction period, and thus are considered to have cumulative impacts; and

WHEREAS, the proposed actions would facilitate the construction of four towers across three separate buildings with heights of 1,008 feet (80-stories), 798 feet (69-stories), 748 feet (62-stories), and 730 feet (62-stories); and

WHEREAS, the proposed projects would contain 2,527,727 gross square feet (gsf) of residential space spread across 2,775 new residential dwelling units (DUs); 10,858 gsf of retail space; 17,028 gsf of community facility space; and would introduce, conservatively, more than 5,800 new residents to the project area; and

WHEREAS, the proposed projects are extremely out of scale with the surrounding neighborhood and conflict with the objectives of the Two Bridges LSRD to insure better site planning and urban design that does not unduly increase bulk and density, alter open space access, adversely affect access to light and air, or create traffic congestion to the detriment of residents; and

WHEREAS, the proposal for a mere 25 percent affordable units does not sufficiently advance the projects' stated goal and purpose, and the introduction of an additional 2,081 market rate units and the substantial environmental impacts associated with these proposed actions would place such a burden on the community as to produce more severe and acute district needs, particularly in regard to residential affordability and heightened residential displacement pressure; and

WHEREAS, despite the scale and nearly unprecedented nature of these proposals, the applications have been designated as minor modifications to the underlying LSRD controls pursuant to a determination by then City Planning Commission (CPC) Chair Carl Weisbrod, in a letter dated August 11, 2016; and

WHEREAS, Community Board 3 previously and explicitly requested that the CPC better explain and justify its decision on how the minor modification determination was made, both in a letter to the Department of City Planning dated May 25, 2017 and at the public scoping meeting for the Two Bridges LSRD Environmental Impact Statement (EIS), held on May 25, 2017, and has yet to receive an adequate explanation; and

WHEREAS, without further explanation, and given the massive scale of development and potential for significant adverse impacts that the proposed modifications to the Two Bridges LSRD site plan would facilitate, it would appear that the proposed actions should in fact warrant a Special Permit, which would ensure that the project would be subject to Uniform Land Use Review Procedure (ULURP) and provide the public with additional opportunity to review the proposed actions, as well as allow local elected officials to review them further and appropriately represent the interests of their constituents in the land use review process; and

WHEREAS, in a letter to Director of City Planning Marisa Lago dated June 21, 2018, Community Board 3 expressed concern with the project application process and public review timelines, as more than one year had passed between the close of the public scoping period for the Two Bridges LSRD EIS and the unexpected referral of project applications to the Community Board on June 25, 2018; and

WHEREAS, these unexpected referrals triggered a 60-day review period that coincided with the well-known community board recess that occurs annually in August, making sufficient community board and public review extremely challenging; and

WHEREAS, the CPC and Department of City Planning (DCP) ultimately acknowledged this issue and extended the review period through October 2018, this revised timeline nonetheless

presented challenges for Community Board 3 and the public, as the review must take into consideration three separate land use applications and an unprecedented joint EIS of considerable size and technical detail; and

WHEREAS, as non-ULURP actions, these applications are not subject to robust public review and are required to have only one public hearing, despite representing the largest scale development the Two Bridges LSRD and surrounding area has seen in nearly half a century; and

WHEREAS, due to the limited opportunities for public review, Community Board 3 voluntarily hosted a public hearing on August 14, 2018 to allow members of the community to voice their opinions on the proposed actions; and

WHEREAS, at this public hearing, more than 100 members of the public attended and more than 60 members of the public provided testimony opposing the land use applications, with only a single member of the public providing testimony in support of the project applications; and

WHEREAS, the Two Bridges LSRD Draft Environmental Impact Statement (DEIS) was issued on June 22, 2018 and includes analysis, findings, and proposed mitigations that Community Board 3 considers inadequate; and

WHEREAS, a number of Community Board 3 requests made during the Two Bridges LSRD EIS Public Scoping period were left wholly unaddressed or insufficiently resolved upon issuance of the DEIS; and

WHEREAS, due to the inadequacy of the *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a number of significant environmental impacts are under-measured in the DEIS; and

WHEREAS, even in instances where significant adverse impacts are identified in the DEIS, a number of these impacts are inexplicably left unmitigated; and

WHEREAS, several proposed mitigations that have been identified thus far nonetheless appear insufficient in being able to offset the significant adverse impacts the proposed actions would generate; and

WHEREAS, a number of potential additional mitigations that are being considered are having details withheld until the completion of the Final Environmental Impact Statement (FEIS), barring them from sufficient public review; and

WHEREAS, under the terms of the now-expired Two Bridges Urban Renewal Plan (TBURP) and the active Two Bridges LSRD, the area has been, since 1961, governed by regulations requiring the provision of low- and middle-income housing and site planning to facilitate the best possible housing environment, requiring the distribution of bulk and open space to create a better design for the LSRD and surrounding neighborhood than would otherwise be possible; and

WHEREAS, the project applications would likely facilitate the construction of up to 694 affordable residential dwelling units (DUs), it remains unknown at what affordability levels these DUs will be made available and how long the terms of their affordability will remain in place for; and

WHEREAS, the affordability program that would likely be applied to these projects, 421-a Tax Exemption - Option E, would set affordability levels at income thresholds that are higher than the existing median household income in the Two Bridges area, which is currently $30,771 for a household of three, or roughly 30% of the Area Median Income (AMI) for the New York City region, making even the affordable units the proposed actions would generate inaccessible for the majority of current area residents; and

WHEREAS, despite the introduction of 694 "affordable" units to the Two Bridges LSRD, the proposed actions would likely be unable to meet the growing local need for deeply affordable, high-quality housing, and would also introduce 2,081 DUs of market-rate housing to an area that has historically consisted of primarily rent regulated housing; and

WHEREAS, Community District 3 already has the second highest income disparity—the gap between our lowest income and highest income residents—of all Community Districts in New York City; and

WHEREAS, given that both the affordable and market-rate units the proposed actions would generate would be unaffordable for the majority of current area residents, it is likely that the proposed actions would heighten the risk for residential displacement; and

WHEREAS, for both fiscal years 2019 and 2020, Community Board 3 identified the need for affordable housing and the growing risk of residential displacement as issues of premier importance in Community District 3 when creating annual District Needs Statements; and

WHEREAS, local not-for-profit Henry Street Settlement, after conducting a number of focus groups and hosting an annual town hall meeting in October 2017 to identify Lower East Side residents' primary concerns, similarly found that residents "fear being displaced from the neighborhood due to rising rents, insufficient affordable housing, and a rising cost of living" and that "new developments are extremely expensive and cater to wealthy newcomers," with affordable units being "too few—and too costly"[1]; and

WHEREAS, the changing demographics generated by the proposed actions are likely to affect retail and small businesses in the area that currently respond to local residents' needs, including culturally and linguistically appropriate businesses that cater to linguistically isolated populations nearby; and

WHEREAS, the neighborhood previously lost an important local food resource with the closure and demolition of Pathmark in 2012 to facilitate the construction of One Manhattan Square, and will temporarily lose access to an important remaining food resource in the Stop 1 Food Market during the proposed construction period; and

WHEREAS, any adverse impacts generated by the proposed projects would have a disproportionate impact on a number of minority groups in the area immediately surrounding the proposed project sites, as:

1) 82 percent of residents overall are people of color;
2) 22 percent of residents in the area are 65 and older—and half of that senior population is living with a disability; and
3) 18 percent of all residents in the area are living with a disability; and

WHEREAS, the neighborhood where the proposed actions would be implemented is an important ethnic enclave, as:

1) 47.5 percent of residents in the area are Chinese and 23 percent are Hispanic/Latino;
2) 46 percent of residents are foreign born; and
3) 41 percent of residents have limited English proficiency; and

WHEREAS, nearly 30 percent of area residents live below the poverty line and the median household income for a family of three is just $30,771; and

WHEREAS, all of these rates are considerably higher than the rest of Manhattan; and

WHEREAS, the proposed actions would involve the relocation of 19 senior residents of 80 Rutgers Slip during the construction period, pursuant to a regulatory agreement and relocation plan administered by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the regulatory agreement and relocation plan has not yet been disclosed to Community Board 3 or other local elected officials, and potentially includes the current warehousing of affordable senior units despite substantial need in the community and long wait lists; and

[1] Henry Street Settlement. (April 2018). *Community Engagement, Public Policy, and Advocacy Findings from Focus Groups and the Community Town Hall*. <https://www.henrystreet.org/wp-content/uploads/2018/04/Red-Book-2017.pdf>

WHEREAS, the proposed projects are likely to have a significant adverse impact on public school utilization rates and no mitigations for this impact has been identified at this time; and

WHEREAS, the proposed projects would all be sited within the 2015 FEMA-identified floodplain, and despite some proposed resiliency elements attached to the projects, little analysis has been done to evaluate the potential impacts these measures would have on areas immediately surrounding the proposed projects in a flood scenario; and

WHEREAS, the proposed projects would decrease the already limited open space ratio in the surrounding area from 0.897 acres per 1,000 residents to just 0.831 acres per 1,000 residents, both below the City goal of 2.5 acres per 1,000 residents and the citywide median of 1.5 acres per 1,000 residents and does not facilitate the addition of any new open space in the area; and

WHEREAS, proposed mitigations to the accessibility and circulation at the F-line East Broadway station are not likely to be sufficient in offsetting the impacts that more than 5,800 new residents would have on subway line service, station accessibility, and pedestrian circulation; and

WHEREAS, Community Board 3 has previously resolved to support land use actions in the proposed project area that these applications would be incompatible with, and which represent a vision for the Two Bridges waterfront area that the proposed actions would be in direct conflict with; and

WHEREAS, Community Board 3 believes the proposed actions would represent a significant change to the underlying Two Bridges LSRD site plan and zoning controls and would have impacts that are inconsistent with the LSRD objectives, and therefore do not constitute minor modifications; and

WHEREAS, this change brings into question every Large Scale special permit issued since the establishment of the Two Bridges LSRD, as the Community Board 3 is not likely to have made the same decisions regarding prior special permits and modifications if they understood that they would not have an opportunity for review and negotiation through ULURP when future significant amendments were being proposed; and

THEREFORE BE IT RESOLVED that Community Board 3 recommends to deny the approval of the proposed modifications to the Two Bridges LSRD; and

THEREFORE BE IT FURTHER RESOLVED that Community Board 3 asks that CPC find the proposed amendments to the Two Bridges LSRD to be so significant as to require review pursuant to ULURP.

4. CB 3 response for Two Bridges Draft Environmental Impact Statement
   see attached, below at the end of the vote sheet
5. Update on Two Bridges Rezoning Application
   no vote necessary
6. Vote to adjourn
   approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Economic Development Committee

1. Approval of previous month's minutes
   approved by committee
2. Renaissance Economic Development Corp: Introduction and Services
   no vote necessary
3. Continued discussion regarding priority policies from December 2017 City Council Report, "*Planning for Retail Diversity: Supporting NYC's Neighborhood Businesses*": Consider Expanding overlays to NYCHA superblocks fronting commercial corridors; Designate SBS to manage planning and policy for retail storefronts; SBS should collect and analyze storefront retail data in each community district as part of a citywide Commercial District Needs Assessment; Require Storefront Vacancy Reporting; Study the impact of the growth of internet commerce on brick and mortar retail sector and develop additional policies and programs to help small businesses adapt; Study a zoning bonus for affordable retail space; Strengthen and expand the FRESH program; Prioritize affordable local retail space in

city-sponsored developments; Eliminate special permit requirements in gyms and health clubs; Help local non-profits develop affordable commercial spaces in underserved neighborhoods; Create a new program to help graduates of incubators and entrepreneurship programs to find retail space; Strengthen Chamber on the Go

no vote necessary

4. Vote to adjourn

approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Health, Seniors, & Human Services / Youth, Education, & Human Rights Committee

no meeting scheduled

SLA & DCA Licensing Committee (August)

1. Approval of previous month's minutes

approved by committee

Alterations

2. Villa Cemita (Villa Cemita Inc), 50 Ave A btwn E 2nd & E 3rd Sts (alt/wb/move bar, change seating orientation)

VOTE: TITLE: Community Board #3 Recommendation To Deny

WHEREAS, Villa Cemita Inc. is again applying for an alteration of its wine beer license for its restaurant, doing business as Villa Cemita, at the premises located at 50 Avenue B, between East 3rd Street and East 4th Street, to wit legalizing renovations which include relocating and enlarging its stand up bar and reconfiguring its seating; and

WHEREAS, this applicant is also seeking to reduce its daytime hours of operation, add happy hours, add DJs, add televisions, add promoted events and or private parties and open its facade; and

WHEREAS, this applicant was denied a wine beer license by Community Board #3 in December of 2014 unless is agreed to make as conditions of its stipulation that it would 1) operate as a full-service restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 7:00 A.M. to 12:00 A.M. all days, 3) not commercially use any outdoor space, 4) install soundproofing, 5) close any façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances, 6) play recorded background music and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, 7) not apply for an alteration without first appearing before Community Board #3, 8) not seek a change in class of its liquor license to a full on-premises liquor license without first obtaining the approval of Community Board #3, 9) not host pub crawls or party buses, 10) not have happy hours, 11) not have wait lines outside, 12) conspicuously post its stipulation beside its licenses inside its business, and 13) provide contact information for resident complaints and immediately respond to any resident complaints; and

WHEREAS, prior to being approved by Community Board #3 in December of 2014, neighborhood residents met with this applicant to insure that it would operate consistent with its proposed method of operation as a family restaurant with a small rear bar and agreed to support its application for a wine beer license with the above stipulations; and

WHEREAS, prior to November of 2015, neighboring residents complained that this applicant had installed a larger bar in the front of its business without notice to the community inconsistent with its stipulations and contrary to the diagrams it showed residents when it first met with residents; and

WHEREAS, there had been no notice of alteration to Community Board #3 for an alteration of the standup bar in this business prior to its installation by the applicant in the front of its business; and

WHEREAS, the applicant was notified of this illegal alteration by Community Board #3 and submitted a notice of alteration, which also included an intention to add a happy hour and to open later than its original stipulations reflected; and

WHEREAS, this applicant was then heard for an application to alter its bar in both November and December of 2015; and

WHEREAS, Community Board #3 denied the alteration because neighboring residents had complained that the applicant was operating contrary to its agreed upon stipulations and the conditions of its license, in that this applicant 1) altered its premise without first appearing before Community Board #3, 2) operated later than 12:00 A.M., 3) left it façade open later than 10:00 P.M., 4) played loud entertainment level music heard by neighboring residents, 5) did not post its stipulations, and 6) advertised drink specials and promotions contrary to its method of operation as a family restaurant and, further, there was evidence that this applicant had been violating the Alcohol Beverage Control Law, in that it advertised and sold alcohol and mixed drinks containing alcohol, although it has only a wine beer license; and

WHEREAS, consistent with its community board hearing in December of 2015, the applicant entered a conditional no contest plea before the SLA on March 2, 2017, for failure to conform to its application, failure to comply, the sale of alcohol without a license, unauthorized alteration, prohibited sales and false material statements from November 12, 2015; and

WHEREAS, although the applicant furnished three (3) letters from area residents and petition signatures, forty-eight (48) of which were from area residents, in support of its application, the district manager of the community board appeared on behalf of herself and residents of her building, 141 East 3rd Street, which is across the street from this location, to complain that the business has 1) operated inconsistent from its stipulations and without notice to the community and the community board altered its business by enlarging its bar and moving it to the front of the business, altering its façade, first by installing windows that open half the façade and then by creating the ability to open the entire façade, and adding happy hours, 2) not operated as the family friendly business that the applicant has represented by hosting loud patrons and events, allowing loud patrons to congregate on the sidewalk, installing three (3) televisions to televise sport events, advertising drink specials all hours and offering "boozy brunches," 3) operated contrary to the law by serving alcohol without a license and lied to the community board when confronted about its illegal sale of alcohol after which it was issued a violation by the SLA and ultimately pled no contest to selling alcohol without a license, and 4) had two (2) alleged assaults in the business, one in 2016 and one on May 1, 2018, for which police responded; and

WHEREAS, there were letters from two (2) area residents submitted in opposition to this application, as well as a letter from the cooperative board of the building in which the business is housed, stating that it was opposed to this alteration application because 1) the building did not contract with the applicant to have an alcohol-oriented business which hosts boozy brunches, 2) its alteration was illegally done without notice to the building, the SLA or the community board, 3) employees enter the residential portion of the building which has created a safety issue for building residents and there were assaults in the business in 2016 and May of 2018, the most recent of which required that police enter and canvas the residential part of the building, and 4) the business has illegally sold alcohol; and

WHEREAS, a community board member also noted that the business had advertised and hosted at least one pub crawl in April of 2008, although the applicant stated that it was not aware that it had; and

WHEREAS, although the attorney for the applicant stated that the applicant would agree to enter into new stipulations governing its happy hours, façade, music and events, he stated that the applicant would not eliminate its "boozy brunches;" and

WHEREAS, given that the applicant has made multiple alterations to its business, to wit enlarging and moving its bar, opening its façade, reducing its daytime hours of operation, adding drink specials, including "boozy brunches," and hosting loud events, including sports events, without notice to the SLA, the community or the community board and contrary to its agreement with residents to obtain approval for its wine beer license, and given that it continues to operate inconsistent from its stipulations which are conditions of its license by continuing to have reduced daytime hours of operation, happy hours, unlimited drink specials and pub crawls, Community Board #3 will not now approve these alterations; now

THEREFORE, BE IT RESOLVED that Community Board #3 again moves to deny the application for an alteration of the wine beer license for Villa Cemita Inc, doing business as Villa Cemita,

for the premises located at 50 Avenue A, between East 3rd Street and East 4th Street, to wit legalizing the already installed stand-up bar and changing seating, as well as other stated alterations of its business.

3. Home Sweet Home and Fig 19 (TLS Chrystie LLC), 131 Chrystie St (op/alt/enlarge bar size, add DJ booth)

withdrawn

4. Chinese Tuxedo (8 Tuxedos Inc), 5 Doyers St btwn Pell St & Bowery (alt/op/ convert ground floor service bar to a stand-up bar, adding a DBA)

VOTE: TITLE: Community Board #3 Recommendation To Deny

WHEREAS, 8 Tuxedos Inc., doing business as Chinese Tuxedo, is seeking an alteration of its full on-premises liquor license for its restaurant located at 5 Doyers Street a/k/a 5-7 Doyers Street, between Pell Street and Bowery, to wit converting the ground floor service bar to a stand up bar and adding a business name to the now operating bar in the basement; and

WHEREAS, this applicant is also seeking to use the basement as a regularly operated bar; and

WHEREAS, the applicant has previously stated that its basement is used only for private events and the bar-like structure with nineteen (19) stools in the basement is actually a counter only used for sitting and dining; and

WHEREAS, the applicant has now stated that its first attorney had mistakenly applied for the ground floor bar in the restaurant to be a service bar and the basement counter to be a stand up bar when the original plan had been to have a standup bar on the ground floor and a service bar in the basement and, once the applicant had learned of this error, it stopped serving alcohol from the ground floor bar and decided to operate the basement as a bar doing business as Peachy's; and

WHEREAS, this is an application with no listed certificate of occupancy although its previous applications represented that the certificate of occupancy is at least two hundred (200) people, twenty-seven (27) tables and one hundred eighteen (118) seats on the ground floor and seven (7) tables and fifty-three (53) seats in the basement although the diagram submitted of the basement depicts a different amount of tables and seats, a twenty-five (25) foot bar with ten (10) stools one the ground floor and a forty (40) foot bar with nineteen (19) stools in the basement, hours of operation of 6:00 P.M. to 1:00 A.M. all days, a kitchen open all hours, a closed facade, no televisions, recorded background music and no wait lines outside; and

WHEREAS, this applicant was denied a full on-premises license by Community Board #3 in April of 2015, because 1) the location had never housed a licensed business, 2) Doyers Street is a horseshoe one-lane alley with a street bed that is fourteen (feet) wide and a sidewalk that is only five (5) feet wide at its widest point and which is no more than one hundred (100) feet long from Pell Street to Bowery, 3) the street already had three (3) licensed businesses, with two (2) full on-premises liquor licenses and one (1) wine beer license, and was already overrun with patrons loitering on the sidewalk and cars idling in the street, honking horns and blocking through traffic most nights, 3) there were five (5) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant, 4) neither principal had any experience operating a licensed business in the area, 5) the applicant failed to furnish any vehicle or pedestrian traffic plan to address the addition of its patrons to this street, 6) there was community opposition to the approval of this license, and 7) there was no apparent public benefit to the approval of a Cantonese restaurant in an area with similar restaurants with no or only wine beer licenses; and

WHEREAS, the applicant then applied for a wine beer license to the SLA without notice to the community board and the SLA sent the applicant back to the community board for review of its wine beer application; and

WHEREAS, the applicant was then denied a wine beer license by Community Board #3 in October of 2015, unless the applicant agreed to make as conditions of its license stipulations to 1) operate a full-service Melbournian Chinese and Cantonese restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 10:00 A.M. to 1:00 A.M. all days, 3) not commercially operate any outdoor areas, 4) install soundproofing consistent with the recommendations of an acoustic engineer, 5) close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing,

including but not limited to DJs, live music and live nonmusical performances, 6) play recorded background music and not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee would be charged, 7) not apply for an alteration without first appearing before Community Board #3, 8) not seek a change in class of its liquor license to a full on-premises liquor license without first obtaining the approval of Community Board #3 and not appear before Community Board #3 for such an application until it had been operating its business at least eighteen (18) months, 9) not have happy hours, 10) not host pub crawls or party buses, and 11) insure that there were no wait lines and designate an employee responsible to oversee patrons and noise on the sidewalk, 12) conspicuously post this stipulation form beside its liquor license inside of its business, and 13) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the wine beer license was issued by the SLA on November 2, 2016; and

WHEREAS, the applicant was denied a full on-premises liquor license by Community Board #3 in October of 2017, unless the applicant agreed to make as conditions of its license its existing stipulations; and

WHEREAS, the full on-premises liquor license was issued by the SLA on December 29, 2017; and

WHEREAS, a representative of the Chinatown Core Block Association spoke in opposition to this application because 1) the applicant stated to the community board and the block association when it first applied for a liquor license that it would not be using the basement as part of its regular business operations but rather only for private parties and then it altered its method of operation contrary to its agreed stipulations without notice to the community or the community board, and 2) the basement is now being operated as a bar with its own business name and entrance, fifty (50) seats but room for eighty (80) people, its own menu of appetizers and hours of operation of 6:00 P.M. to 1:00 A.M. Wednesdays through Saturdays; and

WHEREAS, Community Board #3 has found that 1) the business website for Chinese Tuxedo advertises Peachy's as a separate venue and directs interested parties to the Peachy's webpage, 2) YELP comments for the bar from August 12, 2018 include observation of a DJ in the business, and 3) an article in Eater dated April 26, 2018, in which the applicant had been interviewed, represented that the bar had fifty (50) seats, room for eighty (80) people, its own menu featuring Pan Asian snacks and hours of operation of 6:00 P.M. to 1:00 A.M. Wednesdays through Saturdays; and

WHEREAS, contrary to its stipulations which are conditions of its license, the applicant conceded that it had altered its premises and had been hosting DJs in the basement bar since its opening in May of 2018, but stated that it had ceased having DJs two weeks before it appeared before Community Board #3; and

WHEREAS, notwithstanding that the applicant furnished petition signatures, twenty-five (25) of which were from area residents, in support of its application, given that the applicant has not been abiding by the conditions of its liquor license by hosting DJs and has altered its method of operation to its basement without notice to the SLA or the community board by changing its method of operation from an area for private events with no bar to a regularly operated bar with its own business name and entrance and a forty (40) foot standup bar; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for 8 Tuxedos Inc., doing business as Chinese Tuxedo, for an alteration of its full on-premises liquor license for the premises located at 5 Doyers Street a/k/a 5-7 Doyers Street, between Pell Street and Bowery, to wit converting the ground floor service bar to a stand up bar and adding a business name to the now operating bar in the basement.

5. Boris & Horton (Boris & Horton East Village NYC), 195 Ave A btwn E 12th & E 13th Sts (alt/wb/expand to next door space, increase seating)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for an alteration of the wine beer license for Boris and Horton East Village NYC, doing business as Boris & Horton, for the premises located at 195 Avenue A,

between East 12th Street and East 13th Street, to wit expanding the retail portion of the business into the adjacent storefront and adding seating, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

1) it will operate as a café a retail store selling dog merchandise, with a kitchen open and serving food during all hours of operation on the cafe side of the business,
2) its hours of operation will be 7:00 A.M. to 12:00 A.M. all days,
3) it will not commercially operate any outdoor areas,
4) it will close any front or rear façade entrance doors on the café side of the business at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances and it will have a closed fixed facade with no open doors or windows on the retail store side of the business,
5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged except that it may have promoted and ticketed events for dog adoptions,
6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
7) it will not seek a change in class of its liquor license to a full on-premises liquor license without first obtaining the approval of Community Board #3,
8) it may have "happy hours" to 7:00 P.M. each night,
9) it will not host pub crawls or party buses,
10) it will not have unlimited drink specials with food,
11) it will designate an employee to oversee patrons and noise on the sidewalk and noise from any dogs within and outside of the business,
12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Removal Applications

6. Essex (120 Essex Market LLC), 120 Essex St @ Rivington St (op) (removal - 120 Essex St, moving to 124 Rivington St, btwn Essex & Norfolk Sts)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, 120 Essex Market LLC, is seeking the removal of its full on-premises liquor license for its restaurant located at 120 Essex Street a/k/a 19 Rivington Street, at the corner of Essex Street and Rivington Street, New York, New York, to 124 Rivington Street, ground floor and mezzanine, between Essex Street and Norfolk Street; and

WHEREAS, this is an application for a new American restaurant with a proposed certificate of occupancy of one hundred seventy-five (175) people on the ground floor and mezzanine, forty-two (42) tables and one hundred fifty-five (155) seats, a twenty-three (23) foot bar with thirteen (13) stools on the ground floor and an eight (8) foot serving bar on the mezzanine, hours of 10:00 A.M. to 12:00 A.M. Sundays, 5:00 P.M. to 12:00 A.M. Mondays through Wednesdays, 5:00 P.M. to 1:00 A.M. Thursdays, 5:00 P.M. to 3:00 A.M. Fridays and 10:00 A.M. to 3:00 A.M. Saturdays, a kitchen open to within one (1) hour of closing, windows closing at 10:00 P.M., two (2) televisions, recorded background music, no promoted events scheduled performances or events with cover fees, one (1) security guard Friday and Saturday nights and two (2) security guards during Saturday and Sunday brunch hours, an intent to install soundproofing, happy hours to 10:00 P.M. Sundays, 8:00 P.M. Mondays through Wednesdays and Fridays and 11:00 P.M. Thursdays and no wait lines outside; and

WHEREAS, there are either twenty (20) or thirty-one (31) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but forty-two (42) full on-premises liquor licenses, including that of the applicant, and three (3) pending full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, although the ground floor and mezzanine of the subject location have never housed a licensed business, the applicant is moving to it from a location directly across the street where is has operated a restaurant in good standing for eighteen (18) years and which it is vacating because of demolition of the building for a new large-scale mixed-use development; and

WHEREAS, the applicant was issued a full on-premises liquor license by the SLA on July 26, 2000; and

WHEREAS, the applicant has stated that it will continue to operate its existing business but will have a larger kitchen and menu at the new location; and

WHEREAS, given that the basement level of the subject location houses an existing licensed business, to wit 122-124 Rivington Corp., doing business as La Caverna Ristorante, that has been operating inconsistent with its method of operation and to the detriment of the community, the applicant has agreed that it will have no wait lines outside, an employee responsible for overseeing patrons and noise on the sidewalk, an interior waiting area for patrons and a reservation system; and

WHEREAS, there was substantial support for this applicant, in that the applicant furnished petition signatures, seventy (70) of which were from area residents, in support of its application, and three (3) community residents who are active in community organizations and concerns appeared on behalf of the applicant, each stating that this is a well-run, family and neighborhood friendly business that he or she has patronized since its opening; and

WHEREAS, notwithstanding the number of licensed businesses within close proximity to this location and previously unlicensed character of the location the applicant is seeking to occupy, Community Board #3 would support a full on-premises liquor license for this applicant with stipulations governing its method operation, including its existing hours of operation, because the applicant is not seeking to add a full on-premises liquor license to this area and has operated a longstanding neighborhood restaurant; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for the removal of a full on-premises liquor license for 120 Essex Market LLC from 120 Essex Street a/k/a 19 Rivington Street, at the corner of Essex Street and Rivington Street, to 124 Rivington Street, ground floor and mezzanine, between Essex Street and Norfolk Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

1) it will operate as a full-service new American restaurant, with a kitchen open and serving food during all hours of operation,
2) its hours of operation will be 10:00 A.M. to 12:00 A.M. Sundays, 5:00 P.M. to 12:00 A.M. Mondays through Wednesdays, 5:00 P.M. to 1:00 A.M. Thursdays, 5:00 P.M. to 3:00 A.M. Fridays and 10:00 A.M. to 3:00 A.M. Saturdays,
3) it will not commercially operate any outdoor areas,
4) it will install soundproofing,
5) it will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
6) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board #3,
8) it will employ at least one (1) security guard Friday and Saturday nights and two (2) security guards during Saturday and Sunday brunch hours,
9) it may have "happy hours" to 10:00 P.M. Sundays, 8:00 P.M. Mondays through Wednesdays and Fridays and 11:00 P.M. Thursdays,
10) it will not host pub crawls or party buses,
11) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
12) it will create an interior waiting area for patrons and maintain a reservation system,
13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Sidewalk Cafe Applications

7. Ainsworth (Ainsph LLC), 64 3rd Ave @ E 11th St

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Change Order Agreed To—Change Order Attached

To approve the application for an unenclosed sidewalk café permit for three (3) tables and twelve (12) seats for AINSPH LLC, doing business as The Ainsworth, for the premises located at 64 Third Avenue, at the corner of East 11th Street and Third Avenue, because the applicant has signed a change agreement which will become part of its DCA license that

1) its café will consist of three (3) tables and twelve (12) seats located flush against the façade of the building on the Third Avenue side of the business,
2) its hours of operation will be 11:00 A.M. to 10:00 P.M. Sundays through Wednesdays and 11:00 A.M. to 11:00 P.M. Thursdays through Saturdays, and
3) it will have an awning extended over its business during its hours of operation.

New Liquor License Applications

8. LES 106 RIV LLC, 106 Rivington St (op)
   withdrawn
9. Entity to be formed by Stephen Ballinger, 50 Ave B (op)
   withdrawn
10. TCA Restaurant LLC, 46-48 Bowery (op)
    withdrawn
11. Calexico (Calexico Cinco LLC), 99 2nd Ave btwn E 5th & E 6th Sts (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a full on-premises liquor license for Calexico Cinco LLC, with a proposed business name of Calexico, for the premises located at 99 Second Avenue, between East 5th Street and East 6th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

1) it will operate as a full-service Mexican restaurant, with a kitchen open and serving food during all hours of operation,
2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 1:00 A.M. Fridays and Saturdays,
3) it will close any front or rear façade doors and windows at 10:00 P.M. every night, when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
4) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events or any event at which a cover fee will be charged,
5) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
6) it will not host pub crawls or party buses,
7) it will not have unlimited drink specials with food,
8) it may have "happy hours" to 7:00 P.M. each night,
9) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premises liquor license although this location is in an area with numerous full on-premises liquor licenses because 1) this is a sale of assets of an existing restaurant with a full on-premises liquor license, 2) this applicant has experience working in and operating similar businesses, to wit a licensed restaurant located at 149 Second Avenue, New York, New York, from 2016 to present, at 278B Fifth Avenue, New York, New York, from 2004 to present with a full on-premises liquor license issued October 1, 2014, at 122 Union Street, Brooklyn, New York, from 2010 to present with a full on-premises liquor license issued September 9, 2017, and at 645 Manhattan Avenue, Brooklyn, New York, from 2010 to present with a full on-premises liquor license issued December 7, 2010, 3) the applicant intends to operate this business with moderate hours, including daytime hours of operation, and 4) the applicant entered into a memorandum of understanding regarding its method of operation with the East Fifth Street Block Association.

12. Luthun LLC, 511 E 6th St (op)
    withdrawn
13. Down and Out (Down and Out Brooklyn LLC), 197 E 3rd St (op)
    withdrawn

Items not heard at Committee

14. Grand Seoul (PCPP Inc), 85 Christie St (wb)
    no vote necessary
15. Dua Kafe Wine + Beer (Dua Kafe Inc), 520 E 14th St (wb)

no vote necessary

16. Dillers Inc, 357 Grand St (wb)
no vote necessary

17. Tabetomo (Ays Noodle Company LLC), 131 Ave A (wb)
no vote necessary

18. The Fat Radish (Silkstone LLC), 17 Orchard St (op/corp change)
no vote necessary

19. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding August SLA item 4)
36 YES 1 NO 0 ABS 0 PNV MOTION PASSED (August SLA item 4)

SLA & DCA Licensing Committee (September)

1. Approval of previous month's minutes
approved by committee

Alterations

2. Home Sweet Home and Fig 19 (TLS Chrystie LLC), 131 Chrystie St (op/alt/enlarge bar size, add DJ booth)
withdrawn

3. Casa Mezcal (Compas Group New York LLC), 86 Orchard St (op/alt/convert service bar to customer bar in basement, add additional customer bar on mezzanine level)
withdrawn

New Liquor License Applications

4. Down and Out (Down and Out Brooklyn LLC), 197 E 3rd St btwn Aves A & B (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny

WHEREAS, Down and Out Brooklyn LLC, with a proposed business name of Down and Out, is seeking a full on-premises liquor license for the premises located at 197 East 3rd Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, this is an application for a tavern lounge restaurant with no listed certificate of occupancy, nineteen (19) tables and thirty-two (32) seats, a nineteen (19) foot bar with seven (7) stools in the interior space and an eighteen (18) foot bar with seven (7) stools in a glass enclosure in the rear yard, hours of operation of 12:00 P.M. to 12:00 A.M. Sundays and 12:00 P.M. to 2:00 A.M. Mondays through Saturdays in the interior space and 5:00P.M to 12:00 A.M. Sundays and 5:00 P.M. to 2:00 A.M. Mondays through Saturdays in the glass enclosure in the rear yard, a prep area serving food to within one (1) hour of closing, windows, recorded background music, security and happy hours to 7:00 P.M.; and

WHEREAS, the applicant has stated that it is intending to create a high end destination location consisting of a literary-themed English pub in the interior space and a cocktail lounge and raw bar in the glass enclosure in the rear yard; and

WHEREAS, this is an unlicensed location on a residentially zoned street; and

WHEREAS, there are eleven (11) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but fifteen (15) full on-premises liquor licenses and one (1) pending full on-premises liquor license within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, there is no apparent public benefit for the approval of a full on-premises liquor license for a two (2) themed bar and cocktail lounge given that the immediate area is well-served with taverns and cocktail lounges; and

WHEREAS, the applicant has operated an indoor outdoor beer garden with a full on-premises liquor license located at 272 Meserole Street Brooklyn, New York, since 2014; and

WHEREAS, 197 Artichoke Corp., the previous licensee at this location was heard for its original application for a full on-premises liquor license by Community Board #3 in May of 1997, and was approved after it represented that it would operate as a full-service restaurant, with hours of operation of 5:00 P.M. to 4:00 A.M. all days, no commercial use of any outdoor areas, a kitchen and a full menu; and

WHEREAS, the previous licensee was then heard by Community Board #3 for the renewal of its full on-premises liquor license in February of 2008, because there had been resident complaints of noise from patrons and music and lack of oversight and control of patrons in front of the business and in its backyard and it was approved provided it agreed to stipulations to 1) use an installed limiter, 2) employ licensed security guards Fridays and Saturdays and other days as needed to control noise and crowds outside, 3) maintain crowds and noise in the front of the business and in the backyard, and 4) immediately address resident complaints; and

WHEREAS, the previous licensee was then denied its renewal by Community Board #3 in December of 2015, and Community Board #3 asked that the SLA either revoke its full on-premises liquor license or enforce the method of operation as a restaurant with no commercial use or any outdoor areas that was approved by the SLA; and

WHEREAS, the district manager of Community Board #3, the Ninth Precinct and residents of East 3rd Street worked with the SLA regarding the complaints of noise from patrons and music, fighting amongst patrons, lack of control over the area in front of the business, failure to operate consistent with its method of operation, noise and use of the rear yard, the SLA then revoked the full on-premises liquor license of the previous licensee, the revocation was appealed after the death of the licensee and the SLA then cancelled the license; and

WHEREAS, the present applicant was first heard by Community Board #3 in July of 2018, and withdrew its application after the community board learned that the applicant was intending to construct a glass enclosure it was calling a "greenhouse" in the rear yard and attached to the building and the community board asked that the applicant provide information regarding the proposed structure, including a sound study and recommendations from a sound engineer and architectural plans for the structure, as well as engage in community outreach to residents impacted by use of the rear yard; and

WHEREAS, although the applicant has now provided a sound study and recommendations to mitigate sound in the proposed structure from an acoustical engineer, the applicant has failed to produce architectural plans or any plans or diagrams for the proposed rear yard structure for Community Board #3 to review, the applicant has stated that given the recommendations of the sound engineer, its plans for constructing this addition have changed, the structure will not be attached to building and patrons will have to walk into the yard to access the structure and without the rear yard structure the applicant will not go forward with this business venture; and

WHEREAS, two (2) longtime residents of the street appeared to oppose this application because 1) their experiences with late night noise from in front of the previous business and from the rear yard and uncontrolled patrons on the street in front of the business that existed during its fifteen (15) year history of operation has led them to conclude that a tavern lounge with late night hours is incompatible with this location and this street, and 2) there is no benefit in the addition of this business given that there are already other bars and cocktail lounges in this neighborhood to serve the community; and

WHEREAS, notwithstanding that the applicant has experience operating a licensed business, the applicant has no experience operating a licensed business or any business in Community Board #3; and

WHEREAS, notwithstanding that the applicant submitted petition signatures, one hundred sixteen (116) of which were from area residents, in support of its application, the petitions failed to include commercial use of the backyard; and

WHEREAS, given the history of violations, operation inconsistent from its approved method of operation, noise complaints, unsafe and illegal conduct of the previous business and lack of public benefit in opening a bar cocktail lounge in an area well-serve with similar businesses; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the full on-premises liquor license for Down and Out Brooklyn LLC, with a proposed business name of Down and Out, for the premises located at 197 East 3rd Street, between Avenue A and Avenue B, New York, New York.

5. LESFLO Enterprise, 112 Rivington St btwn Ludlow & Essex Sts (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny

WHEREAS, LESFLO Enterprise is seeking a full on-premises liquor license for the premises located at 112 Rivington Street, between Ludlow Street and Essex Street, New York, New York; and

WHEREAS, this is an application for a tavern café with a certificate of occupancy of two hundred seventy-two (272) people on the ground floor and basement, twenty-one tables and eighty (80) seats on both floors, a twenty (20) foot bar with ten (10) stools on the ground floor, hours of operation of 9:00 A.M. to 4:00 A.M. all days, an electric kitchen open to 11:00 P.M. each day, French doors, five (5) televisions, live and recorded music and DJs at background and entertainment levels, promoted events, private parties, two (2) to four (4) security guards Mondays through Thursdays and seven (7) to nine (9) security guards Fridays and Saturdays and happy hours to 9:00 P.M; and

WHEREAS, this is an unlicensed location; and

WHEREAS, there are thirty-four (34) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but forty-one (41) full on-premises liquor licenses and six (6) pending full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant has stated that the public benefit of its proposed venue is that it will be a "global" tavern café with "community outreach and programming" consisting of educational talks for area youth and presentations for small businesses and networking; and

WHEREAS, the applicant submitted petition signatures, forty-seven (47) of which were from area residents, in support of its application and five (5) area residents and community members appeared on behalf of the applicant to attest to its character and longtime civic responsibility within the community; and

WHEREAS, Community Board #3 denied a full on-premises liquor license for the previous licensee in February of 2005, because it failed to appear and denied an alteration to add a stand up bar to its business in September of 2005 because it had not yet opened; and

WHEREAS, the previous licensee was issued a full on-premises liquor license by the SLA on October 19, 2005, for a method of operation as a lounge with food service and DJs but no live music, scheduled performances, events with cover fees or dancing; and

WHEREAS, Community Board #3 then asked the SLA in October of 2015 to deny the renewal of and either revoke the full on-premises liquor license for the previous licensee or enforce its approved method of operation because the business 1) had not been operating consistent with its method of operation by hosting scheduled performances, dancing without a cabaret license, events with ticket sales and cover fees and not serving food, 2) had been illegally using a mezzanine and exceeding its maximum occupancy, 3) had an emergency egress which illegally and unsafely led into the hallway of the residential portion of 112 Rivington Street where the licensee had ejected unruly drunk patrons who would then pass out, fight and or vomit in the residential hallways, 4) had blocked access to the building water boiler which had resulted in the landlord being unable to access the boiler for repairs without the licensee, thereby resulting in a loss of hot water for residential tenants because the licensee had not been responsive when the boiler needed repairs, 5) had commandeered use of the residential garbage area for its own use, and 6) had received numerous complaints of late night noise from live performances, patrons on the sidewalk and an air horn from residents of surrounding buildings; and

WHEREAS, consistent with the complaints against it, the previous licensee had Environmental Control Board violations from 2009 and 2013, for exceeding maximum occupancy, illegal cabaret and stage, as well as an improper emergency exit, all of which were still open when the business closed and had also entered into a no contest plea before the SLA on May 4, 2007, for improper conduct and an unauthorized bar on December 4, 2005, a no contest plea on April 10, 2010, for failure to conform and unauthorized trade name on January 17, 2009, a no contest plea on August 14, 2009, for unlicensed cabaret on January 17, 2009, a no contest plea on March 28, 2012, for failure to supervise on June 26, 2011, and a no contest plea on May 17, 2013, for exceeding maximum occupancy and a sale to a minor; and

WHEREAS, the previous license for this location was ultimately cancelled by the SLA; and

WHEREAS, although the applicant was repeatedly asked by members of Community Board #3 to provide details of its proposed method of operation, it did not expand on the specifics of its application, including failing to explain why its application stated that this business would be a "media-focused" venue providing "continuous entertainment," and its application materials, while containing statements about its overall vision, lacked specific details about the proposed method of operation and did not include architectural plans or any plans or diagrams demonstrating how this two-story venue will be used; and

WHEREAS, three (3) residents of the street and immediate area appeared in opposition to this application, stating that the size and scale of the proposed business and late night hours of operation are incompatible with this applicant who no experience operating a licensed business or a business of this size and with this location which has had a long history of violations and community complaints with a similar method of operation; and

WHEREAS, the LES Dwellers, a local residents organization, submitted a letter in opposition to this application, which included sixty-one (61) letters from residents and six (6) petition signatures, and appeared in opposition to this application, stating that 1) there is conflicting information in the application, including whether or not it will have live music and promoted events, 2) it is concerned that the business will operate as a club given its 4:00 A.M. closings all days, DJs and live music, entertainment level music, limited food service hours, numerous security guards and three (3) promoted events and or private parties per month, 3) the open façade and late nights hours of this proposed business are untenable because the street is already overburdened with late night noise, 4) this street and the surrounding area are overburdened with licensed venues, including the hotel across the street with three (3) public venues, all of which has resulted in noise from crowds of people and horn honking on the street, the street and bike lane being blocked and a lack of parking from lines of taxis, party buses and limousines, as well as daytime noise and congestion and lane blockages from trucks making deliveries to the businesses on this street, 5) the previous business had a long history of violations, operating inconsistent from its method of operation and operating in a manner that created unsafe conditions for building residents and its license was ultimately cancelled, 6) the area has more crime than it did last year and there is more crime and a disproportionate number of arrests in Hell Square than other areas of the precinct, and 7) the relevant experience of the applicant is limited to its experience as a promoter; and

WHEREAS, the 112 Rivington Street Condominium Board submitted a letter in opposition to this application and a resident of 112 Rivington Street appeared in opposition to this application, submitted petition signatures from eight (8) of the ten (10) residents of the building and stated that 1) there were discrepancies in the application, such as that it proposes to be a tavern café, but there are only eighty (80) seats while the occupancy is for almost three hundred (300) people and it is seeking to have DJs, live music and food service that ends at 11:00 P.M. when the business will be open until 4:00 A.M., 2) living conditions in the building had been awful when the previous business was open because the previous licensee never corrected its violations, made the building unsafe because it allowed patrons into the residential portion of the building where they would pass out, fight and vomit, thereby creating unsafe and unsanitary conditions for residents, had taken away access to the garbage area although it was required by law to maintain its trash within its business to within one (1) hour of pickup by a commercial carter and had prevented access to the water boiler which resulted in an inability of the landlord to access the boiler for repairs without the licensee, thereby resulting in a loss of hot water for residential tenants because the licensee has not been responsive when the boiler has needed repairs, a condition which remains uncorrected; and

WHEREAS, Community Board #3 is unpersuaded by the stated public benefit for the approval of a full on-premises liquor license given the contradictory nature of this application, in that the applicant has represented that it intends to open a community-focused venue with daytime hours of operation, yet the proposed business plan also includes late night hours, multiple types of entertainment, entertainment level music, limited food service hours, numerous security guards, promoted events and or private parties and limited seating in a space that could accommodate up to two hundred seventy-two (272) people; and

WHEREAS, notwithstanding the apparent strong community roots of the applicant, Community Board #3 cannot support this application because its community ties are far outweighed by the lack of the experience of the applicant in operating a licensed business and incompleteness of the application, the proposed size, scope and hours of operation of the proposed business, building and community opposition to this application, the history of this location which confirms it that it is inappropriate for a nightlife venue and includes violations, operation inconsistent from its approved method of operation, noise complaints and unsafe and illegal conduct by the previous licensee and the lack of public benefit in opening a tavern café with late night hours of operation and a full on-premises liquor license in an area well-served with late night businesses with full on-premises liquor licenses; now

THEREFORE BE IT RESOLVED that Community Board #3 moves to deny the application for a full on-premises liquor license for LESFLO Enterprise, for the premises located at 112 Rivington Street, between Ludlow Street and Essex Street, New York, New York.

6. 12th St Ale House LLC, 192 2nd a/k/a 192-196 2nd Ave @ E 12th St (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a full on-premises liquor license for 12th St Ale House LLC, for the premises located at 192 Second Avenue a/k/a 192-196 Second Avenue, at the corner of East 12th Street and Second Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

1) it will operate as a tavern, with a prep area serving food during all hours of operation,
2) its hours of operation will be 3:00 P.M. to 4:00 A.M. Mondays through Fridays and 1:00 P.M. to 4:00 A.M. Saturdays and Sundays,
3) it will not commercially operate any outdoor areas,
4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events or any event at which a cover fee will be charged,
6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
7) it will not host pub crawls or party buses,
8) it will not have unlimited drink specials with food,
9) it may have "happy hours" to 8:00 P.M. each night,
10) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premises liquor license although this location is in an area with numerous full on-premises liquor licenses because 1) this is a sale of assets of an existing tavern with a full on-premises liquor license, 2) the applicant consists of principles with collective experience working in and operating similar businesses, including a principle who has operated a licensed business located at 407 Amsterdam Avenue since December of 2017, which has a full on-premises liquor license that was issued by the SLA on December 26, 2017, and at 558 Hudson Street since November of 2008, which has a full on-premises liquor license that was issued by the SLA on March 4, 2009, and another principle who has operated a licensed business located at 14 Avenue A since 2006, as well as having other licensed businesses outside of New York, 3) the applicant intends to operate this business with the same method of operation and business name as the previous business, and 4) the applicant demonstrated support for its application, in that it furnished petition signatures, sixty (60) of which were from area residents including many building residents, in support of its application, and there was no community opposition to this application.

7. Cherrua (Bistro Uruguay Inc), 131 Essex St btwn Stanton & Rivington Sts (upgrade to op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a change in class of the wine beer license to a full on-premises liquor license for Bistro Uruguay Inc., doing business as Charrua, for the premises located at 131 Essex Street, between Stanton Street and Rivington Street, unless the applicant agrees

before the SLA to make as conditions of its license the following signed notarized stipulations that

1) it will operate as a full-service Uruguayan restaurant, with a kitchen open and serving food during all hours of operation,
2) its hours of operation will be 12:00 P.M. to 10:00 P.M. Sundays, 5:00 P.M. to 11:00 P.M. Mondays through Wednesdays, 5:00 P.M. to 12:00 A.M. Thursdays and Fridays and 12:00 P.M. to 12:00 A.M. Saturdays,
3) it will not commercially operate any outdoor areas,
4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events or any event at which a cover fee will be charged and may have up to four (4) private parties per year,
6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
7) it will not host pub crawls or party buses,
8) it will not have unlimited drink specials with food,
9) it may have "happy hours" to 7:00 P.M. each night,
10) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a change in class to a full on-premises liquor license for this applicant although this location is in an area with numerous full on-premises liquor licenses because 1) this restaurant has operated with moderate hours since 2014, 2) the applicant has managed this business during its history of operation and has been the owner of this business for the past year, and 3) the applicant demonstrated support for its application, in that it furnished petition signatures, thirty-four (34) of which were from area residents, in support of its application, and there was no community opposition to this application.

8. Entity to be formed by J Evans, 65 Rivington St btwn Eldridge & Allen Sts (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a full on-premises liquor license for Banter Nolita LLC, for the premises located at 65 Rivington Street, between Eldridge Street and Allen Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

1) it will operate as a full-service Australian restaurant, with a kitchen open and serving food during all hours of operation,
2) its hours of operation will be 8:00 A.M. to 12:00 A.M. Sundays through Thursdays and 8:00 A.M. to 1:00 A.M. Fridays and Saturdays,
3) it will not commercially operate any outdoor areas,
4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events or any event at which a cover fee will be charged,
6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
7) it will not host pub crawls or party buses,
8) it will not have unlimited drink specials with food,
9) it may have "happy hours" to 7:00 P.M. each night,
10) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premises liquor license although this location is in an area with numerous full on-premises liquor licenses because 1)

this is a sale of assets of an existing restaurant with a full on-premises liquor license, 2) the applicant has operated a similar business located at 169 Sullivan Street, New York, New York, since February 8, 2017, which has a full on-premises liquor license that was issued by the SLA on April 3, 2017, and has similar hours of operation, and 4) the applicant demonstrated support for its application, in that it furnished petition signatures, thirty (30) of which were from area residents, in support of its application, and there was no community opposition to this application.

9. Cozy Cafe (Cozy Cafe Corp), 43 E 1st St btwn 1st & 2nd Aves (upgrade to op)
   no vote necessary
10. 269 Bar Partners LLC, 269 E Houston St @ Suffolk St (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a full on-premises liquor license for 269 Bar Partners LLC, for the premises located at 269 East Houston Street, at the corner of Suffolk Street and East Houston Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

1) it will operate as a full-service American bistro restaurant, with a kitchen open and serving food during all hours of operation,
2) its hours of operation will be 4:00 P.M. to 4:00 A.M. Mondays through Fridays, 12:00 P.M. to 4:00 A.M. Saturdays and 9:00 A.M. to 4:00 A.M. Sundays,
3) it will not commercially operate any outdoor areas,
4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or, when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events or any event at which a cover fee will be charged and may have up to ten (10) private parties per year,
6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
7) it will not host pub crawls or party buses,
8) it will not have unlimited drink specials with food,
9) it may have "happy hours" to 7:00 P.M. each night,
10) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premises liquor license although this location is in an area with numerous full on-premises liquor licenses because 1) this is a sale of assets of an existing restaurant with a full on-premises liquor license, 2) this location has been continuously licensed since 1937, 3) the applicant consists of three principles with collective experience working in and operating similar businesses, including a principle who was the previous licensee and will continue to operate the business as the manager, 4) the applicant intends to operate this business with the same method of operation as the previous business but will change the business name, and 5) the applicant demonstrated support for its application, in that it furnished petition signatures, forty-six (46) of which were from area residents including many building residents, in support of its application, and there was no community opposition to this application.

11. Entity to be formed by B Krawitz, 213 2nd Ave (op)
    withdrawn
12. Sanpou USA LLC, 92 2nd Ave (op)
    withdrawn
13. Entity to be formed by ICP Operators, 242 Broome St (op)
    withdrawn
14. Grand Delancey LLC, 115 Delancey St (op)
    withdrawn

Hotel Applications

15. Allen Hotel (Allen Street Hospitality LLC), 140 Allen St @ Rivington St (op)
    no vote necessary
16. Orchard Street Hotel Management LLC, 9 Orchard St (op)
    withdrawn

New Liquor License Applications

17. Orchard Street Restaurant Management Inc, 9 Orchard St (op)
withdrawn

Items not heard at Committee

18. Bar Taco Bar & Grill (TBI Manhattan Corp), 185 Ave C (op/corp change)
no vote necessary
19. Entity to be formed by Annika Sunovik, 88 Essex St (wb)
no vote necessary
20. Heng Xing Group Inc, 50 3rd Ave (wb)
no vote necessary
21. Niche (Nakamura Inc), 172 Delancey St (wb)
no vote necessary
22. Joey Bats Cafe NYC LLC, 129 Allen St (wb)
no vote necessary
23. Madame Vo BBQ (Megalit Restaurant Corp), 104 2nd Ave (wb)
no vote necessary
24. Shimiaodao Yunnan Rice Noodle (Chumi Group Corporation), 33 St Marks Pl (wb)
no vote necessary
25. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED
37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, & Environment Committee

1. Approval of previous month's minutes
approved by committee

Joint Meeting with Land Use Committee

2. CB 3 comments on Draft Scope of Work for proposed Manhattan Detention Center

VOTE: TITLE: CB 3 Comments on Draft Scope of Work for Proposed Borough-Based Jail System and Manhattan Detention Facility

WHEREAS, CB 3 believes that the closure of Rikers Island and corresponding criminal justice reform is necessary; and

WHEREAS, the City of New York through the Department of Corrections (DOC) is proposing to implement a borough-based jail system as part of a larger commitment to close the jails at the Rikers Island Correctional Facility and create a modern and humane justice system; and

WHEREAS, part of this plan includes the development of a new detention facility for the borough of Manhattan at 80 Centre Street, located in Manhattan Community District 1 and just adjacent to Manhattan Community District 3; and

WHEREAS, the proposed Manhattan detention facility would require a number of actions that are subject to the City's Uniform Land Use Review Procedures (ULURP) and has the potential to result in significant adverse environmental impacts that will be disclosed in a forthcoming Draft Environmental Impact Statement (DEIS); and

WHEREAS, the scope of that environmental review is being determined at this time, and Community Boards 1 and 3 conducted a joint meeting to consider this issue on September 6, 2018; and

WHEREAS, at this meeting, the City of New York presented the details of the draft scope of work for the proposed Manhattan detention facility, and comments were heard from members of the public;

THEREFORE BE IT RESOLVED, Community Board 3 believes the following should be considered in the Final Scope of Work and Draft Environmental Impact Statement for the New York City Borough-Based Jail System:

- Evaluate a scenario where the anticipated decrease in crime and jail population does not occur, or the opposite occurs and New York City jail population increases.

- Address why the proposed four facilities would undergo one ULURP rather than individual review processes than could more thoroughly study local impacts.

- Evaluate a scenario where there is a continued decrease in need for beds and beds can be taken off line and replaced with services.

- Evaluate a scenario in which jail population is not evenly distributed with 1500-bed facilities at each borough site, including scenarios with fewer beds at the proposed Manhattan facility (such as an 1100-bed facility).

- Address the absence of a Staten Island facility and evaluate alternative scenarios that include detention facilities in all five boroughs.

- Evaluate public policy and any other criminal justice reform tools that could contribute to the closure of the Rikers Island Detention Facility without requiring all or part of the proposed actions in lower Manhattan.

- There is approximately 20,000 gross square feet (gsf) of community facility space being proposed for the Manhattan detention facility. Please address how this number was determined and why this cannot be a larger figure, and why additional use groups that would provide community benefit, such as affordable and senior housing, were not included.

- The proposed action would locate one level of parking below the new Manhattan detention facility. Please address why this cannot be two or more levels, including confirmation of residents reports of a subterranean river at the proposed site and any inspection and environmental review that would be included if there is a waterway at this location.

- Address how the land on Rikers Island and the decommissioned Rikers Island Correctional Facility will be maintained for public use and identify a method to make this commitment.

- Investigate and address any safety issues in the project study area that have occurred in past ten years due to the existing Manhattan Detention Complex at 124 White Street and 125 White Street, and address how any increased safety concerns as a result of doubling the number of beds and jail population in the area will be mitigated.

- Address how a doubling of staff needed for the proposed new Manhattan detention facility will impact parking and traffic problems, including the identification of mitigations.

- Address how parking concerns will be mitigated, including excessive placard parking from court employees in the study area currently.

- Study the impacts of traffic patterns that would be generated by the demapping of Hogan Place, particularly on the streets surrounding Columbus Park.

- Address how retaining the current façade at 80 Centre St to mitigate historical significance will impact programing by restricting design and how it will impact creation of one or two levels of underground parking.

- Study the impact that façade preservation or other historic preservation would have on the potential future uses of 80 Centre Street.

- Evaluate scenarios that will link the Manhattan detention facility to the community such as changing the staff lunch periods to one hour instead of a half hour so that they could patronize local businesses.

- The study area is limited to 400 feet around the proposed facility. It is certain that some of relocation and environmental impacts will occurs outside of the 400 feet study radius, therefore, please expand the study area radius to an appropriate distance and address why the proposed study area is not wider.

- Evaluate any and all reasonable alternative sites within ¼ quarter mile of the current court complex.

- Address why 125 White Street was no longer included in the re-design plans.

- Evaluate an alternative scenario where the detention facility is located within a renovated and reconstructed 125 White Street complex.

- Address specifically how any identified construction impacts will be mitigated and commit to interagency coordination, including area stakeholders, as well as mitigation that will incorporate a multi-agency command center.

- Address how construction staging on Worth Street will impact three funeral homes and any other local businesses, and identify how these impacts will be mitigated.

- Address the historic and cultural significance of 80 Centre Street in the context of its eligibility for National Register of Historic Places and any eligibility for New York City landmark designation, as well as any eligible sites in the designated study area, including preservation considerations.

- Address the impact of the proposed design-build process, including the role and opportunity for community engagement, public review, and participation in the entire process including RFP, design, construction and initial operations.

- Address the impact of a proposed building that would be 40-stories, and evaluate alternative scenarios with shorter building proposals.

- Address the impacts on small businesses after build out as well as during the construction period.

- Address the impacts the proposed actions would have on the function and use of government offices and facilities, including the impacts on the Manhattan District Attorney's Office cybercrime lab and informational technology infrastructure and tourism associated with the New York City Marriage Bureau, as well as the impacts of the displacement of these government offices on the surrounding community and local economy.

THEREFORE BE IT FURTHER RESOLVED, Community Board 3 requests that related developments that the proposed actions would facilitate also be considered at this time, including any and all related community benefits and the potential redevelopment of vacated sites for community uses, including a commitment to using community and stakeholder input provided from a process of engagement for any visioning and planning for the future of these sites, and a timeline be provided for the earliest possible implementation of the process.

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding September SLA item 8)
36 YES 1 NO 0 ABS 0 PNV MOTION PASSED (September SLA item 8)

<u>Transportation Committee</u>

3. NY City Transit: presentation on work to construct emergency ventilation plant on Forysth btwn Delancey / Rivington St

no vote necessary

4. Bike Corral for 218 E 10th St (Rai Rai Ken)

VOTE: TITLE: Installing a Bike Corral for 218 E 10th St (Rai Rai Ken)

WHEREAS, Rai Rai Ken has applied to NYC Department of Transportation for an on-street bike parking corral in front of their restaurant; and

WHEREAS, there are currently no bicycle parking racks on that block, leading to a chronic problem of bikes being chained to scaffolding, sign posts, and bus stops, interfering with the flow of pedestrians; and

WHEREAS, the proposed location for this bike corral meets DOT's siting requirements, namely that the curbside lane in front of the applicant's business is never used for through traffic; the corral is not within 15 feet of a hydrant; and the racks will be located so as not to obstruct any utility covers, crosswalks, or driveways; and

WHEREAS, this bike corral will provide parking for eight bicycles replacing one car parking space, helping to free the sidewalks of clutter caused by illegally parked bikes on private building's fences; and

WHEREAS, Rai Rai Ken has agreed to maintain the corral by keeping it clear of debris and snow, maintaining the planters, and reporting abandoned bikes; and

THEREFORE BE IT RESOLVED that CB3 supports the proposal for a bike parking corral in front of Rai Rai Ken at 218 E 10th Street

5. Vote to adjourn
   approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Cultural Affairs, & Waterfront Committee

1. Approval of previous month's minutes
   approved by committee
2. Parks Dept Presentation: Proposed mural for the Playground One basketball courts
   no vote necessary
3. Basketball City: update on community benefits
   no vote necessary
4. DSNY: Use of portion of Pier 36 for CB 6 DSNY equipment and reactivation of Section Station at 155-157 First Ave, all due to DSNY eviction from CB 6 garage
   no vote necessary
5. Riverkeeper: Presentation on proposed storm surge barriers for New York Harbor
   no vote necessary
6. Parks manager update
   no vote necessary
7. Vote to adjourn
   approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Landmarks Committee

meeting was canceled

CB 3 response for Two Bridges Draft Environmental Impact Statement

TITLE: CB 3 Response to the Two Bridges LSRD Draft Environmental Impact Statement

WHEREAS, the proposed actions considered in the Draft Environmental Impact Statement (DEIS) include modifications to the existing Two Bridges Large Scale Residential Development (LSRD) to facilitate the development of three new mixed-use buildings within the Two Bridges LSRD; and

WHEREAS, the proposed actions have separate developers, approvals, and financing, but are being considered together for the purposes of environmental review since all three project sites are located within the Two Bridges LSRD and would be developed during the same construction period, and thus are considered to have cumulative environmental impacts; and

WHEREAS, under the terms of the now-expired Two Bridges Urban Renewal Plan (TBURP) and the active Two Bridges LSRD, the area has been, since 1961, governed by regulations requiring the provision of low- and middle-income housing and site planning to facilitate the best possible housing environment, and requiring the distribution of bulk and open space to create a better design for the lots and surrounding neighborhood than would otherwise be possible; and

WHEREAS, the proposed actions would facilitate the construction of four towers across three separate buildings with heights of 1,008 feet (80-stories), 798 feet (69-stories), 748 feet (62-stories), and 730 feet (62-stories); and

WHEREAS, the proposed projects would contain 2,527,727 gross square feet (gsf) of residential space spread across 2,775 new residential dwelling units (DUs), 10,858 gsf of retail space, 17,028 gsf of community facility space, and would introduce, conservatively, more than 5,800 new residents to the project area; and

WHEREAS, the Two Bridges LSRD Draft Environmental Impact Statement (DEIS) was issued on June 22, 2018 and includes analysis, findings, and proposed mitigations that Community Board 3 considers inadequate;

THEREFORE, BE IT RESOLVED that Community Board 3 requests that the Lead Agency respond to, study further, and clarify the following:

WHEREAS, the identified purpose and need of the proposed actions hinges upon the advancement, through the creation of 694 affordable residential units, of a City-wide initiative to build and preserve 200,000 affordable residential units;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 does not find that the proposal for a mere 25 percent affordable units sufficiently advances this stated goal and purpose, and further finds that the introduction of an additional 2,081 market rate units and the substantial environmental impacts associated with these proposed actions place such a burden on the study area and Community District as to render the purpose null and in fact produce more severe and acute district needs; and

WHEREAS, the DEIS "Project Description" is insufficient in providing details of the specific minor modifications to the Two Bridges LSRD sites (Site 4A/4B, Site 5 and Site 6A) that constitute the proposed actions and exactly how they would enable the proposed developments to occur; and

WHEREAS, the DEIS only states that the minor modifications to the LSRD would "modify the approved site plans to enable the proposed developments to be constructed utilizing unused existing floor area," and it remains unclear what the unused existing floor area is and how it is being calculated;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the Lead Agency expand the description of the specific minor modifications being proposed and sufficiently detail the proposed modifications to the underlying Two Bridges LSRD site plan and zoning controls when describing the proposed actions; and

WHEREAS, the proposed actions to facilitate the developments are a deviation from previously approved Two Bridges LSRD plans and modifications, yet are being considered as minor modifications to the underlying LSRD controls pursuant to a determination by then City Planning Commission (CPC) Chair Carl Weisbrod, in a letter dated August 11, 2016, stating that the proposed modifications would not require new waivers and would not increase the extent of previously granted waivers due to compliance with governing criteria codified in Section 2-(6)(g)(5)(ii) of the Rule of the City of New York (RCNY); and

WHEREAS, despite this determination, in the same letter, CPC states in writing that "the development contemplated here is significant"; and

WHEREAS, Community Board 3 previously and explicitly requested that the CPC better explain and justify its decision on how the minor modification determination was made, both in a letter to the Department of City Planning (DCP) dated May 25, 2017 and at the public scoping meeting for the Two Bridges LSRD Environmental Impact Statement (EIS), held on May 25, 2017; and

WHEREAS, it remains unclear to Community Board 3 why guidelines in the RCNY for City Council Modifications would govern LSRD site planning and modifications proposed by private applicants; and

WHEREAS, there is nothing explicit in the RCNY, New York City Charter or the New York City Zoning Resolution (ZR) that requires the CPC to find that these proposed changes are minor modifications; and

WHEREAS, a number of prior Two Bridges LSRD site plan alterations made in years past, which constituted smaller changes, were not found to be minor modifications and instead required the granting of special permits and authorizations; and

WHEREAS, in the absence of further explanation, these findings appear to be arbitrary and capricious as well as precedent setting for City policy regarding special large scale development zoning provisions;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 again requests that the City clarify and explain in detail the aforementioned determination that the proposed actions constitute minor modifications to the Two Bridges LSRD; and

WHEREAS, it is unclear how the proposed actions, even if understood to be minor modifications, would comply with the ZR, particularly ZR § 78-313, outlining requirements for the authorization of minor modifications and requiring a number of prerequisite conditions for modification approval, including:

1) § 78-313 (a), which states that modifications should aid in achieving the general purposes and intent of the LSRD, including the facilitation of better site planning and the enabling of open space to be arranged to best serve active and passive recreation needs;

2) § 78-313 (b), which states that the distribution of floor area and dwelling units facilitated by a modification must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents;

3) § 78-313 (d), which states that modifications to the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion; and

4) § 78-313 (g), which states that modifications of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that the City clarify and expressly define how the proposed actions comply with these prerequisite conditions; and

WHEREAS, a number of Community Board 3 requests during the Two Bridges LSRD EIS Public Scoping period were left wholly unaddressed or insufficiently resolved upon issuance of the DEIS, including:

1) The request for an irregular study area shape for all analyses that extends further inland than a quarter-mile radius around the project sites, extending to Grand Street and following Bowery to Oliver Street and the East River shoreline;

2) The request for detailed explanation of the purpose and need of the proposed actions to justify the unprecedented scale of change being proposed in this specific area;

3) The request to disclose relocation plans for senior residents of the ten units at 80 Rutgers Slip, including how relocation costs will be addressed for those residents, the duration of time they will be relocated, where they will be housed and under what conditions, and what costs will be incurred and by whom. The Two Bridges LSRD Final Scope of Work for Preparation of a Draft Environmental Impact Statement stated that the EIS would include a description of relocation plans for residents of 80 Rutgers Slip, yet the DEIS only indicates the applicant's intentions and does not disclose the details of the applicant's regulatory agreement with the U.S. Department of Housing and Urban Development (HUD), the details of which are necessary to understand the senior relocation plans;

4) The request to evaluate student generation for community facilities impacts more accurately, without lumping the entire borough of Manhattan together, and to instead be broken down by Community District or other sub-borough level of analysis to better reflect real-life conditions;

5) The request to study not only the size of businesses, but the populations that they serve and the choices those populations have if these businesses were to be displaced when analyzing indirect business displacement. As this analysis focuses on businesses that are "essential to the local economy," it must consider services for the linguistically isolated populations in this area;

6) The request to consider the unique impact of ride-hailing operations such as Uber when considering traffic impacts and determining the mode split for new residents, as they will likely not follow typical Manhattan patterns due to the proposed projects' distance from the subway and the projected median income of new residents;

7) The request to examine the adverse impacts that gentrification driven over-policing would have on existing low-income communities of color, particularly youth in the study area;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 reiterates these concerns and, again, requests they be addressed; and

WHEREAS, regarding public policy, there has been limited explanation as to how the CPC determined that the proposed actions constitute a minor modification to the existing LSRD, and without disclosure of when and how this policy was promulgated, it is assumed that the proposed actions themselves represent a significant material change to existing regulations and policy governing any and all future modifications to LSRDs, indicating that all future modifications will be considered to be "minor" if they do not need additional waivers; and

WHEREAS, if it is now in fact the CPC's position that all modifications to Large Scale special permits (including Large Scale Residential Developments, Large Scale General Developments, and Large Scale Community Facility Developments) in New York City may now be considered as "minor," without requiring Uniform Land Use Review Procedure (ULURP) if changes to the plan do not require further waivers, than that constitutes a significant change to the City's land use policy that needs to be evaluated; and

WHEREAS, the DEIS includes a questionable determination that the proposed actions are consistent with the overall development objectives of the Two Bridges LSRD; and

WHEREAS, the DEIS does not detail how long the regulatory agreements for the existing affordable units in the Two Bridges LSRD are for, nor does it disclose the terms of affordability, unit-type mix, and a definitive total number of new affordable units that would result from the proposed actions in the analysis of impacts on *Housing New York: A Five-Borough, Ten-Year Plan,* despite determining that the proposed actions would affirmatively advance this plan; and

WHEREAS, the DEIS does not consider impacts on the *NextGeneration NYCHA* plan, which includes development proposals for New York City Housing Authority (NYCHA) complexes within the ½-mile radius study area, including La Guardia Houses, where infill is being proposed, and Smith Houses, where development has previously been considered;

WHEREAS, the DEIS does not consider impacts on and compliance with the Lower Manhattan Coastal Resiliency Project (LMCR) as prioritized in *One New York: The Plan for a Strong and Just City* despite the proposed projects proximity to the East River waterfront and location within the LMCR resiliency projects and waterfront improvement areas;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of applicable public policies insufficient and requests an expanded analysis that includes consideration of policy governing land use actions in LSRDs, more detailed consideration of consistency with *Housing New York: A Five-Borough, Ten-Year Plan*, and the addition of analysis of *NextGeneration NYCHA* and the LMCR Project; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a commitment to regular coordinating meetings with all appropriate agencies and stakeholders as an additional and necessary mitigation if non-compliance and adverse impacts related to the LMCR Project are identified; and

WHEREAS, regarding public policy, the DEIS does not sufficiently address the proposed actions consistency with a number of policies outlined in the City's *Waterfront Revitalization Program*, including:

1) Policy 1.2, requiring use and design features that enliven the waterfront and attract the public, as the DEIS identifies a number of private (not public) open spaces as examples of actions that will attract the public, as well as walkway improvements connecting to the waterfront adjacent to Site 5 without identifying if they will be publically accessible;

2) Policy 1.3, requiring adequate public facilities and infrastructure in coastal redevelopment, as the DEIS identifies that the proposed actions will produce unmitigated significant adverse impacts on community facilities, transportation and open space, resulting in inadequate public facilities and infrastructure, yet determines with little support that "With appropriate mitigation measures in place, it is assumed that public facilities and infrastructure would be adequate in the future With Action condition";

3) Policy 1.5, requiring the integration of climate change and sea level rise considerations into the planning of the proposed actions, as the DEIS identifies only protections against future flooding on the project sites, but does not disclose the proposed resiliency measures potential effects on the surrounding area, nor does the narrative even address climate change or sea level rise explicitly. In addition, such measures are not necessarily consistent with Policy 6, which requires that projects "minimize loss of life, structures, infrastructure, and natural resources caused by flooding." Policy 6 refers to not only the proposed project, but also the neighboring area. The DEIS discloses that the proposal includes, "structural considerations for stand-alone flood barriers or façades designed to be structurally resistant to flooding." These measures may protect this project, but could move flood waters from this area to other areas that are both less protected and which have structures that are less resilient than those proposed;

4) Policy 3.2, requiring the support and encouragement of recreational education and commercial boating, as the DEIS determines that the proposed actions are consistent with this policy only because they do not interfere with these potential activities, without identifying a proactive measure that encourages and supports such activities. This narrative is self-serving and technically incorrect, as the project is not consistent with this policy—it is simply not applicable;

5) Policy 4.8, requiring the maintenance and protection of living aquatic resources, as the DEIS does not consider the impacts on the fish and benthic community in the waters that will be shaded by the proposed developments;

6) Policy 6.1, requiring development to minimize losses from flood and erosion, as the DEIS does not explain how the proposed actions will address and minimize the potential for losses from flooding and coastal hazards in the surrounding area;

7) Policy 6.2 (d), requiring the identification of adaptive strategies to minimize losses from flood and erosion and requiring a description of how the project would affect the flood protection of adjacent sites, the DEIS does not at all explain how the proposed actions will address losses from flooding and coastal hazards in the surrounding area nor does it include any analysis in this determination, and simply states that "the proposed projects would not affect the flood

protection of adjacent sites and would not conflict with other resilience projects currently under consideration in the area";

8) Policy 8.2, which requires the proactive incorporation of public access into new public and private development, as the DEIS does not identify how the proposed actions incorporate public access to the waterfront, only that they do not hinder it; and

9) Policy 9, requiring the protection of scenic resources that contribute to the visual quality of the New York City coastal area, as the DEIS determines that "the proposed projects would not obstruct views to the waterfront and the East River," yet does not include sufficient explanation, nor renderings and 3D drawings from areas upland of the development sites, from existing buildings in the LSRD, or from Brooklyn which clearly identify that the proposed actions would not obstruct views to prominent features such as the Manhattan Bridge and other bridges, the East River, and the Brooklyn waterfront;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of consistency with the *Waterfront Revitalization Program* in the DEIS to be insufficient and inaccurate, and requests detailed clarification of the aforementioned concerns; and

WHEREAS, regarding public policy, the DEIS does not consider a number of recent public policy initiatives, including but not limited to relevant policy on:

1) Fair Housing
On March 9th 2018, New York City Housing Preservation and Development (HPD) announced *Where We Live NYC*, a comprehensive fair housing planning process to study, understand, and address patterns of residential segregation. The DEIS does not include a discussion of fair housing in general nor how the proposed actions are consistent with the policy objectives of *Where We Live NYC,* or how any inconsistencies would be mitigated;

2) **Interbuilding Voids and Zoning**
In January 2018, Mayor de Blasio announced at a Town Hall on the Upper East Side that the City is developing policies that will address what are now known as "interbuilding voids." This was reiterated by the Mayor at a June 2018 Town Hall on the Upper West Side. An interbuilding void is a space in a building that may be nominally used for mechanicals or egress but which is largely empty space, devoid of residential, commercial or community facility floor area. One of the developments the proposed actions would facilitate (Site 4) has a large interbuilding void at the base that allows the building to rise over an existing neighboring building. The DEIS does not discuss how this building will be consistent with DCP's changing policy on interbuilding voids or identify modifications or mitigations to ensure consistency with this policy. DCP's Manhattan Office has formed a working group that is developing policies that will prevent this building technique, and while these policies are not yet finalized, considering that DCP is the Lead Agency, the EIS should acknowledge the policy and how this building will be consistent with DCP's policy efforts; and

3) **Interbuilding Voids and Fire Safety and Operations**
On May 3, 2018, the Fire Department of the City of New York's (FDNY) Bureau of Operations cited both general and specific operational and safety concerns regarding a building planned with a 150-foot interbuilding void. One of the developments the proposed actions would facilitate has an interbuilding void that is larger than the one that caused the FDNY to express

concern. It is therefore likely that they would have the same concerns with this proposed interbuilding void.[2] The DEIS does not analyze how this building will address the concerns the FDNY outlined as policy, despite §28-103.8 of the Building Code that allows the Commissioner of Buildings to deny a building permit based on such safety concerns;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the DEIS to be insufficient as the time between the close of the public scoping period and the issuance of the DEIS was excessive, lasting more than 12 months, and effectively limited the opportunity to incorporate any new policies promulgated in that period into the analysis scope; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of applicable public policies insufficient and requests an expanded analysis that includes consideration of City policy that was promulgated in the period between the public scoping comment period and the issuance of the DEIS; and

WHEREAS, regarding the analysis of socioeconomic conditions that looks at indirect business displacement, the DEIS concludes that the project would not result in significant indirect business displacement, yet it is reasonable that changing demographics in the study area could have a significant impact on local retail as new residents in the 2,081 private market DUs will have significantly higher incomes than current residents in the study area; and

WHEREAS, the DEIS identifies that in the past many predominantly Chinese businesses were in operation in the area (**Table 3-15**), with 20 out of 25 sites analyzed previously being the location of a predominately Chinese business, and with major turnover having occurred at eight sites, and medium turnover having occurred at six sites, the former and current retail in the area may uniquely serve a particular linguistically isolated population, and these retail businesses are particularly vulnerable to displacement despite the determination of no impact;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of indirect business displacement and the determination of no significant adverse impacts to be insufficient and inaccurate and requests revised analysis, as well as the identification of adequate and detailed mitigation strategies if further significant adverse impacts are identified; and

WHEREAS, regarding the DEIS analysis of socioeconomic conditions that looks at indirect residential displacement, the definition of "vulnerable population" outlined in the *City Environmental Quality Review (CEQR) Technical Manual* limits the analysis to "privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rent," while excluding analysis of the market pressures on rent regulated units; and

[2] The concerns the FDNY express are as follows:

- "Access for FDNY to blind elevator shafts… will there be access doors from the fire stairs.
- Ability of FDNY personnel and occupants to cross over from one egress stair to another within the shaft in the event that one of the stairs becomes untenable.
- Will the void space be protected by a sprinkler as a "concealed space."
- Will there be provisions for smoke control/smoke exhaust within the void space.
- Void space that contain mechanical equipment… how would FDNY access those areas for operations."

WHEREAS, 88% of rental units in the study area are located in buildings that have received some form of government subsidy or have at least one unit protected by rent control, rent stabilization, or other government regulations; and

WHEREAS, this by no means indicates that 88% of all rental units in the study are protected—merely that they are located in a building where at least one unit is rent protected, yet the DEIS proceeds with this faulty assumption and excludes all residents of these buildings from consideration as a vulnerable population; and

WHEREAS, many actual rent regulated households in the study area have already experienced indirect displacement pressures and there has been a loss of 950 rent regulated units between 2007 and 2016 in the study area[3]; and

WHEREAS, recent research has documented a direct correlation between heightened housing market pressures and the loss of rent regulated units[4], and the Legal Aid Society's recent lawsuits against the City regarding the Bedford Union Armory and the East Harlem Neighborhood Rezoning have further documented this correlation; and

WHEREAS, despite the presence of rent regulated units, there were over 300 eviction cases filed in the study between January 2013 and June 2015, including 135 at 82 Rutgers Slip alone[5]; and

WHEREAS, the City has in fact acknowledged the reality that residents of rent regulated buildings can constitute a vulnerable population by launching the pilot program *Partners in Preservation*, with $500,000 in funding, to specifically protect rent-stabilized tenants from pressures generated by changes in market conditions; and

WHEREAS, without an analysis that includes an expanded vulnerable population which includes rent regulated tenants, as well as an accounting of government-subsidized buildings that are nearing the end of their regulated term agreements, and a consideration of the effect of proposed federal budget cuts on this regulated housing stock, then the City is continuing a trend of inadequate analysis and planning that undercounts the socioeconomic impacts of the proposed actions and all future actions; and

WHEREAS, the DEIS determines that the study area has already experienced a readily observable trend toward increasing house prices and changing characteristics of new residential development, and states that the proposed actions would not alter this trend, yet is not compelled by *CEQR Technical Manual* guidelines to conduct further analysis or identify mitigations;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the analysis of socioeconomic impacts and the determination of no significant adverse impacts, as informed by *CEQR Technical Manual* guidelines, to be insufficient and inaccurate; and

THEREFORE, BE IT FURTHER RESOLVED that the Lead Agency and the City has a responsibility to the public to use the best reasonable methods for analyzing and mitigating impacts and disclosing those impacts and mitigation measures in an EIS; and

[3] As documented by data provided here: taxbills.nyc
[4] As documented by the data provided here: http://blog.johnkrauss.com/where-is-decontrol/
[5] As documented by data provided here: https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests an expanded, detailed analysis of indirect residential displacement that considers market pressures on regulated units in the study area, including disclosure and analysis of eviction rates in the study area; disclosure and analysis of the amount of government-subsidized DUs in the area, including identification of those that are nearing the end of their regulatory agreements; and, if the revised data continues to show impacts, identify appropriate, adequate, and detailed mitigation measures; and

WHEREAS, regarding community facilities and services, a number of publicly-known projects are anticipated to be completed prior to and just after the proposed actions anticipated build year of 2021, including One Manhattan Square, which will add 1,020 new residential DUs to the study area; *NextGeneration NYCHA* residential infill at the La Guardia Houses campus, potentially including as many as 300 new residential units; Essex Crossing, which is will add 1,000 new DUs, 750 of which will be completed by 2021; and the proposed Grand Street Guild development which will add 400 new DUs at 151 Broome Street; and

WHEREAS, these developments are included in the analysis of public libraries but not in all analysis frameworks or proposed future scenarios considering impacts on community facilities and services;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds that without the inclusion of these publicly-known developments, the analysis framework for community facilities and services is insufficient and needs to be revised; and

WHEREAS, the DEIS examines the enrollment, capacity, available seats and utilization rates of public schools in both Community School District 1 (CSD1) and Sub-District 1 of CSD1, it is still uncertain the impact that the aforementioned additional DUs from other publically-known developments will have on public schools in the neighborhood; and

WHEREAS, the multipliers for student generation used to analyze impacts on public schools, as defined in the *CEQR Technical Manual,* are out-of-date and incorrect, drawing from the 2000 Census Public Use Microdata Sample (PUMS) file, data that is 18 years old; and

WHEREAS, this method is shockingly coarse, lumping together both neighborhoods within boroughs and unit types—suggesting for example, that a market-rate project with 300 studio apartments in Midtown would generate the exact same number of school children as a 100% affordable project with 300 3-bedroom units on Avenue D; and

WHEREAS, the conservative analysis scenario which does not include projected housing exclusively for use by seniors does represent the limitations of the proposed project accurately, as none of this senior housing is at this time guaranteed, and therefore does not reflect the full extent of child care and student impacts as the proposed actions are currently defined, and even with senior units excluded, the increase in utilization rises by more than 20% and the Sub-district would be at over 100% overutilization; and

WHEREAS, despite the inaccuracy of the analysis framework and student projection methodology, the DEIS still finds that the proposed actions would result in a significant adverse impact on public schools and publically funded child care facilities, for which no mitigations have yet been identified;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests an assessment of community facilities impacts using the most current and accurate data available, including multipliers generated from the most current American Community Survey data; the most recent school enrollment data (e.g. 2016-2017 data should be replaced with 2017-2018 data for the sub-borough area); assess overutilization within the Sub-District rather than on a District-wide level; eliminate the conservative analysis scenario which excludes housing exclusively for use by seniors, as it does not accurately describe the proposed projects' current unit mix; and, if the revised analysis continues to show impacts, provide appropriate, adequate, and detailed mitigation measures for overutilization in the Sub-District; and

WHEREAS, regarding shadows, the DEIS finds that out of 34 resources that will be affected by shadows, two—Cherry Clinton Playground and Lillian D. Walk Playground—would experience significant adverse shadow impacts; and

WHEREAS, the DEIS finds that the Cherry Clinton Playground will incur incremental shadows for more than two hours every day and for more than three hours in the summer months, and the health of the trees and playground property would be significantly affected by the shadows; Lillian D. Wald Playground will incur incremental shadow in the mid-afternoon for roughly two hours; Little Flower Playground will incur approximately five hours of incremental shadow; and Coleman Playground will incur more than two hours of incremental shadows in the morning in the summer months and nearly an hour in the spring and fall; and

WHEREAS, despite these significant adverse shadow impacts on crucial open space resources, the DEIS states only that mitigation measures for shadow impacts are being explored by the applicants and will be refined prior to the issuance of the FEIS; and

WHEREAS, the only mitigation measure identified thus far includes dedicated funding for enhanced maintenance at two playground sites;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that "dedicated funding for enhanced maintenance" be explicitly defined, including a detailed explanation of the amount of funding and length of time the dedicated funding will be provided, the regulatory agreement or restrictive declaration these funds will be secured through, and an explanation of how said funds will be used to mitigate the impact of irreversible shadow generation—including how "enhanced maintenance" will mitigate the irreversible loss of sunlight for vegetation, including cherry trees, and playground users; and

WHEREAS, the Greenstreet analysis is deficient in that it identifies "shade-tolerant and hardy plantings" without identifying what those plantings are;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests an inventory and identification of specific species, including a discussion and analysis of how much sunlight they need compared to how much sunlight they will receive under the proposed With Action conditions, with an evaluation of impacts based on this accurate and detailed inventory, as well as the identification of adequate and detailed mitigation strategies if further significant adverse impacts are then found; and

WHEREAS, there are significant omissions of many "sunlight sensitive resources" in the analysis. The following (***Figure 1***) is a reproduction of the map of the Tier 1 and 2 Assessment. The legend shows that the green areas are "Publicly Accessible Open Space" (as identified in DEIS Figure 6.1)

Figure 1 - Reproduction of DEIS Figure 6.1

In fact, when the areas shown in green are compared with New York City's Geographic Information System (GIS), they align perfectly with the layer labeled "Parks." Unfortunately, this layer does not contain all "publicly accessible open spaces" that will be impacted by the project. This layer omits many non-park publicly accessible open spaces, all of which are sunlight sensitive resources according to the definition in the *CEQR Technical Manual*; and

WHEREAS, the Two Bridges area was remade during urban renewal and not only contains many New York City parks, but also many additional publicly accessible open spaces that have the potential to be adversely impacted by shadows; and

WHEREAS, the following image (***Figure 2***) shows the magnitude of this difference by showing all the publicly accessible open space identified in New York City GIS's Open Space layer, on top of the DEIS's Tier 1 and 2 Assessment map. The areas identified by the GIS as non-park open space are shown in dark green below:

Figure 2 - Reproduction of DEIS Figure 6.1 altered to show NYC identified publicly accessible open spaces in dark green

The elements in dark green that are not studied in the DEIS include ballfields, school yards and school playgrounds, including PS 2 Yard/Playground, Murry Bergtraum Softball Field, Shuang Wen School Yard with Playground, Orchard Collegiate School Yard, a ball court at NYCHA La Guardia Houses, and tennis courts adjacent to the Cherry Clinton Playground; and

WHEREAS, this may not be all of the shadow sensitive resources as defined by the CEQR *Technical Manual*, as seen in the following (***Figure 3***), which reproduces altered DEIS Figure 6.1 and adds Community Gardens. The Community Garden data set is coarser, as it includes portions of lots that are not shadow sensitive, but this provides more evidence that even more receptors identified by the *CEQR Technical Manual* have been omitted from the analysis:

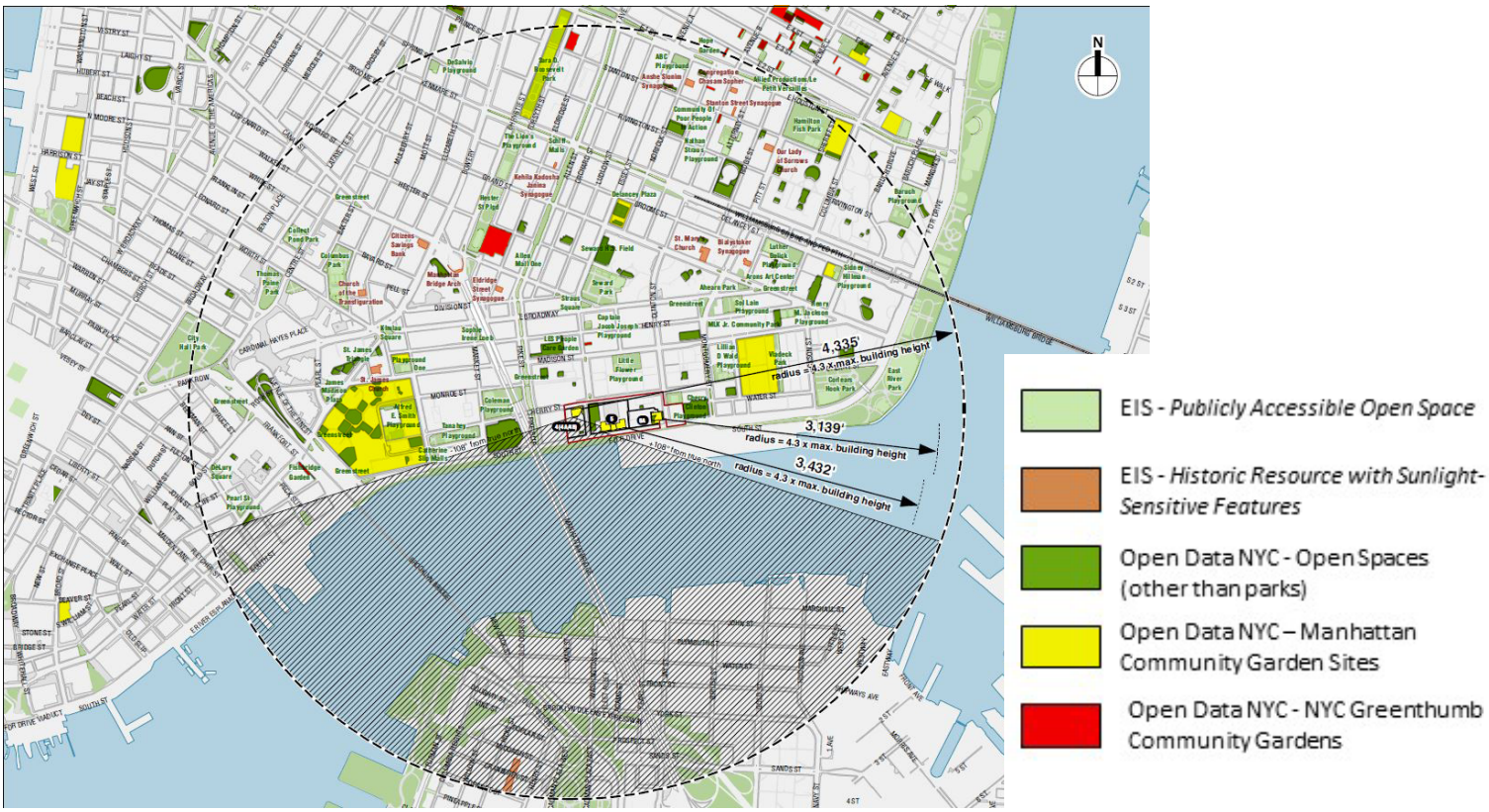


Figure 3 - Reproduction of DEIS Figure 6.1 altered to show publicly accessible open spaces and community gardens not studied in the DEIS

WHEREAS, taken together this data suggests that the DEIS could be missing as many as 41 sunlight sensitive resources in the study area: eight community gardens, and 33 publicly accessible open spaces. It is likely that not all of these sites are sunlight sensitive, but a quick review suggests that most of them are, and should have been included in the analysis; and

WHEREAS, it is likely that the above *still* underestimates the amount of publicly accessible open space that will have shadow impacts, as for example, most of the qualifying residential open space at the NYCHA La Guardia Houses *functions* as publicly accessible open space and has been functioning as publicly accessible open space for decades; and

WHEREAS, the *CEQR Technical Manual* instructs that sunlight sensitive resources include, "[a]ll public open space as identified in *Chapter 7*, 'Open Space,'" and *Chapter 7* instructs that 'Open Space' includes: "housing complex grounds, if publicly accessible,"; and

WHEREAS, the grounds at La Guardia Houses are open from the sidewalk and freedom of movement between the neighborhood and the open space is not impeded, and they are owned by a public authority, the areas used for recreation and green spaces should have been identified as a sunlight sensitive resource, as they are very large and are located directly to the north of the proposed project, thus experiencing some of the largest shadow impacts; and

WHEREAS, the DEIS does not evaluate shadow impacts on any NYCHA open spaces, and preliminary shadow analyses conducted by both the Municipal Art Society of New York (MAS) and George M. Janes & Associates have identified this significant shortcoming; and

WHEREAS, a demonstration of the magnitude of this omission prepared by George M. Janes and Associates is included as *Appendix A* to this document; and

WHEREAS, MAS has further identified that the proposed actions would generate shadow impacts on open spaces at:

1) The Rutgers Houses for approximately three hours daily during the May 6 and September 21 evaluation periods; and

2) The La Guardia Houses for approximately 7 hours daily during the May 6 and September 21 evaluation periods; and

WHEREAS, privately owned open spaces are exempt from shadow impact analysis under CEQR guidelines, yet the proposed actions inclusion of private open space to mitigate adverse impacts suggests that an evaluation of the shadow impacts on Rutgers Park would be appropriate, as again according to MAS analysis, it would also be impacted by shadows generated by the proposed actions for a significant portion of the day during both the May 6 and September 21 evaluation periods;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests expanded and corrected shadow analysis that includes all publically accessible open spaces, NYCHA open spaces, and private open spaces impacted in the study area, and the identification of adequate and detailed mitigation strategies if further significant adverse impacts are then found; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that mitigation measures be identified for all impacted sites; and

WHEREAS, regarding urban design and visual resources**,** the overall analysis framework for urban design is insufficient and requires a more robust level of analysis; and

WHEREAS, a number of view corridors and visual resources will be irreparably changed under the proposed With Action conditions, yet the DEIS does not identify changes to these resources that would trigger a determination of significant adverse impact; and

WHEREAS, a number of the With Action/No Action visual comparisons are not presented from the same vantage point and do not present buildings with enough contrast to disclose actual impacts, including DEIS images 50a and 50b, images 51a and 51b, 53a and 53b, and 56a and 56b; and

WHEREAS, a number of comparative photosimulations between existing conditions and proposed conditions show a different aspect ratio, shading, and colors of building and sky; and

WHEREAS, the proposed conditions will not change the color of the sky, remove shadows from the street, or lighten the color of the facades of existing buildings, making these images misleading and contrary to best practices in the production of photosimulations for environmental review; and

WHEREAS, conclusions in the urban design and visual resources analysis minimize visual impacts and justify determinations based primarily on comparisons and consistency with a single building, One Manhattan Square, without comprehensively assessing the totality of cumulative impacts the proposed actions will have on the study areas; and

WHEREAS, the DEIS claims that the project will "not eliminate any significant publicly accessible view corridors or completely block public views to any visual resources,"

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests revised With Action/No Action visual comparisons that accurately presents visualizations from the same perspective; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a revised analysis with a threshold for findings of significance that uses *impairment* of the quality of a viewpoint, rather than the *complete blockage* threshold to identify significant adverse impacts on visual resources; and requests the identification of adequate and detailed mitigation strategies if further significant adverse impacts are then found; and

WHEREAS, the DEIS makes assertions about wind conditions without presenting any data to support those assertions, stating that a study was performed that found the conditions the proposed projects would create would be "similar to those at comparable locations in the City,"

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of this study, including the identification of comparable locations in the City, the safety of wind conditions for pedestrians, the comfort of wind conditions for pedestrians, and if significant adverse impacts are found, the identification of adequate mitigation measures, including the potential placement and number of marcescent trees that would be needed, and how effective such mitigation measures would be; and

WHEREAS, regarding natural resources, the DEIS describes how nighttime migratory bird collisions are more likely to occur on buildings above 656 feet; and

WHEREAS, despite the fact that the proposed developments are between 730 feet and 1,008 feet tall, and despite the fact that the DEIS clearly identifies that the buildings would intersect the strata of airspace in which migrating birds most commonly fly—increasing the risk of bird collision—the DEIS ultimately downplays the impacts of the proposed development on bird collisions; and

WHEREAS, the DEIS describes methods (patterned or fritted glass) by which the proposed developments could reduce bird collisions which are being considered by the applicants, it does not indicate that any of these methods will be implemented;

THEREFORE, BE IT RESOLVED that Community Board 3 requests full disclosure of the design features being considered as well as their intended impacts and confirmation of the applicants' commitment to implementation; and

WHEREAS, regarding water and sewer infrastructure, the DEIS concludes there will not be an impact on either the City's water supply or sewage treatment systems, yet the DEIS does identify impacts on the drainage system during heavy rain events; and

WHEREAS, the DEIS identifies that the volume of sanitary sewage sent to combined sewer systems will more than double in the With Action scenario, with up to an additional 588,000 gallons flowing into the combined sewer system in the heaviest rainfall scenarios, and indicates that storm water Best Management Practices (BMPs) would be required as part of the New York City Department of Environmental Protection (DEP) site connection approval process, the DEIS does not identify any concrete mitigation measures; and

WHEREAS, the project sites are within a combined sewer drainage area, where regulators permit up to a certain amount of "allowable flow" that the system can handle to go to large interceptor sewers that direct the combined wastewater to a wastewater treatment plant, and where, to avoid overloading a Waste Water Treatment Plant (WWTP) when the system contains more than the allowable flow, coastal outfalls can discharge the excess amount into local waterways rather than directing them to the WWTP; and

WHEREAS, given the realities of climate change and the estimation by DEP that New York City could potentially experience as much as 3.0 inches/hour of rainfall by 2065, and the fact that DEP already identified the spillage of more than 18 million gallons of raw sewage across 26 CSO events in 2016 at the outfall serving the combined sewer system in question; and

WHEREAS, during a high tide or storm surge event, river water can quickly enter the wrong end of an outfall with great force and fill nearby sewers to capacity, causing flooding that is difficult to mitigate and which could render the local drainage system useless, potentially causing the precipitation and sanitary sewage in the local drainage system to backup and surcharge into streets and properties; and

WHEREAS, the project sites and the local combined sewage drainage area are naturally vulnerable to many types of flooding as they are low lying and next to the coast, and during a storm event the drainage areas low lying points may need to simultaneously manage the compounded impacts of tidal flooding, extreme rainfall, sanitary sewage generation, and storm surge, resulting in a heightened and disastrous flood risk; and

WHEREAS, the proposed actions would result in total on-site sewage generation of 820,429 gallons per day (gpd), 3.30 times the volume of current sanitary sewage generation, resulting in that much less space for the local drainage area to simultaneously manage storm water during flash or tidal flooding, or a coastal storm event;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that to most clearly show the impacts of the anticipated increase in sanitary sewage on the local combined sewer drainage area, the principal conclusions in this analysis should include and represent these incremental increases as percentage values to illustrate the relative change in volume as measured in **Table 11-5**; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the analysis of scenarios that would be considered flash flooding or greater by the National Weather Service (NWS) (identified as rainfall of at least *1.0 to 1.5 in over 1 hour) in order to accurately assess and disclose the capacity of* drainage systems during heavy rain and coastal flooding events which the area is naturally predisposed to; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further revised analysis of infrastructural capacity and the identification of adequate and detailed mitigation strategies if further significant adverse impacts are identified; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests identification and disclosure of the BMPs that would be included in the proposed actions; and

WHEREAS, regarding transportation, 15 intersections are identified in the DEIS as having potential for significant adverse impacts under the proposed actions and a number of these have no proposed mitigation measures, including the intersections of South Street and Montgomery Street, and Chatham Square and Worth Street/Oliver Street; and

WHEREAS, the signal timing changes and lane restriping that is being proposed to mitigate impacts at the remaining 13 intersections are subject to New York City Department of Transportation (DOT) approval and the potential for unmitigated traffic impacts at these locations remains;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full mitigation of all identified traffic impacts, as well as disclosure of proposed signal timing changes and lane restriping plans with approval from DOT; and

WHEREAS, the DEIS estimates that only 1,069 vehicle trips to and from the area will be generated as a result of development despite the anticipated addition of over 2,000 market-rate residential DUs; and

WHEREAS, the DEIS does not disclose any substantial explanation of the methodology for calculating the impacts of the growing ride-hailing industry or the impacts of online-based vendor deliveries to the area, both of which may have an elevated impact in the study area under the proposed With Action conditions due to the higher anticipated income of new residents; and

WHEREAS, for travel demand assumptions, data was drawn from the Seward Park Mixed Use Development Project, which included a unique housing model with 50% of DUs set-aside as permanently affordable; and

WHEREAS, the study area has fewer mass transit options than are available in the Seward Park Mixed Use Development Project area; and

WHEREAS, due to these differences, assumptions from the Seward Park Mixed Use Development Project should not be applied to the proposed actions, as it can safely be assumed that higher income residents will have higher rates of car ownership and limited access to public transit will generate more automobile trips;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a revised estimation of vehicle trips generated with these potentially elevated impacts and ride-hailing impacts included; and

WHEREAS, the DEIS finds that the addition of more than 5,800 new residents to the area, with limited subway access, would not generate incremental bus trips at a level requiring detailed bus line-haul analysis and determines that the proposed actions would not significantly impact bus line-haul;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that a detailed bus line-haul analysis be conducted to address the unique conditions in the study area, including limited access to subway lines, that would differ from the standard Travel Demand Assumptions outlined in the *CEQR Technical Manual* regarding modal splits; and

WHEREAS, the DEIS finds that the addition of more than 5,800 new residents to the area as a result of the proposed actions would not significantly impact subway line service; and

WHEREAS, the DEIS analysis assigned only 5% of trips to the B-line and D-line Grand Street subway station and 95% of trips to the F-line East Broadway subway station, with limited explanation of the methodological decision; and

WHEREAS, anticipated MTA New York City Transit repairs to the Rutgers Tube slated for 2022 are expected to limit F-line service at the East Broadway subway station just after the proposed actions projected build year; and

WHEREAS, the only significant adverse impacts identified are for the F-line East Broadway subway station S1 stairway during weekday AM and PM peak hours, and the P3 stairway for the weekday AM peak hour, and therefore the only mitigations proposed are station accessibility and circulation-based; and

WHEREAS, the conceptual engineering studies for these mitigations have at this time been performed and are described as feasible in the DEIS, yet the details of these studies have not been disclosed and the potential for these adverse impacts to be unmitigated remains;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that subway line haul methodology and trip generation methodology be refined to more accurately reflect use patterns the proposed actions will influence, as well as reflect publically-known service interruptions that are expected to impact transit in the study area; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests any conceptual engineering and feasibility studies for mitigation measures be disclosed; and

WHEREAS, the following intersections were highlighted in the DEIS as having been the site of ten or more injuries during the study period between November 1, 2013 and October 31, 2016, including:

- Allen Street and Canal Street - 16
- Allen Street and Delancey Street - 37
- Allen Street and Division Street - 10 (1 fatality)
- The Bowery and Canal Street/Manhattan Bridge - 81
- Chatham Square/Park Row and Worth Street/Mott Street - 10
- Pike Street and East Broadway - 13
- Pike Street and Madison Street - 12
- Rutgers Slip and South Street - 11 (1 fatality); and

WHEREAS, the DEIS indicates that none of these intersections were found to have design deficiencies, yet a number of the intersections, such as Chatham Square/Park Row and Worth Street/Mott Street are

very difficult to navigate and involve several turning movements and pedestrian crossings, which belies the relatively low number of accidents (10); and

WHEREAS, the DEIS determined that traffic impacts at Chatham Square/Park Row and Worth Street/Mott Street, as well as at the intersection of South Street and Montgomery Street, could not be mitigated;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further study of these intersections and requests a proposal for redesign as a necessary mitigation of the anticipated adverse impact; and

WHEREAS, the DEIS has identified significant parking shortfalls that will result from the proposed actions, yet the *CEQR Technical Manua*l does not designate parking shortfalls in the borough of Manhattan as constituting a significant adverse impact due to the magnitude of available alternative modes of transportation; and

WHEREAS, the study area in fact lacks a significant magnitude of alternative modes of transportation as exemplified by the transit analysis trip generation methodology that identifies 95 percent of residents in the study area are likely to use a single subway station and line, the F-line at the East Broadway subway station;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further study of these parking shortfalls and a reconsideration of the mitigation standards typically applied to Manhattan actions due to the unique circumstances of limited public transit access in the study area; and

WHEREAS, regarding the analysis of neighborhood character, half the study area is in the East River, which does not make a reasonable study area for neighborhood character; and

WHEREAS, the analysis of neighborhood character is self-serving and could be much more easily argued from the opposite position, as the reduction in open space ratio, the major increase to private open space usage, shadows, visual resources, land use/zoning policy, and changes in the socioeconomic conditions the proposed actions would facilitate, would create significant changes in neighborhood character; and

WHEREAS, the DEIS states that "the proposed actions would not result in significant adverse impacts associated with neighborhood character," the proposed actions will certainly *change* neighborhood character;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of changes in neighborhood character, and a detailed and specific explanation of how these changes in neighborhood character do not constitute significant adverse impacts; and

WHEREAS, regarding construction impacts, a large number of significant adverse construction-period traffic impacts, parking shortfalls during peak construction, and construction-period noise impacts will remain unmitigated; and

WHEREAS, study area residents have already endured unmitigated construction impacts during the construction period of the adjacent One Manhattan Square project; and

WHEREAS, the DEIS does not provide sufficient details about the mitigation measures to be employed during the projects' stated 30- to 36-month construction period;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a full disclosure of all mitigation plans and a detailed explanation of:

1) The process by which communication with the community would occur, including procedure for delivering construction updates and disclosure of dedicated hotline information;

2) Maintenance and Protection of Traffic (MPT) plans for temporary sidewalks, street closures, etc. during the entire construction period;

3) Pest management strategies that would be employed at the project sites during the construction period;

4) Emissions reduction strategies and best practices that would be employed during the construction period;

5) Specific noise control measures being proposed; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a commitment to regular coordinating meetings with all appropriate agencies and stakeholders as an additional and necessary mitigation; and

WHEREAS, during the construction period, 10 DUs in 80 Rutgers Slip would be removed and replaced in the new Site 4 (4A/4B) building, and an additional nine DUs in 80 Rutgers Slip would be renovated, resulting in the relocation of approximately 19 senior residents of 80 Rutgers Slip during the construction period; and

WHEREAS, approval for this relocation plan must be granted by HUD, and has thus far not included any consultation with the Community Board or local elected officials, nor has the regulatory agreement or relocation plan been disclosed in the DEIS;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of any regulatory agreements and relocation plans for the approximately 19 senior residents at 80 Rutgers Slip; and

WHEREAS, the only alternatives to the proposed actions that are considered in the DEIS are the required No Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative; and

WHEREAS, a Lesser Density Alternative was considered but ultimately excluded, citing that the reduction in density would significantly reduce the amount of permanently affordable housing delivered by the proposed actions and thus compromise the project description and objectives; and

WHEREAS, despite these findings, the total number of affordable units is not inherently contingent on project density or mitigation of environmental impacts;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests a full consideration of at minimum, a Lesser Density Alternative, as well as any other reasonable alternatives that could reduce adverse environmental impacts; and

WHEREAS, the *CEQR Technical Manual*, and specifically the guidelines for the analysis of indirect residential displacement, are so insufficient and flawed that to evaluate and propose specific mitigations based on these findings would be inadequate and represent a dangerous level of irresponsible planning; and

WHEREAS, despite the flawed analysis of indirect residential displacement impacts, it is clear that in reality the proposed actions represent a type of large-scale, majority market rate waterfront development that has been documented to result in widespread residential and commercial displacement in other neighborhoods such as Greenpoint-Williamsburg; and

WHEREAS, the proposed actions introduction of a limited amount of regulated units at rental levels that far exceed real affordability for the majority of area residents, and over 2,000 market rate units will likely generate similar widespread indirect residential displacement in the absence of substantial changes to the proposed actions or comprehensive mitigations; and

WHEREAS, the provision of a limited number of rent regulated apartments at rental levels that far exceed real affordability for the majority of area residents does not in itself begin to appropriately mitigate this anticipated indirect residential displacement;

THEREFORE, BE IT RESOLVED that Community Board 3 requests a meaningful and accurate analysis of indirect residential displacement and the full and appropriate mitigation of all accurately identified impacts; and

WHEREAS, in addition, the proposed actions would likely result in significant adverse impacts to publically funded child care facilities, open space, shadows, traffic, transit, pedestrians, and noise during the construction period; and

WHEREAS, a number of these impacts, including shadows at Cherry Clinton Playground and Lillian D. Wald Playground; traffic impacts at the intersection of South Street and Montgomery Street and the intersection of Chatham Square and Worth Street/Oliver Street; and construction-period noise, would go unmitigated; and

WHEREAS, a number of mitigations are either wholly unidentified or lacking in substantive detail, and are anticipated to be defined between the current time and the completion of the FEIS, including mitigation measures for significant adverse impacts on public elementary school utilization rates and publicly funded child care facilities;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that all significant adverse impacts be fully mitigated and that no impacts be left unmitigated in the FEIS; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the proposal to define mitigations during the period between the issuance of the DEIS and the completion of the FEIS to be insufficient, as it denies the Community Board and the public an opportunity to fully review, vet, and comment on significant and necessary mitigation proposals prior to the CPC vote on the project applications; and

WHEREAS, the currently proposed square footage for community facilities outlined in the DEIS project description would not be adequate to accommodate the necessary mitigations for public school or child care facility impacts and no off-site locations have yet been identified; and

WHEREAS, the DEIS states that Restrictive Declarations for the proposed projects will be adopted requiring consultation with the New York City Administration for Children's Services (ACS) to mitigate publically funded child care facilities impacts, but no such Restrictive Declaration has been disclosed;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the identification of sites for the proposed public school and child care facility mitigations prior to the issuance of the FEIS; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the disclosure of written commitments and/or Restrictive Declarations for any mitigations of publically funded child care facilities; and

WHEREAS, a number of identified mitigations are expected to be further refined between the current time and the completion of the FEIS, including proposals for the dedication of publically accessible open space at Rutgers Slip, and the renovation of existing open spaces at Coleman Playground, Captain Jacob Joseph Playground, and Little Flower Playground; funding enhanced maintenance at Cherry Clinton Playground and Lillian D. Wald Playground; signal timing changes and lane restriping at 13 intersections; the installation of a new subway entrance, platform widening, and the installation of ADA-compliant elevators at the F-line East Broadway subway station; and timing changes and crosswalk widening at several intersections;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 finds the proposal for refinement of any identified mitigations during the period between the issuance of the DEIS and the completion of the FEIS to be insufficient, as it denies the Community Board and the public an opportunity to fully review, vet, and comment on significant and necessary mitigation proposals prior to the CPC vote on the project applications; and

WHEREAS, in each case where mitigations were identified, they may include significant public actions and costs, and are contingent on consultations with a number of City agencies as well as the findings of conceptual engineering and feasibility studies that have either not yet been conducted or are not included in the DEIS, and therefore there is a real potential for no mitigation of any identified adverse impacts; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the disclosure of written commitments and/or Restrictive Declarations for any major capital improvements to transportation infrastructure that are being proposed as mitigations; and

WHEREAS, the ratio of open space acres per 1,000 residents in the already underserved study area would decrease from 0.897 under the No Action condition to 0.831 under the
With Action condition; and

WHEREAS, the proposed mitigations for the loss of open space include the dedication of publically accessible but private open space at Rutgers Slip; the renovation of existing open spaces at Coleman

Playground, Captain Jacob Joseph Playground, and Little Flower Playground; and funding enhanced maintenance at Cherry Clinton Playground and Lillian D. Wald Playground; and

WHEREAS, the proposed public space at Rutgers Slip is actually private space which serves as the entrance way to the residential building at 82 Rutgers Slip and the residents have expressed seious safety concerns with converting this into a public plaza;; and

WHEREAS, funding for existing open space renovations is not a sufficient mitigation for the loss of open space or the impact of shadows on vegetation and playground use; and

WHEREAS, despite the significant shadow impacts on crucial open space resources, the DEIS states only that mitigation measures for shadow impacts are being explored by the applicants and will be refined prior to the issuance of the FEIS; and

WHEREAS, there has been no disclosure of how these specific playgrounds have been selected for mitigation;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests assurances that proposed open space mitigations would be completed, including written commitments and/or Restrictive Declarations for any major capital improvements; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further explanation of the justification, decision-making, public outreach, and agency consultations that went into the selection of proposed open space and shadow mitigation locations; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests full disclosure of the details, including amount and length of commitment, for the funding of enhanced maintenance that is proposed as a shadow impact mitigation; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further explanation of the rationale behind enhanced funding being able to functionally mitigate the permanent imposition of shadows on vegetation and playground use; and

WHEREAS, there is no timetable or cost estimate provided for the F-line East Broadway subway station mitigation proposals, nor is there any evaluation of the impacts on subway line-service, traffic, and pedestrian circulation during the construction period; and

WHEREAS, there is no timetable or cost estimate for proposed parks renovations, nor disclosure of proposed temporary park closures and the temporary impact on open space ratio during that would occur during any renovation construction period;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further analysis of the construction impacts that an East Broadway subway station renovation would have on subway-line service, traffic, and pedestrian circulation during the construction period; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests the disclosure of project timelines and cost-estimates for all proposed mitigations identified in the DEIS and FEIS; and

WHEREAS, regarding growth-inducing aspects of the proposed actions, the DEIS finds that the proposed projects are not expected to induce any significant additional growth beyond that identified the project description and analyzed throughout the EIS; and

WHEREAS, the proposed actions are anticipated to introduce more than 5,800 new residents and 2,081 market-rate DUs to the primarily low- and middle-income, and predominantly rent-regulated Two Bridges LSRD; and

WHEREAS, development in general, and the introduction of unregulated DUs, has never previously occurred on this scale in the Two Bridges LSRD; and

WHEREAS, a number of soft-sites would remain in the Two Bridges LSRD after the completion of the proposed actions, including significant unused floor area ratio (FAR) at Site 6B and Site 7, including parking lots and open spaces, as well as in the immediate adjacent area, including the Con Edison site at 220 South Street and open spaces on NYCHA properties at the La Guardia Houses, Rutgers Houses, and Smith Houses;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 questions the determination that the proposed projects are not expected to induce any additional growth and requests further and refined analysis of the growth-inducing aspects of the proposed actions;

WHEREAS, regarding irreversible and irretrievable commitments of resources, the DEIS does not evaluate and disclose the irreversible and irretrievable loss of visual resources from the proposed action sites as well as visual resources from upland and from Brooklyn; and

WHEREAS, the DEIS identifies additional resiliency measures the proposed actions would contribute to the area, it does not consider the irreversible and irretrievable loss of permeable surfaces, as well as the loss of trees and other vegetation from shadow impacts, that can function to absorb rain and flood waters;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests further detailed analysis and disclosure of these additional irreversible and irretrievable commitments of resources; and

WHEREAS, overall, the DEIS displayed a lack of responsiveness to Community Board 3's comments on the Draft Scope of Work; and

WHEREAS, given the potential change in CPC policy regarding the approval process for modifications to Large Scale special permits that the proposed actions represents, in which ULURP is not triggered as long as proposals do not require further waivers; and

WHEREAS, recommendations by community boards for Large Scale developments and special permits granted by the CPC and City Council during ULURP are typically made with the understanding that even though a project may receive zoning waivers, other "trade-offs" can make those waivers more acceptable, which is fundamental to the land use decision-making process in New York City, especially at the community board level; and

WHEREAS, the CPC's determination that the proposed significant development should classified as a minor modification to the Two Bridges LSRD plan, suggests that applicants can always come back after

special permits and waivers have been granted and build out projects with no community board review, as long as no additional waivers are sought; and

WHEREAS, this change brings into question every Large Scale special permit issued since 1961, as participants in the ULURP process, including community boards, are not likely to have made the same decisions regarding all Large Scale special permits if they understood that they would not have an opportunity to review the plans again even when significant amendments were being made; and

WHEREAS, there is no evidence that buildings even close to the scale proposed were discussed during any hearings or deliberations made by Community Board 3 prior to making recommendation on the granting of previous special permits for Large Scale Residential Development in Two Bridges;

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that the minor modification determination be reconsidered and the proposed actions be subject to ULURP, as anything less undermines established community planning precedent and the role of community boards in the land use planning process in New York City; and

WHEREAS, the methodology guiding the DEIS analysis as outlined in the *CEQR Technical Manual* is inherently flawed and appears to have a strong bias against any finding of significant impact, regularly producing analysis across numerous study areas that is both inadequate and does not begin to capture the actual impact on the environment as required under State law; and

WHEREAS, the DEIS, as currently constituted, includes a large number of serious omissions, misrepresentations and errors, and ultimately does not fully disclose all the proposed actions' significant impacts; and

WHEREAS, given the methodological shortcomings and the large number of serious omissions, misrepresentations, and errors, the Lead Agency should not have accepted this DEIS as complete;

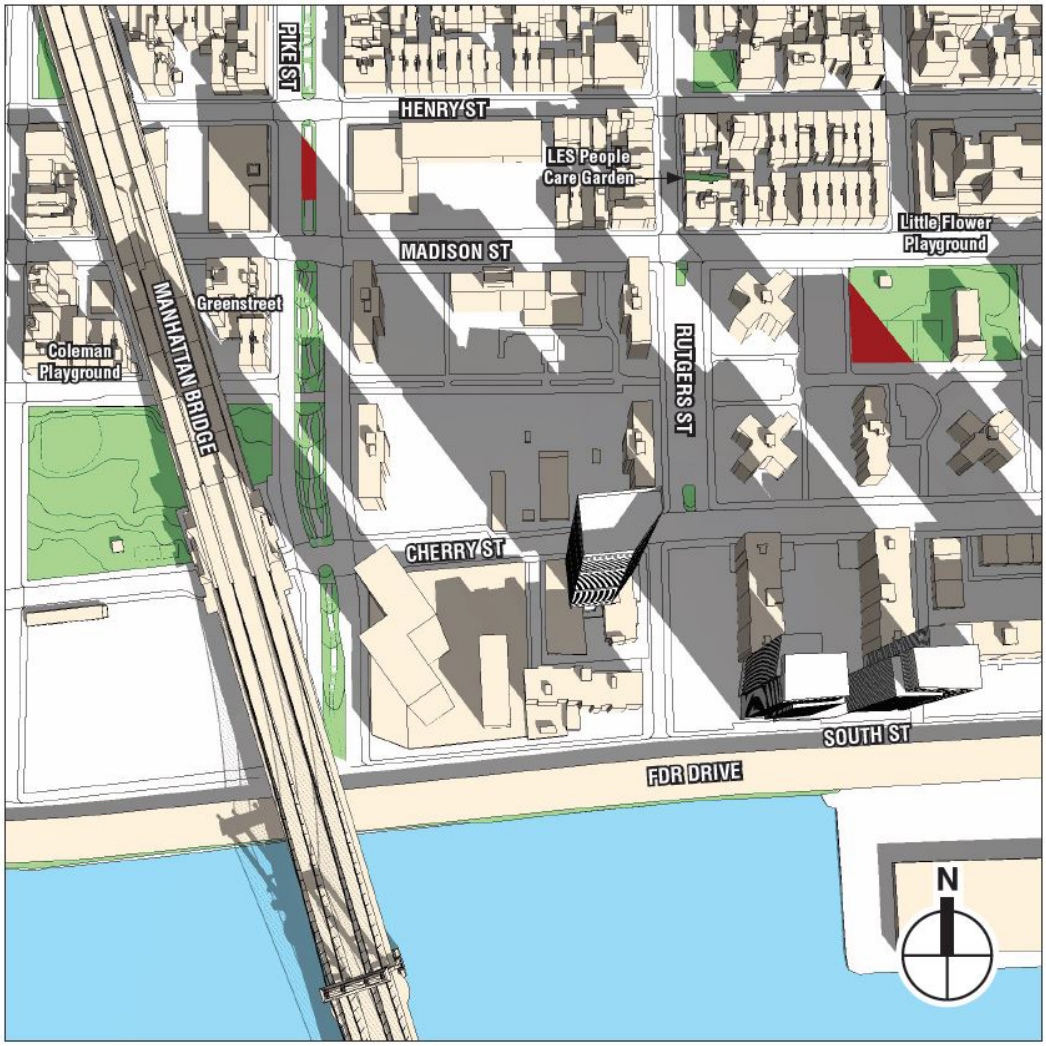
THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 requests that the omissions, misrepresentations and errors outlined here be corrected in a Supplemental DEIS which includes appropriate, adequate, and detailed mitigation measures for all identified impacts; and

THEREFORE, BE IT FURTHER RESOLVED that if a Supplemental DEIS is not issued, than Community Board 3 requests that all the aforementioned requests for the correction of omissions, misrepresentations and errors be included in the FEIS.

APPENDIX A

Prepared for Manhattan Community Board 3 by George M. Janes & Associates

To demonstrate the magnitude of the omissions in the sunlight sensitive resources, we have prepared a series of images starting with the March 21, 10am shadow rendering that appears in the DEIS ***(Figure 4).*** The two areas marked in red are incremental shadows on shadow sensitive resources as identified in the DEIS:



10:00 AM

Figure 4 - Reproduction of March 21, 10am shadow rendering

The above omits several sunlight sensitive resources. The following is a plan for this area showing both the resources identified in the DEIS and publicly accessible open spaces added from New York City's GIS (***Figure 5***). The resources in the DEIS are in light green and the resources added are in dark green:

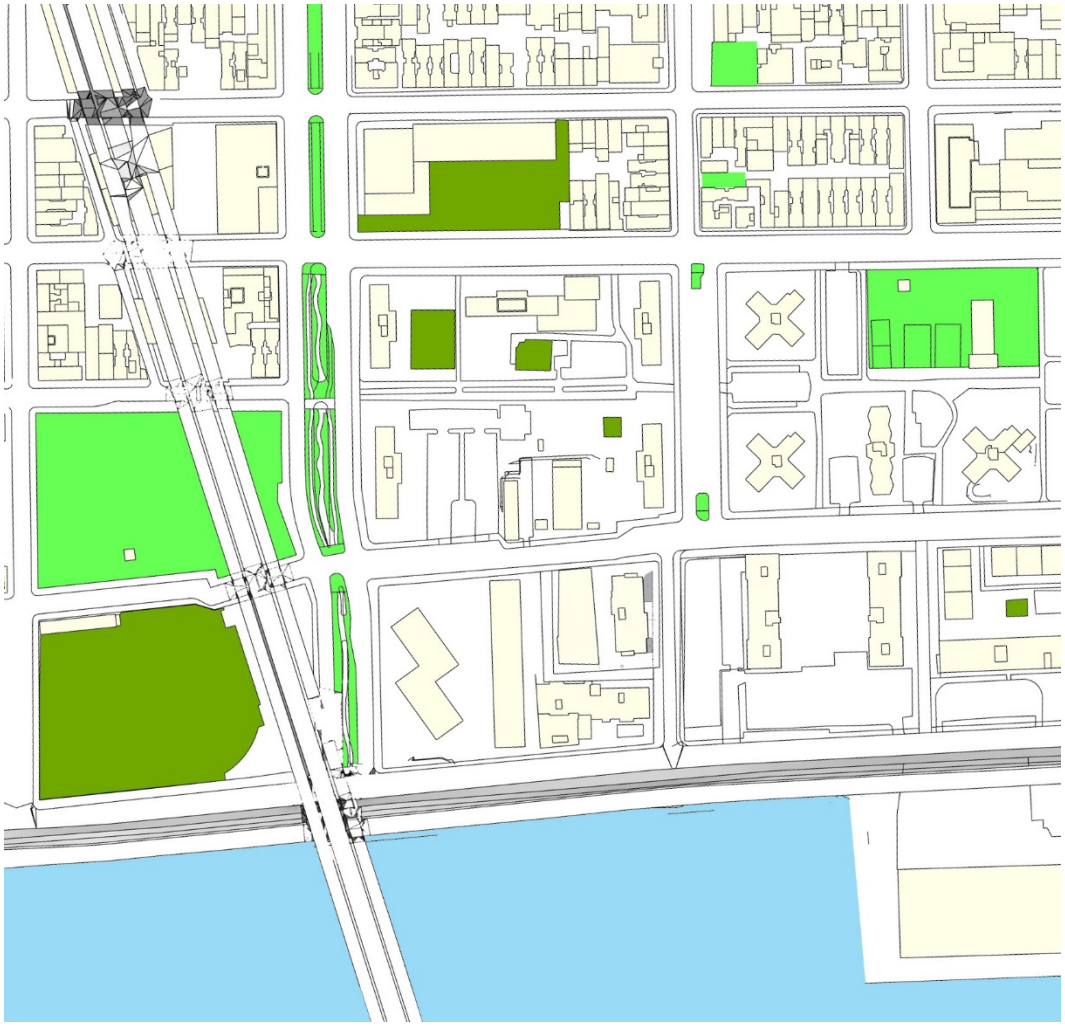


Figure 5 - Plan showing both identified sunlight sensitive resources (light green) and publicly accessible open spaces omitted (dark green)

To reexamine incremental shadow impact, we have taken models for the proposed building and rendered our own shadows for the day and time (***Figure 6***). There are trivial differences in the shadows that appear in the DEIS and the following renderings due to the differences in the 3D models used to render the shadows. The incremental shadow impacts identified in the DEIS are marked in red, while the incremental shadow impacts missing from the DEIS are shown in orange.

Figure 6 - March 21, 10am shadow rendering showing incremental shadow impact on parks identified in the DEIS (in red), and incremental shadow impact on publicly accessible open spaces not identified in the DEIS (in orange)

To be clear, this only marks the publicly accessible open spaces and community gardens identified in the New York City Open Space GIS layer, and does not include qualified residential open space on La Guardia Houses which is functional used as publicly accessible open space, but not identified as such. If that space is included, the incremental shadow impact is much larger ***(Figure 7).***

Figure 7 - March 21, 10am shadow rendering showing incremental shadow impact on parks identified in the DEIS (in red), incremental shadow impact on publicly accessible open spaces not identified in the DEIS (in orange), and incremental shadow impact on residential open space that functions as publicly accessible open space (in yellow)

With or without the open space impacts on La Guardia Houses, the DEIS understates sunlight sensitive resources that have a potential to be impacted. The omission is so large that the entire chapter needs to be redone in a supplemental DEIS.

EXHIBIT D

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE DIRECTOR

August 11, 2016

Hon. Margaret Chin
Council Member, District 1
250 Broadway, Suite 1882
New York, NY 10007

Hon. Rosie Mendez
Council Member, District 2
250 Broadway, Suite 1734
New York, NY 10007

Hon. Gale Brewer
Manhattan Borough President
1 Centre Street, 19th Floor
New York, NY 10007

Hon. Daniel Squadron
NYS State Senator, District 26
250 Broadway, Suite 2011
New York, NY 10007

Hon. Alice Cancel
NYS Assembly Member, District 65
250 Broadway, Room 2212
New York, NY 10007

Hon. Nydia Velazquez
U.S. Congresswoman, District 7
500 Pearl Street, Suite 973
New York, NY 10007

RE: Pre-Application Statements (PAS) for Two Bridges
Manhattan Blocks 246, 247 and 248

Dear Council Member Chin, Council Member Mendez, Borough President Brewer, Senator Squadron, Assembly Member Cancel, and Congresswoman Velazquez:

I appreciate your concerns regarding the proposed changes to the existing Two Bridges Large Scale Residential Development (Two Bridges LSRD) within the former Two Bridges Urban Renewal Area, as expressed in your letter to me dated June 22, 2016. I agree that the development contemplated here is significant when each proposed development is considered individually, and that the potential impacts to the surrounding neighborhood require unique consideration when the three proposed projects are assessed cumulatively.

As you are aware, the City Planning Commission created the Two Bridges LSRD in 1972 to support the Two Bridges Urban Renewal Area approved by the Commission in 1967. Through the LSRD regulations, the Commission granted waivers for distribution of permitted rooms without regard for zoning lots or district boundaries; for yard, height, and setback regulations wholly within the development; and for height and setback regulations on the periphery of the development. In 1995, the Commission granted additional waivers for height and setback regulations wholly within the development and for minimum distance between buildings.

The determination of whether a modification to a prior special permit is "major" or "minor" is based on whether the proposed modification would require new waivers or zoning actions or increase the extent of any previously granted waivers. The criteria governing this determination are those codified in Section 2-(6)(g)(5)(ii) of the ULURP Rules (attached). Here, because the proposed modifications will not require any new waivers or zoning actions or increase the extent of previously granted waivers, the modifications will be treated as "minor".

However, although these proposals will not be reviewed as major modifications, the Department of City Planning is committed to working with you closely as we review the applications for these developments. We are requiring the completion of an Environmental Impact Statement (EIS) in conjunction with these applications, and are pleased that the applicants have agreed to a coordinated review of the proposals, to ensure that both any cumulative and project-specific potential impacts are identified and addressed through the public process mandated by CEQR,

We are committed to ensuring that the proposed projects are reviewed in accordance with urban design principles that result in, among other things, an improved streetscape and pedestrian condition along both South Street and Cherry Street and attention to the relationship between existing and new buildings on the project sites. We will also closely examine the affect the proposed buildings will have on light and air in the surrounding area, as well as the neighborhood consequences related to increased density (such as the need for schools), among many other factors.

I know that the development of this area is of significant consequence to you and the neighborhood. We appreciate your engagement with these important land use matters and look forward to working closely with you as we review these proposals. Please feel free to reach out to us with any questions at any time.

Best regards,

Carl Weisbrod

Encl: *Section 2-06 City Planning Commission Actions*

EXHIBIT E

Section 2-06 - City Planning Commission Actions

(a) General Provisions

The Commission shall hold a public hearing on all applications made pursuant to § 197-c of the Charter not later than sixty (60) calendar days after the expiration of the time allowed for the filing of a recommendation or waiver with it by an affected Borough President. Following its hearing and within its applicable sixty (60) day period, the Commission shall approve, approve with modifications or disapprove such application and file its decision pursuant to § 2-05(h)(4) below.

(b) Zoning Text Amendments Pursuant to Charter Section 200 or 201

The Commission shall hold a public hearing on an application for a zoning text amendment pursuant to Charter § 200 or § 201. Such hearing shall be conducted in accordance with § 2-06(f) of this Chapter.

(c) Modification of Applications

(**1**) The Commission may propose a modification of an application, including an application for a zoning text amendment pursuant to Charter § 200 or § 201, which meets the criteria of § 2-06(g) below. Such proposed modification may be based upon a recommendation from an applicant, community board, borough board, Borough President or other source. Where a modification is proposed, the Commission shall hold a public hearing on the application as referred to a community board or boards and on the proposed modification. Promptly upon its decision to schedule a proposed modification for public hearing, the Commission shall refer the proposed modification to the community board or community boards, borough board, and the affected Borough President to which the application was earlier referred, for such action as such board or boards or Borough President deem appropriate.

(2) The above provision shall not limit the Commission's ability to make a minor modification of an application.

(d) Notice of Hearing

Notice of the time, place and subject of a public hearing by the Commission for all applications subject to this uniform land use review procedure, including applications for zoning text amendments pursuant to Charter § 200 and § 201 and modified applications pursuant to § 2-06(c)(1), of this chapter, shall be given as follows:

(**1**) by publication in The City Record beginning not less than ten (10) calendar days immediately prior to the date of hearing and continuing until the day prior to the hearing;

(**2**) by publication in the Comprehensive City Planning Calendar distributed not less than ten (10) calendar days prior to the date of hearing;

(**3**) by transmitting notice to the concerned community board or community boards Borough President and borough board and to the applicant not less than ten (10) calendar days prior to the date of hearing;

(**4**) for all actions that result in acquisition of property by the City, other than by lease, whether by condemnation or otherwise, the applicant shall notify the owner or owners of the property in question by mail to the last known address of such owner or owners, as shown on the City's tax records, not later than five (5) days prior to the date of hearing. An affidavit attesting to the mailing and a copy of the notice shall be submitted to the Department of City Planning prior to the Commission's public hearing.

(e) Posting of Notices for Hearings on the Disposition of Occupied City-Owned Residential Buildings

For any application involving disposition of a city-owned residential building, which at the time of application is occupied by tenants, the applicant shall post notice of the Commission public hearing as discussed below:

(**1**) at least eight (8) days prior to the Commission public hearing a notice, on a form provided by the Department of City Planning, shall be posted by the applicant in the building subject to the application, informing the tenants of the proposed action and the right of the public to appear at the Commission hearing and testify; and

(**2**) such notice shall be posted in common public space on the ground floor of the building accessible to all building tenants; and

(**3**) the applicant will file with the Department of City Planning an affidavit attesting to the posting of the notice and date and specific location where the notice was posted. The affidavit shall be signed by the person posting the notice.

(f) Conduct of Hearing

(**1**) **Location**

Commission public hearings shall be held at 120 Broadway, New York, New York, unless otherwise ordered by the Chair.

(**2**) **General Character**

Hearings shall be legislative type hearings, without sworn testimony, strict rules of evidence or opportunity for speakers to cross-examine one another. Only members of

the Commission may question a speaker (except at a joint Commission/CEQR hearing at which officers of the lead agency and the office of Environmental Coordination may also ask questions). All persons filling out an appearance form shall be given the opportunity to speak. The chairperson may prescribe a uniform limited time for each speaker.

(**3**) **Quorum**
. A public hearing shall require a quorum of a majority of the members of the Commission.

(g) Commission Actions

(**1**) **Scope of Action**
The Commission shall approve, approve with modifications or disapprove each application.

(**2**) **Vote**
The Commission shall act by the affirmative roll call vote of at least seven (7) members at a public meeting, except that pursuant to Charter § 197-c, subsection h, approval or approval with modifications of an application relating to a new city facility for site selection for capital projects, the sale, lease (other than the lease of office space), exchange or other disposition of the real property of the City, including sale or lease of land under water pursuant to § 1602, Chapter 15 of the Charter or other applicable provisions of law; or acquisitions by the City of real property (other than the acquisition of office space for office use or a building for office use), including acquisition by purchase, condemnation, exchange or lease and including the acquisition of land under water pursuant to § 1602, Chapter 15 and other applicable provisions of law, shall require the affirmative vote of nine members of the Commission if the affected Borough President:

(**i**) recommends against approval of such application pursuant to subdivision g of Charter § 197-c; and

(**ii**) has proposed an alternative location in the same borough for such new facility pursuant to subdivision f or g of Charter § 204.

(3) Commission Report
A report of the Commission shall be written with respect to each application subject to this procedure on which a vote has been taken. The report shall include

(**i**) a description of the certified application;

(**ii**) a summary of testimony at all Commission public hearings held on the application;

(**iii**) all community board, Borough President or borough board written recommendations concerning the application;

(**iv**) the consideration leading to the Commission's action, including reasons for approval and any modification of the application and reasons for rejection by the Commission of community board, Borough President or borough board recommendations;

(**v**) any findings and consideration with respect to environmental impacts as required by the State Environmental Quality Review Act and regulations;

(**vi**) the action of the Commission, including any modification of the application;

(**vii**) the votes of individual Commissioners;

(**viii**) any dissenting opinions.

(4) Filing of Decisions of the Commission
The City Planning Commission shall file its decision with the affected Borough President and with the City Council. All filings with the Council shall include all associated community board, Borough President or borough board recommendations. The Commission shall transmit any decision to the applicant and to the community board or community boards, and borough board to which the application was referred. Filings with the City Council and Borough President shall be completed within the Commission's sixty (60) day time period.

(5) Review of Council Modifications
The Commission shall receive from the City Council during its fifty (50) day period for review the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and to determine:

(**i**) in consultation with the Office of Environmental Coordination and lead agency as necessary, whether the modification may result in any significant adverse environmental effects which were not previously addressed; and

(**ii**) whether the modification requires the initiation of a new application. In making this determination, the Commission shall consider whether the proposed modification:

(**A**) increases the height, bulk, envelope or floor area of any building or buildings, decreases open space, or alters conditions or major elements of a site plan in actions (such as a zoning special permit) which require the approval or limitation of these elements;

(**B**) increases the lot size or geographic area to be covered by the action;

(**C**) makes necessary additional waivers, permits, approvals, authorizations or certifications under sections of the Zoning Resolution, or other laws or regulations not previously acted upon in the application; or

(**D**) adds new regulations or deletes or reduces existing regulations or zoning restrictions that were not part of the subject matter of the earlier hearings at the community board or Commission. If the Commission has determined that no additional review is necessary and that, either, no significant environmental impacts will result or that possible environmental impacts can be addressed in the time remaining for Commission and Council review, it shall so report to the Council. The Commission may also transmit any comment or recommendation with respect to the substance of the modification, and any proposed further amendment to the modification which it deems as necessary or appropriate. If the Commission has determined that the proposed modification will require a supplementary environmental review or the initiation of a new application, it shall so advise the Council in a written statement which includes the reasons for its determination.

(6) Zoning Resolution Text Amendments Pursuant to Charter Sections 200 and 201

Applications for amendments to the text of the Zoning Resolution pursuant to Charter § 200 or § 201 shall be subject to the provisions of this paragraph (g).

EXHIBIT F

78-06 (10/9/13)†

Ownership

(a) Except as otherwise provided in this Section, any *large-scale residential development* for which application is made for an authorization or special permit or modification thereto, in accordance with the provisions of this Chapter, shall be on a tract of land that at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. Except as otherwise provided in this Section, no authorization or special permit or modification thereto, shall be granted for such *large-scale residential development* unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the *zoning lot* definition in Section 12-10 for all *zoning lots* comprising the *large-scale residential development*) of, or executed a binding sales contract for, all of the property comprising such tract.

(b) Notwithstanding the provisions of paragraph (a) of this Section, the following actions shall be permitted:

(1) When a *large-scale residential development* is part or all of a designated urban renewal project, the City's urban renewal agency, or a person authorized by such agency, may make application for and may be granted authorizations or special permits under the provisions of this Chapter, even though such *large-scale residential development* does not meet the ownership requirements set forth in paragraph (a) of this Section. All parcels comprising such *large-scale residential development* shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan.

(2) In the event that the urban renewal plan has expired, the owner(s) of a vacant parcel(s) within such *large-scale residential development*, if located in a former urban renewal area listed in this paragraph, (b)(2), may make application for and may be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), subject to the conditions of paragraph (b)(5) of this Section.

Borough	Community District	Former Urban Renewal Area
Manhattan	7	West Side Urban Renewal Area

(3) The owner(s) of a developed parcel(s) within a *large-scale residential development* located in a former urban renewal area listed in paragraph (b)(2), where at least 50 percent of such parcel(s) is located within a C1-9 or C2-8 District, may make application for, and may be granted, modifications of authorizations or special permits previously granted under the provisions of this Chapter, in order to utilize available *floor area* for *commercial* or *community facility uses*, subject to the conditions of paragraph (b)(5) of this Section and provided further that:

(i) no *residential use* existing prior to July 23, 2008, located above the level of the ground floor may be changed to a non-*residential use*;

(ii) the *enlarged* portion of the *building* shall be restricted to *community facility uses* and *commercial uses* listed in Use Groups 6A, 6C and 6F, provided that any ground floor *community facility use*, and any bank or loan office shall occupy not more than 25 feet of the *wide street* frontage, measured to a depth of 30 feet from the *wide street line*, and no *community facility use* shall be permitted above the level of the second *story* ceiling;

(iii) any *enlargement* fronting upon Columbus or Amsterdam Avenue shall contain a number of establishments, such that the entire *block* front on Columbus or Amsterdam Avenue shall contain no fewer than three establishments, each with a separate entrance on Columbus or Amsterdam Avenue. The Columbus or Amsterdam Avenue frontage of any one such establishment shall not exceed 100 feet;

(iv) the ground floor *street wall* of an *enlargement* located within C1-9 or C2-8 Districts shall be glazed with transparent materials which may include *show windows*, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of the area of each such ground floor *street wall*, measured to a height of 12 feet above the level of the adjoining sidewalk or public access area;

(v) required *open space* with appropriate circulation, seating, lighting and plantings shall be accessible and usable by all residents of the *large-scale residential development*;

(vi) a plan, including elevations, shall be submitted showing the proposed *building(s)* and modification, and *open space*; and

(vii) the *enlargement* enhances the streetscape and the design promotes a harmonious relationship with the existing *buildings* and contiguous *blocks* within the *large-scale residential development*.

(Continued next page)

EXHIBIT G

78-311 (2/2/11)

Authorizations by the City Planning Commission

When a *large-scale residential development* includes, or will include after subdivision, two or more *zoning lots*, the City Planning Commission may authorize:

† (a) the total *floor area*, *lot coverage*, *dwelling units* or *rooming units* permitted by the applicable district regulations for all *zoning lots* within the *large-scale residential development* to be distributed without regard for *zoning lot lines*;

† (b) the total *open space* required by the applicable district regulations for all *zoning lots* within the *large-scale residential development* to be distributed without regard for *zoning lot lines*, except that where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions), the Commission, in authorizing such distribution may allow reductions in the minimum required *open space* on individual *zoning lots* only where adequate provision is made for common *open space* to serve such lots.

If the required *open space* on the roof of a *community facility building* has an equivalent access arrangement acceptable to the Commission, it may authorize modification of requirements set forth in paragraph (b) of the *open space* definition in Section 12-10;

(c) for *zoning lots* adequately served by common *open space*, the minimum required *lot area* as set forth in Section 23-32 (Minimum Lot Area or Lot Width for Residences) to be reduced, provided that any *residence* for which the minimum required *lot area* is so reduced shall be separated from all other *buildings* on the same or adjacent *zoning lots* by a distance consistent with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot), or in cases where at least one of the *buildings* is a one-family or two-family *detached* or *semi-detached* house, rowhouse, or series of rowhouses, by a lesser distance to be determined by the Commission;

†(d) the location of *buildings* without regard for *yard* regulations which would otherwise apply along portions of *streets* or *lot lines* "wholly within" the *large-scale residential development* provided that any *building* for which required *rear* or *side yards* are reduced shall be separated from all other *buildings* with which it does not share a party wall, on the same or adjacent *zoning lots*, by a distance consistent with the provisions of Section 23-71 or, in cases where at least one of the *buildings* is a single-family or two-family *detached* or *semi-detached* house, rowhouse or series of rowhouses, by a lesser distance to be determined by the Commission, where the location of the *buildings* will not be detrimental to the privacy of the occupants of the *buildings* on the *block*;

(e) the location of *buildings* without regard for the height and setback regulations which would otherwise apply along portions of *streets* "wholly within" the *large-scale residential development* or along *side* or *rear lot lines abutting* other *zoning lots* within the *large-scale residential development*, provided that any *building* for which required rear or side setbacks are reduced shall be separated from all other *buildings* with which it does not share a party wall, on the same or adjacent *zoning lots*, by a distance consistent with the provisions of Section 23-71;

(f) the location of primary business entrances, *show windows* or *signs* along frontages which are adjacent only to other *zoning lots* within the *large-scale residential development*, without regard to restrictions applicable near *Residence District* boundaries, for the purpose of achieving better site planning and community planning;

(g) special directional *signs* and their location and design within a *large-scale residential development* comprising an area of at least five acres provided that their construction would result in better pedestrian and vehicular circulation. The Commission shall in each case give due consideration to the effect of such *signs* on the surrounding residential area and may impose appropriate conditions and safeguards;

(h) the location of *buildings* on a single *zoning lot* without regard for spacing between *buildings*, provided that the resultant spacing will not be reduced beyond an amount considered appropriate by the Commission and in no case by more than 15 percent of that required by Section 23-71.

† For that portion of a *large-scale residential development* located in an R6 District, the Commission may authorize the permitted *floor area ratio* and required *open space ratio* to be determined on the basis of a *height factor* which is different than the actual *height factor* of such portion of the *large-scale residential development*, for the purpose of achieving better site planning and community planning.

When subdivision is authorized in accordance with the provisions of Section 78-51 and satisfactory provision is made for common *open space*, the Commission may consider such common *open space* in determining to what extent, if any, modifications of the *yard* regulations are justified.

For any *large-scale residential development*, the City Planning Commission may, upon application, authorize in R3, R4 and R5 Districts, modifications of the height and setback regulations set forth in Section 23-631 and paragraph (b) of Section 78-31 for *buildings* "wholly within" the *large-scale residential development* for the purposes of introducing variety or preserving natural features or view corridors.

EXHIBIT H

78-312 (2/2/11)

Special permits by the City Planning Commission

For any *large-scale residential development*, the City Planning Commission may permit:

†(a) the total *floor area*, *lot coverage*, *dwelling units* or *rooming units* permitted by the applicable district regulations or by Sections 78-32 (Bonus for Good Site Plan) or 78-33 (Bonus for Common Open Space) for all *zoning lots* within the *large-scale residential development* to be distributed without regard for *zoning lot lines*;

†(b) the total *open space* required by the applicable district regulations or by Sections 78-32 or 78-33 for all *zoning lots* within the *large-scale residential development* to be distributed without regard for *zoning lot lines* except that where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions), the Commission, in authorizing such distribution may allow reductions in the minimum required *open space* on individual *zoning lots* only where adequate provision is made for common *open space* to serve such lots;

†(c) minor variations in required *front* or *rear yards* on the periphery of such *large-scale residential development* for the purpose of introducing variety or preserving natural features;

† (d) in R1, R2, R6, R7, R8, R9 or R10 Districts, minor variations in the front height and setback regulations on the periphery of such *large-scale residential development* for the purpose of introducing variety, preserving natural features, or providing for improved access of light and air, but within the general purpose and intent of the height and setback regulations. In R3, R4 or R5 Districts, the Commission may modify the height and setback regulations set forth in Section 23-631 and paragraph (b) of Section 78-31, on the periphery of such *large-scale residential development*, for the purposes of introducing variety, providing a transition in neighborhood scale between the *large-scale residential development* and surrounding *buildings*, preserving natural features or view corridors, or improving the access of light and air;

† (e) variations in the location of primary business entrances, *show windows*, and *signs* along frontages adjacent to *zoning lots* outside the *large-scale residential development*, without regard to restrictions applicable near *Residence District* boundaries, for the purpose of achieving better site planning and community planning. However, in no event shall the Commission allow such primary business entrances, *show windows* or *signs* to be located within 10 feet of the *Residence District* boundary; and

(f) modifications of the minimum spacing requirements consistent with the intent of the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) and may authorize modifications of the spacing required by paragraphs (c), (d), (e) and (h) of Section 78-311 (Authorizations by the City Planning Commission).

78-313 (2/2/11)

Findings

As a condition precedent to the granting of authorizations under the provisions of Section 78-311 (Authorizations by the City Planning Commission) or a special permit under the provisions of Section 78-312 (Special permits by the City Planning Commission), the Commission shall make the following findings:

(a) that such modifications will aid in achieving the general purposes and intent of this Chapter as set forth in Section 78-01 (General Purposes);

†(b) that such distribution of *floor area*, *dwelling units*, *rooming units*, *open spaces*, locations of *buildings*, or location of primary business entrances, *show windows* or *signs* will permit better site planning and will thus benefit both the residents of the *large-scale residential development* and the City as a whole;

(c) that such distribution or location will not unduly increase the *bulk* of *buildings*, density of population, or intensity of *use* in any *block*, to the detriment of the occupants of *buildings* in the *block* or nearby *blocks*;

†(d) that such distribution or location will not affect adversely any other *zoning lots* outside the *large-scale residential development* by restricting access to light and air or by creating traffic congestion;

(e) where portions of the total required *open space* are pooled in common *open space* areas or common parking areas, that such common areas will, by location, size, shape and other physical characteristics, and by their relationship to surrounding development and the circulation system, permit realization of the full community service of advantages for which such pooled areas are designed;

†(f) where one or more *zoning lots* in the *large-scale residential development* do not *abut* mapped *streets*, that suitable private access to mapped *streets* will be provided conforming to standards which will ensure adequate circulation and make adequate provision for public services; and

(g) the modification of height and setback will not impair the essential character of the surrounding area and will not have adverse effects upon the access to light, air and privacy of adjacent properties.

EXHIBIT I

Leader House Text

CITY PLANNING COMMISSION

July 2, 2008/Calendar No. 22 N 050402 ZRM

IN THE MATTER OF an application submitted by Leader House Associates, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York concerning Article VII, Chapter 8 (Special Regulations Applying to Large-Scale Residential Developments), relating to ownership provisions within the former West Side Urban Renewal Area, Community District 7, Borough of Manhattan.

This application to amend the ownership provisions of Section 78-06 of the Zoning Resolution was filed by Leader House Associates on April 1, 2005. The amendments would facilitate the enlargement of Leader House, an existing, 29-story mixed-use building located at 100 West 93rd Street (at Columbus Avenue), in Manhattan Community District 7.

RELATED ACTIONS

In addition to the application for amendments of the Zoning Resolution which is the subject of this report (N 050402 ZRM), implementation of the proposed enlargement also requires action by the City Planning Commission on the following non-ULURP application which is being considered concurrently with this application:

> **M 920493(C) ZAM:** A modification of a previously approved authorization of a Large Scale Residential Development (LSRD) in the former West Side Urban Renewal Area (WSURA) in order to reflect the addition of approximately 17,870 square feet of floor area on the ground floor and approximately 16,272 square feet of community facility floor area on portions of the ground floor and second floor of Leader House (Site 20 of the LSRD).

BACKGROUND

The WSURA was enacted in 1962 and covered a 20 block area from West 87th Street to West 97th Street, from Amsterdam Avenue to Central Park West. Within the WSURA, 37 redevelopment sites, mostly located along Amsterdam and Columbus Avenues, were included in a LSRD plan (approved by the City Planning Commission in 1963) which set total allowable

floor area for residential, commercial, and community facility uses, as well as minimum open space requirements for individual sites and the LSRD as a whole. Combined, the WSURA and the LSRD constituted the public policy for the rehabilitation and redevelopment of this area of the Upper West Side from 1962 to 2002, when the WSURA plan expired.

Although the WSURA has expired, the LSRD continues to control the floor area limits and minimum open space requirements for each of the sites within the LSRD's boundaries. For many sites, the floor area allowed under the LSRD is less than what would be allowed by underlying zoning district regulations, particularly with regard to commercial and community facility development. The controls of the expired urban renewal plan, along with the LSRD limitations have resulted in a densely populated residential neighborhood with large amounts of private open space and relatively little commercial space. The retail space that does exist is mostly set back from street lines and interspersed along Amsterdam and Columbus Avenues so that continuous retail frontages generally do not exist. Additionally, many of the buildings developed under the LSRD regulations were designed as towers set back from street lines. The Leader House, for example, is set back 22 feet from its east street line along Columbus Avenue, and approximately 40 feet from its north and south street lines, along West 92nd and West 93rd streets, with minimal fenestration.

The mid-block portions of the former WSURA are generally not located within the LSRD and are mostly characterized by rehabilitated three to five story walk-up brownstones and educational facilities. Large residential apartment buildings, mostly 10-20 stories in height, line Central Park West. The neighborhood's commercial "center" is located along Broadway, two avenues to the west of Leader House.

Section 78-06 (Ownership provisions for LSRDs)

Under Section 78-06 of the Zoning Resolution, the City's urban renewal agency (HPD) or its authorized designee, may make application for and be granted authorizations or special permits under Article VII, Chapter 8 (Special Regulations Applying to Large Scale Residential Developments), for a tract of land which is part or all of an Urban Renewal Area, without regard to the general ownership provisions of Section 78-06. Those provisions require that the tract of

land which is the subject of the application be under the control of the applicant(s) as owner(s) or holder(s) of a written option to purchase.

Consistent with these provisions, HPD or its authorized designee may also apply for and be granted modifications to previously granted authorizations or special permits for a LSRD. The purpose of these special provisions relating to the urban renewal agency is to facilitate the use of the LSRD authorizations and special permits to further the implementation of urban renewal plans and their associated acquisitions and dispositions of real property. When an urban renewal plan expires, however, HPD may no longer act in such a capacity and the ability of any one individual property owner to modify LSRD authorizations and special permits becomes problematic due to the ownership requirements stated above.

In 2003, an amendment to Section 78-06 of the Zoning Resolution (N 030404 ZRM) was approved to allow owners of vacant sites within the LSRD to make an application to modify the LSRD without meeting the ownership requirements of Section 78-06 provided that the modification (1) did not seek the distribution of floor area from any zoning lot not included within the subject parcel and (2) did not increase the total allowable floor area on any zoning lot included within the parcel(s) beyond that permitted by the underlying district regulations. The text also limited such applications to sites within the expired urban renewal areas listed in Section 78-06. The WSURA was the only former urban renewal area listed at that time. As a result of a simultaneous modification to the LSRD (pursuant to the proposed text amendment), Site 33 of the WSURA was removed from the LSRD and a new community facility use for Ballet Hispanico and the Steven Gaynor School was developed pursuant to underlying zoning district regulations. However, the 2003 text amendment did not apply to LSRD sites with existing developments, such as in the case of the Leader House.

Proposed Text Amendment

The proposed text amendment to Section 78-06 of the Zoning Resolution filed by Leader House Associates would allow individual property owners of developed parcels within a LSRD located in an expired urban renewal area listed in Section 78-06, where at least 50% of such site is located within a C1-9 or C2-8 district, to make an application to modify the previously-approved

LSRD. The text amendment would limit proposed modifications to the utilization of floor area permitted by the underlying zoning district regulations, however, such floor area could only be used for commercial or community facility uses. As with the 2003 text amendment to Section 78-06, the proposed text would only apply to the former WSURA in Manhattan Community District 7. According to the environmental assessment statement (EAS) prepared for this application, approximately 20 sites within the LSRD, including Leader House, could potentially utilize the proposed text amendment based on this criteria.

Additionally, the proposed text amendment would include several conditions and findings related to proposed modifications to the LSRD which request to increase the commercial or community facility floor area on a particular site. These include: 1) the use associated with existing floor area within a building on a particular site cannot be changed, except on the ground floor; 2) proposed community facility use cannot be located above the second story; 3) significant impacts from development, in combination with other developments which have utilized the provision of this proposed text amendment, are mitigated to the maximum extent possible; and 4) required open space must be accessible and usable by all residents of the development and have appropriate circulation, seating, lighting, and plantings.

On October 23, 2007, the applicant revised its application in response to concerns raised by Community Board 7, and to improve the readability and clarity of their proposed text amendment. The revision added an additional condition to the proposed text amendment that would require the submission of plans, including elevations, showing the proposed development and open space.

ENVIRONMENTAL REVIEW

This application (N 050402 ZRM), along with the related actions (M 920493(C) ZAM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et. seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05DCP071M. The lead is the City Planning Commission.

After study of the potential environmental impact of the proposed action, a Negative Declaration was issued on August 20, 2007.

PUBLIC REVIEW

On August 20, 2007, the text amendment was duly referred to Community Board 7 and the Borough President for information and review in accordance with the procedure for referring non-Uniform Land Use Review Procedure (ULURP) matters.

Community Board Recommendation

On November 7, 2007, and on that date, by a vote of 35 in favor, 0 opposed, and 0 abstaining, adopted a resolution recommending disapproval of the application.

The Community Board recommended that the proposed text amendment to Section 78-06 of the Zoning Resolution should include language requiring that:

1. "…Any proposed development pursuant to this amendment be subject to Community Board review prior to approval by the City Planning Commission;"
2. Any proposed development pursuant to the amendment shall "improve the existing conditions on the site by increasing the vitality of street life adjacent to the structure, enhance the character of the neighborhood...and will not be detrimental to the public welfare;"
3. The proposed development incorporate several design features, including appropriate building materials, unobstructed glass, and appropriate signage and landscaping, intended to improve the architectural quality of the development and the street and ensure its compatibility with existing structures ;
4. The uses in any retail proposed be predominantly occupied by "individually owned local retail establishments;"
5. Application materials include detailed drawings showing design features, pedestrian and sidewalk lighting, and proposed signage and landscaping; and
6. "…No more than 30% of the commercial space in the proposed structure be leased to or occupied by any entity which operates or franchises more than 15 locations nationwide."

Borough President Recommendation

The Borough President did not submit a recommendation on this application.

City Planning Commission Public Hearing

On October 31, 2007 (Calendar No. 8), the City Planning Commission scheduled November 14, 2007, for a public hearing on this application (N 050402 ZRM). The hearing was duly held on November 14, 2007 (Calendar No. 27). There were six speakers in favor of the application and two speakers in opposition.

Those speaking favor of the application included four representatives of the applicant and two tenants from the Leader House. Those speaking against the application included a representative from Community Board 7 and the City Councilmember from the 6th Council District.

The land use counsel for the applicant described the history of the LSRD and WSURA, the proposed program of the development, and the reasoning behind applying for the proposed text amendment. In addition, it was mentioned that the applicant would be open to working with the Department and community on potential adjustments to the proposed text amendment. The project developer discussed the existing conditions of the property and the proposed improvements to the site. The project architect discussed the design of the development and some of the physical constraints caused by the existing building, and the project's landscape architect discussed the landscaping which would be provided on the roof of the proposed first floor of the development. The two tenants of the Leader House said they believed the proposed enlargement would improve their building. In addition, one of the tenants noted that the applicant has been cooperative in efforts to address several tenant issues related to their proposal.

The Councilmember from the 6th District noted that the proposed text amendment would not prohibit unwanted stores and community facility uses, such as banks and medical offices, from occupying proposed first and second floor spaces within the Leader House project or other projects that could ultimately utilize the proposed text amendment in the future. The Councilmember also noted that she generally agreed with much of Community Board 7's

recommendation. The representative of Community Board 7 reiterated the Board's recommendation opposing the application citing specifically the need for Community Board referral and more assurances for quality design and uses.

CONSIDERATION

The Commission believes that this application for amendments to the Zoning Resolution (N 050402 ZRM), as modified, is appropriate.

The Commission recognizes that Section 78-06 of the Zoning Resolution does not currently provide a workable mechanism for individual property owners with developments in an expired urban renewal area to modify an LSRD. Modifications to LSRDs generally require that all owners of property within the LSRD consent to the modification. However, it would be unworkable to require that an application for any modification be made by or with the consent of the owners of all the property located within an LSRD within an expired urban renewal plan, given the size of the LSRDs associated with urban renewal areas and the large number of property owners involved. The Commission further notes that while urban renewal areas are active, modifications are commonly made to an LSRD by the urban renewal agency (HPD) on behalf of individual property owners, but with the expiration of urban renewal plans, that process is no longer available.

The Commission also notes that in 2003, a similar text amendment (N 030404 ZRM) applicable to the former WSURA was approved that allowed owners of vacant property to apply for modifications of LSRD requirements. In its report, the Commission stated that "the circumstances under which application may be made for modifications to special permits or authorizations within LSRDs associated with former Urban Renewal Areas may require redefinition as new proposals for developments or enlargements emerge at these locations." The Commission believes that the proposed text amendment generally represents the kind of redefinition contemplated in 2003.

The Commission recognizes that for many sites within the LSRD located in the former WSURA, the floor area allowed for commercial and community facility uses under the LSRD regulations

is significantly less than what would be allowed by the underlying C1-9 and C2-8 zoning districts that are mapped along Columbus and Amsterdam Avenues. The Commission notes that the urban renewal plan and the LSRD limitations have resulted in a densely populated residential neighborhood with large amounts of private, often underutilized open spaces and relatively little retail space. The retail space that does exist is mostly set back from street lines and interspersed along Amsterdam and Columbus avenues so that continuous retail frontages generally do not exist. The Commission believes that allowing applications for additional commercial or community facility uses along both Columbus and Amsterdam avenues within the LSRD would encourage the mix of uses commonly found along major avenues in the Upper West Side, provide more services for residents in the local community, and enhance the pedestrian experience.

However, the Commission is concerned about the character of potential development that could result from applications pursuant to the proposed text amendment and believes that new development should generally serve to enhance the streetscape by introducing a varied and active retail experience including generous amounts of transparent materials. The Commission believes that these concerns predominantly arise in cases where several continuous blocks with relatively little retail space are subject to new regulations intended to allow locally-serving retail establishments.

Therefore, the Commission believes that along both Columbus and Amsterdam avenues, additional conditions and findings should be added to the proposed text amendment. These modifications include:

- a requirement that, inclusive of any proposed enlargement, a minimum of three establishments, with separate entrances, front on Columbus or Amsterdam avenue, and that any establishment may not occupy more than 100 feet of frontage on such avenue;
- a requirement that only community facility uses and commercial uses listed in Use Groups 6A, 6C and 6F are allowed; and that any community facility use or bank or loan office may occupy no more than 25 feet of frontage on a wide street;

- a requirement that the ground floor street wall located within C1-9 or C2-8 districts must be glazed with transparent materials so that 70% of the area measured from the sidewalk to a height of 12 feet is transparent;
- a requirement to refer applications pursuant to the proposed text amendment, as modified, to the affected Community Board for 45 days; and
- a finding that any proposed enlargement enhances the streetscape and that its design promotes a harmonious relationship with the existing development on the site and within the large scale residential development.

In addition, minor changes were made to the text to improve its language and clarity. Additionally, the Commission believes that existing community facility uses and banks should not be prohibited from modest enlargements of their spaces in order to extend their establishments out to the street line.

RESOLUTION

RESOLVED, that the City Planning Commission finds the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 201 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter <u>underlined</u> is new, to be added;
Matter within # # is defined in Section 12-10;
Matter in ~~strikeout~~ is text to be deleted;
*** indicates where unchanged text appears in the zoning resolution

ARTICLE VII
ADMINISTRATION

Chapter 8:

Special Regulations Applying to Large-Scale Residential Developments

* * *

78-06
Ownership

(a) Except as otherwise provided in this Section, any #large-scale residential development# for which application is made for an authorization or special permit or modification thereto in accordance with the provisions of this Chapter shall be on a tract of land that at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. Except as otherwise provided in this Section, no authorization or special permit or modification thereto, shall be granted for such #development# unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #development#) of, or executed a binding sales contract for, all of the property comprising such tract.

~~(b) Except as otherwise provided in paragraph (c) of this Section with respect to a #large scale residential development# within an urban renewal area or former urban renewal area, for any #large-scale residential development# located in the Community District(s) listed in this paragraph, the owner(s) of a vacant parcel(s) may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), provided that such modification does not:~~

~~(1) result in the distribution of #floor area# from any #zoning lot# not coextensive with or included within such parcel(s); or~~

~~(2) increase the total allowable #floor area# on any #zoning lot# included within such parcel(s) beyond that amount permitted by the applicable district regulations.~~

~~Such modifications may include the withdrawal of such parcel(s) from the boundaries of the #large-scale residential development#, provided that such modification would not create a non-compliance within the #large-scale residential development#.~~

~~Community District~~	~~Borough~~
~~CD 7~~	~~Queens~~

(b) Notwithstanding the provisions of paragraph (a) of this Section, the following actions shall be permitted:

~~(c)~~ (1) When a #development# is part or all of a designated urban renewal project, the City's urban renewal agency, or a person authorized by such agency, may make application for and may be granted authorizations or special permits under the provisions of this Chapter, even though such #large-scale residential development# does not meet the ownership requirements set forth ~~elsewhere~~ in paragraph (a) of this Section. All parcels comprising such #large-scale residential development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan.

(2) In the event that the urban renewal plan has expired, the owner(s) of a vacant parcel(s) within such #large-scale residential development#, if located in a former urban renewal area listed in this paragraph, ~~(c)~~ (b)(2), may make application for and may be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), ~~pursuant to and~~ subject to the ~~limitations~~ conditions of paragraph (b)(5) of this Section.

~~Former Urban Renewal Area~~	~~Community Board~~
~~West Side Urban Renewal Area~~	~~CD7, Manhattan~~

Borough	Community District	Former Urban Renewal Area
Manhattan	Community District 7	West Side Urban Renewal Area

(3) The owner(s) of a developed parcel(s) within a #large-scale residential development# located in a former urban renewal area listed in paragraph (b)(2), where at least 50 percent of such parcel(s) is located within a C1-9 or C2-8 District, may make application for, and may be granted, modifications of authorizations or special permits previously granted under the provisions of this Chapter, in order to utilize available #floor area# for #commercial# or #community facility uses#, subject to the conditions of paragraph (b)(5) of this Section and provided further that:

(i) no #residential use# existing prior to (date of enactment) located above the level of the ground foor may be changed to a non-#residential use#;

(ii) the #enlarged# portion of the #building# shall be restricted to #community facility uses# and #commercial uses# listed in Use Groups 6A, 6C and 6F, provided that any ground floor #community facility use#,

and any bank or loan office shall occupy not more than 25 feet of the #wide street# frontage, measured to a depth of 30 feet from the #wide street line#, and no #community facility use# shall be permitted above the level of the second #story# ceiling;

(iii) any #enlargement# fronting upon Columbus or Amsterdam Avenue shall contain a number of establishments, such that the entire #block#front on Columbus or Amsterdam Avenue shall contain no fewer than three establishments, each with a separate entrance on Columbus or Amsterdam Avenue. The Columbus or Amsterdam Avenue frontage of any one such establishment shall not exceed 100 feet;

(iv) the ground floor street wall of an #enlargement# located within C1-9 or C2-8 Districts shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of the area of each such ground floor street wall, measured to a height of 12 feet above the level of the adjoining sidewalk or public access area;

(v) required #open space# with appropriate circulation, seating, lighting and plantings shall be accessible and usable by all residents of the #development#;

(vi) a plan, including elevations, shall be submitted showing the proposed #building(s)# and modification, and #open space#; and

(vii) the #enlargement# enhances the streetscape and the design promotes a harmonious relationship with the existing #development# and contiguous blocks within the #large-scale residential development#.

In addition, any significant adverse impacts resulting from a #development# or #enlargement# pursuant to such modifications, considered in combination with #developments# or #enlargements# within the ~~same~~ former urban renewal area listed in paragraph (b)(2), previously the subject of modifications under this paragraph, (b)(3), shall have been avoided or minimized to the maximum extent practicable by incorporating as conditions to the modification those mitigative measures that have been identified as practicable.

The provisions of paragraphs (b)(3)(ii) and (b)(3)(iii) shall not apply to #enlargements# of #community facility uses# and bank or loan offices existing prior to (date of enactment), provided that such #enlargement# does not

increase existing street frontage on Columbus or Amsterdam Avenues by more than ten feet.

An application filed pursuant to this paragraph, (b)(3), shall be referred to the affected Community Board, and the Commission shall not grant any modification of an authorization or special permit pursuant thereto prior to 45 days after such referral.

(4) For any #large scale residential development# located in the Community District(s) listed in this paragraph, (b)(4), the owner(s) of a vacant parcel(s) may make application for and may be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), subject to the conditions of paragraph (b)(5).

Borough	Community District
Queens	Community District #7

(5) Modifications of authorizations or special permits previously granted under the provisions of this Chapter, as permitted in paragraphs (b)(2), (b)(3) and (b)(4) of this Section, shall not:

(i) result in the distribution of #floor area# from any #zoning lot# not coextensive with or included within such parcel(s); or

(ii) increase the total allowable #floor area# on any #zoning lot# included within such parcel(s) beyond that amount permitted by the applicable district regulations.

Such modifications may include the withdrawal of such parcel(s) from the boundaries of the #large scale residential development#, provided that such modification would not create a #non-compliance# within the #large-scale residential development#.

~~(d)~~ (6) When a #~~residential~~ large-scale residential development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, other than the City's urban renewal agency, or its agent, having the power of condemnation, authorizations or special permits may be applied for and may be granted under the provisions of this Chapter, even though such #large scale residential development# does not meet the ownership requirements set forth elsewhere in this Section.

* * *

The above resolution (N 050402 ZRM), duly adopted by the City Planning Commission on July 2, 2008 (Calendar No. 22), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA, BETTY CHEN, MARIA M. DEL TORO, RICHARD W. EADDY, NATHAN LEVENTHAL, JOHN MEROLO, KAREN A. PHILLIPS, Commissioners

EXHIBIT J

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: **HON. ANDREA MASLEY** PART 48
Justice

Little Cherry LLC
v.
Cherry Street Owner LLC et al.

INDEX NO. 654136/16
MOTION DATE
MOTION SEQ. NO. 002

The following papers, numbered 1 to ____, were read on this motion to/for ____

Notice of Motion/Order to Show Cause — Affidavits — Exhibits ____ | No(s). ____
Answering Affidavits — Exhibits ____ | No(s). ____
Replying Affidavits ____ | No(s). ____

Upon the foregoing papers, it is ordered that this motion is

Motion is decided in accordance with accompanying memorandum decision in motion sequence 002.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

Dated: 10/1/18

HON. ANDREA MASLEY, J.S.C.

1. CHECK ONE: ☐ CASE DISPOSED ☒ NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: ☐ GRANTED ☐ DENIED ☒ GRANTED IN PART ☐ OTHER
3. CHECK IF APPROPRIATE: ☐ SETTLE ORDER ☐ SUBMIT ORDER
☐ DO NOT POST ☐ FIDUCIARY APPOINTMENT ☐ REFERENCE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL PART 48

----------X

LITTLE CHERRY, LLC,

Plaintiff,

Index No. 654136/2016
Mot. Seq. Nos. 002 & 003

-against-

CHERRY STREET OWNER LLC and
JDS DEVELOPMENT LLC,

Defendants.

----------X

Masley, J.:

In motion sequence number 002, defendants Cherry Street Owner LLC and JDS Development LLC (collectively, the Developers) move to dismiss the amended complaint under CPLR 3211 (a) (1) and (a) (7). In motion sequence number 003, proposed plaintiff-intervenor New York Community Bank (the Bank) moves, pursuant to CPLR 1012 (a) and 1013, to intervene in this action and serve its proposed complaint in intervention.

Background

The following allegations are taken from the amended complaint, except as otherwise noted.

The Parties

Plaintiff Little Cherry, LLC (Little Cherry) is the tenant of a commercial real estate property located at 235-247 Cherry Street, New York, Block 248, Lot 76 (the Premises). The Premises is owned by nonparty Two Bridgeset Housing Development Fund Company, Inc. (HDFC)[1] (amended complaint ¶¶ 1; 13; 27-29). Defendant JDS Development LLC (JDS) is a commercial developer who contracted with HDFC to the

[1] HDFC is a joint venture between nonparties Settlement Housing Fund, Inc. and Two Bridges Neighborhood Council, Inc., non-profit organizations involved in creating affordable housing on Manhattan's Lower East Side.

purchase the Premises and its development rights. Defendant Cherry Street Owner LLC (CSO) is a single purpose entity created by JDS solely for the purpose of the sales transaction with the HDFC (complaint ¶79).[2] The Bank is the holder of a leasehold mortgage encumbering the lease described below, with Little Cherry as borrower and mortgagor.

The Lease

On October 30, 1995, former owner of the Premises and nonparty Two Bridgeset Associates, L.P. (Two Bridgeset Associates), as landlord, and nonparty Sherilu Construction, Inc. (Sherilu), as tenant, executed a lease with an October 2044 expiration date (amended complaint ¶33) (Lease). At the Lease's inception, there was no structure on the Premises; it was vacant land.

Prior to executing the Lease, Two Bridgeset had been designated by the City of New York (the City) as the Sponsor to develop a portion of the "Two Bridges Urban Renewal Area", designated as "the Site" in the Lease (Lease, ¶ A). Two Bridgeset contracted with Sherilu to begin its development plans (Lease, ¶ C). As part of Two Bridgeset's proposal to the City, the "Site" would comprise of "approximately 200 apartment units and related improvements (the 'Residential Building'), including certain commercial improvements to be erected on the site, including retail store space of approximately 11,700 square feet to be erected in a separate building (the 'Store Building') on that portion of the Site delineated on [] Exhibit A [to Lease] as the Store Site (the 'Store Site')" (*id.*, paragraph B). The Lease states that the Store Site and the Store Building will collectively be referred to as the "Leased Space" (*id.*).

[2] On March 31, 2017, the parties stipulated to remove defendant Michael Stern from the action (NYSCEF Doc. No. 56).

Pursuant to Paragraph 1 of the Lease, Two Bridgeset leased Sherilu the "Store Site." Pursuant to Paragraph 3 of the Lease, "[Sherilu] agree[d] to use the Store Site to construct a Store Building as provided in Article 8 hereof, and thereafter to sublease portions of the Store Building" in accordance with the "Subleasing Protocol" attached as Exhibit B to the Lease.

On April 1, 1996, Sherilu assigned the Lease to Rosefein Associates LLC, which, in turn, assigned the Lease to Little Cherry on June 29, 2006 (amended complaint ¶ 33).[3]

2008 Merger of Lots 76 and 15

On December 12, 2008, Two Bridgeset, donated the Premises to HDFC pursuant to a Contribution Agreement and HDFC became successor-in-interest to Two Bridgeset as landlord under the Lease. HDFC also became the record owner of the easement and excess development rights appurtenant to the real property adjoining the Premises, located at 82 Rutgers Slip, New York, New York (Block 248, Lot 15) (Adjoining Premises) (amended complaint ¶46).

On that same day, Two Bridgeset and HDFC merged the Premises and the Adjoining Premises, Lot 76 and Lot 15, respectively, into a single "zoning lot," as defined by Section 12-10 of the New York Zoning Resolution (Zoning Resolution), by executing a Declaration of Zoning Lot Restrictions (Declaration) and a Zoning Lot and Development Agreement (amended complaint, exhibit D). Little Cherry alleges that the purpose of this merger was "to add available space in contemplation of potential development by Little Cherry, as the ground-lessee, and later, as contract vendee for

[3] The Lease was recorded against the Premises on October 17, 1996 in the Office of the City Register at Reel 3282, pg. 1352.

the acquisition of the Premises" (amended complaint ¶ 49).

As part of the process for the zoning lot merger, First American Title Insurance Company of New York, through Metropolitan Abstract Corporation (Title Company), identified, and recorded, the parties-in-interest, as defined by the Zoning Resolution, for the Premises and Adjoining Premises through a "Certification" (amended complaint ¶54). The Certification identifies the parties-in-interest as (1) Two Bridgeset, as the fee owner; (2) HDFC, as the proposed purchaser; (3) mortgagees granted by the fee owner; (4) the Bank, as mortgagee of Little Cherry's leasehold estate; and (5) Little Cherry, as "Leasehold Estate Owner, Lot 76" (amended complaint ¶ 55).

To effectuate the merger, Little Cherry gave its written consent, executing and recording a "Waiver of Declaration of Zoning Lot Restrictions" (amended complaint ¶ 56). Little Cherry alleges that it "did not consent, in advance, to any further enlargement of the zoning lot, including any transfer of development rights to or from another tax lot" (amended complaint ¶ 58).

Little Cherry Tries to Purchase the Premises

On June 1, 2012, Little Cherry and HDFC entered into a contract, whereby Little Cherry agreed to purchase the Premises for $4,000,000 (Sales Contract). Little Cherry allegedly intended to construct a building on the Premises comprised of residential units and "retail and commercial space, either above the existing building that was then-subleased to Pathmark or, depending on certain events, directly on the Premises after the demolition of the existing building, using the available zoning obtained via the Zoning Lot and Development Agreement" (amended complaint ¶ 64). The Sales Contract contained certain requirements, including obtaining consents "from all

necessary property owners within the existing 'Two Bridges Large Scale Development Plan'; and obtaining certain approval from [the New York City Department of Planning]" (amended complaint ¶ 65). Little Cherry alleges that the Lease would have terminated upon title of the Premises passing to it (amended complaint ¶ 66).

In early 2014, the defendant Developers intervened in the sale to Little Cherry and offered HDFC a purchase price higher than agreed to by Little Cherry (amended complaint ¶ 69). Little Cherry alleges that, initially, the Developers only sought to acquire the Premises and the associated development rights, including those from the Adjoining Premises; however, "[the Developers] recognized that they would need to, in [their] own words, 'buy out the leases'" to develop the Premises as (amended complaint ¶ 71).

On December 2, 2014, HDFC notified Little Cherry that it was terminating the Sales Contract, claiming that Little Cherry had failed to obtain the required approvals by the contractual deadline (amended complaint ¶ 74). On December 12, 2014, Little Cherry simultaneously filed a notice of pendency and complaint against HDFC for terminating the Sales Contract in bad faith (amended complaint ¶75; *see also Little Cherry, LLC v Two Bridgeset Housing*, Index No. 653817/2014). On March 17, 2016, Justice Oing granted HDFC's motion for summary judgment to the extent that he dismissed the first, second, fourth and sixth causes of action. Justice Oing held that the claims for a declaratory judgment (first and second causes of action) were duplicative of the breach of contract claim, that the claim for an injunction and specific performance of the Sales Contract could not be sustained as there were conditions precedent to the closing that had to be met (fourth cause of action), and the claim for tortious

interference could not be sustained because Little Cherry plead that HDFC is an alter ego of Settlement Housing Fund and Two Bridges Neighborhood Council and an alter ego of party cannot tortuously interfere with that party (sixth cause of action) (*see id.*, mot. seq. no. 003). This decision was appealed, and on January 31, 2017, the Appellate Division, First Department, dismissed the complaint in its entirety and canceled the notice of pendency (*Little Cherry, LLC v Two Bridgeset Hous. Dev. Fund Co.*, 146 AD3d 714 [1st Dept 2017]; *see also* amended complaint ¶ 77). The First Department found that Sales Contract clearly provided that the Contract would terminate if Little Cherry failed to obtain approval from the New York City Department of City Planning within a specified time and that this requirement was not met (*id.*).

The Development Plan

On January 27, 2016, HDFC and the Developers entered into a sales agreement for purchase and development of the Premises (Developers Sale Contract) (amended complaint ¶ 79). The Developers sought to acquire the Premises to develop a multi-story building on the adjoining lot, Lot 70[4]. As part of the Developers Sale Contract, HDFC agreed to transfer their excess development rights from the Premises, i.e., the air rights to develop above the one-story building on the Premises, to Lot 70. On March 9, 2016, HDFC and the Developers submitted a Pre-Application Statement, "a precursor to the filing of an application for a discretionary action that is required for development", to New York City's Department of Planning (amended complaint ¶ 81).

The Pre-Application Statement confirmed the Developers' plan to develop "a structure cantilevering directly over – i.e., sitting right on top of the roof of – Little

[4] Lot 70 is owned by nonparty Two Bridge Senior Apartments, L.P., an affiliate of HDFC.

Cherry's present building on the Premises" (amended complaint ¶ 17). To accomplish their proposed plan, the Developers need to expand the existing zoning, which consists of the merged Lot 76 and Lot 15, to include the adjacent Lot 70 (amended complaint ¶ 18). Little Cherry alleges that the Developers' proposed plan encompasses three tax lots: Lot 76, the Premises; Lot 15, the Adjoining Premises; and Lot 70, a third parcel not included in the 2008 zoning lot merger (amended complaint ¶ 82). Thus, Lot 70 must be combined with the previously-created zoning lot (Lots 76 and 15), which requires consent from all parties-in-interest. (amended complaint ¶ 18). Little Cherry alleges that the Developers misled the Department of Planning in the Pre-Application Statement about possessing "authority to utilize the excess development rights attendant to the Premises and to enlarge the zoning lot to include Lot 70," without referencing or acknowledging Little Cherry's status as a party-in-interest (amended complaint ¶ 85). Little Cherry further alleges that the Lease and the Zoning Lot and Development Agreement confirm Little Cherry's status as holders of the development rights associated with the Premises.

On August 5, 2016, Little Cherry filed this action against the Developers. On March 17, 2017, Little Cherry filed its amended complaint seeking (1) a declaration that the Developers cannot proceed with the development without Little Cherry's consent as a party-in-interest in its capacity as ground lessee under the Lease; and (2) injunctive relief enjoining the Developers from: (i) pursuing their development without Little Cherry's consent; (ii) proceeding with construction in any manner without Little Cherry's consent; (iii) impairing Little Cherry's right to use and occupy the Premises; and (iv)

impairing Little Cherry's entitlement to quiet enjoyment of the Premises. The Developers now move to dismiss the amended complaint its entirety.

Discussion

Developers' Motion to Dismiss

Declaratory Judgment Claim

"Declaratory judgments are a means to establish the respective legal rights of the parties to a justiciable controversy. The general purpose of the declaratory judgment is to serve some practical end in quieting or stabilizing an uncertain or disputed jural relation either as to present or prospective obligations" (*Thome v Alexander & Louisa Calder Found.*, 70 AD3d 88, 99 [1st Dept 2009] [internal quotation marks and citations omitted].) "Professor Siegel has remarked that the declaratory judgment action has been employed as a way to resolve a relatively unique dispute where the plaintiff is unable to find among the traditional kinds of action one that will enable her to bring it to court" (*id.* at 100 [internal quotation marks and citation omitted]).

On a motion to dismiss a declaratory judgment claim for failure to state a cause of action, "the only question is whether a proper case is presented for invoking the jurisdiction of the court to make a declaratory judgment, and not whether the plaintiff is entitled to a declaration favorable to him" (*Fillman v Axel*, 63 AD2d 876, 876 [1st Dept 1978] [internal quotation marks and citation omitted]). The Appellate Division, First Department, looks to whether "the declaration will have the immediate and practical effect of influencing [defendants'] conduct" (*M&A Oasis, Inc. v MTM Assocs., L.P.*, 307 AD2d 872, 872 [1st Dept 2003] [internal quotation marks and citation omitted]).

Little Cherry seeks a judgment establishing that it is a party-in-interest in its capacity as ground lessee under the Lease, and that as a party-in-interest, the Developers must obtain Little Cherry's consent in order to proceed with the planned development. This declaration, if awarded, would certainly have an immediate and practical effect of influencing the Developers' actions in planning and executing its development plans. This case also presents a unique dispute that does not fit the mold for a traditional kind of action and a declaratory judgment is an appropriate way to resolve the dispute amongst the parties. Although these reasons alone warrant a denial of the Developers' motion to dismiss, the Developers argue that this claim fails as a matter of law and there are no issues of fact.

"A court may reach the merits of a properly pleaded cause of action for a declaratory judgment upon a motion to dismiss for failure to state a cause of action where no questions of fact are presented [by the controversy]." Under such circumstances, the motion to dismiss the cause of action for failure to state a cause of action should be taken as a motion for a declaration in the defendant's favor and treated accordingly" (*Minovici v Belkin BV*, 109 AD3d 520, 524 [2d Dept 2013] [internal quotation marks and citations omitted]). However, this is not the case here.

Little Cherry argues that, as a party-in-interest, its consent must be obtained before HDFC transfers the Premises' air and development rights in the Sale to the Developers. Little Cherry insists that it is a party-in-interest because it possesses a ground lease and it was certified as a party-in-interest by the Title Company for the 2008 Zoning Lot Merger. The Developers contend that the absence of such an explicit declaration in the Lease confirms that the Lease, which provides for, in their words, a

"lease of space," cannot be a lease of land. They argue that Little Cherry cannot rely on the Zoning Resolution to block their development plans because Little Cherry possesses no veto rights under the Lease, and in any event, Little Cherry waived its consent rights pursuant to the 2008 Zoning Lot Waiver.

HDFC plans to transfer its alleged development rights from Lot 76 to Lot 70 in connection with the sale to the Developers. Section 12-10 of the Zoning Resolution governs the transfer of development rights.

> "New York City Zoning Resolution Section 12-10 restricts the buildable floor space of a structure and expresses this limitation in floor area ratios. Through a zoning lot merger and a transfer of airspace from one zoning lot to another, the floor area ratios of multiple zoning lots may be combined to overcome this restriction. Zoning Resolution provides three basic mechanisms for the transfer of development rights in New York City: by zoning lot merger, by certification or special permit, or through the Inclusionary Housing Program. A 'zoning lot merger' is created when two or more existing zoning lots are joined together. Once the lots are merged, the development rights from all merging lots are combined, and may be used anywhere within the zoning lot, subject to 'split-lot' provisions where the merged lot is comprised of lots located within different zoning districts"

(*BACM 2006-4 Office 41-60, LLC v Flushing Landmark Realty L.L.C.*, 2014 NY Slip Op 32184 [U], *10-11 [Sup Ct, Queens County 2014] [internal citation omitted]). Section 12-10 (d) of the Zoning Resolution defines "zoning lot" as "a tract of land, either unsubdivided or consisting of two or more lots of record contiguous for a minimum of ten linear feet, located within a single block, which at the time of filing for a building permit (or if no building permit is required, at the time of filing for a certificate of occupancy) is declared to be a tract of land to be treated as one zoning lot for the purpose of this Resolution."

Section 12-10 (d) further states that,

"such declaration shall be made in one written Declaration of Restrictions

> covering all of such tract of land or in separate written Declarations of Restrictions covering parts of such tract of land and which in the aggregate cover the entire tract of land comprising the zoning lot" and that "each Declaration shall be executed by each party in interest (as defined herein) in the portion of such tract of land covered by such Declaration (excepting any such party as shall have waived its right to execute such Declaration in a written instrument executed by such party in recordable form and recorded at or prior to the recording of the Declaration)"

Thus, to accomplish a zoning lot merger, the Zoning Resolution requires the written consent of all "parties-in-interest" (*Macmillan, Inc. v. CF Lex Associates*, 56 NY2d 386, 390 [1982]).

Section 12-10 (f) (4) of the Zoning Resolution defines a party-in-interest as a party possessing an interest

> "in the portion of the tract of land covered by a Declaration ... [which] include[s] only: (W) the fee owner or owners thereof; (X) the holder of any enforceable recorded interest in all or part thereof which would be superior to the Declaration and which could result in such holder obtaining possession of any portion of such tract of land; (Y) the holder of any enforceable recorded interest in all or part thereof which would be adversely affected by the Declaration; and (Z) the holder of any unrecorded interest in all or part thereof which would be superior to and adversely affected by the Declaration and which would be disclosed by a physical inspection of the portion of the tract of land covered by the Declaration"

(*id.* at 391 [internal citations omitted]).

As the Court of Appeals held in *Macmillan*, "tract of land" for the purposes of the Zoning Resolution, refers "only to the underlying surface land and does not embrace buildings on that land" (*id.*). As "tract of land" is not defined in the Zoning Resolution, the Court of Appeals based their conclusion on three considerations. The first is Webster Dictionary's definition of "tract", which is "a region or stretch (as of land) that is usu. indefinitely described or without precise boundaries", or "a precisely defined or definable area of land" and "land", which is "the solid part of the surface of the earth in contrast to the water of oceans and seas" (*id.* at 391-392). The second is that the

Zoning Resolution's drafters chose not to use "land and improvements", and finally, "[t]he words 'tract' and 'lot' are used to refer to equivalent concepts and it would be a strained interpretation to include buildings and structures" (*id.* at 392). The Court further stated that air rights "have historically been conceived as one of the bundle of rights associated with ownership of the land rather than ownership of the structures erected on the land" (*id.* at 392). Thus, the *MacMillan* court rejected the assertion that a "party-in-interest" can be predicated on a party's interest in solely the buildings or improvements (*id.*).

Here, the Lease explicitly states that Two Bridgeset leases Sherilu the "Store Site" and that "[Sherilu] agrees to use the Store Site to construct a Store Building as provided in Article 8 hereof, and thereafter to sublease portions of the Store Building" (Lease ¶¶ 1 and 3). The Lease further refers to the Store Site and the Store Building collectively as the "Leased Space." The question is does the Leased Space include the land.

Little Cherry argues that the Lease defines the Store Site as a specific area of land where the Store Building was to be erected as identified on Exhibit A to the Lease. Thus, Little Cherry argues that Lease Space not only includes the Store Building, but also, the portion of the land where the Store Building was eventually developed. It also argues that ground leases, like the one at issue, are drafted in contemplation of "a long-term, investment and/or development interest in the land akin to outright ownership" (Complaint ¶91). In their view, consent rights comfort commercial tenants that their long-term investments will not be affected by the changing landscape surrounding their development. This court agrees.

"In the most generic terms, a 'ground lease' is any lease made for the rental of unimproved land" (7 Warren's Weed New York Real Property § 84.12). Specifically, it is defined as "[a] long-term (usu. 99-year) lease of land only. Such a lease typically involves commercial property, and any improvements built by the lessee usu. revert to the lessor" (Black's Law Dictionary [10th ed 2014]). Here, the Lease clearly provides that the rental was for unimproved land. The 49-year Lease explicitly states that the tenant leases the Store Site, which, at the time of the execution of the Lease, was a significant portion of vacant land on the Premises (*see* Lease, exhibit A). Under the Lease, the tenant not only leases the Store Building, the structure eventually built on the Store Site, but also, the Store Site, the underlying surface land. The Lease does not just afford the tenant with the mere right of occupancy of a structure on the land; it affords the right to lease and develop on the designated portion of land known as the Store Site. Thus, the Lease grants Little Cherry an interest in the land.

As a ground lease, this matter falls outside the parameters of *Macmillan*, which held that a tenant of a space lease, i.e., a lease of only building space, was not a party-in-interest under the Zoning Resolution (*Macmillan, Inc.*, 56 NY2d at 392). In *Macmillan*, it was undisputed that the tenant leased only the second to thirty-first floors of the building itself. While the *Macmillan* Court did not specifically hold that a ground lease lessee is a party-in-interest, such can be reasoned based on the Court's detailed explanation of its holding. Specifically, the *Macmillan* Court, in support of its holding, acknowledged that "[t]o require the consent of every space tenant with a recorded interest in the building, and thus to bestow on each such tenant a power of veto, would be so to encumber the procedure for zoning lot merger as to make it of questionable

practical utility" (*id.*). This is not the case when there is a tenant with a lease on unimproved land, where the tenant's obligations and rights are more akin to those of the fee owner. Therefore, under the *Macmillan* Court's reasoning, the development and air rights that are associated with ownership of the land, should extend to a ground lease tenant as the lessee of the land should have a veto power on zoning matters effecting its obligations and rights as ground lease tenant.

The court also notes that the Certification filed in connection with the 2008 Zoning Lot Merger identifies Little Cherry as a party-in-interest. This designation was never objected to.

The Developers also argue that Little Cherry cannot satisfy the second prong of the party-in-interest analysis because Little Cherry's leasehold interest will not be adversely affected by HDFC's transfer of its development rights in the Premises to Lot 70. The Developers assert that Little Cherry will have the same exact property rights as before the transfer and the transfer will have no effect on Little Cherry's right to occupy and utilize the building under the Lease. The court disagrees. The merger per se does affect Little Cherry's rights under the Lease, as its rights extend beyond the structure on the land. As stated above, as a ground lease tenant, Little Cherry has property rights in the land akin to the fee owner and any merger would impact with those rights. Any infringement on those rights can be considered adverse.

The Developers further assert that Little Cherry's 2008 written Waiver of Declaration of Zoning Lot Restrictions waived any objection to future zoning lot mergers and expansions. In the 2008 Waiver, Little Cherry acknowledged that Lots 15 and 76 are declared as one zoning lot for the purposes of the Declaration and "waived its rights

to execute a Declaration of Zoning Lot Restrictions with respect to said Combined Zoning Lot", which Combined Zoning is defined as "the Lot 76 Property and the penises known as Tax Lot 15 in Block 248 on the Tax Map of the City of New York, County of New York have been merged into a single zoning lot." Thus, it is clear that the Waiver applies to the 2008 merger of Lots 15 and 76. However, what is not clear, at this stage, is whether the Waiver, which acknowledges the Zoning Lot and Development Agreement, waived any objections to future mergers or expansions of Lot 76.

The Developers motion to dismiss Little Cherry's claim for a declaratory judgment is denied.

Injunction

In its second cause of action, Little Cherry seeks to enjoin the Developers from: (i) pursuing their development without Little Cherry's consent; (ii) proceeding with construction in any manner without Little Cherry's consent; (iii) impairing Little Cherry's right to use and occupy the Premises; and (iv) impairing Little Cherry's entitlement to quiet enjoyment of the Premises.

The Developers contend that Little Cherry's claim should be dismissed because the Developers are not Little Cherry's landlord, and thus, are not in privity with Little Cherry. Essentially, the Developers argue that Little Cherry's claim is premature as the Developers have not closed on their purchase of the Premises to establish privity between the parties. In opposition, Little Cherry states that its second cause of action "is a corollary claim requesting injunctive relief to curb Defendants' conduct in direct disregard of Plaintiffs rights as a party-in-interest in its capacity as ground lessee. Given

Defendants' continuing efforts in disregard of Plaintiffs rights, this request for additional protection is warranted" (pl. opp. br. at 10).

This claim is dismissed to the extent that it seeks to enjoin the Developers from impairing Little Cherry's entitlement to quiet enjoyment of the Premises. Little Cherry presents no legal basis as to why the Developers owe Little Cherry a duty of quiet enjoyment.

Bank's Motion to Intervene

The Bank's motion to intervene is granted.

CPLR 1012 (a) states, in relevant part,

> "(a) Intervention as of right. Upon timely motion, any person shall be permitted to intervene in any action:
> 2. when the representation of the person's interest by the parties is or may be inadequate and the person is or may be bound by the judgment; or
>
> 3. when the action involves the disposition or distribution of, or the title or a claim for damages for injury to, property and the person may be affected adversely by the judgment"

"In examining the timeliness of the motion, courts do not engage in mere mechanical measurements of time, but consider whether the delay in seeking intervention would cause a delay in resolution of the action or otherwise prejudice a party" (*Yuppie Puppy Pet Prods., Inc. v Street Smart Realty, LLC*, 77 AD3d 197, 201 [1st Dept 2010] [citation omitted]). Although the Developers argue that the Bank waited over a year, the Bank's intervention would cause no delay in the resolution of this action as the Developers have yet to answer due to this pending motion and discovery is far from complete. Further, the court sees no prejudice to the Developers if the Bank is permitted to intervene. Finally, the Bank, as the holder of a leasehold mortgage encumbering the Lease, may be affected adversely if this court ultimately determines that Little Cherry

waived its right to object to future zoning lot mergers and its consent is not required for the Developers to proceed with their development plans.

Accordingly, it is

ORDERED that defendants' motion to dismiss is granted only to the extent that plaintiff's claim to enjoin defendants from impairing plaintiff's entitlement to quiet enjoyment of the Premises is dismissed; and it is further

ORDERED that New York Community Bank's motion to intervene is granted, and New York Community Bank is permitted to intervene in the above-entitled action as a plaintiff-intervenor; and it is further

ORDERED that the Bank's complaint in the proposed form annexed to the Bank's moving papers shall be deemed served upon service of a copy of this order with notice of entry thereof; and it is further

ORDERED that defendants are directed to serve an answer to the complaint and complaint in intervention within 20 days after service of a copy of this order with notice of entry; and it is further

ORDERED that the attorney for the intervenor shall serve a copy of this order with notice of entry upon the County Clerk (Room 141B) and upon the Clerk of the Trial Support Office (Room 158), who are directed to amend their records to reflect such change in the caption herein; and it is further

ORDERED that counsel are directed to appear for a preliminary conference in Room 242, 60 Centre Street, on October 17, 2018 at 11:30 AM.

Dated: 10/1/18

ENTER:

J.S.C.
HON. ANDREA MASLEY

Ed Litvak <ed_litvak@aafe.org>
Attachments
Mon, Oct 29, 4:34 PM
to 17DCP148M_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.

Please find the following comments from Asian Americans for Equality for the Two Bridges LSRD Draft Environmental Impact Statement

Asian Americans for Equality
2 Allen Street, 7th Floor • New York, NY 10002
Tel: 212-964-2288 • Fax: 212-964-6003 • www.aafe.org

October 29, 2018

City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Marisa Lago, Chair
Kenneth J. Knuckles, Vice Chairman
Allen P. Cappelli, Commissioner
Alfred C. Cerullo III, Commissioner
Larisa Ortiz, Commissioner
Hope Knight, Commissioner
Cheryl Cohen Effron, Commissioner
Richard W. Eaddy, Commissioner`
Orlando Marin, Commissioner
Joseph Douek, Commissioner
Anna Hayes Levin, Commissioner
Michelle de la Uz, Commissioner

Re: Public Comment on Two Bridges LSRD Draft Environmental Impact Statement (CEQR No. 17DCP148M)

Dear Chair Lago and City Planning Commissioners,

On behalf of Asian Americans for Equality (AAFE), a nearly 45-year-old nonprofit organization, we are writing in regards to the Draft Environmental Impact Statement for three large-scale projects in the Two Bridges neighborhood. We are unable to support the projects as currently configured, and urge the City Planning Commission to vote against adding these out-of-scale, primarily market-rate residential towers to the Two Bridges LSRD Site Plan.

AAFE is dedicated to improving the lives of Asian Americans and all of those in need by offering social services, affordable housing, small business loans and advocacy services throughout New York City. While we are committed to building equitable communities citywide, our roots are in Manhattan's Chinatown and on the Lower East Side. The organization was founded in 1974 to fight for civil rights at the Confucius Plaza construction site. Today, AAFE continues to provide safe, affordable housing in Chinatown, to stand up for tenants facing harassment and to

advocate for the most vulnerable in our community - immigrants and low-income people - to participate in and benefit from community development.

The towers, rising as high as 80 stories and spanning four blocks, would fundamentally change the socioeconomic character of the neighborhood. Yet the city concluded that they were not subject to the Uniform Land Use Review Procedure (ULURP). We believe any development on this scale can only go forward with a full land use review in which the community has the opportunity to shape the future of their neighborhood. This is why the commission must vote no, and the city must commit to a true community-driven planning process.

The Two Bridges area has for decades been a bastion of affordable housing. These proposed projects would add more than 2,700 new apartments, 75% of them market rate units. We cannot forget that the median household annual income in this neighborhood is less than $30,000 and that nearly 30% of the families in the area are living below the poverty line.

While there is an opportunity to address New York's housing crisis in the Two Bridges neighborhood, we firmly believe any new project must protect the character and affordability of this community. As currently envisioned, 25% of the apartments would be designated as affordable. This number should rise to at least 50%. Setting aside, at minimum, half of the apartments for low-and middle-income families would not only address the critical shortage of affordable housing in the community, but would also help ensure that Two Bridges retains its essential, economically diverse character.

We also feel strongly that the Area Median Income (AMI) for these projects must be in line with neighborhood income levels. The New York City AMI for a 3-person family is $93,900, far above the median household income of $42,014 in Chinatown/Lower East Side. It is critical that any new apartments in the neighborhood are affordable to the people who live in and helped build the Two Bridges community.

Since 2007, approximately 950 units of housing have left rent stabilization in this area. According to Association for Neighborhood Housing and Development (ANHD), 300 eviction cases were filed just in a two-year time period (2013-2015). Over the years, AAFE staff have seen first-hand how rising rents imperil the neighborhood's existing stock of rent stabilized housing. From Hester Street to Essex Street to Madison Street, we have advocated for tenants facing the pressures of a neighborhood undergoing unprecedented change. We have seen hundreds of tenants facing eviction by harassment and building neglect from unscrupulous landlords. We expect this disturbing trend will only accelerate with a new development of this size.

Whether or not there is substantial new development, we urge the city to provide robust funding to support city enforcement within landlord-neglected buildings and families facing harassment. If and when any large-scale development is approved, we believe the city should establish a Lower Manhattan Task Force to respond in real time to problems in rent stabilized buildings.

We are prepared to continue working with the city in support of affordable housing in the Two Bridges area, but development must happen the right way, through a true community-government partnership and a commitment to building on Two Bridges' legacy as a vibrant low- and middle-income community.

Sincerely,

Thomas Yu
Co-Executive Director
Asian Americans for Equality

Jennifer Sun
Co-Executive Director
Asian Americans for Equality

Amy Diehl Crader <acrader@akrf.com>

TANYA CASTRO LE2 and LESON 10/30

1 message

Evan Lemonides (DCP) <ELEMONIDES@planning.nyc.gov> Tue, Oct 30, 2018 at 4:39 PM
To: Amy Diehl Crader <acrader@akrf.com>, Lisa Lau <llau@akrf.com>
Cc: "Olga Abinader (DCP)" <OABINAD@planning.nyc.gov>, "Bob Tuttle (DCP)" <BTuttle@planning.nyc.gov>

---------- Forwarded message ----------
From: Tanya Castro Negron <landsend2ra@gmail.com>
To: 17DCP148M_DL <17DCP148M_DL@planning.nyc.gov>
Cc:
Bcc:
Date: Tue, 30 Oct 2018 07:00:48 +0000
Subject: Re: Lands End 2 Residents Testimony Two Bridges LSRD 17DCP148M
City Planning Commission
Chair, Marisa Lago

At the request of the Lands End 2 Residents we ask that you please do not disclose the addresses of the residents who've submitted their testimony, to respect their privacy.

Thank you

Tanya Castro Negron
Lands End 2 RA

On Tue, Oct 30, 2018 at 2:55 AM Tanya Castro Negron <landsend2ra@gmail.com> wrote:

> City Planning Commission
> Marisa Lago
>
> Please accept our testimony on behalf of Lands End 2 265 & 275 Cherry Street Residents and Resident Association. Many of our residents could not attend the meeting including myself as Resident Leader due to work and family scheduling conflicts. This was truly an opportunity for the LE2 RA to get as many residents engaged as possible. We collected testimonies until 4:30. Unfortunately got to the 120 Broadway by 5:02pm. I ask that you please accept our testimony as it was hard work to outreach on our own and figure out how to put it together in so little time with 900+ Residents divided by two buildings. Im sending it now because it took me from 5:47 til now to figure out how to get everything to you with out a scanner. My apologies for the delay.
>
> Our Developments will be losing 100 windows and the majority of residents in those apartments are senior citizens many disabled. Please accept our testimonies. Thank you for your time and consideration.
>
> Truly Grateful and all best
> Tanya Castro Negron
> Lands End 2 RA
>
> Please review the Lands End 2 Resident Testimony attachments then refer to link below for supportive documents and our Residents Testimonies below:
> https://photos.app.goo.gl/p1WskgMHPSdWYrjk7
>
> Thanks again for your support and efforts!!

---------- Forwarded message ----------
From: Tanya Castro Negron <landsend2ra@gmail.com>

To: 17DCP148M_DL <17DCP148M_DL@planning.nyc.gov>
Cc:
Bcc:
Date: Tue, 30 Oct 2018 06:55:01 +0000
Subject: Lands End 2 Residents Testimony Two Bridges LSRD 17DCP148M
City Planning Commission
Marisa Lago

Please accept our testimony on behalf of Lands End 2 265 & 275 Cherry Street Residents and Resident Association. Many of our residents could not attend the meeting including myself as Resident Leader due to work and family scheduling conflicts. This was truly an opportunity for the LE2 RA to get as many residents engaged as possible. We collected testimonies until 4:30. Unfortunately got to the 120 Broadway by 5:02pm. I ask that you please accept our testimony as it was hard work to outreach on our own and figure out how to put it together in so little time with 900+ Residents divided by two buildings. Im sending it now because it took me from 5:47 til now to figure out how to get everything to you with out a scanner. My apologies for the delay.

Our Developments will be losing 100 windows and the majority of residents in those apartments are senior citizens many disabled. Please accept our testimonies. Thank you for your time and consideration.

Truly Grateful and all best
Tanya Castro Negron
Lands End 2 RA

Please review the Lands End 2 Resident Testimony attachments then refer to link below for supportive documents and our Residents Testimonies below:
https://photos.app.goo.gl/p1WskgMHPSdWYrjk7

Thanks again for your support and efforts!!

---

4 attachments

noname.eml
12K

Lands End 2 RA Residents Two Bridges DEIS Testimony .docx
44K

LESON DEIS and 78-313 Critique.docx
63K

noname.eml
156K

TWO BRIDGES LSRD DEIS

LANDS END 2 265 & 275 Cherry Street
RESIDENTS TESTIMONY

CEQR No.:
17DCP148M

ULURP Nos.:
Site 4(4A/4B) M 180507 (c) ZSM
Site 5 M180505 (A) ZSM
Site 6A M180506 (B) ZSM

N180498 ZCM

Lead Agency:
City Planning Commission, City of New York
Marisa Lago, Chair

Lead Agency Contact:
Robert Dobruskin, AICP

Applicants:
Cherry Street Owner, LLC
Two Bridges Associates, LP
LE1 Sub LLC

Prepared by:
Lands End 2 Resident Association

Contents:

Lands End 2 Resident Association Testimony

(Based on the response from the residents and supporting documents)

- Supportive Testimony Documents
- Residents Testimonies
- LESON Testimony

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

October 29th 2018

Attention: Marisa Lago, Chair of City Planning Commission

This submission of testimony and documentation is filed by Lands End 2 Resident Association on behalf of Lands End 2 265 & 275 Cherry Street Residents and neighbors. We are requesting that the approval of these applications be denied based on the concerns, issues and discrepancies founded within the Two Bridges LSRD DEIS pertaining to the findings, minimal requirement of investigations, studies and tests on the existing Lands End 2 developments and current residential development, that will be directly impacted by these proposals.

Lands End 2, 265 & 275 Cherry Street was built in 1979 within the Urban Renewal Area that expired in 2007. Currently our developments Lands End 2, are within the zoning area of the Two Bridges LSRD. Having been through a previous process with the Health Care Chaplaincy Inc. the Lands End 2 Resident Association is familiar with the minor modification application and process, studies and investigations needed for the requested special permit to have been approved. We therefore reference the Health Care Chaplaincy EAS and its determinations with the current application of the Two Bridges LSRD and found the following to be discrepant and in need of further review and approval by other agencies prior to your vote.

We have attached documents that were studied, reviewed and approved by the City Planning Commission regarding the application provided by the Health Care Chaplaincy proposal. Our residents are much more concerned with the many adverse impacts, direct and indirect impacts these proposed TOWERS will have on our developments and residents directly. We ask that you truly take into account the measure of damage these towers will cause and the accumulation of adverse impacts, in ways studies can't calculate but the CEQR and SEQRA can to an extent that DCP have determined these proposals to be a positive declaration. Health Care Chaplaincy received a determination of negative declaration but there were some requirements made that were significant, if the project could and would affect the areas of the study that would be impacted on the parking lot area. We

are asking that you apply these determinations as the proposed applications of the Two Bridges LSRD EIS.

However there were also determinations by other agencies such as the Department of Environmental Protection, Bureau of Environmental planning and Analysis upon reviewing The January 2012 Environmental Assessment prepared by Clair Haaga Altman, the revised Fevruary 2011 Phase I Environmental Site Assessment prepared by Langan Engineering and Environmental Services (Langan) and the limited Phase II Investigation Report prepared by GZA GeoEnvironmental (GZA)Inc. on behalf of Health Care Chaplaincy Community Investment Inc. (applicant)the referenced project.

Attached we present the findings of the residents and community members within the Two Bridges LSRD study area:

Land Use, Zoning, and Public Policy
Health Care Chaplaincy was approved a Special Permit based on the review and determination of the EAS and a conclusion was made on that project. The current Two Bridges LSRD project has trigged negative impacts on all methodologies of the CEQR Technical Manual. Upon thorough review of the attached documents submitted by DEP and CPC on behalf of Health Care Chaplaincy we request that State and Federal Agencies be involved in the thorough investigation and study of the Two Bridges LSRD EIS. We ask that FEMA be involved in this process being that Lands End 2 Development and proposed project are within Flood Zone A. The buildings have not been inspected for infrastructure damage due to Super Storm Sandy which was post the approval of the Health Care Chaplaincy Special Permit.

Socio Economic Conditions
The determination of no direct displacement can not be made before the construction of these projects due to the fact no study was done on the current health status of the residents that would physically loss their windows in both 265 and 275 Cherry Street by the two towers proposed by L&M Development. Many of the B&C apartments threatened by the loss of windows are senior citizens, many with disabilities and some with children. Many would have to move due to health reasons.

Community Facilities and Services (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents giving nothing back)
Proposing to utilize the Lands End 2 residents current 275 Cherry Street community center for a child care facility is not beneficial nor a priority of the Lands End 2 residents. The residents and association proposed upon the purchase of our developments by L&M Development and CIM group during an intro 2014 meeting, to implement an after school and/or adult day care facility for our residents who have resided in the developments since 1979, as we had once before. WE were informed that the proposed development on Lands End 2 parking lot community center space and building amenities would not be accessible to the current residents.

The Health Care Chaplaincy proposed to provide expansion of our community space in the Lands End 2 275 Cherry Street for the use of our residents and also proposed new space in the proposed Health Care Chaplaincy Hospice for the community and Lands End 2 Residents. HCC also proposed **training for employment opportunities** in their Project. L&M Development has not proposed to provide anything for our community nor the current residents of the existing buildings the developers propose to build the towers up against. We want no buildings.

Open Space Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents
Health Care Chaplaincy did not propose to take away any space pre nor post construction. Due to the construction work flow, debris and noise of the proposed L&M Towers in our parking lot, (As experienced with EXTELL) residents will not have the capability of utilizing the open space we've had for so many years due to the obvious impacts that will be caused. With the East River Drive now closing for construction for the Coastal Resiliency we will have minimal to nothing option of open space during the construction. We want no Buildings

Shadows Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents
We ask that you acknowledge the extreme impact the shadows will have on the School open area, community parks, trees, squirrels, members of the community that need sufficient Vitamin D from sunlight and NYCHA developments that were

constructed in a way for sunlight sensitive resources for their families. Respect the community that was here and their needs prior to the needs of others to keep a united and healthy community. We want no buildings.

Hazardous Materials Water And Sewer Infrastructure
We ask that you require a PHASE II and other deemed necessary studies and investigations be conducted according to the requirements as suggested in the EAS determination by DEP.
See attached LESON Testimony and DEP Health Care Chaplaincy Review letter and recommendation

Transportation- (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
During the construction where would our cars be parked? During the construction why should current residents have to pay 50% times our cost of parking for 3+ years? A study was done determining facilities with parking availability. Extell took up two blocks worth of parking space. More expenses to the current Residents on top of what we pay already Rent, Food, High Electricity(due to poor ventilation), parking fee, car note, car insurance (Many Car owners use there cars for work purposes and commute), health insurance, cell phone (today necessary) and triple play by spectrum (television up to date news, phone required for intercom land line, and internet for students) . For those who can not afford parking, we would have to rely on public transportation. For a family of 5 in which 4 pay Public transportation that is an additional $480 a month. In what way is the proposed buildings giving back to our community???? We vote no buildings

Air Quality- (Proposed Two Bridges LSRD Project is taking away from the residents)
Accumulative impacts should be studied now based on the extensive construction projects adjacent the proposed Two Bridges LSRD projects at Laguardia, Extell, SPURA and the FDR Drive waterfront walk way and High Way. There were studies done on the High Way but they were conducted pre Super Sandy. We are requesting a thorough study and investigation on the impact the loss of 100 windows will have on the Lands End 2 buildings. The ventilation systems in all adjacent developments of the proposed projects including NYCHA and especially 80 Rutgers Senior development, should be extensively conducted, reviewed by HUD, DEP and DOB prior to this process moving forward.

Please See attached photos of our ventilation ducts to better understand our Air Quality Concerns and the process for that ventilation project is not completed so many are still impacted by the dirt and debris in the ventilation units in our kitchens and bathrooms post 911 and Super Storm Sandy. See attached DEP Health Care Chaplaincy Review letter and recommendation and Ventilation project presentation

Noise
Health Care Chaplaincy was proposed at a time when there was little to no construction in the community. No shutdowns of an entire subway trainline and before the construction of extell and SPURA, which all now require more transportation of automobiles. buses and trucks in our community. There is an accumulation of construction currently, that noise is not to be studied or measured just by a machine but instead by the survey of residents as well. The insulation of buildings built in 1979 has degraded therefore the impact of noise is greater within our apartments. We request an investigation by DOB be conducted prior to further review of the Two Bridges LSRD EIS.

Neighborhood Character (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
The Health Care Chaplaincy improved the neighborhood character of the community and adjacent developments. **The Two Bridges LSRD takes away and destroys the character of the community but instead building a new community for their new residents. See Attached Document Health Care Chaplaincy proposal documents**

Construction (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
Concerns about the debris from all other current construction sites as described in the Air quality statements. Also concerned about accumulation of Airborne Crystalline Silica that can cause respiratory diseases and sometimes death.

Please review all attachments and also take into account the highlighted areas to review, in which the residents are requesting CPC to consider prior to their vote. We support the testimony of LESON.

In conclusion we ask that City Planning Commission please take into consideration our families health, safety, quality of air and quality of life, at this present time and for our future. Please base your decision on the impacts of our community and not on a plan that truly does not take into account the many people of our community, who've Work hard over the years to keep our homes and remain in this community. Many of us have been blessed to grow up and now raise our children and grandchildren in this community. Please help us keep our homes and Quality of Life. **We ask that City Planning Commission to not approve the proposals and applications.**

Best For All,

Tanya Castro-Negron

Lands End 2 Residents Association

President

Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

Re: Critique of the Two Bridges Large Scale Residential Development On Grounds of Failure to Comply with NYC Zoning Resolution s and Inadequate Assessment of Adverse Impacts in Draft Environmental Impact Statement "Two Bridges Large Scale Residential Development Area Project" CEQR No. 17DCP148M.

October 29, 2018

INTRODUCTION

This submission is filed on behalf of the Lower East Side Organized Neighbors ("**LESON"**)[1], the Chinese Staff & Workers' Association ("**CSWA**")[2], and Youth Against Displacement ("**YAD**")[3]—groups of activists and community leaders in the Lower East Side who oppose the construction of the Two Bridges Large Scale Residential Development Area Project ("**the**

[1] The Lower East Side Organized Neighbors (LESON) is a group made up of concerned residents of the Lower East Side and its surrounding areas. These residents have joined together to challenge projects, policies, and other issues which they believe adversely impact the current and future preservation of their community.

[2] The Chinese Staff & Workers' Association (CSWA) is a nonprofit, nonpartisan workers' rights organization based in New York City, with its primary office in the Lower East Side. CSWA primarily assists workers in restaurants, the garment industry, and construction industries; however it is active among workers in a variety of professions. Many of its over 1,300 worker members reside in, or work in, the Lower East Side.

[3] Youth Against Displacement (YAD) is a group of activists helping young people in New York City organize to fight displacement. YAD is active in both Chinatown and the Lower East Side, and deeply concerned about zoning policies and development projects which lack community involvement and encourage gentrification that is adverse or careless toward the interests of long-time residents.

Project"). We present this submission to the City Planning Commission ("**CPC**") as part of the public input process following the October 17, 2018 hearing.

The purpose of this submission is to bring the CPC's attention to deficiencies in the Department's treatment of applications for new construction in the Two Bridges Large-Scale Residential Development ("**LSRD**") area filed by JDS Development Group, Two Bridges Associates, LP (a joint venture of CIM Group & L&M Development Partners), and Starrett Development. First, we argue that the October 17, 2018 hearing was inadequate. Second, we argue that construction of the Project violates Zoning Ordinance 78-313[4]. Finally, we argue that the Draft Environmental Impact Statement ("**DEIS**") titled "Two Bridges Large Scale Residential Development Area Project"[5] provided inadequate assessment of adverse impacts.

BACKGROUND

In New York City, LSRDs are subject to regulations in the NYC Zoning Resolution ("**ZR**") that govern use, bulk, parking, and other applicable rules. They are also subject to special provisions that are designed to allow for greater site planning flexibility and to achieve more efficient use of scarce land. An LSRD can only be approved if the CPC finds that the redistribution of bulk and open space on a particular site will result in a better site plan and have a better relationship among buildings and open areas with the neighborhood than would be possible without modifying the underlying zoning. Substantial updates or changes to an LSRD must be approved by the CPC, which is required to consider whether the changes need waivers or zoning actions not included in any previous approvals.

[4] *See* NYC Housing Ordinance 78-313 https://zr.planning.nyc.gov/article-vii/chapter-8/78-313.

[5] CEQR No. 17DCP148M.

In the case of the Two Bridges LSRD application[6], three developers seek modifications to the existing site plan regarding height and setback rules and minimum distance between buildings requirements to allow for the construction of the high-density towers on the former Two Bridges Urban Renewal Area. These developers are JDS Development Group, Two Bridges Associates, LP, and Starrett Development (hereinafter collectively referred to as "**the developers**"). Though the full extent of modifications have not been clearly articulated by the developers, it is clear that they are at least seeking approval for the following modifications to the Two Bridges LSRD:

1. Adding a thousand-foot-tall building with 660 residential units on Rutgers Slip which with increased floor area and lot coverage. Seeking approval for reconfiguring the existing Rutgers Slip building to allow for new ground floor retail.

2. Adding an 800-foot building (two towers) with 1,350 units on Cherry Street with increased floor area and lot coverage beyond to what is now permitted. Requesting approval for relocating 103 parking spaces at the buildings on Cherry Street. Requesting approval for enlarging ground floor retail space for the buildings on Cherry Street.

3. A modification on Clinton Street which would revise the Special Permit by moving parcel boundaries in a way that allows for the combination of Parcels 4A and 4B into a new Parcel 4. The developers do this in order to build **an entirely new, approximately 1,008-foot-tall building with ground floor retail.**

In response to the developers' requests for approval changes, former CPC Director Carl Weisbrod determined that modifications to the Project did not need any special permits or waivers[7]. As such, it is currently the City's position that completion of an Environmental Impact Statement and CPC examination is sufficient for the Project's approval.

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[6] For more information, see pages 2 and 3 of the Two Bridges LSRD Draft Scope of Work for Preparation of a Draft Environmental Impact Statement, *found at* https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/two-bridges/00-deis.pdf?r=1.

[7] *See* Letter from DCP Director Carl Weisbrod to elected advocates, August 11, 2016.

We strongly reject former Director Weisbrod's assessment, and argue that approval for these changes is illegal and inappropriate for the Lower East Side. We assert that the Two Bridges LSRD proposal of more than 2,000 market rate units and only 694 units with any affordability requirements does not contribute enough to the projects' stated purpose of advancing the Housing New York plan[8]. This proposal provides for the owners to receive full Property Tax exemptions, but the rents for regulated units would still be too high for the majority of current residents to afford.[9] Due to its hugely disproportionate scale and the lack of accessibility for truly low-income neighborhood residents, we maintain that approving the Project will lead to massive displacement and gentrification in the community. In stating our gentrification concerns, we echo the conclusion of a recent Pratt Center Report, which holds that the CEQR Technical Manual's "step-by-step methodology is based on a series of unjustified assumptions that easily lead to minimizing vulnerability and therefore, a finding of no significant adverse impact to the existing community.[10]"

ARGUMENT

PART I: FAILURE OF THE HEARING AS A RESULT OF INADEQUATE NOTICE AND ARTICULATION OF MODIFICATIONS

In both the DEIS "Project Description" and the hearing on October 17, 2018, the developers did not articluate what their specific proposed modifications are, how they relate to previous Special Permits or subsequent amendments, or how they would enable the proposed development to

[8] *See* http://www.nyc.gov/html/housing/assets/downloads/pdf/housing_plan.pdf.

[9] Nearly 30 percent of residents in the Lower East Side live below the poverty line and the median income for a family of three is just over $30,000. To this population, only deeply affordable housing units are accessible. For more information of the demographics in this neighborhood, see Community Board 3's most recent Community Health Profile at https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-mn3.pdf.

[10] *See* FLAWED FINDINGS: HOW NYC'S APPROACH TO MEASURING DISPLACEMENT RISK FAILS COMMUNITIES, https://www.prattcenter.net/sites/default/files/flawed_findings_full_report_pratt_center_0.pdf.

occur. For example, the developers have thus far only stated that the modifications to the LSRD would "modify the approved site plans to enable the proposed developments to be constructed utilizing unused existing floor area," and it remains unclear what the unused existing floor area is and how it is being calculated. This kind of vagueness is concerning because it robs the public of its right to weigh in on this Project.

The developers did not provide enough detail about their requested modifications to allow community members, advocates, and other interested parties to provide full and meaningful feedback. As such, the developers must be more specific and the DEIS must be redone so that there is enough information available to fully reassess the Project in relation to site planning goals and zoning requirements.

PART II: ZONING RESOLUTION CRITIQUE

1. The Developers Cannot Rely on the Original Special Permit or Subsequent Amendments, and thus they must seek new permits.

The Two Bridges neighborhood is a former Urban Renewal Area ("**URA**"), an area where the city sought to remove blight and create mixed-income housing and employment opportunities. In 1972, the area was designated as an LSRD area, a district in which the city allows flexibility to normal land-use regulations in order to facilitate air rights transfers and encourage the most space-efficient site plans for development that covers multiple property lots.

It is significant that the LSRD was created after the 1961 Zoning Resolution of the City of New York 1 initially assigned C6-4 zoning to the lots in the LSRD. The LSRD is more restrictive than the underlying zoning, and the zoning resolution is clear that where there are two sets of regulations applicable to a particular lot, the more restrictive terms control.[11] Since the LSRD is

[11] Zoning Resolution of the City of New York §§ 11-22 ("Whenever any provision of this Resolution and any other provisions of law, whether set forth in this Resolution or in any other law, ordinance or resolution of any kind, impose overlapping or contradictory regulations over

more restrictive and more recent than the underlying zoning, all development must comply with it.

The ZR allows development in the LSRD area only as described in the original LSRD application and subsequent amendments.[12] Despite this, the developers are asking for modifications that were never raised in the original LSRD application or subsequent amendments. Notwithstanding the fact that the original Special Permit has limitations on the maximum developable floor area, lot coverage, location of buildings, etc, the developers are seeking modifications to massively expand development. The changes and new buildings the applicants seek to build were not part of the original LSRD plan as adopted in 1972, nor part of the amendments made for construction in later Authorized and Permitted Phases.
As stated previously, these enormous changes include:

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the use of land… **that provision which is more restrictive or imposes higher standards or requirements shall govern**") (emphasis added).

[12] CPC21885 (June 15, 1973; CPC approval is subject to the same conditions enumerated in the May 15, 1972 approval); C760143ZLM (February 9, 1977 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on plans filed with the application"); N830316ZAM (December 8, 1982 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N850737ZAM (August 28, 1985 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N860727ZAM (March 17, 1986 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); C950078ZSM (January 18, 1995 CPC approval includes this condition: "The property that is the subject of this application (C950078ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by The Edelman Partnership/Architect, filed with this application and incorporated in this resolution: Drawing No. A-4, Zoning Data 9/20/94 and Drawing No. A-6, Site Plan, Site Sections 8/31/94").

1. Adding a thousand-foot-tall building with 660 residential units on Rutgers Slip which with increased floor area and lot coverage. Seeking approval for reconfiguring the existing Rutgers Slip building to allow for new ground floor retail.

2. Adding an 800-foot building (two towers) with 1,350 units on Cherry Street with increased floor area and lot coverage beyond to what is now permitted. Requesting approval for relocating 103 parking spaces at the buildings on Cherry Street. Requesting approval for enlarging ground floor retail space for the buildings on Cherry Street.

3. A modification on Clinton Street which would revise the Special Permit by moving parcel boundaries in a way that allows for the combination of Parcels 4A and 4B into a new Parcel 4. The developers do this in order to build **an entirely new, approximately 1,008-foot-tall building with ground floor retail.**

Additionally, the developers have tried to sneak in other changes to zoning regulations, even outside of the proposed LRSD modifications discussed above. These include:

1. A Starrett application for modification to ground-floor commercial use: In addition to the modification of the previously approved plans for the LSRD, the developers are also seeking a discretionary "Certification to Modify Ground-Floor Commercial Use Requirement" because 259 Clinton falls into a "high density Commercial District." There are separate findings listed for this Certification, as separately required by the ZR. This separate Certification was not presented at earlier phases of the ad hoc approval process being used here.

2. A Starrett application for modification to open space: the site where Starrett seeks to add a 700-foot building with 765 units on Clinton Street was mandated to be a permanent playground and open space when the Commission approved its use for staging for the

Department of Environmental Protection's adjacent water tunnel project only ten years ago.[13]

All amendments to the LSRD must be authorized by the CPC or granted a Special Permit by it after specific findings are made.[14] Since the modifications the developers seek—including the entirely new, 1,008-foot-tall building on a newly combined parcel—are not listed in either the original LSRD Special Permit or subsequent ammendments, the developers cannot piggyback off these documents in order to get approval. As such, the developers must file entirely new permit applications.

4. The Project Fails to Satisfy ZR 78-313's Requirements

Even if the CPC does not believe that the developers should be required to file entirely new permit applications, the modification application should still be denied because the proposed Two Bridges LSRD does not comply with the New York City ZR regulations described in Article VII, Chapter 8[15]. According to ZR 78-313, requests for modifications must meet a number of conditions as a prerequisite for approved. The Project does not satisfy these criteria, because of the many unmitigated adverse impacts that will result if these towers are allowed to be built. The conditions applicable to the project are described as follows[16]:

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[13] April 21, 2008 / Calendar No. 1 C 070212 PCM CPC *report available at* https://www1.nyc.gov/assets/planning/download/pdf/about/cpc/070212.pdf (the Two Bridges area "has a critical need for usable, well-maintained, high-quality open space, and therefore, strongly urges that D.E.P., or any subsequent city agency or other entity responsible for the playground, assures maximum public access and maintains it at a high standard"). *See Two Bridges tower site was slated to be public playground*, August 10, 2018, The Village, available at http://thevillager.com/2018/08/10/two-bridges-tower-site-was-slated-to-be-public-playground/

[14] *See* ZR §§ 78-311, 78-312, 78-313; New York City Charter §§ 197-d(b)(2) - (3) & 197-c(a)(4).

[15] *See* the New York City Zoning Resolution, Article VII, Chapter 8 https://www1.nyc.gov/assets/planning/download/pdf/zoning/zoning-text/art07c08.pdf?r=0517.

[16] The ZR 78-313 provisions that are discussed are the provisions most applicable to the Two Bridges LSRD, however we assert that it also fails to satisfy the others.

Pursuant to 78-313 (a), modifications must aid in achieving the general purposes and intent of the LSRD which includes the promotion and facilitation of better site planning and community planning.[17] The modifications must also enable open space to be arranged to best serve the active and passive recreation needs of residents and the City as a whole.[18] As will be discussed under our DEIS Critique section's "Open Space" and "Shadows" analysis, the modifications will not best serve the needs of area residents because they will lead to development that will have permanent adverse effects in the project area.

Pursuant to 78-313 (b), the distribution of floor area and dwelling units must benefit residents of the LSRD and must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks.

In response to critique one, this Project will not benefit residents. Based on the DEIS, the proposed developments will result in unmitigated adverse impacts on socioeconomic conditions, health and safety, neighborhood character, open space, education, shadows, transportation, and policy compliance. Cumulatively, these adverse effects should be seen as significant.

Further, this Project will unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks. It will do this by adding approximately 6,000 new residents through the construction of over 1.5 million gross square feet of residential development within three massive towers that will tower over all other neighborhood buildings, at heights of respectively 1,008, 798, and 730 feet tall.

Pursuant to 78-313 (d), the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion. However, as described in the shadows, open space, and traffic sections below, approval would significantly limit light and air in the neighborhood and cause both major road congestion and strained public transportation options.

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[17] *See* 78-313 (a),

[18] *Id.*

Pursuant to 78-313 (g), the modification of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties. However, as will be discussed in the DEIS analysis, the proposed development at Site 4A/4B would dwarf the existing buildings in the area. The tallest proposed development (Site 4A/4B) will be over 15 times taller than the median height of existing buildings within the primary area (including One Manhattan Square).[19] There are 370 buildings within the primary study area (quarter-mile distance). The mean height of these buildings is 67 feet, hundreds of feet shorter than the proposed projects. Within the secondary study area there are 1,414 buildings, these have a mean height of just approximately 62 feet. It is clear that the proposed developments will be out of context with existing buildings in the primary and secondary areas. As a result of this height disparity, the Project would block light throughout the neighborhood, including all light at the existing Two Bridges Helen Hayes Senior Residences at 80 Rutgers Slip.

PART IIi: DEIS CRITIQUE

Many aspects of the DEIS present serious concerns, that were not adequately adressed. First, we are extremely concerned that there was no cumulative analysis done for the areas mentioned in the DEIS. The Department of Environmental Conservation ("**DEC**") State Environmental Quality Review ("**SEQR**") Act Handbook's description of the requirements for a cumulative analysis clearly applies to the Project[20]:

> Cumulative impacts must be assessed when actions are proposed to or will foreseeably take place simultaneously or sequentially in a way that their combined impacts may be significant. Assessment of cumulative impacts is limited to consideration of probable impacts, not speculative ones.

[19] *See* DEIS, *supra* note 5.
[20] For more information, see the SEQR Handbook at page 41: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf:

As related to the Project, the EIS impact categories are affected by cumulative effects of the construction of many factors which will be described below. When considered together, we argue that the Project's impact to air, sewage, transportation, education, health and safety, open space, and policy compliance constitutes a significant adverse impact for the neighborhood. These categories must be evaluated on a cumulative basis.

Even not considered cumulatively, we argue that the DEIS overlooked many factors that make these categories significant adverse impacts. As such, urge the CPC to reevaluate the DEIS in light of the following:

A. <u>Shadows</u>

The DEIS makes significant adverse findings about the effect that shadows cast by the Project will have on the Lower East Side. As light is a public resource, the loss of LSRD-established rights to light and air should be seen as a deprivation of public goods.

As part of these findings, the DEIS concludes that the Project will cause a loss of sunlight in at least 34 locations. Though the DEIS notes that "the majority of these new shadows would be limited in extent and duration and would typically only occur during some seasons," this statement remains concerning for two reasons. First, it makes broad claims without providing the community with a baseline methodology from which to assess those claims. Second, it too easily dismisses the extent of the shadows' potential effects on the community by only considering a very limited range of potential negative repercussions instead of looking at a broader range of likely effects. To flesh out these arguments, we argue them at length below:

1. **The DEIS makes broad claims without providing the community with a baseline methodology from which to assess those claims.**

The DEIS fails to elaborate on its methodology and give the City Planning Commission or residents a way to assess their claims. To evaluate whether effects from the Project's shadows will be insignificant, the DEIS must be redone to include metrics by which community members

can better assess the effects of light deprivation. These should include a month-by-month breakdown of sunlight availability for areas that are in danger of being affected by shadows from the Project. This is important because light varies wildly by season, so deprivation must be understood as a shifting concept of harmfulness. For example, New York City has only slightly more than 9 hours of daylight in December[21]. During this season, the multiple instances of 2-3 hours of light deprivation described in the DEIS could account for light deprivation lasting more than a quarter of the day. Thus, even if deprivation "would typically only occur during some seasons," this could cause such a significant deprivation of that season's light that the loss should be considered extremely serious.

2. **The DEIS too easily dismisses the extent of the shadows' potential effects on the community by only considering a limited range of potential negative repercussions instead of looking at a broader range of likely effects.**

The DEIS speaks sparingly about the residential nature of some of the affected locations. It is uncontested that shadows from the Project will "adversely affect other zoning lots outside the large scale residential development by restricting access to light…"[22]These "adverse effects upon the access to light air and privacy of adjacent properties" have a human element that is not discussed, and is concerning because of its potential to affect the health and safety of residents. Light deprivation has been scientifically proven to affect mood, for example. Seasonal Affective Disorder (SAD) is one type of mental health problem that can occur as a result of restricted access to light[23]. Its prevalence is between 1% and 10% of the population, and it is characterized

[21] For more information on the availability of winter sunlight in New York City, see the tables at https://www.timeanddate.com/sun/usa/new-york?month=12.

[22] ZR 78-313(d).

[23] According to the Mayo Clinic, one cause of Seasonal Affective Disorder (SAD) is "[t]he reduced level of sunlight in fall and winter" which can "disrupt your body's internal clock and lead to feelings of depression." The Clinic also notes that this lack of sunlight can aggravate depressive and manic episodes for people who suffer from bipolar disorder. For more information, see https://www.mayoclinic.org/diseases-conditions/seasonal-affective-disorder/symptoms-causes/syc-20364651.

by feelings of irritability, fatigue, sadness, and suicidal thoughts[24]. This is just way among many through which the shadows may have an effect on the health and safety of Lower East Side residents.

Children have the potential to be especially harmed by these shadows. Of the 34 locations affected, the DEIS found that two open space playgrounds will experience especially significant adverse shadow impact: the Cherry Clinton Playground and the Lillian D. Wald Playground. Per the DEIS, these sites "contain basketball courts, handball courts, playground/fitness equipment, seating areas, trees, and landscaping," and are in danger of being cast in shadows which "would significantly affect the user experience" as well as vegetation growth. During some periods, the shadows could be so pronounced that their presence "would eliminate virtually all the sun." this is especially concerning given the purpose of public, open resource playgrounds. In a city where greenspace and outdoor play is limited, these playgrounds constitute a vital means through which children and adolescents can get outside, engage with nature, and exercise. Degrading the usability of these public resources could affect childhood development negatively[25].

Making these areas darker has implications for the community at large as well. By making these areas less well-lit, the Project may discourage the use of these playground's valuable public fitness equipment, sports areas, and seating areas. With less light also comes the potential for crime, as less resident use and poor lighting[26] could make the programs ideal places to hide or conduct illegal activities.

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[24] For more information about the symptoms of SAD, see the National Institute for Mental Health's description at: https://www.psychiatryadvisor.com/depressive-disorder/seasonal-affective-disorder-diagnosis-and-treatment/article/649714/.

[25] For more on the importance of playgrounds in childhood development, see https://opinionator.blogs.nytimes.com/2011/04/07/the-power-of-the-playground/.

[26] For more information on how poor lighting can be linked to increased criminal activity, see https://www.crimesolutions.gov/PracticeDetails.aspx?ID=38.

Additionally, these shadows are concerning given the transportation patterns of Lower East Side residents. The area surrounding the Project is served by relatively few subway lines, bus lines, and other means of public transit.[27] As a result, Lower East Side residents are more likely than other New York City residents to walk or ride their bikes as a primary mode of transportation. In the winter months, these commuting methods are already made more difficult by the city's frigid temperatures. With the addition of shadows from the Project—which could lower temperatures by 10 to 15 degrees according to some estimates[28]—these commuters would have to endure even colder, more uncomfortable, and more dangerous walking and biking conditions. Further, with more sidewalks in shadow, additional pedestrian dangers are easy to imagine. Lower shadow temperatures could cause ice to freeze more solidly and lead to greater number of slip-and-fall accidents, cause residents and businesses to spend longer on winter cleanup, and more quickly lead to sidewalk deterioration as a result of increased salting.

B. Neighborhood Character

Historically, the Lower East Side and Chintown have been working-class areas of immigrants. This has led to vibrant racial, ethnic, and cultural diversity in these neighborhoods. Currently, 82 percent of residents are people of color. Nearly half of the area's residents are Chinese, with an additional one quarter being Latinx. Further, 46 percent are foreign born, with 41 percent having limited English proficiency. As the City continues to change, these long-time residents have struggled to continue living in their neighborhoods. With rents spiking dramatically, developers have used illegal means to push them out, and poor infrastructure has put them in danger.

Residents and workers in New York's Lower East Side and Chinatown have fought against luxury development since the 1980s. In 1986, the CSWA, represented by AALDEF, won a

[27] The Lower East Side is currently underserved by public transportation, and has been described as a "high-density, low-income neighborhood with poor access to transit." For more on the fight for greater public transit access in the LES and other underserved neighborhoods, see http://fourthplan.org/action/new-subways/

[28] For a longer discussion on temperature differences between sunlight and shade, see https://homeguides.sfgate.com/difference-between-air-temperature-shade-sun-92497.html/

precedent-setting case that required the City to assess the impact of development on the displacement of people and businesses. This case ultimately stopped a developer from building luxury residences on a vacant lot and sparked discussion about changing the City's environmental review process. Yet, while New York's Chinatown expanded in those years, the decline of the neighborhood's garment industry in the 1990s, increasing real estate speculation, and relaxed rent regulation laws have made the neighborhood much less affordable for new immigrants.

In the past decade since 9/11, zoning and commercial development have emerged as the dominant struggles in New York's Lower East Side and Chinatown. The battle has broken out between residents, workers, and small business owners—who want to maintain Chinatown's varied network for low-income immigrants—and big developers—which covet the neighborhood's rising property values for higher-income households. As the garment industry has shrunk post 9/11, developers have converted many former factories into loft units that now sell for millions of dollars in the heart of the neighborhood. Furthermore, tenement buildings have similar exteriors as decades ago, but landlords flouting rent regulation laws are increasingly illegally evicting low-income tenants in favor of residents who can afford rents closer to $2,000 and $3,000 per month.

Many polices have accelerated this gentrification. In November 2008, the New York City Council unanimously approved the East Village-Lower East Side rezoning, New York's third largest rezoning plan since it changed the zoning code in 1961 despite vigorous protest by Chinatown and Lower East Side residents and workers and a petition opposing it with more than 10,000 signatures. Although the City determined that the rezoning would not significantly harm the community, independent analysis by urban planners concluded that the rezoning would push luxury development into Chinatown and the Lower East Side and disproportionately impact these low-income and immigrant communities. In particular, opponents feared the resulting increase in density by more than 100 percent on Houston and Delancey Streets; Avenue D,

where public housing is located; and Chrystie Street, which runs into Chinatown, would accelerate luxury development.

In September 2011, the City Council also unanimously approved a Business Improvement District ("**BID"**), a public-private entity with the power to tax property owners covering a significant portion of Chinatown, with the asserted goal of cleaning its streets and making other neighborhood "improvements." The City approved the BID even though small business and property owners filed unprecedented numbers of objections. BID opponents feared that the BID fees assessed on each property would raise commercial rents and increase displacement and vacancies of commercial properties. BID opponents also feared that the BID would facilitate zoning the already-congested Canal Street for even bigger luxury buildings.

Most recently, the threat to public land has become more evident. Local community boards and officials have agreed to build 50 percent luxury housing and 50 percent "affordable" housing on the Seward Park Urban Renewal Area, the largest remaining piece of city-owned property in the Chinatown and Lower East Side area where low-income housing was demolished more than four decades ago. Yet, even the "affordable" housing called for on this site largely falls out of reach for many Chinatown and the Lower East Side families with low median incomes.

Even considering all of these factors, this Project presents one of the greatest challanges ever faced by residents who wish to keep Chinatown and the Lower East Side affordable. These towers are hundreds of feet higher than any other buildings in the neighborhood, and present the potential for an influx of people the likes of which this community has never seen. Given that these towers are predominately made up of luxury condominiums, these residents will be mostly wealthy and at odds with the rest of this working-class, and low-income community. Given that their needs will be different, this new influx of people has the potential to drastically speed up gentrification, as they seek goods, services, and businesses which serve a higher income clientele than the neighborhood has historically supported. Further, this is likely to push out businesses that serve unique immigrant needs, by providing culturally significant foods and multi-lingual

customer service. Additionally, if retail displacement occurs, current residents could likely be priced out of future retail opportunities in the area.

The Lower East Side and Chinatown are the most quickly gentrifying neighborhood in Lower Manhattan[29]. Given this reality, the DEIS underplayed the huge impact that the Project will have on a neighborhood that is already struggling mightly to hold onto its character and remain affordable.

C. Open Space

The proposed development would overburden existing open space and offers no new open space to address the demand expected from the approximately 6,000 new residents. According to the DEIS, the proposed development would decrease the open space ratio—which is a measure of acres of open space per 1,000 residents—by over 7 percent.[30]

This is significant, especially in a neighborhood as underserved by open space as Two Bridges. Despite the impacts, the DEIS offers no acceptable mitigation measures. According to the DEIS, one of the primary proposals that the developer has suggested is expanding and enhancing private open space in the area. This does not solve the problem, as private open space is typically not publicly accessible—people rarely feel comfortable entering the courtyards and gardens of apartment buildings that they do not reside in.

D. Transportation

1. Traffic

The DEIS analysis on traffic was inadequate. The Two Bridges area struggles with road congestion from the Brooklyn and Manhattan Bridges and FDR Drive. Per the DEIS, the proposed projects would result in additional significant adverse traffic impacts at six

[29] *See Behold, NYC's 15 Most Rapidly Gentrifying Neighborhoods,* https://ny.curbed.com/2016/5/9/11641588/nyc-top-15-gentrifying-neighborhoods-williamsburg-harlem-bushwick (Notably, the area is also the second-most quickly gentrifying neighborhood in **all** of Manhattan, second only to Central Harlem.)

[30] *See* MAS NYC Report at https://www.mas.org/wp-content/uploads/2018/10/2018-10-09-MAS-Comments-on-Two-Bridges-for-CPC-FINAL.pdf.

intersections during the weekday AM peak hour, five intersections during the weekday midday peak hour, and 10 intersections during the weekday PM peak hour. According to Table 21-1 of the DEIS, a maximum of 10 intersections and 18 lane groups will experience significant adverse impacts. The weekday PM Peak Hour will be most affected.

For mitigation of these impacts, the DEIS does not go beyond identifying the implementation of standard traffic mitigation measures such as signal timing and lane restriping. Equally concerning is that the mitigation measures have yet to be approved by the DOT and may in fact be deemed infeasible, which would leave the impacts unmitigated. This is unacceptable for this neighborhood. The possibility of other modes of transportation is not explored.

2. **Subway and Bus Crowding**

With such a huge influx of people in an area with limited access to public transit, there must be additional analysis on potential effects of the Project on biking and walking. To this end, discussion of the Project's affect on the subway and bus system must be more extensive. The Project's building site is conveniently served by only one subway line—the East Broadway-Rutgers Street Station (F). This station has an average has an average weekday ridership of 14,365. Though the developers have offered to add an additional enterance, this does nothing to address concerns about increased crowding on platforms or the train, especially during peak hours. Additionally, there is no discussion of how the Project will affect crowding on the M9 bus.

Finally, though the CEQR Technical Manual notes that a parking shortfall resulting from a project in Manhattan does not constitute a significant adverse impact, this assessment seems ill-fitting. The above mentioned problems, paired with the influx of large construction crews who will work in the area for the projected building period of *at least* 36 months, signal that transportation problems should be taken very seriously, and cumulatively should be seen as a significant adverse effect.

E. <u>Education</u>

Because of the sheer size of this Project, there will be increased neighborood density, which will likely extend to a higher density of children. This will put pressure on public schools in the Lower East Side.

1. School Utilization

The DEIS must address how this increased density will affect the community's public school system. In the development scenario without housing units reserved for seniors, elementary school utilization in Community School District 1, Subdistrict 1 would increase from 90 percent to 111.3 percent capacity.[31] Utilization in Community School District 1, as a whole, would increase to 100 percent. Publicly funded childcare facilities face similar impacts with regard to utilization. According to the DEIS, publicly funded childcare facilities in the study area are currently operating at 87 percent capacity, with 160 available slots.[32] With the proposed development, the utilization would increase to 110 percent, resulting in a deficit of 119 daycare slots[33]. Despite these impacts, the DEIS does not propose any specific mitigation measures to address capacity issues for either public schools or publicly funded childcare facilities. Specific mitigation measures must be addressed in the FEIS.

2. School Diversity and Funding for Low-Income Students

Beyond failing to adequately address concerns about school utilization, the DEIS also fell short in raising concerns about racial and ethnic diversity in schools, as increased gentrification has led to many white families removing their children from the neighborhood's most diverse schools[34]. It should also be sensitive to the fact that fears about displacement of students are already

[31] *See* MAS NYC Report, *supra* note 24.

[32] *Id.*

[33] *Id.*

[34] The integration of students has been a problem for the City, particularly in the Lower East Side. *See* https://www.nytimes.com/2017/06/07/nyregion/a-manhattan-district-where-school-choice-amounts-to-segregation.html.

looming in the neighborhood[35]. Additionally, it must address concerns about how the Project will change the socio-economic makeup of schools—given that it will contain many luxary condos—and thus affect funding for low-income students through programs like Title I.

F. Health and Safety

The Project site is located in an area that is dangerusly close to the highway. For residents of the tower, this opens up the potential for exposure to dangerous levels of emissions, noise pollution, and air pollution[36]. Even if this is mitigated by the building being sealed, it remains a problem in the open spaces that the building is touting as part of its appeal.

1. Fire Safety Concerns with Inter-building Voids

The Project's proposed Site 4 has a large inter-building void at the base that allows its towers to rise over an existing neighboring building. An inter-building void is a space in a building that may be nominally used for mechanicals or egress but which is largely empty space, devoid of residential, commercial or community facility floor area. Currently, the Fire Department of the City of New York's ("**FDNY**") has serious concerns about this building method, and its potential to hinder the efforts of firefighters.

On May 3, 2018, the FDNY's Bureau of Operations cited both general and specific operational and safety concerns regarding a 150-foot inter-building void. The proposed inter-building void on Site 4 is larger than the one at 62nd Street Periscope Tower that caused the FDNY to express concern[37]. It is therefore likely that they would have the same concerns with this proposed inter-building void. The DEIS does not analyze how this building will address the concerns the FDNY outlined as policy, including concerns that, in case of fire:

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[35] For more information on fears about student displacement, see https://www.dnainfo.com/20100330/manhattan/lower-east-side-parents-challenge-decision-expand-charter-school/.

[36] *See* https://www.epa.gov/sciencematters/living-close-roadways-health-concerns-and-mitigation-strategies.

[37] For more on the FDNY's concern and the community's response, see the Zoning Complaint at https://www.landmarkwest.org/wp-content/uploads/2018/09/Challenge_36w66th_final-1-17.pdf.

a. There may be limited access for the FDNY to blind elevator shafts… or find access doors from the fire stairs.
b. There may be limited ability for FDNY personnel and occupants to cross over from one egress stair to another within the shaft in the event that one of the stairs becomes untenable.
c. It is unclear whether inter-building void space will be protected by a sprinkler as a "concealed space”
d. It is unclear whether there be provisions for smoke control/smoke exhaust within the void space
e. It is unclear how the FNDY will access void space that contain mechanical equipment

The DEIS did not address these concerns. Until these concerns are studied and addressed, building an inter-building void at Site 4 creates a health and safety risk for both future tower dwellers and neighboring Lower East Side residents.

2. Noise

Beyond dangers to the health and safety of future residents of the Project, there is also danger to neighboring residents. In an area with many old buildings that are poorly insulated from sound, consturction noises will likely be very disruptive. Though this is a problem for all development, it is especially problematic for this Project because of the size of the towers. Typical buildings in this area are much smaller, with much faster construction schedules. In contrast, the building of this Project will lead to prolongued noise. The DEIS does not account for this.

3. Pollution

Along the same lines, the DEIS fails to consider dangers caused by increased pollution in the region. Many buildings in the Lower East Side are old and lack central air conditioning, thus prompting residents to keep their windows open during hot days in the fall, spring, and summer. This—along with the aforementioned poor insulation—creates a greater risk for current residents to inhale pollution from the construction site. As above, this is more of a concern than in typical construction because of the grossly disproportionate size of these towers in contrast to normal construction in the neighborhood.

4. Infrastructure Damages

Finally, there is danger that the project will disrupt other buildings as it settles, leading to infrastructure damages and safety risks for current residents. This has already happened in the area, with the Extell building recently causing cracks in adjacent residences[38]. Given the size of this Project and the fact that it is being built on a floodplain, residents are concerns that neighboring buildings are at risk. The DEIS should take these fears into account.

5. Gentrification driven Over-Policing

The DEIS does nothing to examine the adverse impacts that gentrification driven over-policing would have on the existing community[39]. This is important given that the area is made up of low-income communities of color, who are especially vulnerable to police brutality. Given the national attention on examples of police misconduct and undue violence by police members, it is essential that a study be done with an eye to the effects that over-policing could have on the safety of local youth.

f. Socioeconomic Conditions

The DEIS states that 88 percent of residents in the Lower East Side area live in buildings protected by rent control, rent stabilization, or other government controls.[40] However, the DEIS overestimates how well protected these residents actually are. In many areas of the city, especially low-income neighborhoods that are being rezoned, tenants in rent-stabilized units are often susceptible to harassment and eviction by landlords pressured by a rising housing market. In fact, there has been a loss of at least 950 regulated units in the area over the past decade1 ; and

[38] *See* https://ny.curbed.com/2016/2/25/11112698/extell-one-manhattan-square-construction-halted/; *See also* https://www.google.com/search?ei=eGbGW4HrO6Ln_QbxwLYY&q=extel+settle+crack+Lower+East+side+fire&oq=extel+settle+crack+Lower+East+side+fire&gs_l=psy-ab.3...12374.13405..13569...0.0..0.87.449.6.....0....1..gws-wiz.....0i71.KOWSbyhIuvI.

[39] For more information on this phenomenon, see e.g., *Order Maintenance: Policing and Its Role in Gentrification* http://www.opportunityinstitute.org/blog/post/order-maintenance-policing-and-its-role-in-gentrification/; *Policing and Gentrification: Mass Displacement and the "Community Watch,"* https://itsgoingdown.org/policing-and-gentrification-mass-displacement-and-the-community-watch/.

[40] *See* DEIS report, *supra* note 5.

there were over 300 eviction cases filed since 2013, including 135 at 82 Rutgers Slip alone[41]. The DEIS does not acknowledge this, nor does it offer a plan to address this significant adverse effect.

g. Sewage

The DEIS was incomplete in its analysis of the effects that the Project could have on the Lower East Side's sewage system. Importantly, it failed to do this in three ways. First, it failed to conduct an Infrasturcture Analysis, as required by Chapter 13 of the City Environmental Quality Review ("**CEQR**") Manual. Second, it failed to address concerns about sewage capacity and infrastructure compliance. Third, it failed to consider cumulative impact on the sewage system, in the context of simultaneous and recent nearby development.

1. **CEQR Requires an Infrastructure Analysis that was not done here.**

Per Chapter 13 of the CEQR Manual[42], projects that increase density or change drainage conditions on a large site **"**require an infrastructure analysis.**"** The rationale behind this is rooted in fear of potential environmental impacts, especially as related to concerns like street flooding, sewer back-ups, increases in combined sewer overflows, and pollutant loadings contained in combined sewer overflows or direct storm water discharges to the City's surrounding waterbodies. This Analysis must be rigorous, and CEQR is clear in its requirements:

> The necessary analysis of sewage typically focuses on the effects of increased sanitary and storm-water flows on the City's infrastructure serving the site. Therefore, the study area includes the WWTP and the conveyance system comprising that plant's drainage basin and affected sewer system (whether combined or separate). Therefore, in order to determine the appropriate study area, it must: 1) Identify the wastewater treatment plant(s) that would serve the

[41] As documented at Map Charting Displacement and Evictions, https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909.

[42] To view the CEQR Manuel, see http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/2014_ceqr_technical_manual_rev_04_27_2016.pdf.

> site; 2) Identify affected components of the downstream collection system, including pumping stations, regulators and interceptors;
>
> If the area of the proposed project is currently served by a combined sewer system, describe and show on a map the affected combined sewer system, including affected drainage or catchment areas, outfalls, and receiving waterbodies.[43]

1. **The Project Fails to Meet Requirements about Sewage Capacity and Sewage Infrastructure Compliance.**

Beyond failing to do an Infrastructure Analysis, the DEIS did not treat seriously the finding that sewage loading exceeds the current system capacity. As it currently stands, the proposed building footprints are not within the limits of the existing sewers, and the Project will overload the existing sewage system capacity. This is noted on page 11-7 describing the sewer conveyances, but it is only briefly mentioned and never fully explored. As such, a more thorough analysis is needed to explain what this will mean for future and existing residents, especially in terms of impacts to regulators, interceptors, drainage and catchment, outfalls, receiving water bodies, and compliance with requirements found in the Newtown Creek Wastewater Treatment Plant Long Term Control Plan (CEQR 322.1). This analysis should include how the system will operate in the dry season versus the rainy season, as sewer capacity overload varies based on these factors. During this weather analysis, it is especially important to think about the impact of potential unique weather events, given that that the Project is planned to sit on a floodplain.

2. **The Effects of the Project Must Be Analyzed for Compounding Impact with Neighboring Buildings.**

The acknowledged overload to the sewage system must be assessed for cumulative impact, given problems with recent nearby construction. Specifically, we raise concerns about compounding load levels from the Extell Tower, the Essex Crossing Megaproject, 1 Seaport and other scaled

[43] For more information, see CEQR Technical Manual, p. 13-1, http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/2014_ceqr_technical_manual_rev_04_27_2016.pdf.

development feeding the same sewer shed infrastructure and using the same infrastructure. Because all of these are linked to the same sewage infrastructure, there must be an evaluation of the capacity of this linked infrastructure, focusing on regulators and interceptors, affected drainage or catchment areas, outfalls, and receiving waterbodies. In doing this, the DEIS is required to engage in a cumulative impact analysis.

Although sewer permit issuance does not require a separate EIS, no sewer permit can be considered while City Officials are aware that the system capacity would be overloaded and compliance interference is likely. In this situation, granting sewage permits to the Project puts the Lower East Side at risk for major sewage failures. Without fully evaluating potential system overload, violations, and compliance interference could be tantamount to knowing conversion of public property to private use or as official misconduct. To look at only this Project is to ignore the reality of recent rapid development in the area, and the effect of that collective development on aging infrastructure.

h. **Policy Compliance**

The DEIS does not consider how the Project relates to several important city policy goals and programs. This oversight creates a risk that the Project will conflict with other goals for the area, creating compliance issues and ultimately stifling the effectivness of existing initiatives. Without these policies being considerd in the DEIS analysis, it cannot be considered accurate. For example, the DEIS does not evaluate consistency with *NextGeneration NYCHA* plan[44] and proposals at the adjacent La Guardia Houses[45]. Despite the proximity to the East River waterfront and the resiliency project area, the DEIS also does not consider compliance with the

[44] *See* the *NextGeneration NYCHA* plan at https://www1.nyc.gov/assets/nycha/downloads/pdf/nextgen-nycha-web.pdf.

[45] *See e.g.*, La Guardia Houses RFP, https://www1.nyc.gov/site/hpd/developers/request-for-proposals/nycha-nextgen-neighborhoods-laguardia-houses-rfp.page.

Lower Manhattan Coastal Resiliency Project[46] and the *East Side Coastal Resiliency Project*[47]. Finally, the DEIS does not consider several important recent new policy initiatives, including the *Where We Live* fair housing initiative[48] and Department of City Planning concerns and contemplated policy changes surrounding the construction of inter-building voids[49].

Conclusion

For the foregoing reasons, we ask the City Planning Commission to reject the developer's request for modifications to the Project.

[46] For more information, see the *Lower Manhattan Coastal Resiliency Project at* https://www.nycedc.com/sites/default/files/files/rfp/qa-documents/LMCR%20Information%20Session%20Presentation.pdf.

[47] *See East Side Coastal Resiliency Project*, http://www.nyc.gov/html/planyc/downloads/pdf/150319_ESCR_FINAL.pdf.

[48] For more information, see Brochure from the *Where We Live* fair housing initiative, http://hpdwwlnyc.wpengine.com/wp-content/uploads/2018/09/where-we-live-nyc-brochure.pdf

[49] In January 2018, Mayor de Blasio announced at a Town Hall on the Upper East Side that the City is developing policies that will address what are now known as "inter-building voids." This was reiterated by the Mayor at a June 2018 Town Hall on the Upper West Side. The DEIS does not discuss how this building will be consistent with DCP's changing policy on inter-building voids or identify modifications or mitigations to ensure consistency with this policy. DCP's Manhattan Office has formed a working group that is developing policies that will prevent this building technique. For more information on DCP opposition and this problem more generally, see *City Wants to Cut Down on Supertalls*, https://www.crainsnewyork.com/article/20180207/REAL_ESTATE/180209904/new-york-city-seeks-to-stop-developers-from-putting-buildings-on-stilts.

TWO BRIDGES LSRD DEIS

LANDS END 2 265 & 275 Cherry Street
RESIDENTS TESTIMONY

CEQR No.:
17DCP148M

ULURP Nos.:
Site 4(4A/4B) M 180507 (c) ZSM
Site 5 M180505 (A) ZSM
Site 6A M180506 (B) ZSM

N180498 ZCM

Lead Agency:
City Planning Commission, City of New York
Marisa Lago, Chair

Lead Agency Contact:
Robert Dobruskin, AICP

Applicants:
Cherry Street Owner, LLC
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LE1 Sub LLC

Prepared by:
Lands End 2 Resident Association

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LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

October 29th 2018

Attention: Marisa Lago, Chair of City Planning Commission

This submission of testimony and documentation is filed by Lands End 2 Resident Association on behalf of Lands End 2 265 & 275 Cherry Street Residents and neighbors. We are requesting that the approval of these applications be denied based on the concerns, issues and discrepancies founded within the Two Bridges LSRD DEIS pertaining to the findings, minimal requirement of investigations, studies and tests on the existing Lands End 2 developments and current residential development, that will be directly impacted by these proposals.

Lands End 2, 265 & 275 Cherry Street was built in 1979 within the Urban Renewal Area that expired in 2007. Currently our developments Lands End 2, are within the zoning area of the Two Bridges LSRD. Having been through a previous process with the Health Care Chaplaincy Inc. the Lands End 2 Resident Association is familiar with the minor modification application and process, studies and investigations needed for the requested special permit to have been approved. We therefore reference the Health Care Chaplaincy EAS and its determinations with the current application of the Two Bridges LSRD and found the following to be discrepant and in need of further review and approval by other agencies prior to your vote.

We have attached documents that were studied, reviewed and approved by the City Planning Commission regarding the application provided by the Health Care Chaplaincy proposal. Our residents are much more concerned with the many adverse impacts, direct and indirect impacts these proposed TOWERS will have on our developments and residents directly. We ask that you truly take into account the measure of damage these towers will cause and the accumulation of adverse impacts, in ways studies can't calculate but the CEQR and SEQRA can to an extent that DCP have determined these proposals to be a positive declaration. Health Care Chaplaincy received a determination of negative declaration but there were some requirements made that were significant, if the project could and would affect the areas of the study that would be impacted on the parking lot area. We

are asking that you apply these determinations as the proposed applications of the Two Bridges LSRD EIS.

However there were also determinations by other agencies such as the Department of Environmental Protection, Bureau of Environmental planning and Analysis upon reviewing The January 2012 Environmental Assessment prepared by Clair Haaga Altman, the revised Fevruary 2011 Phase I Environmental Site Assessment prepared by Langan Engineering and Environmental Services (Langan) and the limited Phase II Investigation Report prepared by GZA GeoEnvironmental (GZA)Inc. on behalf of Health Care Chaplaincy Community Investment Inc. (applicant)the referenced project.

Attached we present the findings of the residents and community members within the Two Bridges LSRD study area:

Land Use, Zoning, and Public Policy

Health Care Chaplaincy was approved a Special Permit based on the review and determination of the EAS and a conclusion was made on that project. The current Two Bridges LSRD project has trigged negative impacts on all methodologies of the CEQR Technical Manual. Upon thorough review of the attached documents submitted by DEP and CPC on behalf of Health Care Chaplaincy we request that State and Federal Agencies be involved in the thorough investigation and study of the Two Bridges LSRD EIS. We ask that FEMA be involved in this process being that Lands End 2 Development and proposed project are within Flood Zone A. The buildings have not been inspected for infrastructure damage due to Super Storm Sandy which was post the approval of the Health Care Chaplaincy Special Permit.

Socio Economic Conditions

The determination of no direct displacement can not be made before the construction of these projects due to the fact no study was done on the current health status of the residents that would physically loss their windows in both 265 and 275 Cherry Street by the two towers proposed by L&M Development. Many of the B&C apartments threatened by the loss of windows are senior citizens, many with disabilities and some with children. Many would have to move due to health reasons.

Community Facilities and Services (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents giving nothing back)
Proposing to utilize the Lands End 2 residents current 275 Cherry Street community center for a child care facility is not beneficial nor a priority of the Lands End 2 residents. The residents and association proposed upon the purchase of our developments by L&M Development and CIM group during an intro 2014 meeting, to implement an after school and/or adult day care facility for our residents who have resided in the developments since 1979, as we had once before. WE were informed that the proposed development on Lands End 2 parking lot community center space and building amenities would not be accessible to the current residents.

The Health Care Chaplaincy proposed to provide expansion of our community space in the Lands End 2 275 Cherry Street for the use of our residents and also proposed new space in the proposed Health Care Chaplaincy Hospice for the community and Lands End 2 Residents. HCC also proposed **training for employment opportunities** in their Project. L&M Development has not proposed to provide anything for our community nor the current residents of the existing buildings the developers propose to build the towers up against. We want no buildings.

Open Space Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents
Health Care Chaplaincy did not propose to take away any space pre nor post construction. Due to the construction work flow, debris and noise of the proposed L&M Towers in our parking lot, (As experienced with EXTELL) residents will not have the capability of utilizing the open space we've had for so many years due to the obvious impacts that will be caused. With the East River Drive now closing for construction for the Coastal Resiliency we will have minimal to nothing option of open space during the construction. We want no Buildings

Shadows Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents
We ask that you acknowledge the extreme impact the shadows will have on the School open area, community parks, trees, squirrels, members of the community that need sufficient Vitamin D from sunlight and NYCHA developments that were

constructed in a way for sunlight sensitive resources for their families. Respect the community that was here and their needs prior to the needs of others to keep a united and healthy community. We want no buildings.

Hazardous Materials Water And Sewer Infrastructure
We ask that you require a PHASE II and other deemed necessary studies and investigations be conducted according to the requirements as suggested in the EAS determination by DEP.
See attached LESON Testimony, DEP Health Care Chaplaincy Review letter and recommendations and additional supporting documentation.

Transportation- (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
During the construction where would our cars be parked? During the construction why should current residents have to pay 50% times our cost of parking for 3+ years? A study was done determining facilities with parking availability. Extell took up two blocks worth of parking space. More expenses to the current Residents on top of what we pay already Rent, Food, High Electricity(due to poor ventilation), parking fee, car note, car insurance (Many Car owners use there cars for work purposes and commute), health insurance, cell phone (today necessary) and triple play by spectrum (television up to date news, phone required for intercom land line, and internet for students) . For those who can not afford parking, we would have to rely on public transportation. For a family of 5 in which 4 pay Public transportation that is an additional $480 a month. In what way is the proposed buildings giving back to our community???? We vote no buildings **(See attached supportive documents)**

Air Quality- (Proposed Two Bridges LSRD Project is taking away from the residents)
Accumulative impacts should be studied now based on the extensive construction projects adjacent the proposed Two Bridges LSRD projects at Laguardia, Extell, SPURA and the FDR Drive waterfront walk way and High Way. There were studies done on the High Way but they were conducted pre Super Sandy. We are requesting a thorough study and investigation on the impact the loss of 100 windows will have on the Lands End 2 buildings. The ventilation systems in all adjacent developments of the proposed projects including NYCHA and especially

80 Rutgers Senior development, should be extensively conducted, reviewed by HUD, DEP and DOB prior to this process moving forward.

Please See attached photos of our ventilation ducts to better understand our Air Quality Concerns and the process for that ventilation project is not completed so many are still impacted by the dirt and debris in the ventilation units in our kitchens and bathrooms post 911 and Super Storm Sandy. Also documents regarding Mold and installation in existing development that will receive more negative impacts if not addressed. See attached DEP Health Care Chaplaincy Review letter and recommendation and Ventilation project presentation. Please vote no until the current

Noise
Health Care Chaplaincy was proposed at a time when there was little to no construction in the community. No shutdowns of an entire subway trainline and before the construction of extell and SPURA, which all now require more transportation of automobiles. buses and trucks in our community. There is an accumulation of construction currently, that noise is not to be studied or measured just by a machine but instead by the survey of residents as well. The insulation of buildings built in 1979 has degraded therefore the impact of noise is greater within our apartments. We request an investigation by DOB be conducted prior to further review of the Two Bridges LSRD EIS.

Neighborhood Character (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
The Health Care Chaplaincy improved the neighborhood character of the community and adjacent developments. **The Two Bridges LSRD takes away and destroys the character of the community but instead building a new community for their new residents. See Attached Document Health Care Chaplaincy proposal documents**

Construction (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
Concerns about the debris from all other current construction sites as described in the Air quality statements. Also concerned about accumulation of Airborne Crystalline Silica that can cause respiratory diseases and sometimes death.

Please review all attachments and also take into account the highlighted areas to review, in which the residents are requesting CPC to consider prior to their vote. We support the testimony of LESON.

In conclusion we ask that City Planning Commission please take into consideration our families health, safety, quality of air and quality of life, at this present time and for our future. Please base your decision on the impacts of our community and not on a plan that truly does not take into account the many people of our community, who've Work hard over the years to keep our homes and remain in this community. Many of us have been blessed to grow up and now raise our children and grandchildren in this community. Please help us keep our homes and Quality of Life. **We ask that City Planning Commission to not approve the proposals and applications.**

Best For All,

Tanya Castro-Negron

Lands End 2 Residents Association
President

TWO BRIDGES LSRD DEIS

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See attached LESON Testimony, DEP Health Care Chaplaincy Review letter and recommendations and additional supporting documentation.

Transportation- (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)

During the construction where would our cars be parked? During the construction why should current residents have to pay 50% times our cost of parking for 3+ years? A study was done determining facilities with parking availability. Extell took up two blocks worth of parking space. More expenses to the current Residents on top of what we pay already Rent, Food, High Electricity(due to poor ventilation), parking fee, car note, car insurance (Many Car owners use there cars for work purposes and commute), health insurance, cell phone (today necessary) and triple play by spectrum (television up to date news, phone required for intercom land line, and internet for students) . For those who can not afford parking, we would have to rely on public transportation. For a family of 5 in which 4 pay Public transportation that is an additional $480 a month. In what way is the proposed buildings giving back to our community???? We vote no buildings **(See attached supportive documents)**

Air Quality- (Proposed Two Bridges LSRD Project is taking away from the residents)

Accumulative impacts should be studied now based on the extensive construction projects adjacent the proposed Two Bridges LSRD projects at Laguardia, Extell, SPURA and the FDR Drive waterfront walk way and High Way. There were studies done on the High Way but they were conducted pre Super Sandy. We are requesting a thorough study and investigation on the impact the loss of 100 windows will have on the Lands End 2 buildings. The ventilation systems in all adjacent developments of the proposed projects including NYCHA and especially

80 Rutgers Senior development, should be extensively conducted, reviewed by HUD, DEP and DOB prior to this process moving forward.

Please See attached photos of our ventilation ducts to better understand our Air Quality Concerns and the process for that ventilation project is not completed so many are still impacted by the dirt and debris in the ventilation units in our kitchens and bathrooms post 911 and Super Storm Sandy. Also documents regarding Mold and installation in existing development that will receive more negative impacts if not addressed. See attached DEP Health Care Chaplaincy Review letter and recommendation and Ventilation project presentation. Please vote no until the current

Noise
Health Care Chaplaincy was proposed at a time when there was little to no construction in the community. No shutdowns of an entire subway trainline and before the construction of extell and SPURA, which all now require more transportation of automobiles. buses and trucks in our community. There is an accumulation of construction currently, that noise is not to be studied or measured just by a machine but instead by the survey of residents as well. The insulation of buildings built in 1979 has degraded therefore the impact of noise is greater within our apartments. We request an investigation by DOB be conducted prior to further review of the Two Bridges LSRD EIS.

Neighborhood Character (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
The Health Care Chaplaincy improved the neighborhood character of the community and adjacent developments. **The Two Bridges LSRD takes away and destroys the character of the community but instead building a new community for their new residents. See Attached Document Health Care Chaplaincy proposal documents**

Construction (Proposed Two Bridges LSRD Lands End 2 Parking Lot Project is taking away from the residents)
Concerns about the debris from all other current construction sites as described in the Air quality statements. Also concerned about accumulation of Airborne Crystalline Silica that can cause respiratory diseases and sometimes death.

Please review all attachments and also take into account the highlighted areas to review, in which the residents are requesting CPC to consider prior to their vote. We support the testimony of LESON.

In conclusion we ask that City Planning Commission please take into consideration our families health, safety, quality of air and quality of life, at this present time and for our future. Please base your decision on the impacts of our community and not on a plan that truly does not take into account the many people of our community, who've Work hard over the years to keep our homes and remain in this community. Many of us have been blessed to grow up and now raise our children and grandchildren in this community. Please help us keep our homes and Quality of Life. **We ask that City Planning Commission to not approve the proposals and applications.**

Best For All,

Tanya Castro-Negron

Lands End 2 Residents Association
President

Robert Dobruskin, AICP, Director
Office of City Planning
120 Broadway, New York, N.Y. 10271

Re: Critique of the Two Bridges Large Scale Residential Development On Grounds of Failure to Comply with NYC Zoning Resolution s and Inadequate Assessment of Adverse Impacts in Draft Environmental Impact Statement "Two Bridges Large Scale Residential Development Area Project" CEQR No. 17DCP148M.

October 29, 2018

INTRODUCTION

This submission is filed on behalf of the Lower East Side Organized Neighbors ("**LESON**")[1], the Chinese Staff & Workers' Association ("**CSWA**")[2], and Youth Against Displacement ("**YAD**")[3]—groups of activists and community leaders in the Lower East Side who oppose the construction of the Two Bridges Large Scale Residential Development Area Project ("**the**

[1] The Lower East Side Organized Neighbors (LESON) is a group made up of concerned residents of the Lower East Side and its surrounding areas. These residents have joined together to challenge projects, policies, and other issues which they believe adversely impact the current and future preservation of their community.

[2] The Chinese Staff & Workers' Association (CSWA) is a nonprofit, nonpartisan workers' rights organization based in New York City, with its primary office in the Lower East Side. CSWA primarily assists workers in restaurants, the garment industry, and construction industries; however it is active among workers in a variety of professions. Many of its over 1,300 worker members reside in, or work in, the Lower East Side.

[3] Youth Against Displacement (YAD) is a group of activists helping young people in New York City organize to fight displacement. YAD is active in both Chinatown and the Lower East Side, and deeply concerned about zoning policies and development projects which lack community involvement and encourage gentrification that is adverse or careless toward the interests of long-time residents.

Project"). We present this submission to the City Planning Commission ("**CPC**") as part of the public input process following the October 17, 2018 hearing.

The purpose of this submission is to bring the CPC's attention to deficiencies in the Department's treatment of applications for new construction in the Two Bridges Large-Scale Residential Development ("**LSRD**") area filed by JDS Development Group, Two Bridges Associates, LP (a joint venture of CIM Group & L&M Development Partners), and Starrett Development. First, we argue that the October 17, 2018 hearing was inadequate. Second, we argue that construction of the Project violates Zoning Ordinance 78-313[4]. Finally, we argue that the Draft Environmental Impact Statement ("**DEIS**") titled "Two Bridges Large Scale Residential Development Area Project"[5] provided inadequate assessment of adverse impacts.

BACKGROUND

In New York City, LSRDs are subject to regulations in the NYC Zoning Resolution ("**ZR**") that govern use, bulk, parking, and other applicable rules. They are also subject to special provisions that are designed to allow for greater site planning flexibility and to achieve more efficient use of scarce land. An LSRD can only be approved if the CPC finds that the redistribution of bulk and open space on a particular site will result in a better site plan and have a better relationship among buildings and open areas with the neighborhood than would be possible without modifying the underlying zoning. Substantial updates or changes to an LSRD must be approved by the CPC, which is required to consider whether the changes need waivers or zoning actions not included in any previous approvals.

[4] *See* NYC Housing Ordinance 78-313 https://zr.planning.nyc.gov/article-vii/chapter-8/78-313.

[5] CEQR No. 17DCP148M.

In the case of the Two Bridges LSRD application[6], three developers seek modifications to the existing site plan regarding height and setback rules and minimum distance between buildings requirements to allow for the construction of the high-density towers on the former Two Bridges Urban Renewal Area. These developers are JDS Development Group, Two Bridges Associates, LP, and Starrett Development (hereinafter collectively referred to as "**the developers**"). Though the full extent of modifications have not been clearly articulated by the developers, it is clear that they are at least seeking approval for the following modifications to the Two Bridges LSRD:

1. Adding a thousand-foot-tall building with 660 residential units on Rutgers Slip which with increased floor area and lot coverage. Seeking approval for reconfiguring the existing Rutgers Slip building to allow for new ground floor retail.

2. Adding an 800-foot building (two towers) with 1,350 units on Cherry Street with increased floor area and lot coverage beyond to what is now permitted. Requesting approval for relocating 103 parking spaces at the buildings on Cherry Street. Requesting approval for enlarging ground floor retail space for the buildings on Cherry Street.

3. A modification on Clinton Street which would revise the Special Permit by moving parcel boundaries in a way that allows for the combination of Parcels 4A and 4B into a new Parcel 4. The developers do this in order to build **an entirely new, approximately 1,008-foot-tall building with ground floor retail.**

In response to the developers' requests for approval changes, former CPC Director Carl Weisbrod determined that modifications to the Project did not need any special permits or waivers[7]. As such, it is currently the City's position that completion of an Environmental Impact Statement and CPC examination is sufficient for the Project's approval.

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[6] For more information, see pages 2 and 3 of the Two Bridges LSRD Draft Scope of Work for Preparation of a Draft Environmental Impact Statement, *found at* https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/two-bridges/00-deis.pdf?r=1.

[7] *See* Letter from DCP Director Carl Weisbrod to elected advocates, August 11, 2016.

We strongly reject former Director Weisbrod's assessment, and argue that approval for these changes is illegal and inappropriate for the Lower East Side. We assert that the Two Bridges LSRD proposal of more than 2,000 market rate units and only 694 units with any affordability requirements does not contribute enough to the projects' stated purpose of advancing the Housing New York plan[8]. This proposal provides for the owners to receive full Property Tax exemptions, but the rents for regulated units would still be too high for the majority of current residents to afford.[9] Due to its hugely disproportionate scale and the lack of accessibility for truly low-income neighborhood residents, we maintain that approving the Project will lead to massive displacement and gentrification in the community. In stating our gentrification concerns, we echo the conclusion of a recent Pratt Center Report, which holds that the CEQR Technical Manual's "step-by-step methodology is based on a series of unjustified assumptions that easily lead to minimizing vulnerability and therefore, a finding of no significant adverse impact to the existing community.[10]"

ARGUMENT

PART I: FAILURE OF THE HEARING AS A RESULT OF INADEQUATE NOTICE AND ARTICULATION OF MODIFICATIONS

In both the DEIS "Project Description" and the hearing on October 17, 2018, the developers did not articluate what their specific proposed modifications are, how they relate to previous Special Permits or subsequent amendments, or how they would enable the proposed development to

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[8] *See* http://www.nyc.gov/html/housing/assets/downloads/pdf/housing_plan.pdf.

[9] Nearly 30 percent of residents in the Lower East Side live below the poverty line and the median income for a family of three is just over $30,000. To this population, only deeply affordable housing units are accessible. For more information of the demographics in this neighborhood, see Community Board 3's most recent Community Health Profile at https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-mn3.pdf.

[10] *See* FLAWED FINDINGS: HOW NYC'S APPROACH TO MEASURING DISPLACEMENT RISK FAILS COMMUNITIES, https://www.prattcenter.net/sites/default/files/flawed_findings_full_report_pratt_center_0.pdf.

occur. For example, the developers have thus far only stated that the modifications to the LSRD would "modify the approved site plans to enable the proposed developments to be constructed utilizing unused existing floor area," and it remains unclear what the unused existing floor area is and how it is being calculated. This kind of vagueness is concerning because it robs the public of its right to weigh in on this Project.

The developers did not provide enough detail about their requested modifications to allow community members, advocates, and other interested parties to provide full and meaningful feedback. As such, the developers must be more specific and the DEIS must be redone so that there is enough information available to fully reassess the Project in relation to site planning goals and zoning requirements.

PART II: ZONING RESOLUTION CRITIQUE

1. The Developers Cannot Rely on the Original Special Permit or Subsequent Amendments, and thus they must seek new permits.

The Two Bridges neighborhood is a former Urban Renewal Area ("**URA**"), an area where the city sought to remove blight and create mixed-income housing and employment opportunities. In 1972, the area was designated as an LSRD area, a district in which the city allows flexibility to normal land-use regulations in order to facilitate air rights transfers and encourage the most space-efficient site plans for development that covers multiple property lots.

It is significant that the LSRD was created after the 1961 Zoning Resolution of the City of New York 1 initially assigned C6-4 zoning to the lots in the LSRD. The LSRD is more restrictive than the underlying zoning, and the zoning resolution is clear that where there are two sets of regulations applicable to a particular lot, the more restrictive terms control.[11] Since the LSRD is

[11] Zoning Resolution of the City of New York §§ 11-22 ("Whenever any provision of this Resolution and any other provisions of law, whether set forth in this Resolution or in any other law, ordinance or resolution of any kind, impose overlapping or contradictory regulations over

more restrictive and more recent than the underlying zoning, all development must comply with it.

The ZR allows development in the LSRD area only as described in the original LSRD application and subsequent amendments.[12] Despite this, the developers are asking for modifications that were never raised in the original LSRD application or subsequent amendments. Notwithstanding the fact that the original Special Permit has limitations on the maximum developable floor area, lot coverage, location of buildings, etc, the developers are seeking modifications to massively expand development. The changes and new buildings the applicants seek to build were not part of the original LSRD plan as adopted in 1972, nor part of the amendments made for construction in later Authorized and Permitted Phases.
As stated previously, these enormous changes include:

1. Adding a thousand-foot-tall building with 660 residential units on Rutgers Slip which with increased floor area and lot coverage. Seeking approval for reconfiguring the existing Rutgers Slip building to allow for new ground floor retail.

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the use of land… **that provision which is more restrictive or imposes higher standards or requirements shall govern**") (emphasis added).

[12] CPC21885 (June 15, 1973; CPC approval is subject to the same conditions enumerated in the May 15, 1972 approval); C760143ZLM (February 9, 1977 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on plans filed with the application"); N830316ZAM (December 8, 1982 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N850737ZAM (August 28, 1985 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); N860727ZAM (March 17, 1986 CPC approval includes this condition: "The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with the application"); C950078ZSM (January 18, 1995 CPC approval includes this condition: "The property that is the subject of this application (C950078ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by The Edelman Partnership/Architect, filed with this application and incorporated in this resolution: Drawing No. A-4, Zoning Data 9/20/94 and Drawing No. A-6, Site Plan, Site Sections 8/31/94").

2. Adding an 800-foot building (two towers) with 1,350 units on Cherry Street with increased floor area and lot coverage beyond to what is now permitted. Requesting approval for relocating 103 parking spaces at the buildings on Cherry Street. Requesting approval for enlarging ground floor retail space for the buildings on Cherry Street.

3. A modification on Clinton Street which would revise the Special Permit by moving parcel boundaries in a way that allows for the combination of Parcels 4A and 4B into a new Parcel 4. The developers do this in order to build **an entirely new, approximately 1,008-foot-tall building with ground floor retail.**

Additionally, the developers have tried to sneak in other changes to zoning regulations, even outside of the proposed LRSD modifications discussed above. These include:

1. A Starrett application for modification to ground-floor commercial use: In addition to the modification of the previously approved plans for the LSRD, the developers are also seeking a discretionary "Certification to Modify Ground-Floor Commercial Use Requirement" because 259 Clinton falls into a "high density Commercial District." There are separate findings listed for this Certification, as separately required by the ZR. This separate Certification was not presented at earlier phases of the ad hoc approval process being used here.

2. A Starrett application for modification to open space: the site where Starrett seeks to add a 700-foot building with 765 units on Clinton Street was mandated to be a permanent playground and open space when the Commission approved its use for staging for the Department of Environmental Protection's adjacent water tunnel project only ten years ago.[13]

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[13] April 21, 2008 / Calendar No. 1 C 070212 PCM CPC *report available at* https://www1.nyc.gov/assets/planning/download/pdf/about/cpc/070212.pdf (the Two Bridges area "has a critical need for usable, well-maintained, high-quality open space, and therefore, strongly urges that D.E.P., or any subsequent city agency or other entity responsible for the playground, assures maximum public access and maintains it at a high standard"). *See Two Bridges tower site was slated to be public playground*, August 10, 2018, The Village, available at http://thevillager.com/2018/08/10/two-bridges-tower-site-was-slated-to-be-public-playground/

All amendments to the LSRD must be authorized by the CPC or granted a Special Permit by it after specific findings are made.[14] Since the modifications the developers seek—including the entirely new, 1,008-foot-tall building on a newly combined parcel—are not listed in either the original LSRD Special Permit or subsequent ammendments, the developers cannot piggyback off these documents in order to get approval. As such, the developers must file entirely new permit applications.

4. The Project Fails to Satisfy ZR 78-313's Requirements

Even if the CPC does not believe that the developers should be required to file entirely new permit applications, the modification application should still be denied because the proposed Two Bridges LSRD does not comply with the New York City ZR regulations described in Article VII, Chapter 8[15]. According to ZR 78-313, requests for modifications must meet a number of conditions as a prerequisite for approved. The Project does not satisfy these criteria, because of the many unmitigated adverse impacts that will result if these towers are allowed to be built. The conditions applicable to the project are described as follows[16]:

Pursuant to 78-313 (a), modifications must aid in achieving the general purposes and intent of the LSRD which includes the promotion and facilitation of better site planning and community planning.[17] The modifications must also enable open space to be arranged to best serve the active and passive recreation needs of residents and the City as a whole.[18] As will be discussed under

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[14] *See* ZR §§ 78-311, 78-312, 78-313; New York City Charter §§ 197-d(b)(2) - (3) & 197-c(a)(4).

[15] *See* the New York City Zoning Resolution, Article VII, Chapter 8 https://www1.nyc.gov/assets/planning/download/pdf/zoning/zoning-text/art07c08.pdf?r=0517.

[16] The ZR 78-313 provisions that are discussed are the provisions most applicable to the Two Bridges LSRD, however we assert that it also fails to satisfy the others.

[17] *See* 78-313 (a),

[18] *Id.*

our DEIS Critique section's "Open Space" and "Shadows" analysis, the modifications will not best serve the needs of area residents because they will lead to development that will have permanent adverse effects in the project area.

Pursuant to 78-313 (b), the distribution of floor area and dwelling units must benefit residents of the LSRD and must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks.

In response to critique one, this Project will not benefit residents. Based on the DEIS, the proposed developments will result in unmitigated adverse impacts on socioeconomic conditions, health and safety, neighborhood character, open space, education, shadows, transportation, and policy compliance. Cumulatively, these adverse effects should be seen as significant.

Further, this Project will unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks. It will do this by adding approximately 6,000 new residents through the construction of over 1.5 million gross square feet of residential development within three massive towers that will tower over all other neighborhood buildings, at heights of respectively 1,008, 798, and 730 feet tall.

Pursuant to 78-313 (d), the distribution and location of floor area must not adversely affect access to light and air outside the LSRD or create traffic congestion. However, as described in the shadows, open space, and traffic sections below, approval would significantly limit light and air in the neighborhood and cause both major road congestion and strained public transportation options.

Pursuant to 78-313 (g), the modification of height and setback must not impair the essential character of the surrounding area and must not have adverse effects upon access to light, air and privacy of adjacent properties. However, as will be discussed in the DEIS analysis, the proposed development at Site 4A/4B would dwarf the existing buildings in the area. The tallest proposed development (Site 4A/4B) will be over 15 times taller than the median height of existing buildings within the primary area (including One Manhattan Square).[19] There are 370 buildings

[19] *See* DEIS, *supra* note 5.

within the primary study area (quarter-mile distance). The mean height of these buildings is 67 feet, hundreds of feet shorter than the proposed projects. Within the secondary study area there are 1,414 buildings, these have a mean height of just approximately 62 feet. It is clear that the proposed developments will be out of context with existing buildings in the primary and secondary areas. As a result of this height disparity, the Project would block light throughout the neighborhood, including all light at the existing Two Bridges Helen Hayes Senior Residences at 80 Rutgers Slip.

PART IIi: DEIS CRITIQUE

Many aspects of the DEIS present serious concerns, that were not adequately adressed. First, we are extremely concerned that there was no cumulative analysis done for the areas mentioned in the DEIS. The Department of Environmental Conservation ("**DEC**") State Environmental Quality Review ("**SEQR**") Act Handbook's description of the requirements for a cumulative analysis clearly applies to the Project[20]:

> Cumulative impacts must be assessed when actions are proposed to or will foreseeably take place simultaneously or sequentially in a way that their combined impacts may be significant. Assessment of cumulative impacts is limited to consideration of probable impacts, not speculative ones.

As related to the Project, the EIS impact categories are affected by cumulative effects of the construction of many factors which will be described below. When considered together, we argue that the Project's impact to air, sewage, transportation, education, health and safety, open space, and policy compliance constitutes a significant adverse impact for the neighborhood. These categories must be evaluated on a cumulative basis.

[20] For more information, see the SEQR Handbook at page 41: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf:

Even not considered cumulatively, we argue that the DEIS overlooked many factors that make these categories significant adverse impacts. As such, urge the CPC to reevaluate the DEIS in light of the following:

A. Shadows

The DEIS makes significant adverse findings about the effect that shadows cast by the Project will have on the Lower East Side. As light is a public resource, the loss of LSRD-established rights to light and air should be seen as a deprivation of public goods.

As part of these findings, the DEIS concludes that the Project will cause a loss of sunlight in at least 34 locations. Though the DEIS notes that "the majority of these new shadows would be limited in extent and duration and would typically only occur during some seasons," this statement remains concerning for two reasons. First, it makes broad claims without providing the community with a baseline methodology from which to assess those claims. Second, it too easily dismisses the extent of the shadows' potential effects on the community by only considering a very limited range of potential negative repercussions instead of looking at a broader range of likely effects. To flesh out these arguments, we argue them at length below:

1. **The DEIS makes broad claims without providing the community with a baseline methodology from which to assess those claims.**

The DEIS fails to elaborate on its methodology and give the City Planning Commission or residents a way to assess their claims. To evaluate whether effects from the Project's shadows will be insignificant, the DEIS must be redone to include metrics by which community members can better assess the effects of light deprivation. These should include a month-by-month breakdown of sunlight availability for areas that are in danger of being affected by shadows from the Project. This is important because light varies wildly by season, so deprivation must be understood as a shifting concept of harmfulness. For example, New York City has only slightly more than 9 hours of daylight in December[21]. During this season, the multiple instances of 2-3 hours of light deprivation described in the DEIS could account for light deprivation lasting more

[21] For more information on the availability of winter sunlight in New York City, see the tables at https://www.timeanddate.com/sun/usa/new-york?month=12.

than a quarter of the day. Thus, even if deprivation "would typically only occur during some seasons," this could cause such a significant deprivation of that season's light that the loss should be considered extremely serious.

2. **The DEIS too easily dismisses the extent of the shadows' potential effects on the community by only considering a limited range of potential negative repercussions instead of looking at a broader range of likely effects.**

The DEIS speaks sparingly about the residential nature of some of the affected locations. It is uncontested that shadows from the Project will "adversely affect other zoning lots outside the large scale residential development by restricting access to light…"[22]These "adverse effects upon the access to light air and privacy of adjacent properties" have a human element that is not discussed, and is concerning because of its potential to affect the health and safety of residents. Light deprivation has been scientifically proven to affect mood, for example. Seasonal Affective Disorder (SAD) is one type of mental health problem that can occur as a result of restricted access to light[23]. Its prevalence is between 1% and 10% of the population, and it is characterized by feelings of irritability, fatigue, sadness, and suicidal thoughts[24]. This is just way among many through which the shadows may have an effect on the health and safety of Lower East Side residents.

Children have the potential to be especially harmed by these shadows. Of the 34 locations affected, the DEIS found that two open space playgrounds will experience especially significant

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[22] ZR 78-313(d).

[23] According to the Mayo Clinic, one cause of Seasonal Affective Disorder (SAD) is "[t]he reduced level of sunlight in fall and winter" which can "disrupt your body's internal clock and lead to feelings of depression." The Clinic also notes that this lack of sunlight can aggravate depressive and manic episodes for people who suffer from bipolar disorder. For more information, see https://www.mayoclinic.org/diseases-conditions/seasonal-affective-disorder/symptoms-causes/syc-20364651.

[24] For more information about the symptoms of SAD, see the National Institute for Mental Health's description at: https://www.psychiatryadvisor.com/depressive-disorder/seasonal-affective-disorder-diagnosis-and-treatment/article/649714/.

adverse shadow impact: the Cherry Clinton Playground and the Lillian D. Wald Playground. Per the DEIS, these sites "contain basketball courts, handball courts, playground/fitness equipment, seating areas, trees, and landscaping," and are in danger of being cast in shadows which "would significantly affect the user experience" as well as vegetation growth. During some periods, the shadows could be so pronounced that their presence "would eliminate virtually all the sun." this is especially concerning given the purpose of public, open resource playgrounds. In a city where greenspace and outdoor play is limited, these playgrounds constitute a vital means through which children and adolescents can get outside, engage with nature, and exercise. Degrading the usability of these public resources could affect childhood development negatively[25].

Making these areas darker has implications for the community at large as well. By making these areas less well-lit, the Project may discourage the use of these playground's valuable public fitness equipment, sports areas, and seating areas. With less light also comes the potential for crime, as less resident use and poor lighting[26] could make the programs ideal places to hide or conduct illegal activities.

Additionally, these shadows are concerning given the transportation patterns of Lower East Side residents. The area surrounding the Project is served by relatively few subway lines, bus lines, and other means of public transit.[27] As a result, Lower East Side residents are more likely than other New York City residents to walk or ride their bikes as a primary mode of transportation. In the winter months, these commuting methods are already made more difficult by the city's frigid

[25] For more on the importance of playgrounds in childhood development, see https://opinionator.blogs.nytimes.com/2011/04/07/the-power-of-the-playground/.

[26] For more information on how poor lighting can be linked to increased criminal activity, see https://www.crimesolutions.gov/PracticeDetails.aspx?ID=38.

[27] The Lower East Side is currently underserved by public transportation, and has been described as a "high-density, low-income neighborhood with poor access to transit." For more on the fight for greater public transit access in the LES and other underserved neighborhoods, see http://fourthplan.org/action/new-subways/

temperatures. With the addition of shadows from the Project—which could lower temperatures by 10 to 15 degrees according to some estimates[28]—these commuters would have to endure even colder, more uncomfortable, and more dangerous walking and biking conditions. Further, with more sidewalks in shadow, additional pedestrian dangers are easy to imagine. Lower shadow temperatures could cause ice to freeze more solidly and lead to greater number of slip-and-fall accidents, cause residents and businesses to spend longer on winter cleanup, and more quickly lead to sidewalk deterioration as a result of increased salting.

B. Neighborhood Character

Historically, the Lower East Side and Chintown have been working-class areas of immigrants. This has led to vibrant racial, ethnic, and cultural diversity in these neighborhoods. Currently, 82 percent of residents are people of color. Nearly half of the area's residents are Chinese, with an additional one quarter being Latinx. Further, 46 percent are foreign born, with 41 percent having limited English proficiency. As the City continues to change, these long-time residents have struggled to continue living in their neighborhoods. With rents spiking dramatically, developers have used illegal means to push them out, and poor infrastructure has put them in danger.

Residents and workers in New York's Lower East Side and Chinatown have fought against luxury development since the 1980s. In 1986, the CSWA, represented by AALDEF, won a precedent-setting case that required the City to assess the impact of development on the displacement of people and businesses. This case ultimately stopped a developer from building luxury residences on a vacant lot and sparked discussion about changing the City's environmental review process. Yet, while New York's Chinatown expanded in those years, the decline of the neighborhood's garment industry in the 1990s, increasing real estate speculation, and relaxed rent regulation laws have made the neighborhood much less affordable for new immigrants.

[28] For a longer discussion on temperature differences between sunlight and shade, see https://homeguides.sfgate.com/difference-between-air-temperature-shade-sun-92497.html/

In the past decade since 9/11, zoning and commercial development have emerged as the dominant struggles in New York's Lower East Side and Chinatown. The battle has broken out between residents, workers, and small business owners—who want to maintain Chinatown's varied network for low-income immigrants—and big developers—which covet the neighborhood's rising property values for higher-income households. As the garment industry has shrunk post 9/11, developers have converted many former factories into loft units that now sell for millions of dollars in the heart of the neighborhood. Furthermore, tenement buildings have similar exteriors as decades ago, but landlords flouting rent regulation laws are increasingly illegally evicting low-income tenants in favor of residents who can afford rents closer to $2,000 and $3,000 per month.

Many polices have accelerated this gentrification. In November 2008, the New York City Council unanimously approved the East Village-Lower East Side rezoning, New York's third largest rezoning plan since it changed the zoning code in 1961 despite vigorous protest by Chinatown and Lower East Side residents and workers and a petition opposing it with more than 10,000 signatures. Although the City determined that the rezoning would not significantly harm the community, independent analysis by urban planners concluded that the rezoning would push luxury development into Chinatown and the Lower East Side and disproportionately impact these low-income and immigrant communities. In particular, opponents feared the resulting increase in density by more than 100 percent on Houston and Delancey Streets; Avenue D, where public housing is located; and Chrystie Street, which runs into Chinatown, would accelerate luxury development.

In September 2011, the City Council also unanimously approved a Business Improvement District ("**BID**"), a public-private entity with the power to tax property owners covering a significant portion of Chinatown, with the asserted goal of cleaning its streets and making other neighborhood "improvements." The City approved the BID even though small business and property owners filed unprecedented numbers of objections. BID opponents feared that the BID fees assessed on each property would raise commercial rents and increase displacement and

vacancies of commercial properties. BID opponents also feared that the BID would facilitate zoning the already-congested Canal Street for even bigger luxury buildings.

Most recently, the threat to public land has become more evident. Local community boards and officials have agreed to build 50 percent luxury housing and 50 percent "affordable" housing on the Seward Park Urban Renewal Area, the largest remaining piece of city-owned property in the Chinatown and Lower East Side area where low-income housing was demolished more than four decades ago. Yet, even the "affordable" housing called for on this site largely falls out of reach for many Chinatown and the Lower East Side families with low median incomes.

Even considering all of these factors, this Project presents one of the greatest challanges ever faced by residents who wish to keep Chinatown and the Lower East Side affordable. These towers are hundreds of feet higher than any other buildings in the neighborhood, and present the potential for an influx of people the likes of which this community has never seen. Given that these towers are predominately made up of luxury condominiums, these residents will be mostly wealthy and at odds with the rest of this working-class, and low-income community. Given that their needs will be different, this new influx of people has the potential to drastically speed up gentrification, as they seek goods, services, and businesses which serve a higher income clientele than the neighborhood has historically supported. Further, this is likely to push out businesses that serve unique immigrant needs, by providing culturally significant foods and multi-lingual customer service. Additionally, if retail displacement occurs, current residents could likely be priced out of future retail opportunities in the area.

The Lower East Side and Chinatown are the most quickly gentrifying neighborhood in Lower Manhattan[29]. Given this reality, the DEIS underplayed the huge impact that the Project will have

[29] *See Behold, NYC's 15 Most Rapidly Gentrifying Neighborhoods,* https://ny.curbed.com/2016/5/9/11641588/nyc-top-15-gentrifying-neighborhoods-williamsburg-harlem-bushwick (Notably, the area is also the second-most quickly gentrifying neighborhood in **all** of Manhattan, second only to Central Harlem.)

on a neighborhood that is already struggling mightly to hold onto its character and remain affordable.

C. Open Space

The proposed development would overburden existing open space and offers no new open space to address the demand expected from the approximately 6,000 new residents. According to the DEIS, the proposed development would decrease the open space ratio—which is a measure of acres of open space per 1,000 residents—by over 7 percent.[30]

This is significant, especially in a neighborhood as underserved by open space as Two Bridges. Despite the impacts, the DEIS offers no acceptable mitigation measures. According to the DEIS, one of the primary proposals that the developer has suggested is expanding and enhancing private open space in the area. This does not solve the problem, as private open space is typically not publicly accessible—people rarely feel comfortable entering the courtyards and gardens of apartment buildings that they do not reside in.

D. Transportation

1. Traffic

The DEIS analysis on traffic was inadequate. The Two Bridges area struggles with road congestion from the Brooklyn and Manhattan Bridges and FDR Drive. Per the DEIS, the proposed projects would result in additional significant adverse traffic impacts at six intersections during the weekday AM peak hour, five intersections during the weekday midday peak hour, and 10 intersections during the weekday PM peak hour. According to Table 21-1 of the DEIS, a maximum of 10 intersections and 18 lane groups will experience significant adverse impacts. The weekday PM Peak Hour will be most affected.

For mitigation of these impacts, the DEIS does not go beyond identifying the implementation of standard traffic mitigation measures such as signal timing and lane restriping. Equally concerning is that the mitigation measures have yet to be approved by the DOT and may in fact

[30] *See* MAS NYC Report at https://www.mas.org/wp-content/uploads/2018/10/2018-10-09-MAS-Comments-on-Two-Bridges-for-CPC-FINAL.pdf.

be deemed infeasible, which would leave the impacts unmitigated. This is unacceptable for this neighborhood. The possibility of other modes of transportation is not explored.

2. **Subway and Bus Crowding**

With such a huge influx of people in an area with limited access to public transit, there must be additional analysis on potential effects of the Project on biking and walking. To this end, discussion of the Project's affect on the subway and bus system must be more extensive. The Project's building site is conveniently served by only one subway line—the East Broadway-Rutgers Street Station (F). This station has an average has an average weekday ridership of 14,365. Though the developers have offered to add an additional enterance, this does nothing to address concerns about increased crowding on platforms or the train, especially during peak hours. Additionally, there is no discussion of how the Project will affect crowding on the M9 bus.

Finally, though the CEQR Technical Manual notes that a parking shortfall resulting from a project in Manhattan does not constitute a significant adverse impact, this assessment seems ill-fitting. The above mentioned problems, paired with the influx of large construction crews who will work in the area for the projected building period of *at least* 36 months, signal that transportation problems should be taken very seriously, and cumulatively should be seen as a significant adverse effect.

E. <u>Education</u>

Because of the sheer size of this Project, there will be increased neighborood density, which will likely extend to a higher density of children. This will put pressure on public schools in the Lower East Side.

1. **School Utilization**

The DEIS must address how this increased density will affect the community's public school system. In the development scenario without housing units reserved for seniors, elementary school utilization in Community School District 1, Subdistrict 1 would increase from 90 percent to 111.3 percent capacity.[31] Utilization in Community School District 1, as a whole, would

[31] *See* MAS NYC Report, *supra* note 24.

increase to 100 percent. Publicly funded childcare facilities face similar impacts with regard to utilization. According to the DEIS, publicly funded childcare facilities in the study area are currently operating at 87 percent capacity, with 160 available slots.[32] With the proposed development, the utilization would increase to 110 percent, resulting in a deficit of 119 daycare slots[33]. Despite these impacts, the DEIS does not propose any specific mitigation measures to address capacity issues for either public schools or publicly funded childcare facilities. Specific mitigation measures must be addressed in the FEIS.

2. School Diversity and Funding for Low-Income Students

Beyond failing to adequately address concerns about school utilization, the DEIS also fell short in raising concerns about racial and ethnic diversity in schools, as increased gentrification has led to many white families removing their children from the neighborhood's most diverse schools[34]. It should also be sensitive to the fact that fears about displacement of students are already looming in the neighborhood[35]. Additionally, it must address concerns about how the Project will change the socio-economic makeup of schools—given that it will contain many luxary condos—and thus affect funding for low-income students through programs like Title I.

F. Health and Safety

The Project site is located in an area that is dangerusly close to the highway. For residents of the tower, this opens up the potential for exposure to dangerous levels of emissions, noise pollution,

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[32] *Id.*

[33] *Id.*

[34] The integration of students has been a problem for the City, particularly in the Lower East Side. *See* https://www.nytimes.com/2017/06/07/nyregion/a-manhattan-district-where-school-choice-amounts-to-segregation.html.

[35] For more information on fears about student displacement, see https://www.dnainfo.com/20100330/manhattan/lower-east-side-parents-challenge-decision-expand-charter-school/.

and air pollution[36]. Even if this is mitigated by the building being sealed, it remains a problem in the open spaces that the building is touting as part of its appeal.

1. Fire Safety Concerns with Inter-building Voids

The Project's proposed Site 4 has a large inter-building void at the base that allows its towers to rise over an existing neighboring building. An inter-building void is a space in a building that may be nominally used for mechanicals or egress but which is largely empty space, devoid of residential, commercial or community facility floor area. Currently, the Fire Department of the City of New York's ("**FDNY**") has serious concerns about this building method, and its potential to hinder the efforts of firefighters.

On May 3, 2018, the FDNY's Bureau of Operations cited both general and specific operational and safety concerns regarding a 150-foot inter-building void. The proposed inter-building void on Site 4 is larger than the one at 62nd Street Periscope Tower that caused the FDNY to express concern[37]. It is therefore likely that they would have the same concerns with this proposed inter-building void. The DEIS does not analyze how this building will address the concerns the FDNY outlined as policy, including concerns that, in case of fire:

a. There may be limited access for the FDNY to blind elevator shafts… or find access doors from the fire stairs.
b. There may be limited ability for FDNY personnel and occupants to cross over from one egress stair to another within the shaft in the event that one of the stairs becomes untenable.
c. It is unclear whether inter-building void space will be protected by a sprinkler as a "concealed space"
d. It is unclear whether there be provisions for smoke control/smoke exhaust within the void space

[36] *See* https://www.epa.gov/sciencematters/living-close-roadways-health-concerns-and-mitigation-strategies.

[37] For more on the FDNY's concern and the community's response, see the Zoning Complaint at https://www.landmarkwest.org/wp-content/uploads/2018/09/Challenge_36w66th_final-1-17.pdf.

e. It is unclear how the FNDY will access void space that contain mechanical equipment The DEIS did not address these concerns. Until these concerns are studied and addressed, building an inter-building void at Site 4 creates a health and safety risk for both future tower dwellers and neighboring Lower East Side residents.

2. Noise

Beyond dangers to the health and safety of future residents of the Project, there is also danger to neighboring residents. In an area with many old buildings that are poorly insulated from sound, consturction noises will likely be very disruptive. Though this is a problem for all development, it is especially problematic for this Project because of the size of the towers. Typical buildings in this area are much smaller, with much faster construction schedules. In contrast, the building of this Project will lead to prolongued noise. The DEIS does not account for this.

3. Pollution

Along the same lines, the DEIS fails to consider dangers caused by increased pollution in the region. Many buildings in the Lower East Side are old and lack central air conditioning, thus prompting residents to keep their windows open during hot days in the fall, spring, and summer. This—along with the aforementioned poor insulation—creates a greater risk for current residents to inhale pollution from the construction site. As above, this is more of a concern than in typical construction because of the grossly disproportionate size of these towers in contrast to normal construction in the neighborhood.

4. Infrastructure Damages

Finally, there is danger that the project will disrupt other buildings as it settles, leading to infrastructure damages and safety risks for current residents. This has already happened in the area, with the Extell building recently causing cracks in adjacent residences[38]. Given the size of this Project and the fact that it is being built on a floodplain, residents are concerns that neighboring buildings are at risk. The DEIS should take these fears into account.

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[38] *See* https://ny.curbed.com/2016/2/25/11112698/extell-one-manhattan-square-construction-halted/; *See also* https://www.google.com/search?ei=eGbGW4HrO6Ln_QbxwLYY&q=extel+settle+crack+Lower+East+side+fire&oq=extel+settle+crack+Lower+East+side+fire&gs_l=psy-ab.3...12374.13405..13569...0.0..0.87.449.6.....0....1..gws-wiz.....0i71.KOWSbyhIuvI.

5. Gentrification driven Over-Policing

The DEIS does nothing to examine the adverse impacts that gentrification driven over-policing would have on the existing community[39]. This is important given that the area is made up of low-income communities of color, who are especially vulnerable to police brutality. Given the national attention on examples of police misconduct and undue violence by police members, it is essential that a study be done with an eye to the effects that over-policing could have on the safety of local youth.

f. Socioeconomic Conditions

The DEIS states that 88 percent of residents in the Lower East Side area live in buildings protected by rent control, rent stabilization, or other government controls.[40] However, the DEIS overestimates how well protected these residents actually are. In many areas of the city, especially low-income neighborhoods that are being rezoned, tenants in rent-stabilized units are often susceptible to harassment and eviction by landlords pressured by a rising housing market. In fact, there has been a loss of at least 950 regulated units in the area over the past decade1 ; and there were over 300 eviction cases filed since 2013, including 135 at 82 Rutgers Slip alone[41]. The DEIS does not acknowledge this, nor does it offer a plan to address this significant adverse effect.

g. Sewage

The DEIS was incomplete in its analysis of the effects that the Project could have on the Lower East Side's sewage system. Importantly, it failed to do this in three ways. First, it failed to conduct an Infrasturcture Analysis, as required by Chapter 13 of the City Environmental Quality Review ("**CEQR**") Manual. Second, it failed to address concerns about sewage capacity and

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[39] For more information on this phenomenon, see e.g., *Order Maintenance: Policing and Its Role in Gentrification* http://www.opportunityinstitute.org/blog/post/order-maintenance-policing-and-its-role-in-gentrification/; *Policing and Gentrification: Mass Displacement and the "Community Watch,"* https://itsgoingdown.org/policing-and-gentrification-mass-displacement-and-the-community-watch/.

[40] *See* DEIS report, *supra* note 5.

[41] As documented at Map Charting Displacement and Evictions, https://projects.propublica.org/evictions/#15.99/40.7121/-73.9909.

infrastructure compliance. Third, it failed to consider cumulative impact on the sewage system, in the context of simultaneous and recent nearby development.

1. **CEQR Requires an Infrastructure Analysis that was not done here.**

Per Chapter 13 of the CEQR Manual[42], projects that increase density or change drainage conditions on a large site "require an infrastructure analysis." The rationale behind this is rooted in fear of potential environmental impacts, especially as related to concerns like street flooding, sewer back-ups, increases in combined sewer overflows, and pollutant loadings contained in combined sewer overflows or direct storm water discharges to the City's surrounding waterbodies. This Analysis must be rigorous, and CEQR is clear in its requirements:

> The necessary analysis of sewage typically focuses on the effects of increased sanitary and storm-water flows on the City's infrastructure serving the site. Therefore, the study area includes the WWTP and the conveyance system comprising that plant's drainage basin and affected sewer system (whether combined or separate). Therefore, in order to determine the appropriate study area, it must: 1) Identify the wastewater treatment plant(s) that would serve the site; 2) Identify affected components of the downstream collection system, including pumping stations, regulators and interceptors;
>
> If the area of the proposed project is currently served by a combined sewer system, describe and show on a map the affected combined sewer system, including affected drainage or catchment areas, outfalls, and receiving waterbodies.[43]

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[42] To view the CEQR Manuel, see http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/2014_ceqr_technical_manual_rev_04_27_2016.pdf.

[43] For more information, see CEQR Technical Manual, p. 13-1, http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/2014_ceqr_technical_manual_rev_04_27_2016.pdf.

1. **The Project Fails to Meet Requirements about Sewage Capacity and Sewage Infrastructure Compliance.**

Beyond failing to do an Infrastructure Analysis, the DEIS did not treat seriously the finding that sewage loading exceeds the current system capacity. As it currently stands, the proposed building footprints are not within the limits of the existing sewers, and the Project will overload the existing sewage system capacity. This is noted on page 11-7 describing the sewer conveyances, but it is only briefly mentioned and never fully explored. As such, a more thorough analysis is needed to explain what this will mean for future and existing residents, especially in terms of impacts to regulators, interceptors, drainage and catchment, outfalls, receiving water bodies, and compliance with requirements found in the Newtown Creek Wastewater Treatment Plant Long Term Control Plan (CEQR 322.1). This analysis should include how the system will operate in the dry season versus the rainy season, as sewer capacity overload varies based on these factors. During this weather analysis, it is especially important to think about the impact of potential unique weather events, given that that the Project is planned to sit on a floodplain.

2. **The Effects of the Project Must Be Analyzed for Compounding Impact with Neighboring Buildings.**

The acknowledged overload to the sewage system must be assessed for cumulative impact, given problems with recent nearby construction. Specifically, we raise concerns about compounding load levels from the Extell Tower, the Essex Crossing Megaproject, 1 Seaport and other scaled development feeding the same sewer shed infrastructure and using the same infrastructure. Because all of these are linked to the same sewage infrastructure, there must be an evaluation of the capacity of this linked infrastructure, focusing on regulators and interceptors, affected drainage or catchment areas, outfalls, and receiving waterbodies. In doing this, the DEIS is required to engage in a cumulative impact analysis.

Although sewer permit issuance does not require a separate EIS, no sewer permit can be considered while City Officials are aware that the system capacity would be overloaded and compliance interference is likely. In this situation, granting sewage permits to the Project puts the Lower East Side at risk for major sewage failures. Without fully evaluating potential system

overload, violations, and compliance interference could be tantamount to knowing conversion of public property to private use or as official misconduct. To look at only this Project is to ignore the reality of recent rapid development in the area, and the effect of that collective development on aging infrastructure.

h. **Policy Compliance**

The DEIS does not consider how the Project relates to several important city policy goals and programs. This oversight creates a risk that the Project will conflict with other goals for the area, creating compliance issues and ultimately stifling the effectivness of existing initiatives. Without these policies being considerd in the DEIS analysis, it cannot be considered accurate. For example, the DEIS does not evaluate consistency with *NextGeneration NYCHA* plan[44] and proposals at the adjacent La Guardia Houses[45]. Despite the proximity to the East River waterfront and the resiliency project area, the DEIS also does not consider compliance with the *Lower Manhattan Coastal Resiliency Project*[46] and the *East Side Coastal Resiliency Project*[47]. Finally, the DEIS does not consider several important recent new policy initiatives, including the *Where We Live* fair housing initiative[48] and Department of City Planning concerns and contemplated policy changes surrounding the construction of inter-building voids[49].

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[44] *See* the *NextGeneration NYCHA* plan at https://www1.nyc.gov/assets/nycha/downloads/pdf/nextgen-nycha-web.pdf.

[45] *See e.g.*, La Guardia Houses RFP, https://www1.nyc.gov/site/hpd/developers/request-for-proposals/nycha-nextgen-neighborhoods-laguardia-houses-rfp.page.

[46] For more information, see the *Lower Manhattan Coastal Resiliency Project at* https://www.nycedc.com/sites/default/files/files/rfp/qa-documents/LMCR%20Information%20Session%20Presentation.pdf.

[47] *See East Side Coastal Resiliency Project*, http://www.nyc.gov/html/planyc/downloads/pdf/150319_ESCR_FINAL.pdf.

[48] For more information, see Brochure from the *Where We Live* fair housing initiative, http://hpdwwlnyc.wpengine.com/wp-content/uploads/2018/09/where-we-live-nyc-brochure.pdf

[49] In January 2018, Mayor de Blasio announced at a Town Hall on the Upper East Side that the City is developing policies that will address what are now known as "inter-building voids." This

Conclusion

For the foregoing reasons, we ask the City Planning Commission to reject the developer's request for modifications to the Project.

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was reiterated by the Mayor at a June 2018 Town Hall on the Upper West Side. The DEIS does not discuss how this building will be consistent with DCP's changing policy on inter-building voids or identify modifications or mitigations to ensure consistency with this policy. DCP's Manhattan Office has formed a working group that is developing policies that will prevent this building technique. For more information on DCP opposition and this problem more generally, see *City Wants to Cut Down on Supertalls*, https://www.crainsnewyork.com/article/20180207/REAL_ESTATE/180209904/new-york-city-seeks-to-stop-developers-from-putting-buildings-on-stilts.

Environmental Protection

Carter H. Strickland, Jr.
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July 27, 2012

Mr. Robert Dobruskin
Director, Environmental Assessment and Review
New York City Planning Commission
22 Ready Street, Room 4E
New York, New York 10007

Re: 265 Cherry Street
Block 247, Lot 2
CEQR # 12DCP157M/ 13DEPTECH005M
Manhattan, New York

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the January 2012 Environmental Assessment Statement (EAS) prepare by Clair Haaga Altman, the Revised February 2011 Phase I Environmental Site Assessment prepared by Langan Engineering and Environmental Services (Langan) and the Limited Phase II Investigation Report prepare by GZA GeoEnvironmental (GZA) Inc., on behalf of HealthCare Chaplaincy Community Investment Inc. (applicant), for the above referenced project. It is our understanding that the applicant proposes a modification to CP-21885, the Two Bridges Large Scale Residential Development Plan, to allow an increase in community facility floor area, an increase in the community facility and total lot area coverage, the relocation of existing parking spaces and the addition of additional accessory parking spaces, and the correction of minor errors in dimensions shown in the existing documentation. The proposed project is located on the western side of South Street between Rutgers Slip and Jefferson Street in the Two Bridges neighborhood of Manhattan, Community District 3.

As currently proposed, the project will include a 17-story (plus mechanical level) approximately 195,000 gross square foot (gsf) National Center for Palliative Care Innovation building (approximately 185,000 gsf without the parking garage) on the site of the South Street parking lot. Pursuant to minor modification, the maximum floor area of the building would be 183,700 zoning square feet and all uses in the proposed building would be community facility uses in zoning use groups 3 and 4, plus accessory parking. The 31,341 square feet site (currently a paved parking lot) is zoned as a C6-4 district and is located in Lower East Side/Two Bridges residential and commercial mix use neighborhood.

The revised February 2011 Phase I revealed that historical on-site and surrounding areas land uses have predominantly consisted of residential, parking garage, automobile repair facilities, gasoline filling stations, a tin can factory, an auto body repair facility, light manufacturing and warehouses, bed spring manufacturer, a wood working shop, Wells Fargo Armored Car repair facility, dry cleaning facility, sanitation garage, etc. It should be noted that six gasoline Underground Storage

Tanks (USTs) were associated with historical on- site uses. In addition, approximately 103 sites were identified in the EDR radius report and the potential exists that these urban sites may have a cumulative effect on the groundwater quality at the subject property. The New York State Department of Environmental Conservation (NYSDEC) database revealed 29 spill sites; 4 leaking tanks LTANKS sites; 7 USTs and 7 RCRA NonGen sites within 1/8th mile radius of the subject property.

During a May 2008 Limited Phase II Investigation fieldwork, GZA completed six soil borings (GZA-1 through GZA-4 and GZA-7 through GZA-10) in areas identified as former gasoline service stations, former Wells Fargo service garage; and areas identified with former USTs uses. It should be noted that borings GZA-5 and GZA- 6 were not conducted due to the density of potential underground utilities located in the northern portion of the courtyard between 256 and 275 Cherry Street. Soil samples were collected and analyzed for volatile organic compounds (VOCs), polynuclear aromatic hydrocarbon (PAHs), polychlorinated biphenyls (PCBs) and priority pollutant metals in accordance with United States Environmental Protection Agency (EPA) Methods 8260, 8270, 8082 and 6000/7000 series respectively. Seven groundwater monitoring wells were installed in boring locations GZA-2, GZA-3, GZA-4, and GZA-7 through GZA-10 and analyzed for VOCs by EPA Method 8260. Groundwater was encountered at approximately 5 to 8 feet below ground surface during the May 2008 Limited Phase 11 Investigation. It should be noted that visual and olfactory evidence of petroleum contamination was observed in soil samples from borings GZA-1B, GZA-2, GZA-4 and GZA-9 and PID reading in these borings ranged from 0 ppm to over 2,000 ppm. In addition, petroleum sheen was observed on the groundwater in boring GZA-2 and GZA-9.

The soil analytical results revealed PCBs concentrations were either non-detect (ND) or below New York State Department of Environmental Conservation (NYSDEC) Technical and Administrative Guidance Memorandum (TAGM) #4046 Soil Cleanup Objectives (SCOs). Several VOCs and PAHs were detected above their respective NYSDEC TAGM SCOs. The groundwater analytical results revealed VOCs were detected above NYSDEC Class GA Water Quality Standards.

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

- DCP should inform the applicant that past on-site and or surrounding area land uses may have impacted the soil and groundwater at this site. Therefore, a Supplemental Phase II Environmental Site Assessment Investigation (Phase II) is necessary to adequately identity/characterize the surface and subsurface soils prior to the proposed development. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil/groundwater and soil vapor sampling activities should be submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting soil boring locations and groundwater sampling locations. Soil, groundwater and soil vapor samples should be collected and analyzed by a New York State Department of Health Environmental Laboratory Approval Program-CERTIFIED laboratory for the presence of Volatile Organic Compounds (VOCs) by United States Environmental Agency (EPA) Method 8260, Semi-Volatile Organic Compounds (SVOCs) by EPA method 8270, Pesticides/Polychlorinated Biphenyls by EPA Method 8081/8082 and Target

Analyte List (TAL) metals (filtered and unfiltered for groundwater samples). The soil vapor sampling will be conducted in accordance with the New York State Department of Health's (NYSDOH) October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York and analyzed for VOCs by EPA Method TO-15. An investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.

Please note that the NYSDEC may have additional requirements for this site. DCP should inform the applicant that the Phase II Work plan and HASP should be submitted to DEP for review and approval prior to start of any fieldwork. Future correspondence and submittals related to this project should include the following tracking number **13DEPTECH005M.** If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney;
M. Winter
M. Khaja-Moinuddin
W. Yu
T. Estesen
C-Evans- DCP
R. Austin- NYSDEC
J. Vought- NYSDEC
File

A. INTRODUCTION

This attachment considers the potential of the proposed National Center for Palliative Care Innovation to affect the urban design and visual resources of the study area. The project site consists of a parking lot on South Street between Rutgers Slip and Clinton Street that is part of a larger parcel that also includes two 26-story residential buildings and private playgrounds and landscaped seating areas (see **Figure C-1**). In the future with the proposed project, the parking lot would be redeveloped with a 17-story assisted living facility.

As defined in the *City Environmental Quality Review (CEQR) Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. A visual resource can include views of the waterfront, public parks, landmark structures and districts or otherwise distinct buildings, and natural resources. An urban design assessment under CEQR must consider whether and how a project may change the experience of a pedestrian in a project area. The *CEQR Technical Manual* guidelines recommend the preparation of a preliminary assessment of urban design and visual resources, followed by a detailed analysis, if warranted based on the conclusions of the preliminary assessment. The following analysis addresses the urban design and visual resources of the study area for existing conditions, the future without the proposed project, and the future with the proposed project in 2015 when the project is expected to be completed.

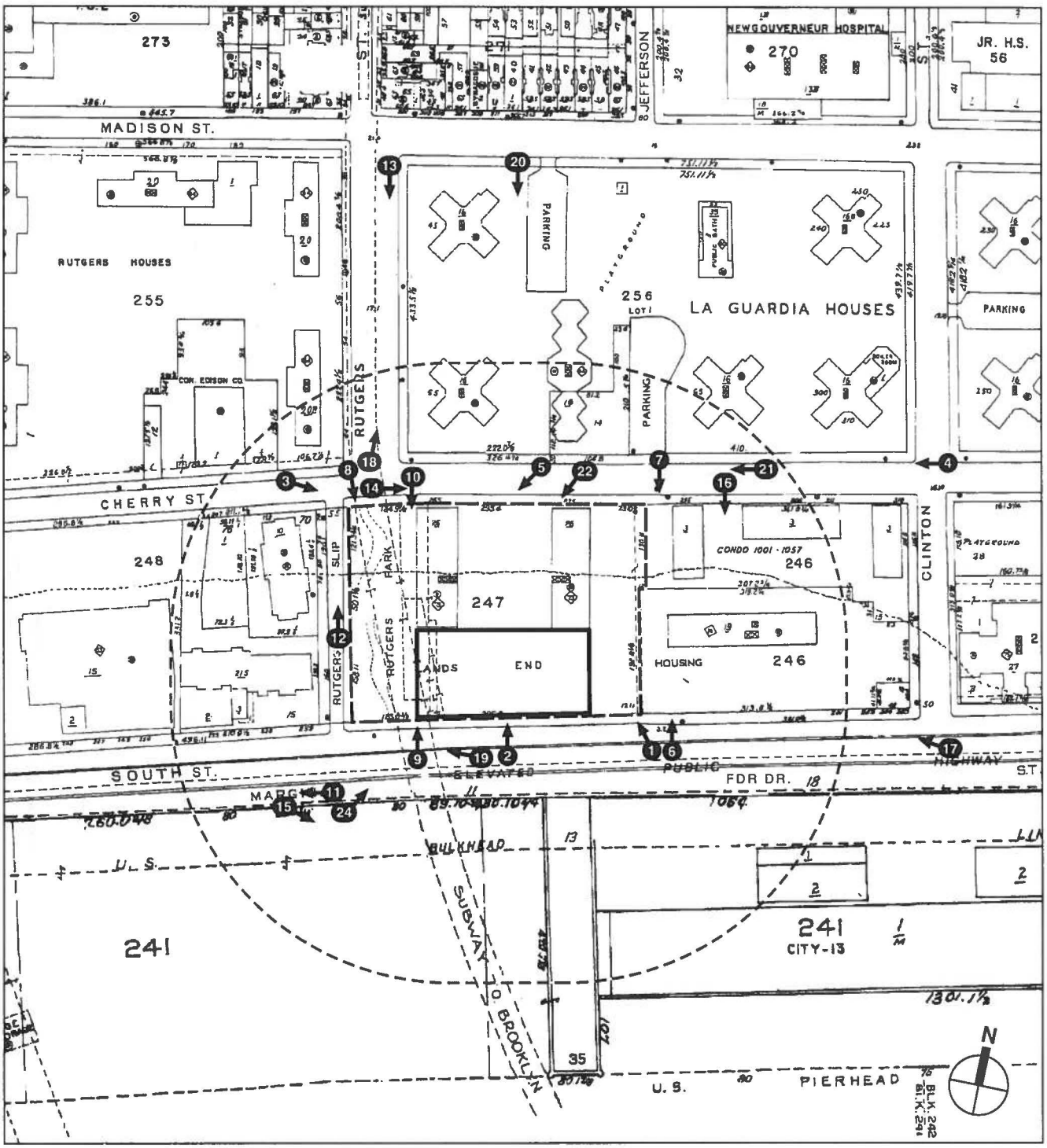
As described below, the proposed project would not have any significant adverse impacts to the urban design or visual resources of the study area.

B. METHODOLOGY

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

The proposed minor modification of the Two Bridges Large Scale Residential Development Plan would result in a physical alteration of the project site observable by pedestrians that is not allowed by existing zoning. Therefore, the proposed project meets the threshold for a preliminary assessment of potential impacts to urban design and visual resources.

According to the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with that used for the land use analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. The land use study area may serve as the initial basis for analysis; however, in cases where significant visual



Project Site Boundary

Two Bridges Urban Renewal Area Site 5

Study Area Boundary (400-Foot Perimeter)

Photograph View Direction and Reference Number

National Center for Palliative Care Innovation
at HealthCare Chaplaincy

Study Area Map
Figure C-1

resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of this area, as is often the case with waterfront sites or sites within or near historic districts.

Views to the project site from inland are primarily limited to the immediately surrounding streets; however, there are longer views to the site from the Brooklyn waterfront and the Manhattan Bridge. Therefore, the study area where impacts would be expected to occur has been defined as the area within approximately 400 feet of the project site but it also accounts for those longer views to the site.

C. EXISTING CONDITIONS

PROJECT SITE AND SITE 5

URBAN DESIGN

Located on a superblock bounded by Rutgers Slip and Cherry, Clinton, and South Streets, the project site is part of Site 5 of the former Two Bridges Urban Renewal Plan, as described in Attachment A, "Land Use, Zoning and Public Policy." The project site consists of a large paved parking lot on South Street. The parking lot has a rectangular footprint and is landscaped with perimeter grass beds planted with trees and raised concrete medians planted with grass and trees (see **Figure C-2**). The entrance is at the eastern end of the parking lot, on South Street.

Site 5 was developed pursuant to special permits for a Large Scale Residential Development. That development—Land's End IIA—consists of two 26-story (235-foot-tall) residential buildings (with a total square footage of 648,236 gross square feet), a large courtyard between the two buildings, the project site parking lot, and a narrow paved area. The two buildings are large brick slabs with narrow rectangular footprints (61 feet by 196 feet) set perpendicularly to Cherry Street (see view 1 of **Figure C-2** and **Figure C-3**). The courtyard between the two buildings is landscaped with planting beds and trees and contains seating areas and two playgrounds (see view 5 of **Figure C-4**). A low metal fence encloses the site along Cherry Street. On the east side of Site 5, a paved service drive follows the former alignment of Jefferson Street (demapped) between Cherry and South Streets (see view 6 of **Figure C-4** and view 7 of **Figure C-5**). Site 5 also includes the private Rutgers Park, which occupies the Rutgers Slip frontage of the block. Entirely enclosed with tall metal fences, the private park contains mature trees, playgrounds, seating areas, and basketball courts (see view 8 of **Figure C-5** and **Figure C-6**). As Site 5 includes large landscaped areas and the project site parking lot in addition to the two residential buildings, its lot coverage is low.

VISUAL RESOURCES

The paved and landscaped project site is not a visual resource, nor is the Land's End IIA development. As Rutgers Park is enclosed with tall metal fences and is only visible in its immediate vicinity, it is not a visual resource either.

9.26.11

View northwest from South Street at former Jefferson Street 1

View north from South Street 2

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Project Site
Figure C-2

9.26.11

View east on Cherry Street from Rutgers Slip 3

View west on Cherry Street from Clinton Street 4

9.26.11

Land's End IIA courtyard from Cherry Street **5**

View north on former Jefferson Street from South Street **6**

10.4.11

View south on former Jefferson Street from Cherry Street **7**

Rutgers park. View southeast at Cherry Street and Rutgers Slip **8**

9.26.11

View north from South Street **9**

View south from Cherry Street **10**

STUDY AREA

URBAN DESIGN

The majority of buildings in the study area are freestanding brick residential structures that are set back from the street, massed without setbacks, and range in height from 10 to 25 stories. As a result, most streets in the study area are lined by yards enclosed by fences rather than by the streetwalls of buildings. The lot coverage of buildings in the study area is generally low. (See **Figure C-7** for an aerial photograph of the study area.)

Portions of the Rutgers and LaGuardia Houses New York City Housing Authority (NYCHA) complexes are located directly north of the project site and Site 5. The LaGuardia Houses consists of nine buildings, three of which fall within the study area, along with the LaGuardia Houses Addition. The LaGuardia Houses buildings located within the study area are 16-story (139-foot-tall) X-shaped brick residential buildings of approximately 105,408 square feet each (see view 14 of **Figure C-9** and view 18 of **Figure C-11**). The buildings are set far back from the street within landscaped grounds and are spaced far apart from each other as well. The LaGuardia Houses Addition is located on Cherry Street. Set back from the street and perpendicular to it, the Addition is 16 stories (145 feet) tall and has an approximately rectangular footprint with angled façades, which are given some interest through the use of different colors of brick. One of the five Rutgers Houses buildings is located within the study area, at the northwest corner of the Rutgers Street and Cherry Street intersection. It is a 20-story (174-foot-tall) brick building of approximately 107,921 square feet. Further, it is a tall brick slab with a rectangular footprint, no setbacks, and little architectural ornamentation (see view 13 of **Figure C-9**). As with the LaGuardia Houses, the Rutgers Houses buildings are set back from the street within landscaped grounds.

East of Site 5, the Two Bridges Townhouses—three three-story rectangular buildings—are set back from Cherry Street behind small grassy strips enclosed by fences (see view 4 of **Figure C-3** and view 16 of **Figure C-10**). The east and west buildings are set perpendicular to Cherry Street, and the middle building is set lengthwise along the street. Immediately south of the Two Bridges Townhouses is another Land's End building—a 19-story (175-foot-tall) building located in the middle of the block. That building has a rectangular footprint and is massed as a large slab (of 262,857 square feet) with no setbacks but six bays of projecting balconies on the north and south facades (see view 4 of **Figure C-3**, view 16 of **Figure C-10**, and view 17 of **Figure C-11**). The east and west facades of the building are largely blank.

West of Site 5, the Two Bridges Helen Harris Senior Residence is a 10-story (90-foot-tall) building of approximately 84,000 square feet, set back from the southwest corner of Cherry and South Streets at a slight angle behind a landscaped yard, enclosed by a fence. Clad in brick and concrete, it has an approximately rectangular footprint with some projecting sections but no horizontal setbacks. At the South Street end of Rutgers Slip, south of the Helen Harris facility, is the Two Bridges Tower, a 21-story (195-foot-tall) 260,000-square-foot building. Like many of the other buildings in the study area, it has an approximately rectangular footprint and a slab form, which is set parallel to South Street. There are some projecting sections but no horizontal setbacks, and the use of different colors of brick breaks up the monotony of the building form (see view 19 of **Figure C-12**).

The only low-rise buildings in the study area are a one-story Pathmark supermarket (that consists of two buildings set at right angles to each other) on Cherry Street west of Rutgers Slip

REPRESENTATIVE DAYS FOR ANALYSIS

Shadows on the summer solstice (June 21), winter solstice (December 21) and spring and fall equinoxes (March 21 and September 21, which are approximately the same in terms of shadow patterns) are modeled, to represent the full range of possible shadows over the course of the year. An additional representative day during the growing season is also modeled, generally the day halfway between the summer solstice and the equinoxes, i.e. May 6 (or August 6, which is approximately the same in terms of shadows).

TIMEFRAME WINDOW OF ANALYSIS

The shadow assessment only considers shadows occurring between 1.5 hours after sunrise and 1.5 hours before sunset. At times earlier or later than this timeframe window of analysis, the sun is down near the horizon and the sun's rays reach the Earth at very tangential angles, diminishing the amount of solar energy and producing shadows that are very long, move fast, and generally blend with shadows from existing structures until the sun reaches the horizon and sets. Consequently, shadows occurring outside the timeframe window of analysis are not considered significant under CEQR, and their assessment is not required.

TIER 3 SCREENING ASSESSMENT RESULTS

Figure B-2 illustrates the range of shadows that would occur from a 202-foot-tall building occupying the full project site footprint on the four representative days of the year. For each day, the figure shows the shadows occurring approximately every 60 minutes from the start of the analysis day (1.5 hours after sunrise) until the end of the analysis day (1.5 hours before sunset).

The results of the screening assessment for the December 21 analysis day show that shadow from the project could reach the central open spaces of the Rutgers Houses complex at the start of the analysis day, but would move off that area by around 10:00 AM. Project-generated shadow could also fall in the morning on the northern three of the four benches located along the east side of Rutgers Slip between South Street and Cherry Street. Project-generated shadow could also pass across some of the seating areas in and around the LaGuardia Houses complex.

On the March 21/September 21 analysis day, the only sun-sensitive resources that project-generated shadow could affect would be the row of benches located west of Rutgers Slip in a paved driveway or walkway associated with the Hamilton Madison House (the Two Bridges Tower) at 253 South Street (corner of South Street and Rutgers Slip), and the four benches on the east side of Rutgers Slip (see the base map **Figure B-1**).

Similarly, on the May 6/August 6 analysis day, the row of benches associated with Hamilton Madison House benches, and the southern two of the four benches on the east side of Rutgers Slip could be affected by project shadow. No other resources could be reached by the proposed building's shadow on this day.

On the June 21 analysis day, the row of benches behind the Hamilton Madison House and one or two of the four benches on the east side of Rutgers Slip could be affected in the morning, and a small area of the Pier 35 open space (currently under construction and expected to be completed by 2014) could be shaded at the end of the analysis day.

In summary, the Tier 3 assessment shows that, in the absence of intervening buildings, shadows from a 202-foot-tall building occupying the full project site footprint would reach portions of the Rutgers Houses and LaGuardia Houses open spaces and benches on December 21; the benches along

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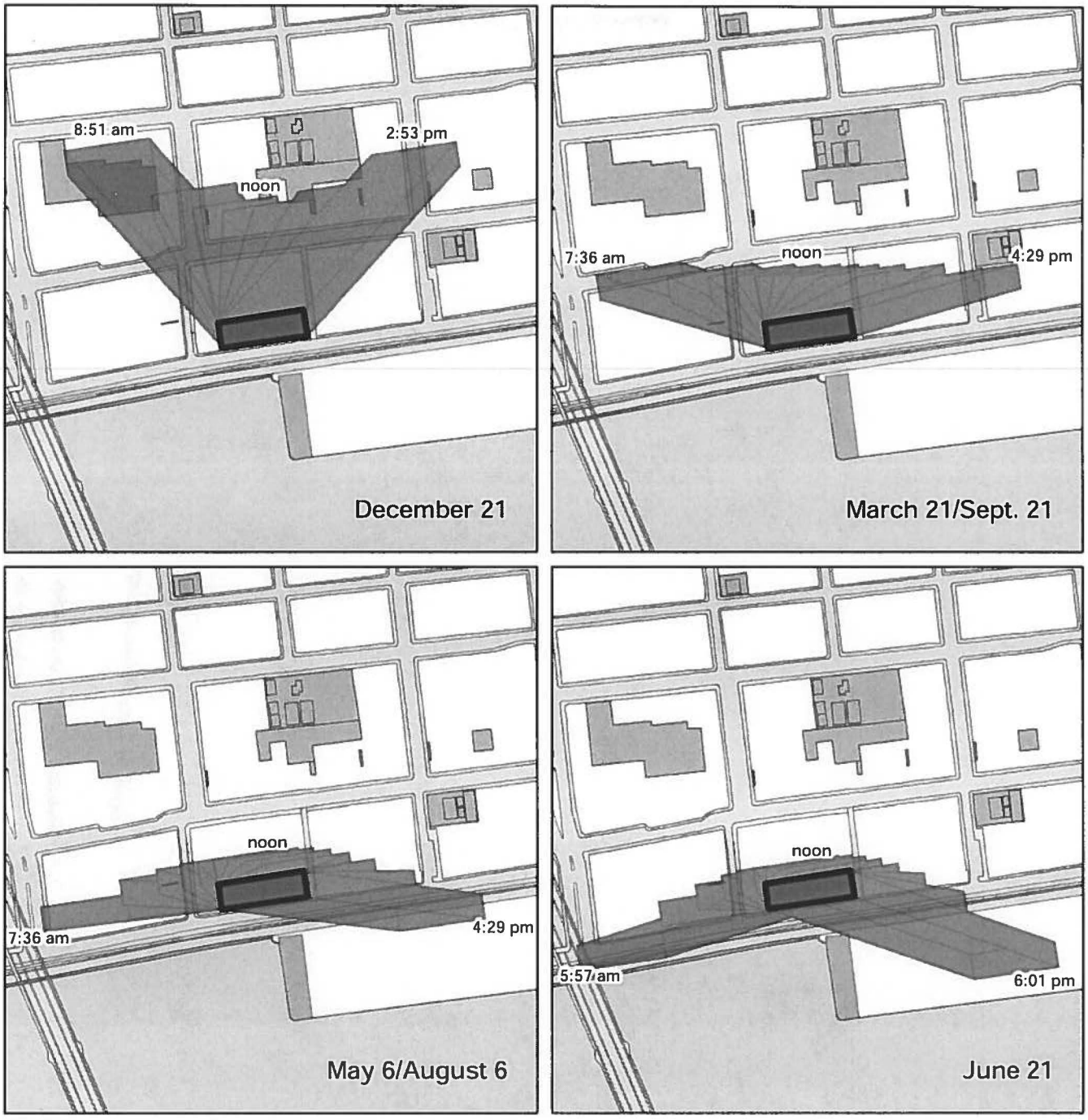

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Tier 3 Assessment
Figure B-2

the Hamilton Madison House driveway on three of the four analysis days; between one and all four of the benches on the east side of Rutgers Slip on all four analysis days; and a small area of the Pier 35 open space at the end of the June 21 analysis day. Therefore, a detailed analysis using three-dimensional computer modeling software was undertaken for these resources.

D. DETAILED SHADOW ANALYSIS

The purpose of the detailed analysis is to determine the extent and duration of incremental shadows on sunlight-sensitive resources and to assess their effects. A baseline or future No Action condition is established, containing existing buildings and any future developments planned in the area, to illustrate the existing shadows. The future condition with the proposed project and its shadow can then be compared to the baseline condition with its shadows to determine the incremental shadows that would result with the proposed project.

For the detailed analysis, three-dimensional computer modeling software was used to accurately calculate shadow patterns. Three-dimensional representations of the existing buildings and topography shown on the base map were developed using data obtained from Fugro EarthData, Inc., DoITT, Sanborn maps, and photos taken during site visits. Other developments in the area expected to be completed by the build year were also added to the model as accurately as current information allowed. Finally, a model of the proposed building was placed on the project site in the three-dimensional model (**Figure B-3**).

Shadow analyses were performed for the window of analysis for each of the representative days indicated in the Tier 3 assessment.

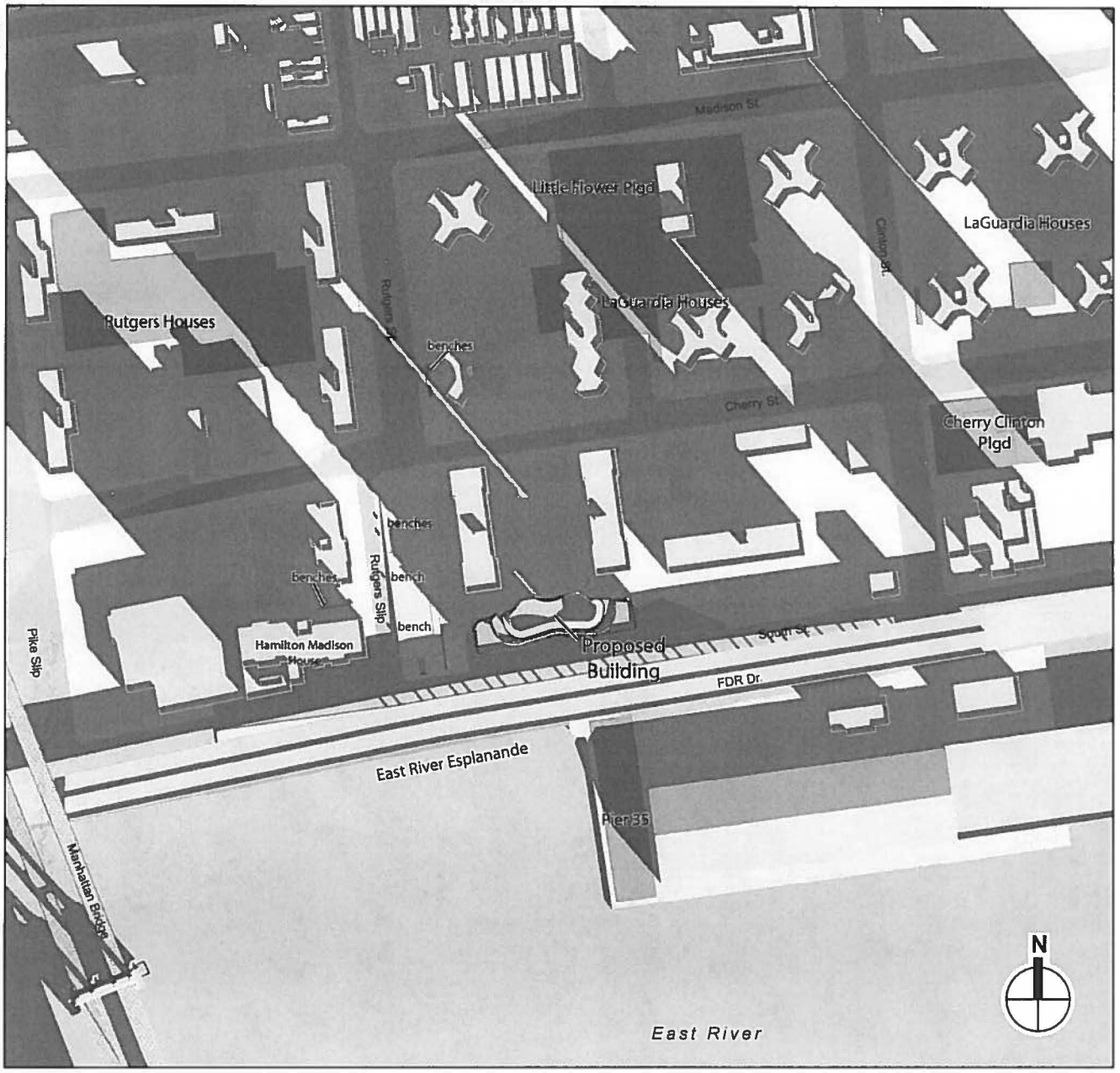
Table B-1 shows the entry and exit times and total duration of incremental shadows on each affected resource. **Figures B-4** to **B-10** depict shadows at various moments in time, with incremental increases in shadows highlighted in red on the sunlight-sensitive resources. The extent, duration, and effects of the incremental shadows are discussed below.

DECEMBER 21 ANALYSIS DAY

From 8:51 AM, the start of the analysis day, until 14 minutes later at 9:05 AM, a narrow shadow from the western edge of the proposed building's tower would fall on a small portion of the central open space area of Rutgers Houses (see **Figure B-4**). Most of the proposed tower's shadow would fall on the façade of the intervening Rutgers Houses building at this time, rather than beyond it onto the open space, and the open space would continue to receive substantial sunlight.

There are some benches along the sidewalk on the east side of Rutgers Street associated with the LaGuardia Houses complex (see **Figure B-5**). Incremental shadow from the proposed building would pass across these benches from 9:00 AM to 9:50 AM. These benches would already be in some existing shadow and the incremental shadow would remove the remaining sunlight for just about the entire 50 minute duration.

No other sun-sensitive resources would be affected by project-generated shadow on December 21.



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December 21 - 9:00 AM EST

Figure B-4

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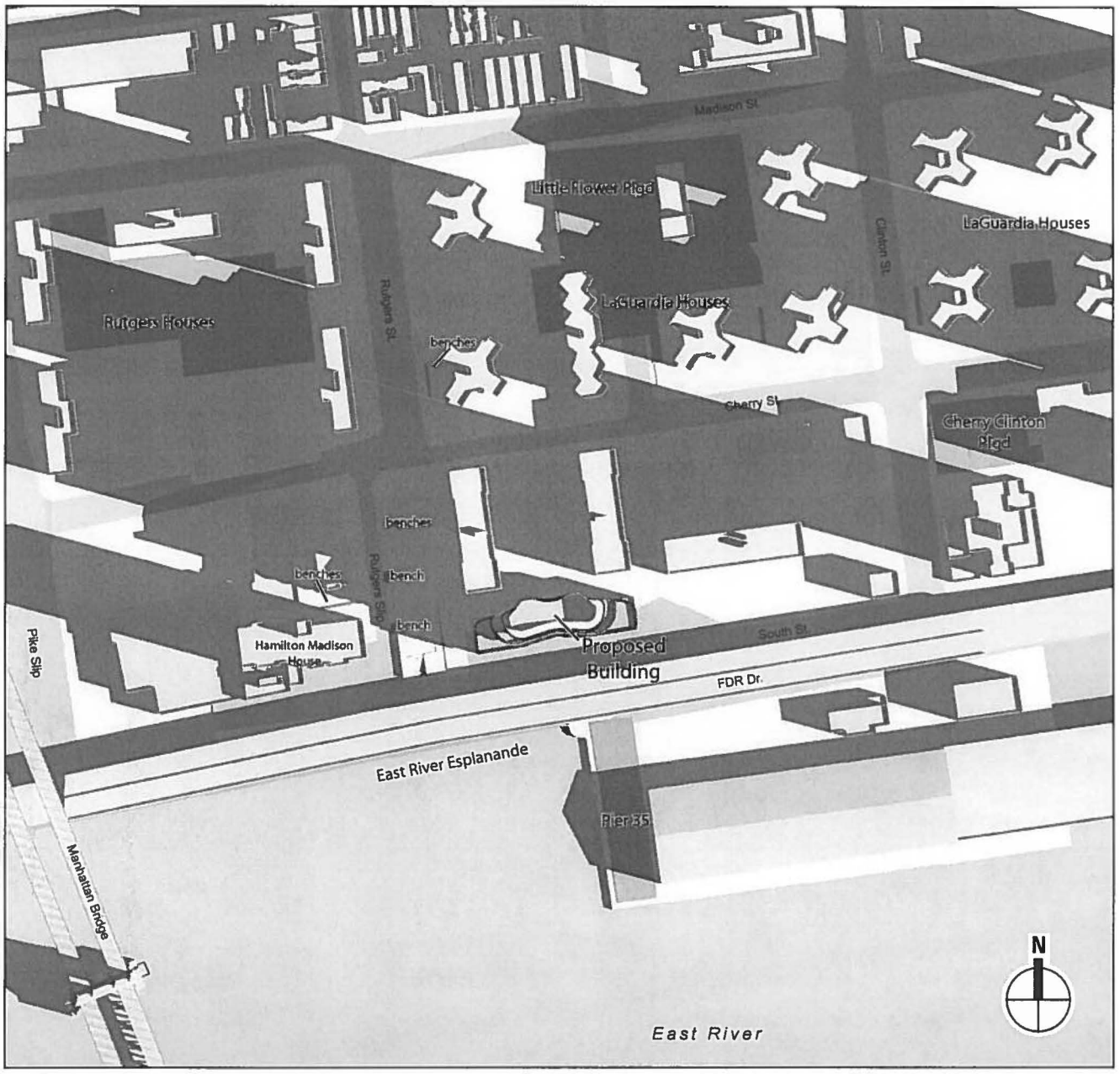
December 21 - 9:30 AM EST

Figure B-5



March 21/Sept. 21 - 7:36 AM EST

Figure B-6

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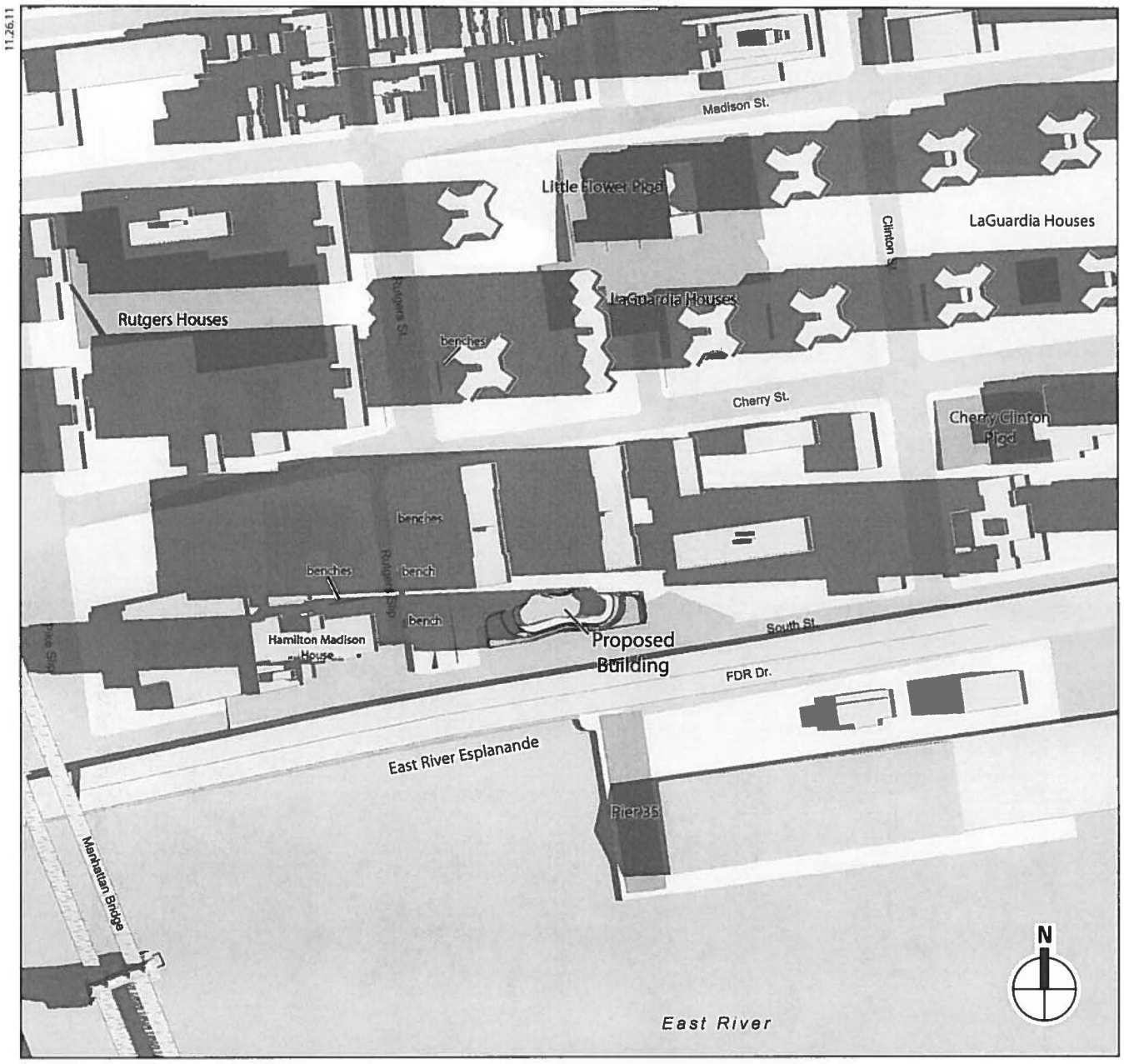

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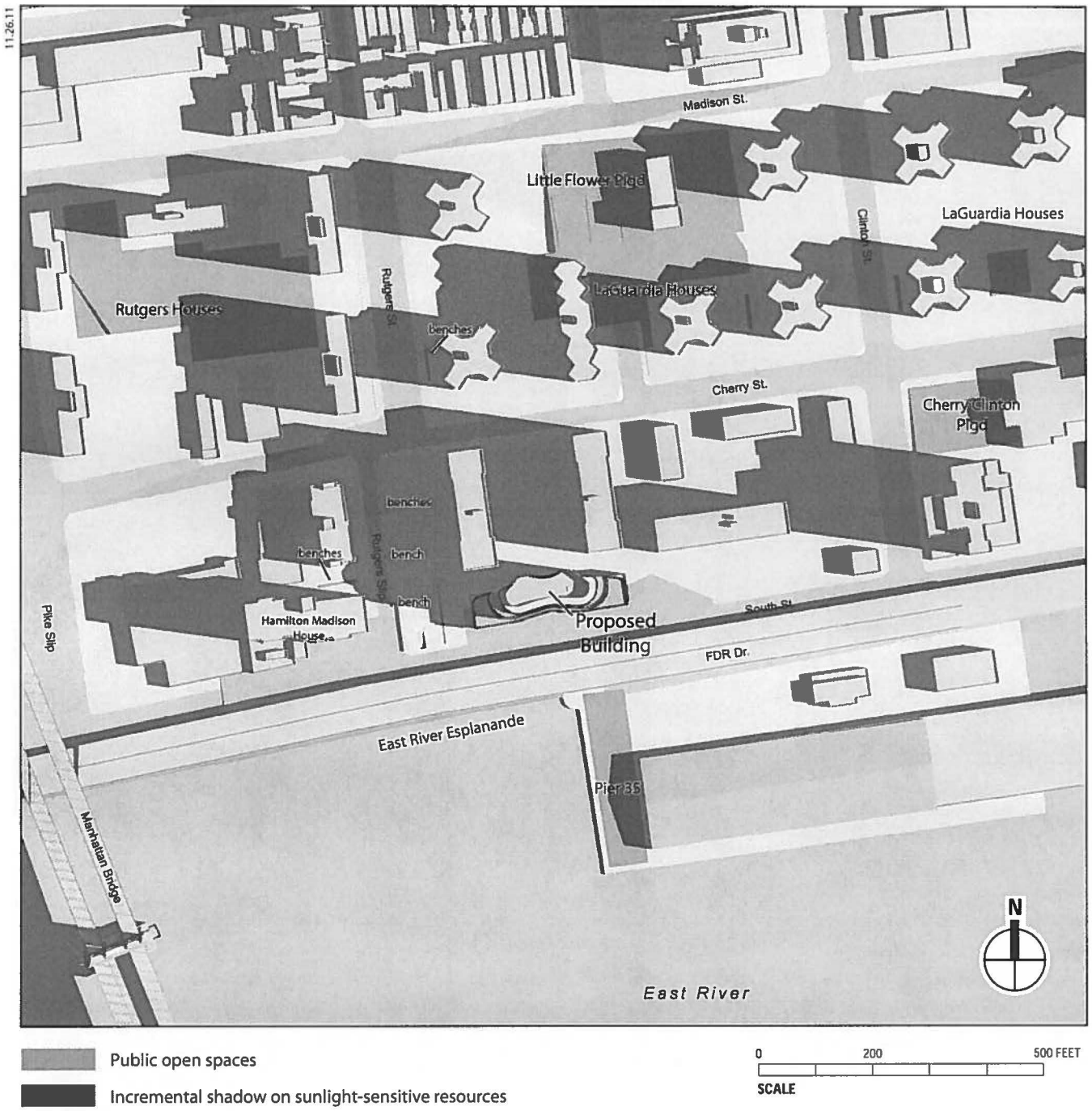
May 6/August 6 - 7:00 AM EST

Figure B-7



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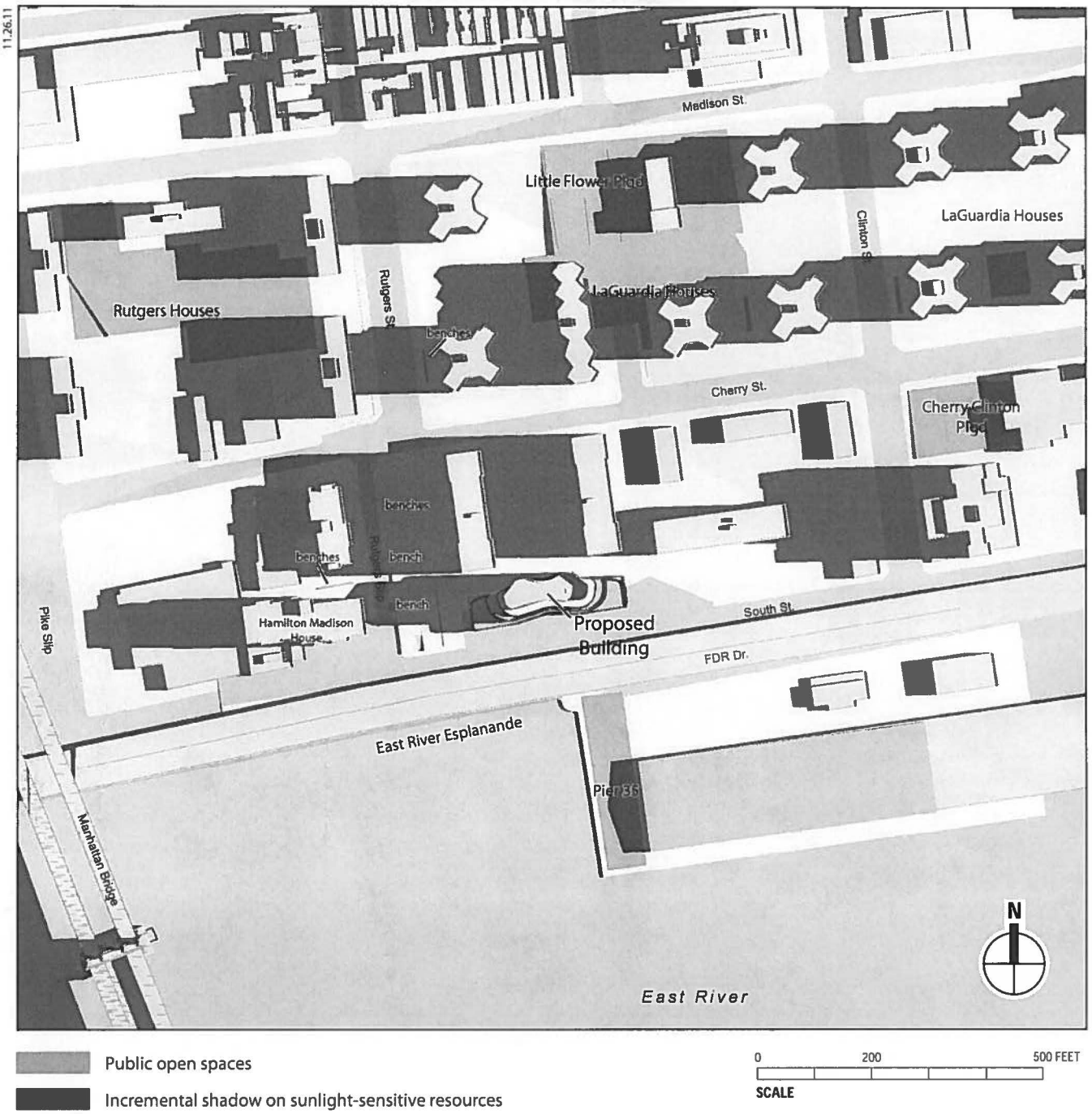
May 6/August 6 - 8:00 AM EST

Figure B-8



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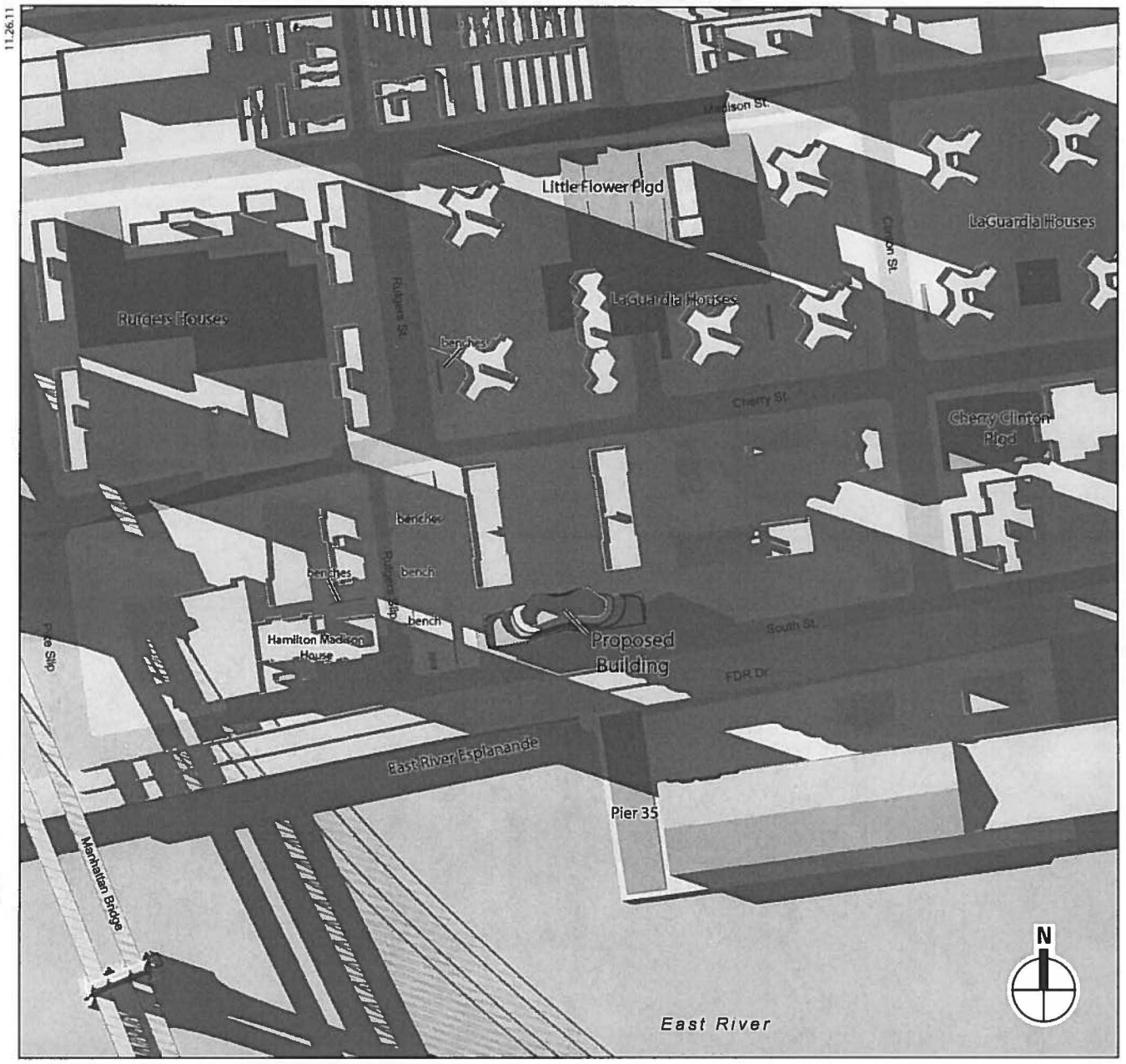
June 21 - 7:50 AM EST

Figure B-9



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June 21 - 6:01 PM EST

Figure B-10

Table B-1
Incremental Shadow Durations

Analysis day and timeframe window	December 21 8:51 AM-2:53 PM	March 21 / Sept. 21 7:36 AM-4:29 PM	May 6 / August 6 6:27 AM-5:18 PM	June 21 5:57 AM-6:01 PM
OPEN SPACES				
Rutgers Houses open spaces	8:51 AM–9:05 AM Total: 14 min	—	—	—
LaGuardia Houses benches – Rutgers St.	9:00 AM–9:50 AM Total: 50 min	—	—	—
Hamilton Madison House benches	—	—	6:50 AM–8:05 AM Total: 1 hr 15 min	—
Rutgers Slip (east side) benches	—	7:36 AM–8:45 AM Total: 1 hr 9 min	6:27 AM–8:00 AM 8:15 AM–8:30 AM Total: 1 hr 48 min	6:40 AM–8:20 AM Total: 1 hr 40 min

Notes: Table indicates entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource. Analysis does not include cases where duration of incremental shadow on resource would be less than 10 minutes, per the 2012 *CEQR Technical Manual* guidelines.
Daylight saving time is not used.

MARCH 21 / SEPTEMBER 21 ANALYSIS DAY

The proposed building's shadow would fall just short of the benches across Rutgers Slip behind the Hamilton Madison House at the start of this analysis day at 7:36 AM (see **Figure B-6**). The incremental shadow would fall on the southernmost bench on the east side of Rutgers Slip for a few minutes at the start of the analysis day and on the next bench to the north until 8:45 AM. No other sun-sensitive resources would be affected at any time on March 21/September 21.

MAY 6 / AUGUST 6 ANALYSIS DAY

The proposed building's shadow would move onto the benches behind Hamilton Madison House at 6:50 AM, shade them completely from about 7:00 AM to 7:40 AM, and exit the benches at 8:05 AM (see **Figures B-7** and **B-8**).

The southernmost of the four benches on the east side of Rutgers Slip would be in shadow from the proposed building from the start of the analysis day at 6:27 AM until 8:00 AM; the next bench to the north, which would be in existing shadow during this period, would then receive a brief duration of incremental shadow from 8:15 AM to 8:30 AM.

No other sun-sensitive resources would be affected by project-generated shadow on this analysis day.

JUNE 21 ANALYSIS DAY

The proposed building's shadow would fall on the southernmost of the benches on the east side of Rutgers Slip from 6:40 AM until 8:20 AM; it would be too short to reach the other three benches to the north.

No other sun-sensitive resources would be affected on this analysis day. The proposed building's shadow would be too short to reach the Hamilton Madison House benches in the morning (see

Figure B-9) and would not fall far enough to the south at the end of the analysis day to reach the Pier 35 open space, which would be in existing shadow at that point in any case (see **Figure B-10**).

E. ASSESSMENT OF SHADOW EFFECTS BY RESOURCE

RUTGERS HOUSES OPEN SPACES

From 8:51 AM to 9:05 AM, a small new area of shadow from the proposed building would fall into the Rutgers Houses open space area, primarily on a row of benches and an adjacent paved area of a playground. Other benches, located immediately to the northwest, along the main east-west landscaped walk through this housing development, would remain in sun.

The limited extent and duration (14 minutes) of incremental shadow on December 21 would not cause a significant adverse impact.

LAGUARDIA HOUSES BENCHES ON RUTGERS STREET

These benches, located along the sidewalk and facing Rutgers Street at the southwest edge of the western LaGuardia Houses superblock, are one of many seating areas scattered among the surrounding Rutgers Houses and LaGuardia Houses complexes. During the 50 minute duration of incremental shadow on the morning of December 21 on this one set of benches facing Rutgers Street, the surrounding housing complexes and the East River Esplanade would continue to provide sunlit seating areas at other nearby locations (see **Figures B-4** and **B-5**). Further, on December 21, the use of the benches would likely be limited, because outdoor passive recreational activities are limited by the weather. Therefore, the 50 minute duration of incremental shadow would not cause a significant adverse impact to this resource.

RUTGERS SLIP (EAST SIDE) BENCHES

There are four benches on the east side of Rutgers Slip between South Street and Cherry Street. The northern two benches would never be affected by project-generated shadow.

The southernmost bench would experience about an hour and 40 minutes of incremental shadow from the proposed building early in the late spring and summer mornings, and negligible or no incremental shadow in other seasons. The bench would be completely in incremental shadow for most of the hour and forty minute period. However, during this period of new shadow, sunny seating areas would be available across South Street on the East River Esplanade and, for portions of the hour and forty minute period, across Rutgers Slip on the Hamilton Madison House benches.

The second southernmost bench would receive just over an hour of incremental shadow in the early spring and fall (March 21/September 21 analysis day), and 15 minutes on the May 6/August 6 analysis day. The bench would be completely in incremental shadow for most of the hour and nine minute period. However, the southernmost Rutgers Slip bench would be in sun for nearly the entire hour and nine minute period. In addition, sunlit benches would be available across South Street on the East River Esplanade and across Rutgers Slip on the Hamilton Madison House benches.

Despite the new early-morning shadow, the two southernmost Rutgers Slip benches would be in direct sun from mid-morning through early afternoon during these spring, summer and fall seasons. Further, as noted above, during the limited times that these benches would be in

incremental shadow, other nearby seating areas, such as at the East River Esplanade, the Rutgers Houses or the LaGuardia Houses, would be in sun. Therefore, the new project-generated shadow would not significantly impact these benches or their users.

HAMILTON MADISON HOUSE BENCHES

These benches, located along an otherwise featureless paved area in the rear of the Hamilton Madison House (a voluntary non-profit settlement house), would experience an hour and 15 minutes of incremental shadow on the May 6/August 6 analysis day, in the morning. The limited duration of incremental shadow would not significantly impact this space or its users, particularly since the East River Esplanade, the Rutgers Houses and the LaGuardia Houses all provide sunlit seating areas within a single block. These benches would not experience incremental shadow on the other three analysis days.

F. CONCLUSION

As described above, the proposed building would cast new shadows on several nearby benches at certain times. These new shadows, however, would be of limited extent and duration, and sunlit seating areas would be available at other nearby locations during the periods when new shadows would occur. Therefore, the proposed project would not cause any significant adverse shadow impacts. ✷

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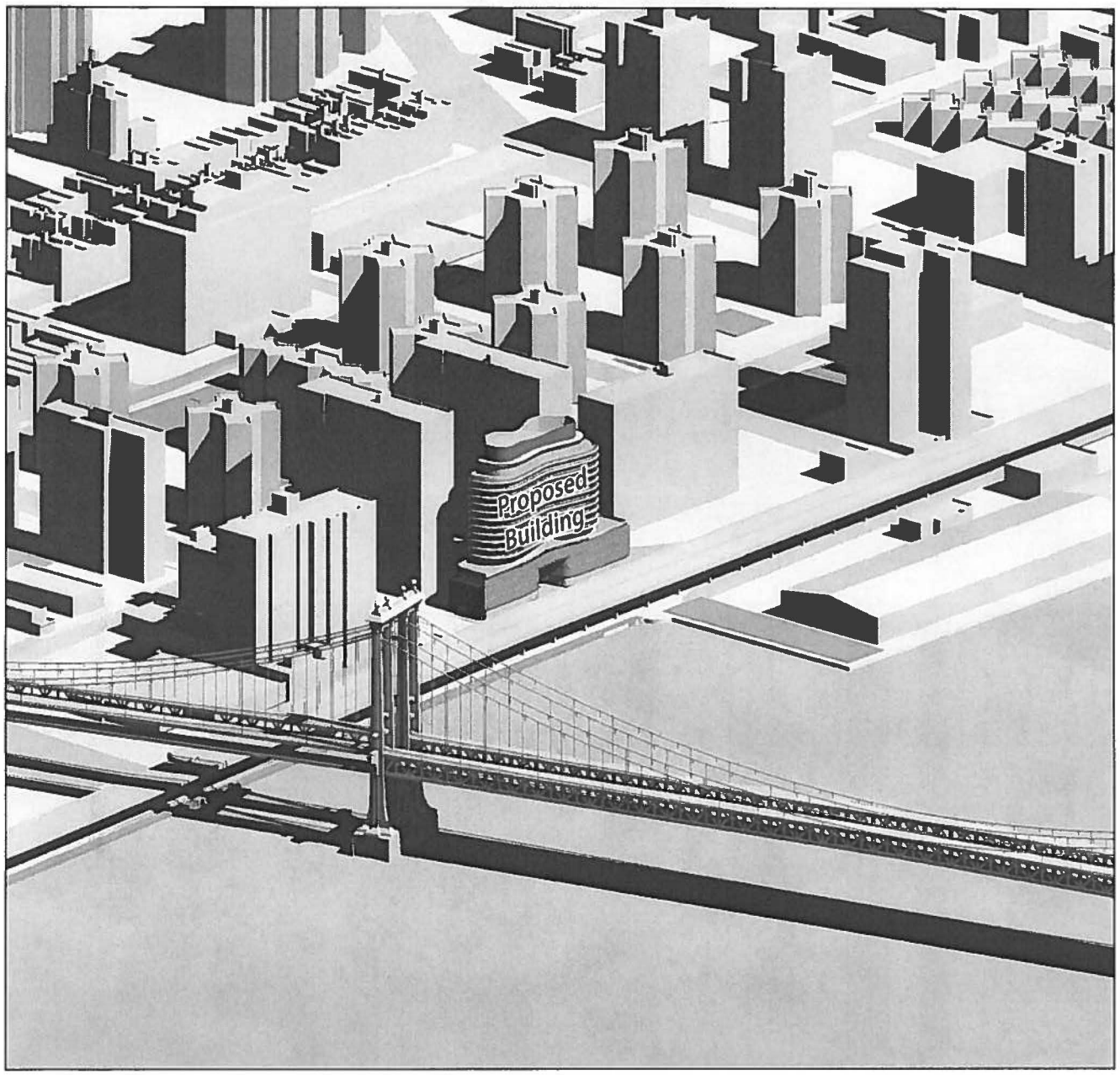
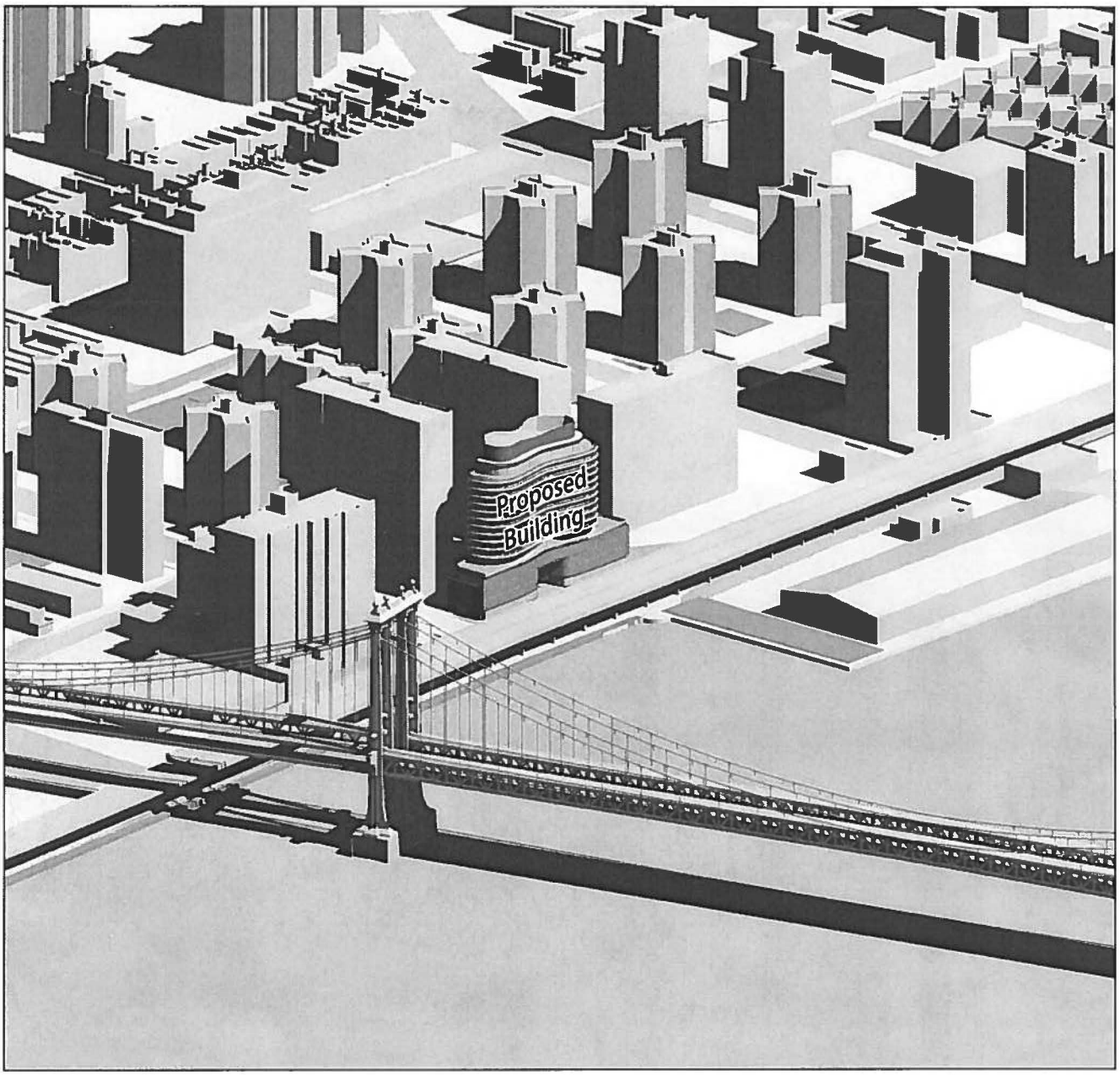


Three-Dimensional Computer Model with Proposed Building
View Northeast

National Center for Palliative Care Innovation
at HealthCare Chaplaincy

Figure B-3

7.6.12



For Illustrative Purposes Only

Three-Dimensional Computer Model
with Proposed Building
View Northeast

Figure C-22

National Center for Palliative Care Innovation
at HealthCare Chaplaincy

4.26.12

Source: FXFOWLE

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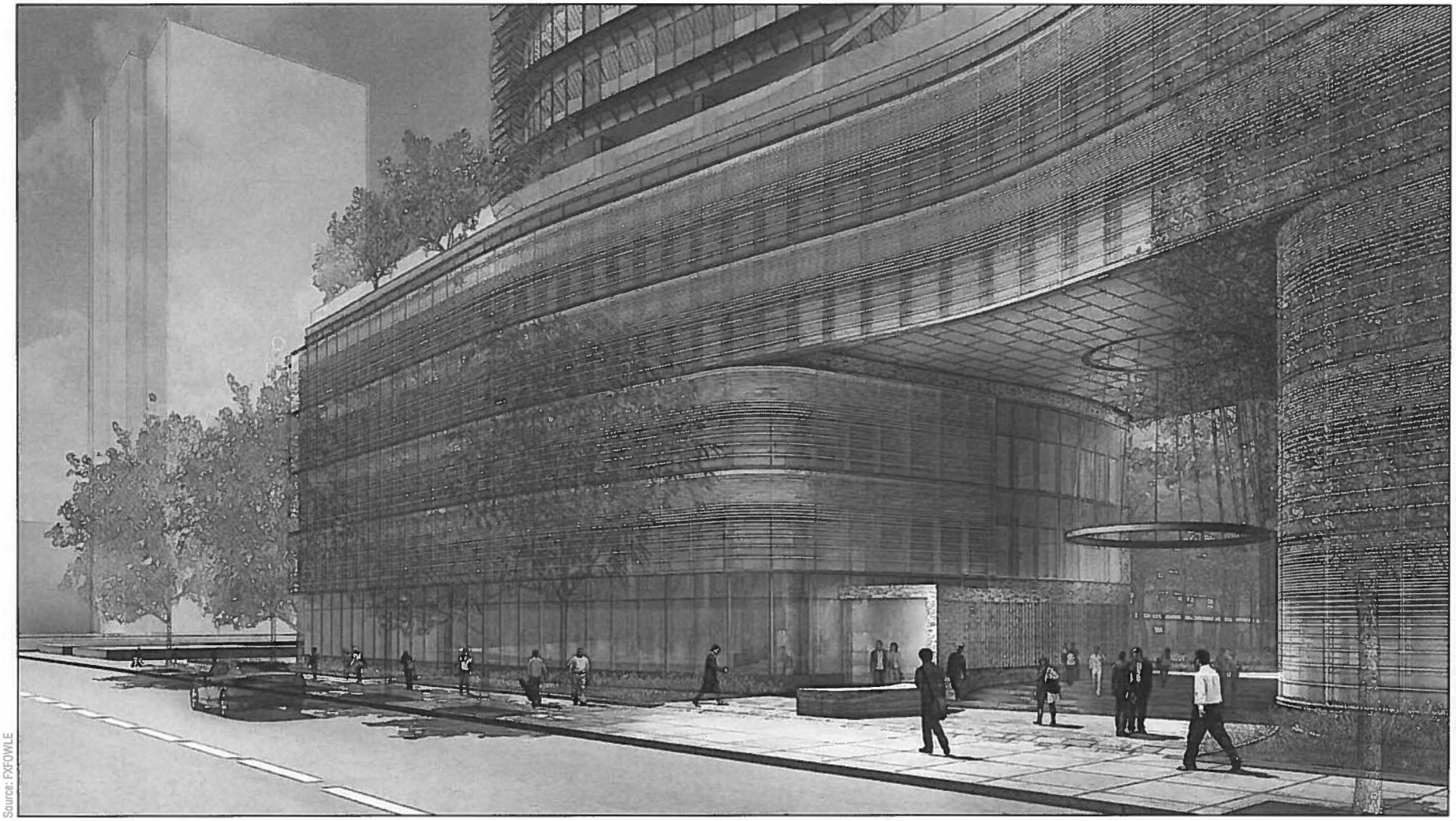
Illustrative Project Rendering
View Looking Southwest from Courtyard

Figure C-21

4.26.12



Source: PXFOWLE

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National Center for Palliative Care Innovation
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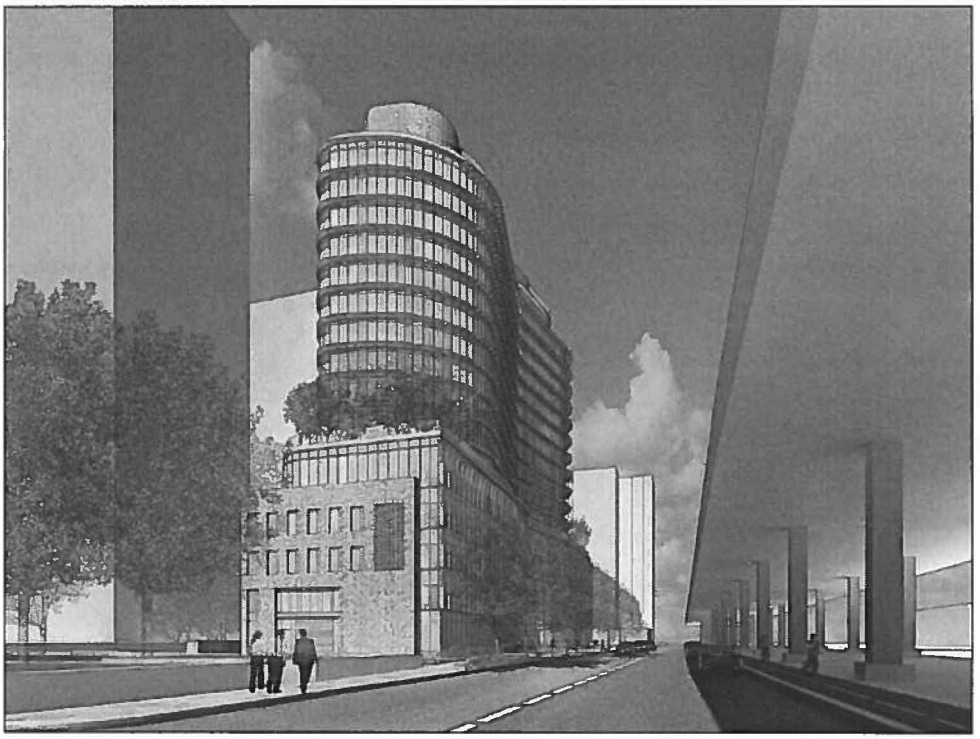
Illustrative Project Rendering
View Looking at South Street Entry
Figure C-20

8.23.12

Existing/No Action Conditions

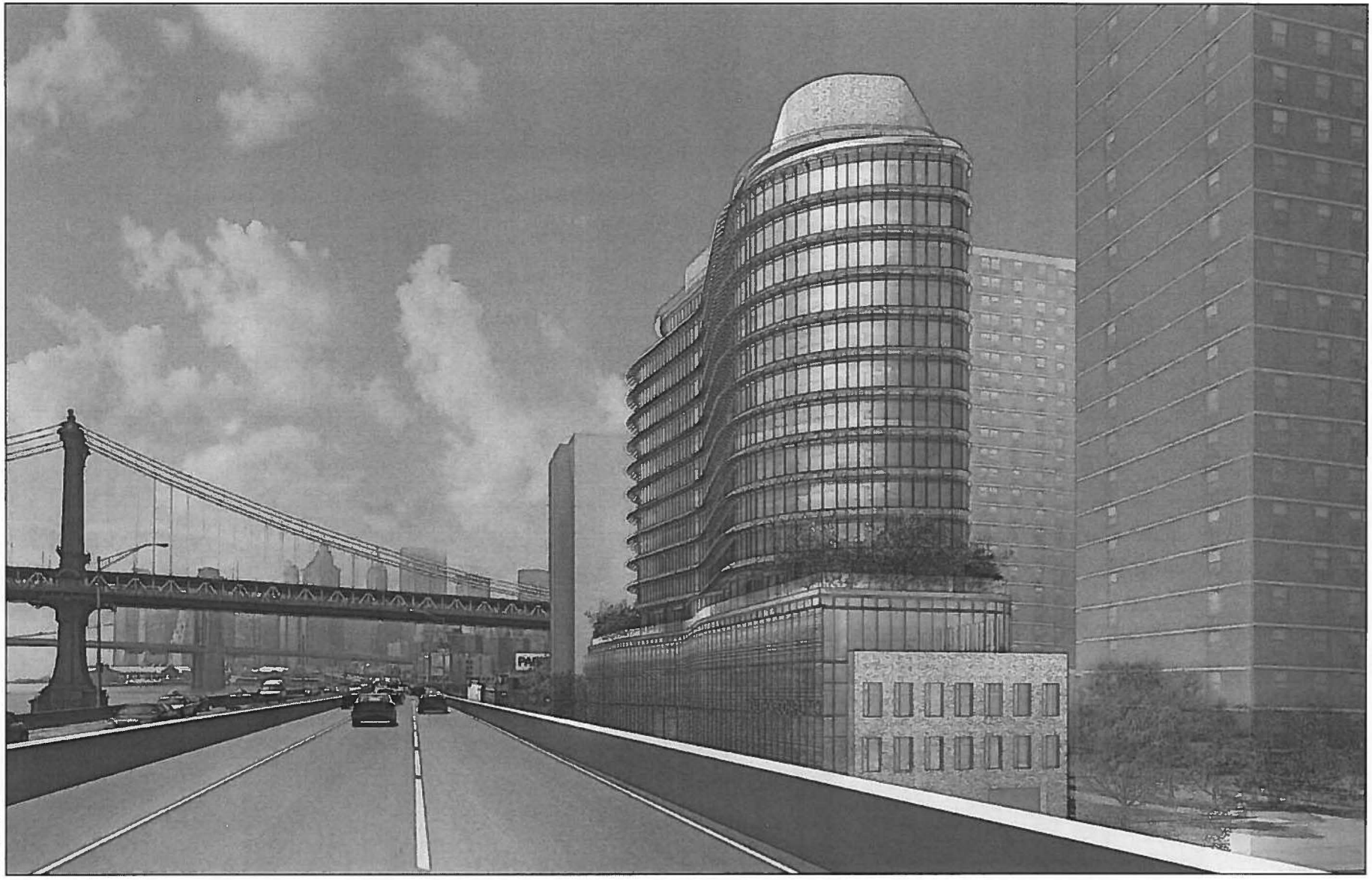


Illustrative Rendering, Proposed Project

National Center for Palliative Care Innovation
at HealthCare Chaplaincy

Comparison of Views
Looking East from South Street
Figure C-19

4.26.12



Source: FXFOWLE

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Illustrative Project Rendering
View Looking West from FDR Drive

Figure C-18

9.26.11

West on South Street from Gouvernor Slip **23**

View northeast to project site from esplanade **24**

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at HealthCare Chaplaincy

Study Area
Figure C-14

9.26.11

View west on Cherry Street from near Two Bridges Townhouses **21**

View southwest to Manhattan Bridge from Cherry Street and Land's End IIA **22**

9.26.11

Project Site Boundary

Study Area Boundary (400-Foot Perimeter)

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at HealthCare Chaplaincy

Study Area Aerial Photograph
Figure C-7

9.28.11

- Due for Construction Post Sandy
- Needs Repair from Jefferson to the Seaport.

View west under the FDR Drive **11**

View north on Rutgers Slip from South Street **12**

9.26.11

View west on South Street from Clinton Street **17**

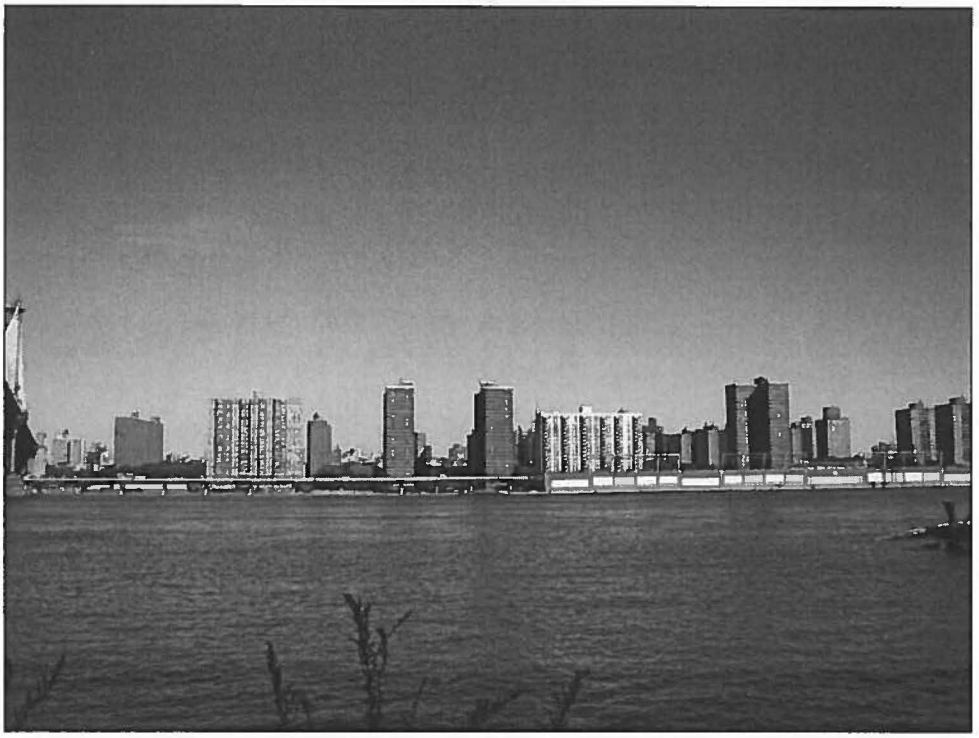
View northeast from Cherry Street at Rutgers Slip **18**

9.26.11

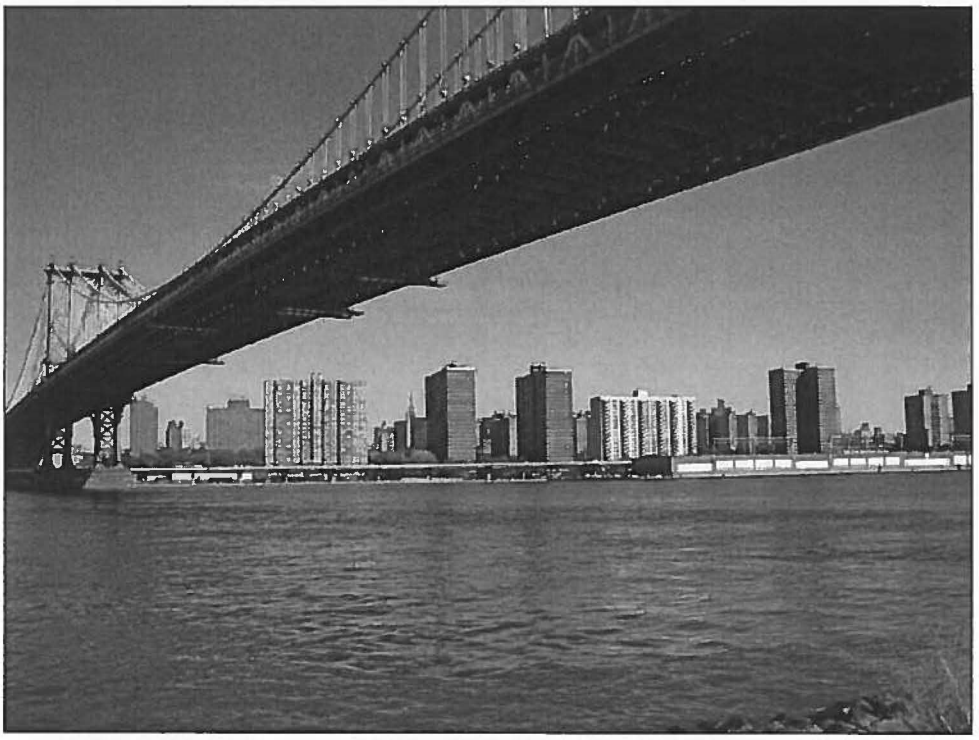
View west on South Street from near the project site **19**

View south from Madison Street through LaGuardia Houses to project site **20**

9.26.11



View to project site from Empire Fulton Ferry State Park **25**



View to project site from Empire Fulton Ferry State Park **26**

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Project Site Views From Brooklyn
Figure C-15

PART III: DETERMINATION OF SIGNIFICANCE (To Be Completed By Lead Agency)

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

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

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

2. Are there any aspects of the project relevant to the determination whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the project may have a significant impact on the environment. | | ✓

3. ***LEAD AGENCY'S CERTIFICATION***

Deputy Director, Environmental Review and Assessment Division
TITLE

New York City Department of City Planning
LEAD AGENCY

Celeste Evans
NAME

Celeste Evans
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Draft Travel Demand Factors Memorandum

To: Two Bridges Project File
From: AKRF, Inc.
Date: March 27, 2017
Re: Travel Demand Analysis

A. INTRODUCTION

This memorandum details the trip generation assumptions and travel demand estimates for the Two Bridges Large Scale Residential Development (LSRD) projects in the Lower East Side neighborhood of Manhattan (see **Figure 1**). The three project sites—Site 4 (4A/4B), Site 5, and Site 6A within the Two Bridges LSRD—are generally bounded by Cherry Street to the north, Pike Street to the west, Clinton Street to the east, and South Street to the south. Trip assignments were developed for the proposed projects to identify transportation elements requiring a detailed analysis of potential impacts.

In the future with the proposed actions, the project sites would be developed with a total of approximately 2,775 dwelling units, 10,888 gross square feet (gsf) of local retail, and a 17,028 gsf community facility. The community facility space on Site 5 is as yet unprogrammed; however, for the purposes of a conservative analysis, it is assumed that this space could be utilized as an accessory early childhood educational facility. The Consensus of the Residents was for Community Programming Space for Youth and Seniors.

Table 1 provides program assumptions under the Reasonable Worst Case Development Scenario (RWCDS) With Action conditions.

Table 1
Future With the Proposed Actions (RWCDS)

Site	Components	Future With the Proposed Actions (With Action)
4A/4B	Residential (dwelling units)	660
	Local Retail (1,000 gsf)	3,124
5	Residential (dwelling units)	1,350
	Local Retail (1,000 gsf)	5,258
	Community Facility (1,000 gsf)	17,028
6A	Residential (dwelling units)	765
	Local Retail (1,000 gsf)	2,506

Note: The programs noted above do not include existing uses on the three sites that would remain in the With Action condition.

A. SUMMARY OF PREVIOUSLY GRANTED LSRD CERTIFICATIONS, AUTHORIZATIONS & SPECIAL PERMITS

PARCEL 7 (STAGE I) AUTHORIZATION—CP 21885

1. Sec. 78-311(a) to permit the distribution of zoning rooms without regard for zoning lot lines and district boundary lines as required by Sec. 23-223.
2. Sec. 78-311(d) to permit the location of buildings without regard for yard regulations as required by Sec. 23- 47 and 23-53.
3. Section 78-311(e) to permit the location of buildings without regard for height and setback regulations on the interior of the project as required by Sec. 23-632 and 23-64.

PARCEL 7 (STAGE I) SPECIAL PERMIT—CP21885

4. Sec. 78-312(d) to permit the locations of buildings without regard for height and setback regulations, on the periphery of the project as required by Sec. 23-632 and 23-64.

PARCEL 6A (STAGE II) AUTHORIZATION—CP21885

5. Sec. 78-311(d) to permit the location of buildings without regard for yard regulations as required by Sec. 23- 47 and 23-53.

PARCEL 5 (STAGE ILL) SPECIAL PERMITS—C 760143 ZLM

6. Sec. 78-312(d) to authorize minor variations in the front height and setback regulations on the periphery of the development.
7. Sec. 78-312(f) to permit modification of the minimum spacing requirements consistent with the intent of the provisions of Sec. 23-71 (Minimum distance between buildings on a single zoning lot) and to authorize modification of the spacing required by Sec. 78-311(d) (for distance between east building on Parcel 5 and building on Parcel 6A).

PARCEL 6B (STAGE IV) AUTHORIZATIONS—N 830316 ZAM

8. Sec. 78-311(d) to authorize the location of the west building without regard for yard regulations which would otherwise apply along portions of the rear lot line wholly within the development.
9. Sec. 78-311(h) to modify the minimum spacing requirements between the west building on Parcel 6B and the building on Parcel 6A.

PARCEL 4A (STAGE V) AUTHORIZATIONS—N 850737 ZAM

10. Sec. 78-311(e) to authorize minor variations in setback regulations within the development. Deletion of Parcel 8 of Urban Renewal Plan from LSRD Plan Area.

PARCEL 4A (STAGE V) AUTHORIZATIONS—N 860727 ZAM

11. Sec. 78-41 to authorize permitted accessory, off-street parking spaces to be located within the development without regard to zoning lot lines to provide four parking spaces for Parcel 4A.

PARCEL 4B (STAGE VI) AUTHORIZATION—C 950078 ZSM

12. Sec. 78-311(e) authorize location of building without regard for height & setback regulations.

PARCEL 4B (STAGE VI) SPECIAL PERMIT—C 950078 ZSM

13. Sec. 78-312(f) authorize modification of minimum spacing requirements.

Regarding Parcel 5 Impact to Residents above proposed space extension was not study Request Residents currently residing above store front and community center be present Current conditions and concerns and Impacts that will affect them with a true and remediation of Damage or adverse impacts.

PARCEL 4B (STAGE VI) CERTIFICATIONS—C 950078 ZSM

14. Sec. 26-07 certification to modify the no curb cut on wide street regulations as required by Sec. 26-05.
15. Sec. 37-015 certification to waive retail continuity on wide street.

PARCEL 5 (UNDEVELOPED 2013 APPROVAL)—M 120183 ZSM

16. Modification to the LSRD site plan to permit an increase in community facility and total zoning floor area; to authorize a relocation of existing and development of new parking spaces; and to correct zoning calculations

B. HEIGHT & SETBACK(*) AND BUILDING SPACING(**) CONDITIONS PREVIOUSLY GRANTED AUTHORIZATION & SPECIAL PERMITS

*

Site	Location of Front Wall	Sky Exposure Plane Penetration Proposed
4A	8 ft. from Rutgers Slip	None
4B	Rutgers Slip	114.5 feet
5	Cherry Street – lands End 2	140.5 feet
7	Clinton Street	155 feet
	South Street	57 feet

**

Site	Location of Front Wall	Required Distance	Distance Provided
4	4B bldg. to 1-story stores	40.0a feet	30.0 feet
5	East bldg. to West bldg.	222.4 feet	160.0 feet
	East bldg. on 5 to 6A	148.5 feet	60.0 feet
6	West bldg. on 6B to 6A	87.95 feet	37.0 feet

Note: Zoning regulations have changed since these actions were granted (wall to wall = 40'; window to wall = 50'; window to window= 60').

Lands End 2 Residents are concerned that the physical impacts the proposed developments will have on the infrastructure of the existing Lands End 2 buildings and the air quality once windows of 100 apartments are paved off. We request the study and investigation of an infrastructure engineer be completed reviewed and approved by prior to CPC's vote. We also request that all reports be provided to the residents of Lands End 2 for review and prior to CPC's approval.

PRINCIPAL CONCLUSIONS – All were studies done prior to the lose of 103 parking spaces not including NYCH NEXGE

TRAFFIC

Based on the detailed assignment of project-generated vehicle trips, numerous area intersections would incur incremental trips exceeding the *City Environmental Quality Review (CEQR) Technical Manual* analysis threshold of 50 peak hour vehicle-trips. In consideration of the area's existing traffic conditions and project-generated vehicle trip assignment patterns, 31 intersections are recommended for inclusion in the detailed analysis of potential traffic impacts.

TRANSIT

The detailed assignment of projected transit trips concluded that the East Broadway Station and the F subway line would incur more than 200 trips during the weekday AM and PM peak hours. Therefore, a detailed subway station analysis of the East Broadway Station and a line-haul analysis of the F subway line would be conducted.

Project-generated bus trips would be dispersed among the multiple local bus routes serving the study area, such that no single bus route is expected to incur incremental ridership exceeding the *CEQR Technical Manual* analysis threshold of 50 or more peak hour bus riders in a single direction. Therefore, a detailed bus line-haul analysis is not warranted, and the proposed project is not expected to result in any significant adverse bus line-haul impacts.

PEDESTRIANS

The detailed assignment of project-generated pedestrian trips concluded that incremental pedestrian volumes at 17 sidewalks, 23 corner reservoirs, and 12 crosswalks at 11 intersections would exceed the *CEQR Technical Manual* analysis threshold of 200 peak hour pedestrian trips. Therefore, a detailed pedestrian analysis would be conducted for these elements.

B. PRELIMINARY ANALYSIS METHODOLOGY

The *CEQR Technical Manual* recommends a two-tier screening procedure for the preparation of a "preliminary analysis" to determine if quantified analyses of transportation conditions are warranted. As discussed below, the preliminary analysis begins with a trip generation analysis (Level 1) to estimate the volume of person and vehicle trips attributable to the proposed project. If the proposed project is expected to result in fewer than 50 peak hour vehicle trips and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (Level 2) are performed to estimate the incremental trips at specific transportation elements and to identify potential locations for further analyses. If the trip assignments show that the proposed project would result in 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, or 200 or more peak hour pedestrian trips traversing a pedestrian element, then further quantified analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, pedestrians, parking, and vehicular and pedestrian safety.

C. LEVEL 1 SCREENING ASSESSMENT

A Level 1 trip generation screening assessment was conducted to estimate the numbers of person and vehicle trips by mode expected to be generated by the proposed projects during the weekday AM, midday, and PM peak hours. These estimates were then compared to the *CEQR Technical Manual* thresholds to determine if a Level 2 screening and/or quantified operational analyses would be warranted.

TRANSPORTATION PLANNING ASSUMPTIONS

Trip generation factors for the proposed projects were developed based on information from the 2014 *CEQR Technical Manual*, U.S. Census Data, and other established sources and approved studies—as summarized in **Table 2**.

We request a more extensive study that includes the accumulative impact of new approved Developments. Are we not warranted

Table 3 (cont'd)
Trip Generation Summary: Future With the Proposed Actions

	Program	Peak Hour	In/Out	Person Trip Auto	Taxi	Subway	Bus	School Bus	Walk	Total	Vehicle Trip Auto	Taxi	School Bus	Delivery	Total
Site 6A	Residential 765 DUs	AM	In	13	5	41	4	0	31	94	10	21	0	3	34
			Out	74	26	231	21	0	173	525	57	21	0	3	81
			Total	87	31	272	25	0	204	619	67	42	0	6	115
		Midday	In	22	8	68	6	0	51	155	17	9	0	2	28
			Out	22	8	68	6	0	51	155	17	9	0	2	28
			Total	44	16	136	12	0	102	310	34	18	0	4	56
		PM	In	67	24	209	19	0	157	476	52	17	0	0	69
			Out	29	10	90	8	0	67	204	22	17	0	0	39
			Total	96	34	299	27	0	224	680	74	34	0	0	108
	Local Retail 2,506 gsf	AM	In	0	0	0	0	0	5	5	0	0	0	0	0
			Out	0	0	0	0	0	5	5	0	0	0	0	0
			Total	0	0	0	0	0	10	10	0	0	0	0	0
		Midday	In	1	1	2	2	0	30	36	1	1	0	0	2
			Out	1	1	2	2	0	30	36	1	1	0	0	2
			Total	2	2	4	4	0	60	72	2	2	0	0	4
		PM	In	0	1	1	1	0	16	19	0	1	0	0	1
			Out	0	1	1	1	0	16	19	0	1	0	0	1
			Total	0	2	2	2	0	32	38	0	2	0	0	2
Grand Total		AM	In	61	19	171	30	62	174	517	47	75	2	10	134
			Out	267	95	846	83	0	667	1,958	214	75	2	10	301
			Total	328	114	1,017	113	62	841	2,475	261	150	4	20	435
		Midday	In	83	33	257	32	0	317	722	64	35	0	8	107
			Out	83	33	257	32	0	317	722	64	35	0	8	107
			Total	166	66	514	64	0	634	1,444	128	70	0	16	214
		PM	In	243	90	770	79	0	657	1,839	197	65	2	1	265
			Out	119	42	351	48	62	356	978	91	65	2	1	159
			Total	362	132	1,121	127	62	1,013	2,817	288	130	4	2	424

D. LEVEL 2 SCREENING ASSESSMENT

TRAFFIC

As shown in **Table 3**, incremental vehicle trips resulting from the proposed projects would exceed the *CEQR* Level 1 screening threshold during all peak hours. Although the proposed project for Site 5 would maintain the 103 parking spaces that currently exist on that site, those spaces would be used solely to accommodate the existing parking demand on Site 5. Off-site parking resources would be used to accommodate the parking demand for the three proposed projects. A ¼-mile off-street parking survey was conducted to determine the available off-street parking resources in the study area. Availability of off-street parking spaces within the ¼-mile study area is limited; therefore, the off-street parking survey was expanded slightly beyond the ¼-mile study area to identify other available off-street parking resources within a ½-mile. As summarized in **Table 4** and depicted on **Figure 2**, there are nine off-street parking facilities identified within approximately ¼-mile of the project sites, providing nearly 1,200 parking spaces; however, it should be noted that the 400-space Imperial Parking location (#1) is planned for redevelopment, and thus is expected to be closed in the future. Within the ½-mile study area there are eight additional off-street parking facilities providing nearly 1,900 additional parking spaces.

The parking alternatives cost $200+ a month. Our residents pay rent 30% according to our income. Electricity and parking $60 month. We will now be required to keep our means of transportation to earn an income to keep our homes By Paying an additional $200 for the land lords to profit more at our expense

Owner, LLC (with Two Bridges Senior Apartments LP retaining ownership of the remainder of Lot 70). Lot 70 is occupied by an approximately 85,615-gsf (109-unit), 10-story residential (Use Group 2) building (80 Rutgers Slip) and has 4 surface parking spaces and 3,928 sf of open space. Lot 76 contains a partially-vacant, approximately 11,575-gsf one-story commercial building (235 Cherry Street) with Use Group 6 retail and 280 sf of open space. Lot 15 is occupied by an approximately 255,447-gsf (198-unit), 21-story mixed-use residential building (82 Rutgers Slip) with an 11-space enclosed accessory parking facility, and 11,660 sf of paved, private but publicly-accessible open space to the north of the building, adjacent to 235 Cherry Street and 80 Rutgers Slip. The existing residential buildings on Lot 70 (80 Rutgers Slip) and Lot 15 (82 Rutgers Slip) contain affordable housing. Site 4 (4A/4B) is located on the west side of Rutgers Slip, between Cherry Street to the north and South Street to the south. An as-of-right zoning lot merger will be required in order to facilitate this project. Lot 15 will be part of the zoning lot.

SITE 5

Site 5—owned by applicant Two Bridges Associates, LP—comprises Lots 1 and 2 of Block 247. Site 5 is 145,031 sf in size and is located between Cherry Street, South Street, Rutgers Slip, and the former alignment of Jefferson Street (demapped). Site 5 has approximately 615,071 of existing zsf, for a built FAR of 4.24. Up to approximately 1,125,301 zsf remain unbuilt (based on a maximum of 12 FAR, with inclusionary housing).

The CPC in 1977 permitted construction of the Land's End II development on Site 5. Completed in 1979, this complex includes two 26-story rental apartment buildings for low-income households at 265 and 275 Cherry Street (490 units total); a paved surface parking lot with 103 parking spaces on South Street; a paved area west of the 265 Cherry Street building; and private playgrounds and landscaped seating areas between the two buildings. The building at 265 Cherry Street includes a small amount of local retail use on the ground floor. Site 5 also includes a private open space along the Rutgers Slip block frontage that contains playgrounds, seating areas, and a basketball court.

(E) Designations Assigned to the Site

Lot 2 on the Site 5 project site is assigned an (E) designation for air quality, noise, and hazardous materials, listed in the DCP (E) designation database as E-312, established in the 2013 *Two Bridges (Health Care Chaplaincy) Environmental Assessment Statement* (CEQR No. 12DCP157M, M120183ZSM). The hazardous materials (E) designation requires that a Phase I of the site be submitted to OER for review and approval, along with a soil and groundwater testing protocol. OER will make a determination regarding whether remediation is necessary based on the results of the testing. If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER, and provide documentation that the work has been satisfactorily completed. In addition, an OER-approved construction-related health and safety plan would be implemented during excavation and construction activities.

The (E) designation for air quality requires that the proposed building on this site use natural gas as the only fossil fuel for any on-site heating and water systems, and must be located on the tallest portion of the proposed building. The proposed building's on-site heating and hot water systems also would be designed to ensure that maximum concentrations of nitrogen dioxide do not exceed the National Ambient Air Quality Standard (NAAQS) on a 1-hour average basis. To attain this standard, the proposed building's boilers used for space heating would have low-NO_x (<16 ppm) burners, the boilers used for hot water would utilize low-NO_x (<20 ppm) burners, and

(6)

DISCUSSION OF ACTION REQUESTED

HCC seeks approval of a modification to a previously approved LSRD plan (originally approved by CP-21885; last amended by C 950078 ZSM) to revise and update the zoning calculations affecting Parcel 5 in the LSRD Plan Area to reflect:

1. increases, as shown on Drawing Z-01, in:
   a. floor area – the New Building would increase community facility and total floor area by 183,700 ZSF of available floor area in compliance with applicable provisions of the Zoning Resolution;
   b. floor area ratio – the additional floor area would raise the FAR to 5.7, in compliance with applicable provisions of the Zoning Resolution (the maximum FAR of 10.0 would allow a maximum floor area of 1,450,310 ZSF);
   c. lot coverage – the New Building would add additional community facility lot coverage of 16,972 SF to Parcel 5, in compliance with applicable provisions of the Zoning Resolution;

2. relocation of 103 existing accessory on-grade parking spaces and addition of 45 new accessory parking spaces, in compliance with applicable provisions of the Zoning Resolution, for a total of 148 parking spaces located as shown on Drawings Z-01 and Z-06;

3. correction, as shown on Drawing Z-01, of the following information related to existing conditions on Parcel 5, which were incorrectly stated in the LSRD amendment dated September 1994 submitted to the Commission with the Parcel 4B application (950078 ZSM), attached as Exhibit A (the "1994 LSRD Plan"):
   a. lot area – a recent survey of Parcel 5 conducted by Fehringer Surveying, P.C. and dated October 29, 2010 certifies the lot area of Parcel 5 as 145,031 SF;
   b. floor area – the October 1976 LSRD Plan submitted to the Commission with the Parcel 5 application (760143 ZLM) (the "1976 LSRD Plan") lists the Parcel 5 residential floor area as 646,063 ZSF, the commercial floor area as 2,200 ZSF and the total floor area as 648,263 ZSF, and the Certificate of Occupancy issued October 19, 1979 for the 265 Cherry Street building (the "Certificate of Occupancy") indicates a commercial use on the first floor;
   c. floor area ratio – the correction of the Parcel 5 lot area and total floor area results in a change in the existing floor area ratio to 4.47; and
   d. parking spaces – the 1976 LSRD Plan and Certificate of Occupancy list the Parcel 5 parking spaces as 103.

CONSISTENCY WITH LSRD OBJECTIVES AND FINDINGS

The requested modification to the LSRD plan is consistent with the overall development objectives of the LSRD and the former Two Bridges URP. As stated above, the goals of the Two Bridges URP, which created the LSRD, included eliminating blight and restoring the residential character of the area; providing well-designed low, moderate, and middle income housing; providing convenient recreational, commercial, and community facility uses; achieving high quality urban design, architecture, street and open space elements; and strengthening the City's tax base by encouraging development and employment opportunities in the area. The proposed project would replace a paved parking area with a new building and landscaping along the South Street frontage, which would improve the streetscape and beneficially affect the pedestrian experience along South Street, while no active open space would be lost. Community facility uses would be provided for the convenience of residents of both the New Building and the surrounding area. The development and operation of the New Building would provide employment opportunities within the palliative care facility.

The requested modification to the LSRD plan would allow development of a new community facility building in the LSRD Plan Area in compliance with applicable provisions of the Zoning Resolution; thus, no modifications would be required to the underlying zoning or to the previously approved LSRD special permits, authorizations and certifications listed in Basic Form LR Item 7 (attached) and detailed under Background, above. Accordingly, no new findings by the Commission are required in connection with this application (since the Section 78-313 findings relate to special permits and authorizations). Further, as discussed below, the

Commission's prior findings under Section 78-313 in connection with its prior approvals would not be affected by the requested modification to the LSRD plan for two principal reasons: (1) this application would not affect prior findings that were specific to the modifications or zoning lots being proposed for other development within the LSRD Plan Area; and (2) this application is consistent with the general purpose and intent of Article VII, Chapter 8.

The following findings were made under Section 78-313 in connection with the majority of the prior approvals:

- 78-313 (a): The modifications will aid in achieving the general purposes and intent of Article VII, Chapter 8, as set forth in Section 78-01;
- 78-313 (b): The distribution of floor area, dwelling units, rooms, rooming units, open spaces, location of buildings, or locations of primary business entrances, shop windows or signs will permit better site planning and will thus benefit both the residents of the development and the City as a whole;
- 78-313 (c): Such distribution or location will not unduly increase the bulk of buildings, density of population, or intensity of use in any block, to the detriment of the occupants of buildings in the block or nearby blocks;
- 78-313 (d): Such distribution or location will not affect adversely any other zoning lots outside the development by restricting access to light and air or by creating traffic congestion; and
- 78-313 (g): The modification of height and setback will not impair the essential character of the surrounding area and will not have adverse effects upon the access to light, air and privacy of adjacent properties.

In addition, the following special findings were made under Section 78-41 with respect to the approval of off-street parking on Parcel 4A:

- 78-41 (a): Such off-street parking spaces will be conveniently located in relation to the use or uses to which such spaces are accessory;
- 78-41 (b): Such location of the off-street parking spaces will permit better site planning and will thus benefit both the owners, occupants, employees, customers, residents, or visitors of the development and the City as a whole; and
- 78-41 (c): Such location of the off-street parking spaces will not increase the number of spaces in any single block or the traffic drawn through any one or more of the nearby local streets in such measure as to affect adversely other zoning lots outside the development or traffic conditions in the surrounding area.

The findings under the prior City Planning actions were specific to the modifications being proposed for other buildings/development within the LSRD area, and none of the prior approvals depended on the New Building Site remaining undeveloped. The proposed development would not unduly increase the bulk of the LSRD or surrounding area; the total floor area of Parcel 5 following the addition of the New Building would be only 57% of the potential floor area under permitted current zoning. In addition, the proposed project would not adversely affect any other zoning lots outside the New Building Site by restricting access to light and air, by adversely affecting air quality or by creating traffic congestion. Therefore, the prior findings will be unaffected by the addition of the proposed project.

With regard to the general purpose and intent of Article VII, Chapter 8, the proposed project would enhance and promote the purposes achieved by prior development within the LSRD and thus promote and protect public health, safety and general welfare. The proposed addition of an as-of-right building on a current surface parking area would be an efficient use of the increasingly scarce land left within the LSRD Area, following the initial development of all of the LSRD parcels, within the framework of the overall bulk controls. Open space would be arranged to best serve active and passive recreation needs of the residents, including a three-story covered and lighted opening in the center of the New Building which would provide a visual connection between the neighborhood north of the New Building and the newly constructed East River Esplanade. Although the proposed project would remove existing trees on the New Building Site, scenic assets and natural features would be protected and preserved by the planting of new trees as part of its landscape plan. A more stable community would be fostered by providing for a population of balanced family sizes through the addition of assisted living units, which will complement and add to the diversity of residents within the LSRD Area. The

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incorporating a variety of building types and variations in the siting of buildings, and thus to promote and protect public health, safety and general welfare."

Since each of the proposed developments will necessarily have a significant impact upon the surrounding areas, will fundamentally change the LSRD site plan by occupying the large scale's open spaces, and will irrevocably change the relationships of the existing buildings to one another, these findings must be applied anew through a ULURP process.

ZR Section 78-313 requires that for individual waivers such as distribution of floor area, open spaces, and locations of buildings to be granted, that such waivers result in a better site plan and benefit to the residents of the large-scale residential development and the City as a whole. It further provides that CPC must determine that such distribution or location will not unduly increase the bulk of buildings, density of population, or intensity of use in any block, to the detriment of the occupants of buildings in the block or nearby blocks. It requires CPC to determine that such distribution or location will not affect adversely any other zoning lots outside the large-scale residential development by restricting access to light and air or by creating traffic congestion; and that the modification of height and setback will not impair the essential character of the surrounding area and will not have adverse effects upon the access to light, air and privacy of adjacent properties.

While these findings technically pertain to the existing buildings which were the subjects of the original waivers, the proposed addition of the new buildings to the site plan would dramatically affect the balance struck by CPC and the City Council in the grant of the original LSRD approvals. The scale of this change requires us to re-evaluate the findings.

An additional basis for processing the proposals as major modifications is that each project, taken alone, is likely to trigger an Environmental Impact Statement ("EIS"). If the projects are reviewed collectively, which we believe is legally required in order to avoid improper segmentation, an EIS will almost certainly be required. There is precedent for the view that an action which triggers an EIS should be subject to ULURP. The rules for major concessions, set forth in 62 RCNY 7-03, provide in pertinent part as follows: "Notwithstanding any other provision of these rules the following shall not be considered major concessions unless an EIS is required [emphasis added]..." Accordingly, if an EIS is required for any of the projects individually or collectively, we believe that the City is further justified in applying the major modification framework.

We firmly believe that there are strong technical and legal arguments in favor of treating these applications as a new ULURP, but equally important, these new projects will represent the most significant development in the Two Bridges neighborhood in over a generation. The community at large, through the ULURP process, deserves a role in shaping its future.

We look forward to working together with the Department and the applicants to develop a revised holistic plan for this neighborhood which acknowledges the need for our city to grow and accommodate change but does it in a way that is responsible and with the appropriate level of public review.

Additional Technical Information for EAS Part II

This Environmental Assessment Statement (EAS) and the Environmental Impact Statement (EIS) for the Two Bridges LSRD project are being prepared in accordance with New York City Environmental Quality Review (CEQR). All analyses have been prepared in accordance with the methodologies presented in the 2014 *CEQR Technical Manual*. Tasks associated with each technical analysis are also described in the Draft Scope of Work document. The Draft Scope of Work also provides a detailed project description, including information regarding the proposed projects and the proposed actions.

LAND USE, ZONING, AND PUBLIC POLICY

According to the *CEQR Technical Manual*, a land use analysis characterizes the uses and development trends in the area that may be affected by a project, describes the public policies that guide development, and determines whether a project is compatible with those conditions and policies or whether it may affect them. As the proposed projects each require a minor modification of the Two Bridges LSRD, the EIS will include a land use, zoning, and public policy analysis, which is described in the Draft Scope of Work.

SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on a specific industry.

The proposed project would not result in any direct residential or business displacement. For Site 4(4A/4B), in preparation for the proposed project, the 10 units at 80 Rutgers Slip that would be relocated to the new building would be vacated. This would occur (i) as existing residents leave the 10 units, or (ii) by moving residents of these units to other units that become available in the building or in a nearby building. No residents would be permanently displaced from the building. Therefore, no further assessment of these issues is required. With respect to indirect displacement and adverse effects on a specific industry, each of the proposed projects would exceed a CEQR threshold warranting assessment (development of 200 or more dwelling units). Therefore, assessments of potential indirect residential and business displacement, and adverse effects on a specific industry will be included in the EIS, as described in the Draft Scope of Work.

COMMUNITY FACILITIES AND SERVICES

Community facilities are public or publicly funded schools, libraries, child care centers, health care facilities and fire and police protection. The *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility or if it would have an indirect effect by introducing new populations that would overburden existing facilities. In accordance with the thresholds of the *CEQR Technical Manual*, the proposed projects are not expected to trigger detailed analyses of outpatient health care facilities or police and fire protection serving the project sites. However, the proposed actions will require analyses in the EIS of public elementary and intermediate schools, publicly-funded day care, and libraries, as described in the Draft Scope of Work.

PUBLIC SCHOOLS

A schools analysis is required under CEQR for proposed actions that would result in more than 50 elementary/middle school or 150 high school students. The number of residential units for each of the proposed projects will exceed the CEQR threshold of 310 units in Manhattan, requiring a detailed analysis for elementary/middle schools. Therefore, an analysis of public schools will be included in the EIS, as described in the Draft Scope of Work.

Therefore, an analysis of GHG emissions from the proposed projects will be provided in the EIS, as described in the Draft Scope of Work.

NOISE

According to the *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if an action generates or reroutes vehicular traffic, if an action is located near a heavily trafficked thoroughfare, if an action would be within 1 mile of an existing flight path or within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility). A noise assessment would also be appropriate if the action would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the action would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the action would be located in an area with high ambient noise levels resulting from stationary sources. It is assumed that outdoor mechanical equipment would be designed to meet applicable regulations and that no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed. Consequently, the noise analysis will examine the potential increases in noise level at nearby noise receptors resulting from traffic associated with the proposed projects, the level of building attenuation necessary to meet CEQR interior noise level requirements, and the noise exposure at open spaces included in the proposed projects. The noise analysis tasks that will be undertaken for the EIS are described in the Draft Scope of Work.

NEIGHBORHOOD CHARACTER

Neighborhood character is determined by a number of factors, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. According to the guidelines of the *CEQR Technical Manual,* an assessment of neighborhood character is generally needed when a project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character. Therefore, if warranted based on an evaluation of the proposed projects' impacts, an assessment of neighborhood character would be prepared in the EIS, following the methodologies outlined in the *CEQR Technical Manual*, as described in the Draft Scope of Work.

CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, community noise patterns, air quality conditions, and mitigation of hazardous materials. The construction analysis will be included in the EIS, as described in the Draft Scope of Work.

CHILD CARE FACILITIES

The proposed number of affordable residential units that would be developed with the proposed projects is expected to exceed the CEQR minimum number of residential units (310) requiring detailed analyses of publicly-funded child care. Therefore a child care assessment will be provided in the EIS, as described in the Draft Scope of Work.

LIBRARIES

The threshold for a public library analysis is an increase of more than five percent in the catchment area populations of libraries in the study area. In Manhattan, the development of at least 901 units would trigger the need for a libraries analysis. The proposed projects will collectively exceed this CEQR threshold. Therefore, a libraries analysis will be included in the EIS, as described in the Draft Scope of Work.

OPEN SPACE

The project sites are located in a portion of Manhattan Community District (CD) 3 that is considered neither underserved nor well-served by open space. The proposed projects would exceed the 200-resident CEQR threshold requiring a residential open space analysis of indirect effects, but not the 500-worker threshold requiring a non-residential open space analysis of indirect effects. Therefore, an open space analysis will be provided in the EIS, as described in the Draft Scope of Work.

SHADOWS

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

The proposed projects will result in new structures more than 50 feet taller than what would exist in the No Action condition, and therefore a shadows assessment will be conducted to determine whether new shadows could be cast on any nearby sunlight-sensitive resources. A shadows assessment is therefore required to determine whether the proposed structures could cast project-generated shadow on these resources, and whether it would reach other nearby sunlight-sensitive resources. Therefore, a shadows study will be provided in the EIS, as described in the Draft Scope of Work.

HISTORIC AND CULTURAL RESOURCES

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if a project has the potential to affect either archaeological or architectural resources. Since the proposed projects would require subsurface disturbance on the project sites, it will be necessary to analyze the potential impacts of the proposed projects on archaeological resources. The existing buildings on the project sites are not known architectural resources, however, there are known architectural resources in the surrounding area. Therefore, a historic and cultural resources analysis will be prepared for the EIS, as described in the Draft Scope of Work.

URBAN DESIGN AND VISUAL RESOURCES

According to the methodologies of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a project site beyond those allowed as-of-right and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared with a detailed analysis prepared if warranted based on the preliminary assessment. As described in the *CEQR Technical Manual*, examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline. Given the size of the proposed projects, a detailed analysis of urban design and visual resources will be prepared for the EIS, as described in the Draft Scope of Work.

HAZARDOUS MATERIALS

According to the *CEQR Technical Manual*, a hazardous materials assessment is conducted when elevated levels of hazardous materials exist on a site, when an action would increase pathways to their exposures, either human or environmental, or when an action would introduce new activities or processes using hazardous materials, thereby

increasing the risk of human or environmental exposure. The hazardous materials section of the EIS will include a summary of current Phase I Environmental Site Assessments (ESAs) and any other available hazardous materials studies for the project sites, covering the past use history of the project sites and the potential for the presence of hazardous materials on the project sites. In addition, Site 5 carries an environmental (E) designation for hazardous materials. The hazardous materials analysis will be included in EIS, as described in the Draft Scope of Work.

WATER AND SEWER INFRASTRUCTURE

The proposed projects would be expected to use approximately 1,026,646 gallons of water per day.[1] According to the *CEQR Technical Manual*, a water and sewer infrastructure assessment analyzes whether a proposed project may adversely affect New York City's water distribution or sewer system and, if so, assess the effects of such projects to determine whether their impact is significant, and present potential mitigation strategies and alternatives. An analysis of water and sewer infrastructure is warranted because the project sites are located in a combined sewer area and are will be collectively developed with over 1,000 residential units, which is the CEQR threshold for requiring a preliminary analysis of wastewater and stormwater conveyance and treatment. As the project sites are not located in an area that experiences low water pressure, and the proposed project would not result in an exceptionally large demand for water, a water supply analysis is not warranted. The wastewater and stormwater analysis will be prepared for the EIS, as described in the Draft Scope of Work.

TRANSPORTATION

The *CEQR Technical Manual* states that quantified transportation analyses may be warranted if a proposed action results in 50 or more vehicle-trips and/or 200 or more transit/pedestrian trips during a given peak hour. The transportation studies for the proposed projects encompass five distinct elements—traffic, parking, transit, pedestrians, and vehicular and pedestrian safety. A description of the tasks to be undertaken for the transportation analysis of the EIS is provided in the Draft Scope of Work.

AIR QUALITY

The number of project-generated vehicle trips would potentially exceed the *CEQR Technical Manual* carbon monoxide (CO) analysis screening threshold of 170 vehicles in the peak hour at any intersection and/or the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, a screening analysis for mobile sources will be performed. If screening thresholds are exceeded, a detailed mobile source analysis would be required. The parking facility on Site 5 also will be analyzed to determine its effect on air quality. The proposed project would also introduce sensitive uses (i.e., new residences) within 200 feet of the elevated section of the FDR Drive; therefore, the effects of this existing roadway on the proposed uses need to be analyzed, as recommended in the *CEQR Technical Manual*. Potential impacts on surrounding uses from the heating and hot water systems that would serve the proposed buildings, as well as potential impacts on the proposed buildings from existing buildings in the surrounding area, will be assessed. In addition, a detailed cumulative stationary source analysis will be prepared focusing on project-on-project impacts. Since the project sites are located within 400 feet a manufacturing district, an assessment of uses surrounding the project sites will be conducted to determine the potential for impacts from industrial emissions is required, in accordance with *CEQR Technical Manual* methodologies. A description of the tasks to be undertaken for the air quality section of the EIS is provided in the Draft Scope of Work.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Increased greenhouse gas (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. According to the *CEQR Technical Manual*, GHG assessments are appropriate for projects in New York City being reviewed in an EIS that would result in the development of 350,000 square feet or greater. In accordance with the *CEQR Technical Manual*, GHG emissions generated by the proposed projects will be cumulatively quantified, and an assessment of consistency with the City's established GHG reduction goal will be prepared. In addition, since the project sites are located in a flood hazard zone, the potential impacts of climate change on the proposed projects will be evaluated.

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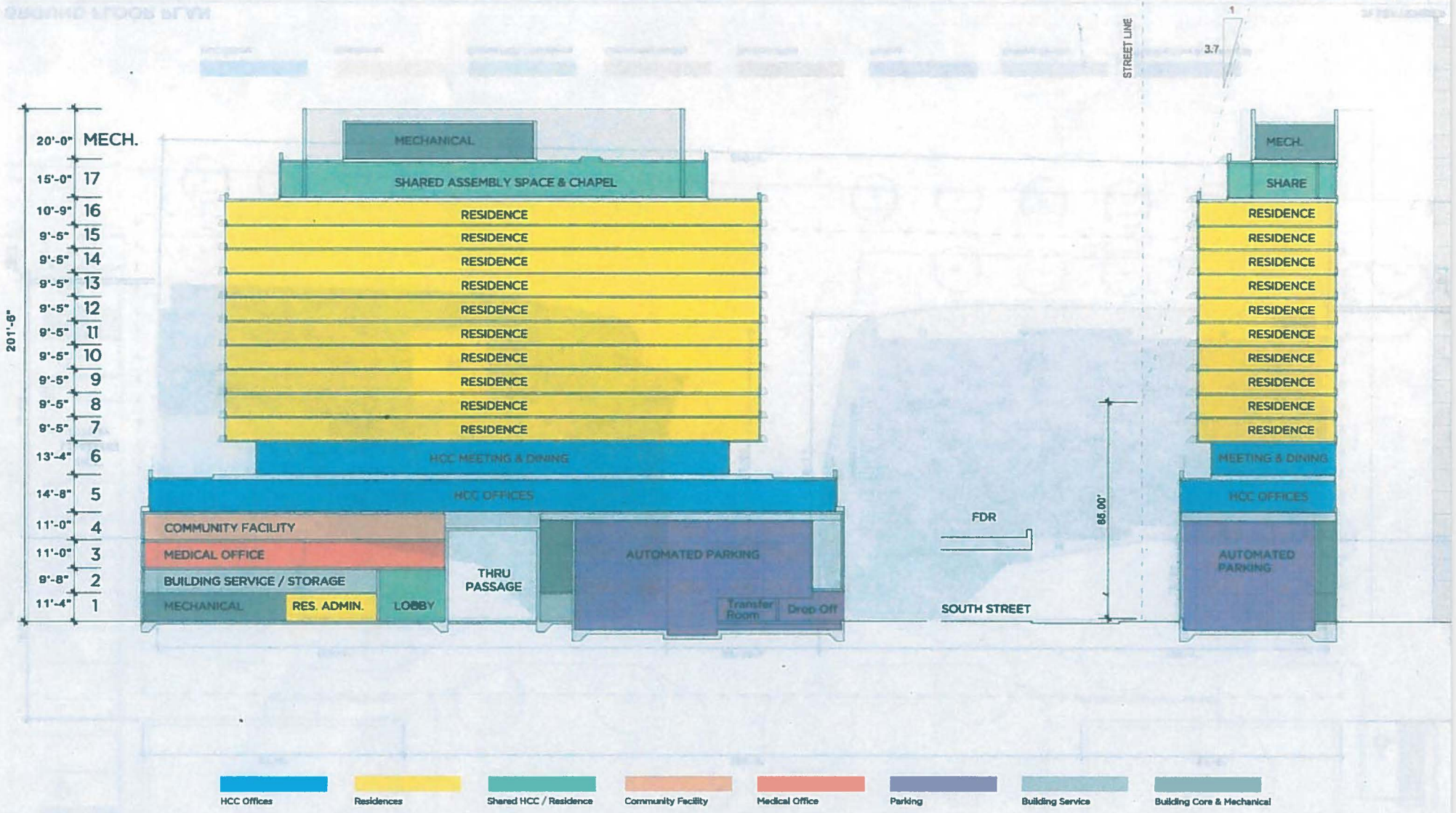
[1] Based on the rates provided in Table 13-2 of the *CEQR Technical Manual*.



BUILDING SECTIONS

National Center for Palliative Care Innovation
At HealthCare Chaplaincy

21 SEPTEMBER

FXFOWL

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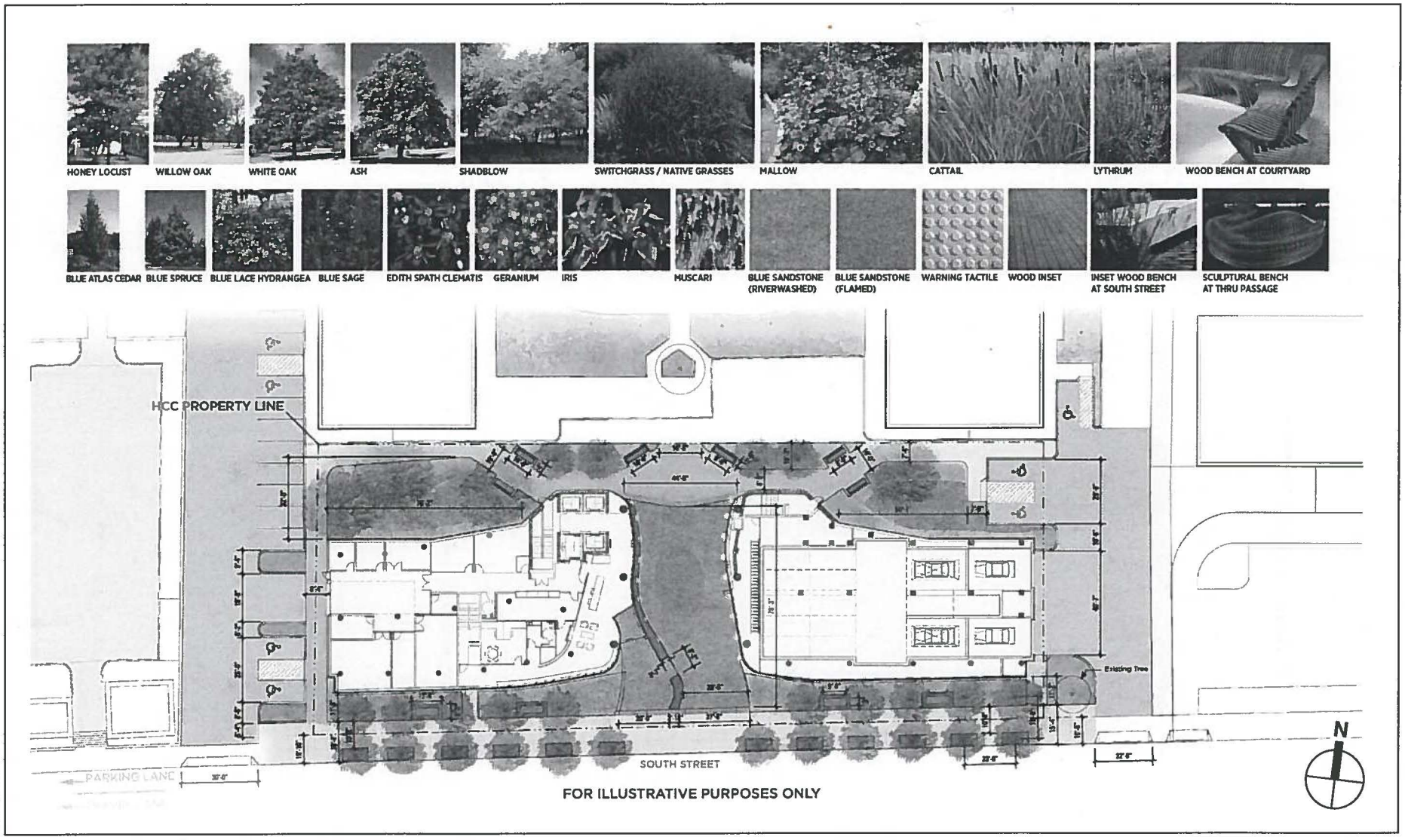


Source: FXFOWLE

NOTE: This figure was revised in March 2013 after the EAS was filed May 2012 to show changes to the landscape plan.

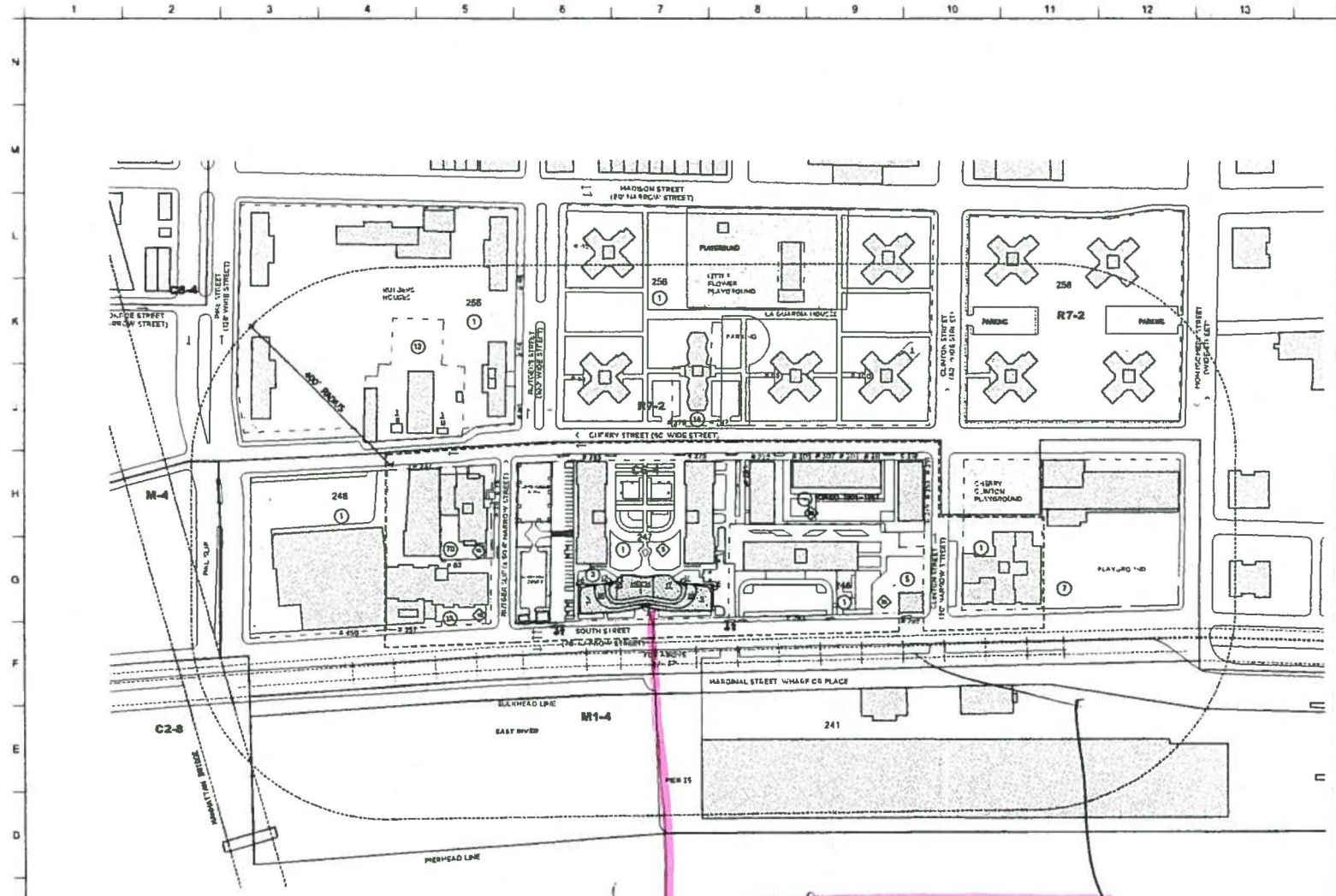
For Illustrative Purposes Only

Providing better Airquality by landscaping more trees.

National Center for Palliative Care Innovation
at HealthCare Chaplaincy

Illustrative Ground-Floor and Landscape Plan

Figure 5



LEGEND

- ZONING DISTRICT BOUNDARY
- LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN BOUNDARY
- SUBJECT ZONING LOT
- ZONING LOT LINE
- TAX LOT LINE
- C6-4 ZONING DISTRICT
- 247 BLOCK NUMBER
- (2) LOT NUMBER
- (2) LEAD PARCEL NUMBER
- 0 OUT PARCEL (X FORMER TWO BRIDGES URBAN RENEWAL AREA
- 20 # OF STORIES
- 2SB # OF STORIES W/ BASEMENT
- 20B # OF STORIES W/ ATTIC
- EXISTING BUILDING
- NEW BUILDING
- PARK OR PLAYGROUND
- R RESIDENTIAL
- C COMMERCIAL
- I INSTITUTIONAL
- U UTILITY
- VEHICULAR ACCESS SCREEN
- TRAFFIC DIRECTION

NO.	REVISIONS	DATE
2	FINAL FOR EXHIBITION	11.21.2011
1	DRAFT RE-DEFINITION ELIGIBILITY	05.31.2011

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DESIMONE CONSULTING ENGINEERS PLLC
DAGHER ENGINEERING PLLC
LEE WEINTRAUB LANDSCAPE ARCHITECTURE
LANGAN ENGINEERING & ENVIRONMENTAL SERVICES
CERAMI & ASSOCIATES, INC.
VIRIDIAN ENERGY & ENVIRONMENTAL, LLC
HORTON LEES BRODGEN
VAN DEUSEN & ASSOCIATES (VDA)

NATIONAL CENTER FOR PALLIATIVE CARE INNOVATION AT
HEALTHCARE CHAPLAINCY
NEW YORK, NY

ATTACHMENT 9:
AREA MAP

Drawn: MLB
Checked: SC
Approved: AP
Date: 11.21.2011
Project No: 07.032

Z-09.00

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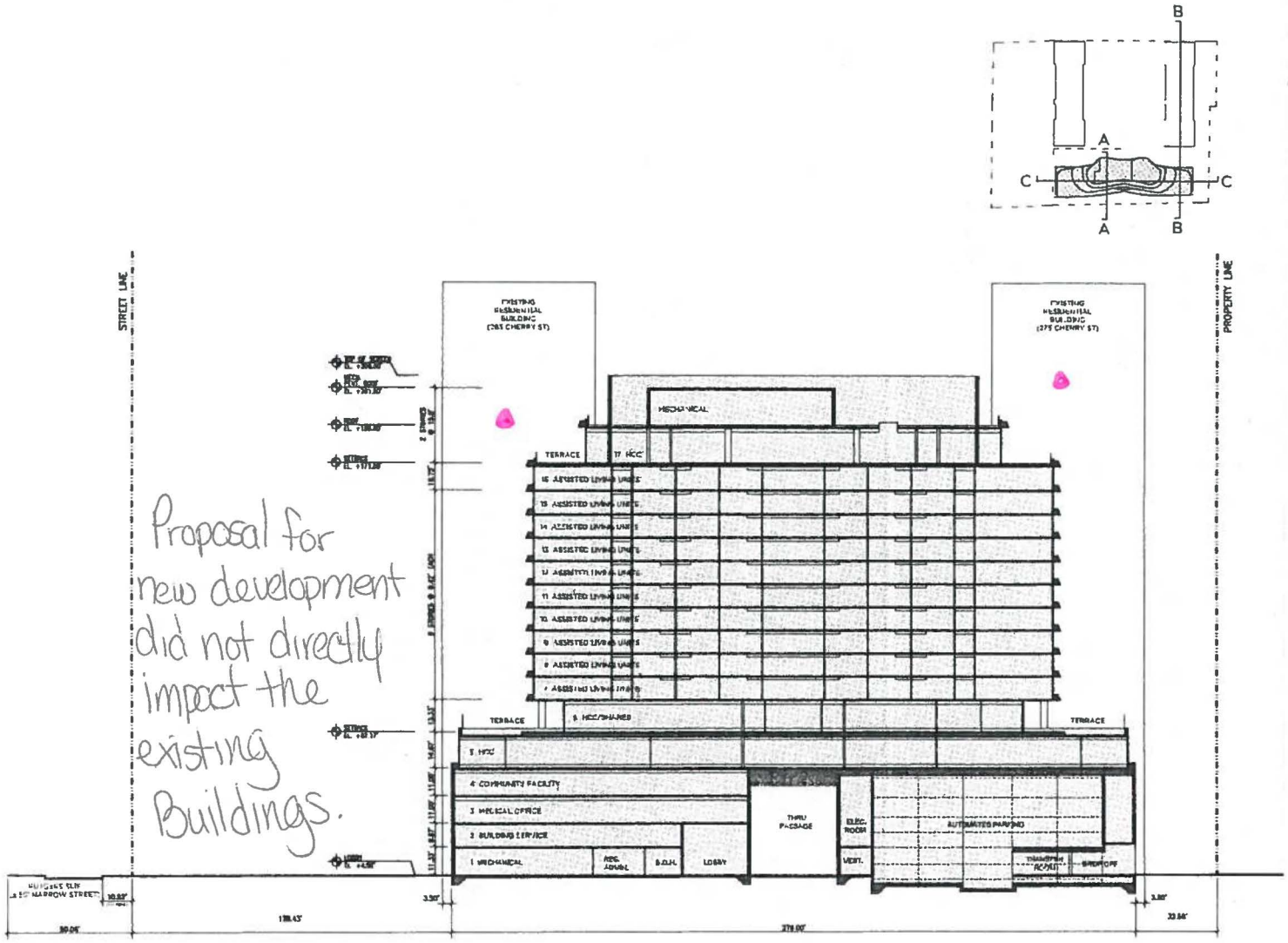
Provide a Health Care facility Training Employment Community Space and parking. Expanded existing Building Continuity Same for existing development

Health Care Chaplaincy fit in perfectly with the character of the Community and New Design.

LAST Prop

(15)



Proposal for new development did not directly impact the existing Buildings.

LEGEND

- ZONING DISTRICT BOUNDARY
- LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN BOUNDARY
- ZONING LOT LINE
- TAX LOT LINE
- C6-4 ZONING DISTRICT
- 247 BLOCK NUMBER
- 1 LOT NUMBER
- 1 LEAD PARCEL NUMBER
- 6 OUT PARCEL (FORMERLY PHS) WITHIN URBAN RENEWAL AREA
- 18 NUMBER OF STORIES
- EXISTING BUILDING
- NEW BUILDING
- HCC MAIN ENTRY
- RESIDENTIAL ENTRY
- VEHICULAR ACCESS/EGRESS
- TRAFFIC DIRECTION
- EXISTING TREE
- PROPOSED TREE

NOTE: ALL ELEVATIONS ARE IN MANHATTAN HIGHWAY DATUM WHICH IS 2.78 FEET ABOVE THE NATIONAL GEODETIC SURVEY DATUM OF 1929 (NEW YORK COAST AND GEODETIC SURVEY DATUM, MEAN SEA LEVEL, DANDY HOOK NEW JERSEY)

NO.	REVISION / ISSUANCE	DATE
2	FINAL FOR EVARESSION	11.21.2011
1	DRAFT RE-DIRECTION EVARESSION	05.21.2011

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DACHER ENGINEERING PLLC
LEE WEINTRAUB LANDSCAPE ARCHITECTURE
LANGAN ENGINEERING & ENVIRONMENTAL SERVICES
CERAMI & ASSOCIATES, INC.
VIRIDIAN ENERGY & ENVIRONMENTAL, LLC
HORTON LEES BRODGEN
VAN DEUSEN & ASSOCIATES (VDA)

NATIONAL CENTER FOR PALLIATIVE CARE INNOVATION AT
HEALTHCARE CHAPLAINCY
NEW YORK, NY

ATTACHMENT 2E & 4E:
ZONING SECTION C-C

Drawn: MCC
Checked: SC
Date: 11.21.2011

Z-05.00

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(37)

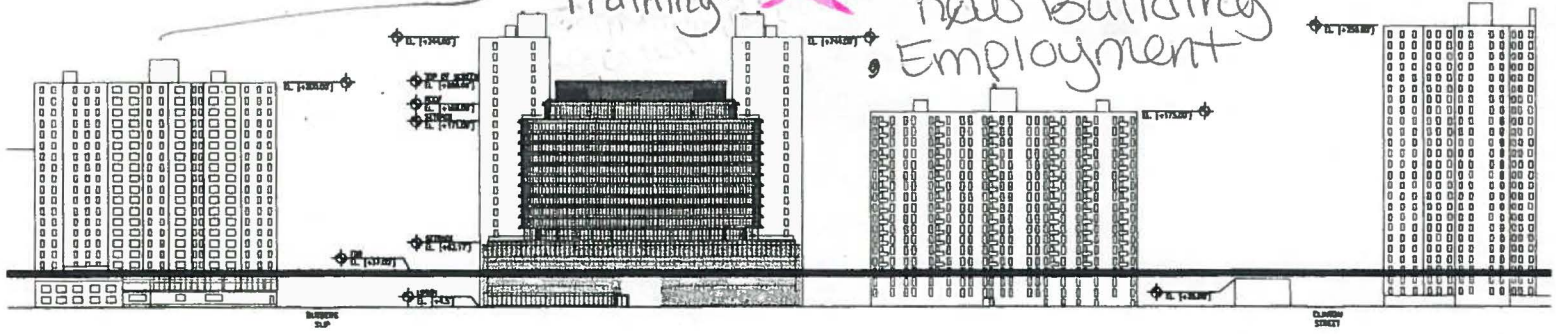
Two Bridges Community Character

H.C.C.F.

- Hospice in Geriatric Community
- Health Clinic
- Medical Training

Proposal

- 17 stories
- Space away from existing Development LANDS END 2 265 & 275 Cherry St.
- Community Space in new Building
- Employment



1 STREETSCAPE SOUTH ELEVATION (ILLUSTRATIVE)

2	FINAL FOR ELOMISSION	11.31.2011
1	DRAFT MC-DEFICTION ELOMISSION	08.31.2011
NO.	REVISIONS	DATE

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DAGHER ENGINEERING PLLC

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LANGAN ENGINEERING & ENVIRONMENTAL SERVICES

CERAMI & ASSOCIATES, INC.

VIRIDIAN ENERGY & ENVIRONMENTAL, LLC

HORTON LEES BRODGEN

VAN DEUSEN & ASSOCIATES (VDA)

NATIONAL CENTER FOR PALLIATIVE CARE INNOVATION AT
HEALTHCARE CHAPLAINCY
NEW YORK, NY

ATTACHMENT 6C: STREETSCAPE SOUTH ELEVATION (ILLUSTRATIVE)

Drawn: BC
Checked: SB
Approved: AB
Date: 11.31.2011
Scale: 1/16"=1'-0"
Project No.: 0748
Last File: 0748
Number: 12

Z-08.00

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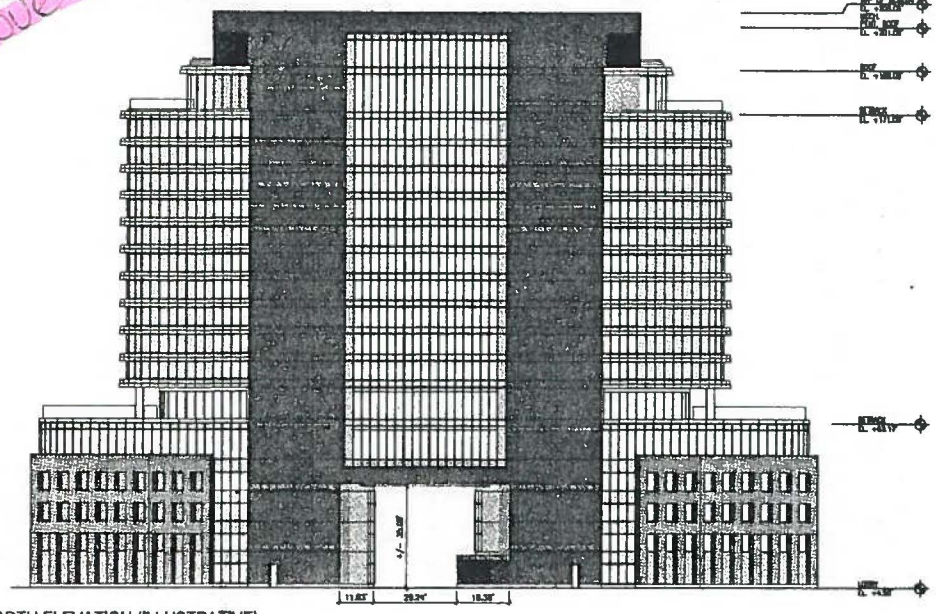
(8)

Healthy Care Chaplaincy Application Proves

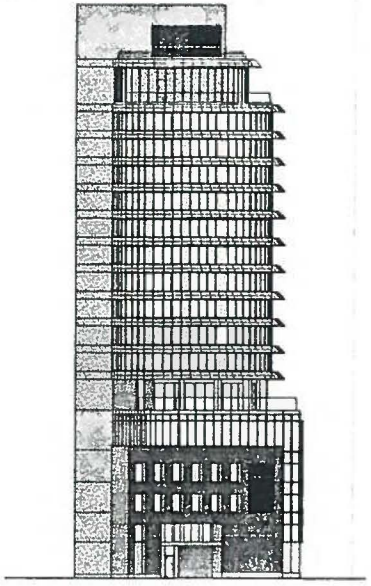
NO BULK!!

Special Permit Approved!!

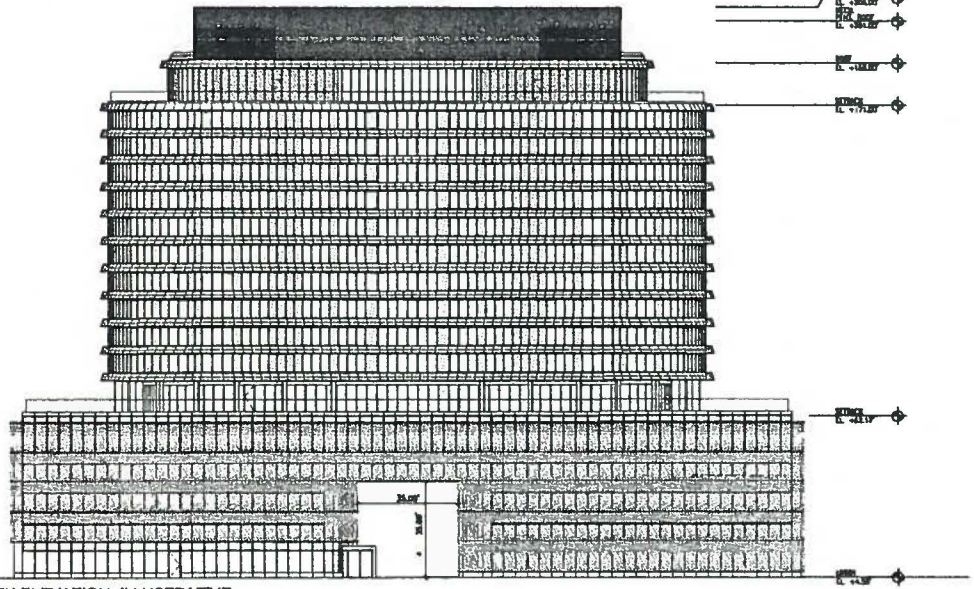
City Planning with Community



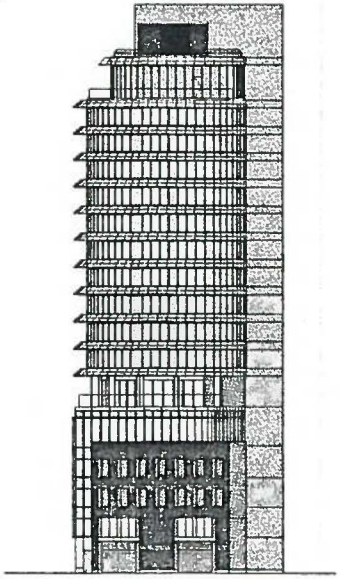
1 NORTH ELEVATION (ILLUSTRATIVE)



2 WEST ELEVATION (ILLUSTRATIVE)



3 SOUTH ELEVATION ILLUSTRATIVE



4 EAST ELEVATION (ILLUSTRATIVE)

2	FINAL FOR SUBMISSION	11.21.2011
1	DRAFT MODIFICATION SUBMISSION	09.21.2011
NO.	REVISIONS / ISSUANCES	DATE

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CERAUL & ASSOCIATES, INC.

VIRIDIAN ENERGY & ENVIRONMENTAL, LLC

NORTON LEES BRODGEN

VAN DEUSEN & ASSOCIATES (VDA)

NATIONAL CENTER FOR PALLIATIVE CARE INNOVATION AT

HEALTHCARE CHAPLAINCY

NEW YORK, NY

ATTACHMENT 6B:
BUILDING ELEVATIONS (ILLUSTRATIVE)

Drawn	Reviewed
MC	EVS/AS/JT
Checked	Cad File
EJF	2-07
Reviewed	Project No.
AS	
Date	
11.21.2011	
Scale	
1"=20'	

Z-07.00

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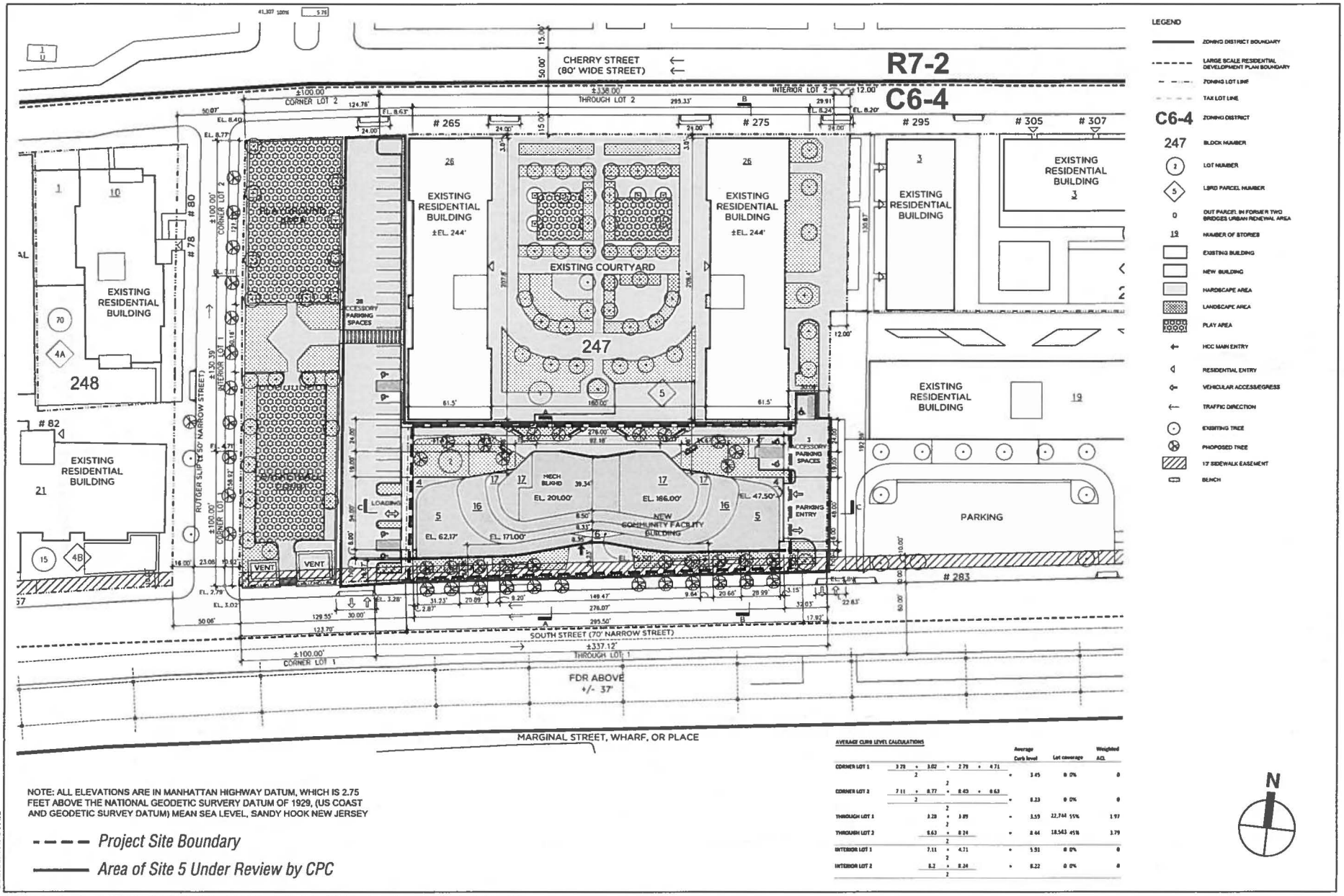
6

3 13 13



NOTE: ALL ELEVATIONS ARE IN MANHATTAN HIGHWAY DATUM, WHICH IS 2.75 FEET ABOVE THE NATIONAL GEODETIC SURVERY DATUM OF 1929, (US COAST AND GEODETIC SURVEY DATUM) MEAN SEA LEVEL, SANDY HOOK NEW JERSEY

Project Site Boundary

Area of Site 5 Under Review by CPC

Source: FXFOWLE

NOTE: This figure was revised in March 2013 after the EAS was filed May 2012 to show changes to the landscape plan.

National Center for Palliative Care Innovation
at HealthCare Chaplaincy

Proposed Site Plan

Figure 4b

CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

NEGATIVE DECLARATION

Project Identification
CEQR No. 12DCP157M
ULURP Nos. M 120183ZSM
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Two Bridges (HealthCare Chaplaincy)
The applicant, HealthCare Chaplaincy, Inc., proposes a minor modification to CP-21885, the Two Bridges Large Scale Residential Development Plan (LSRDP), to allow an increase in community facility floor area, an increase in the community facility and total lot area coverage, the relocation of existing parking spaces and the addition of accessory parking spaces, and the correction of minor errors in dimensions shown in the existing documentation. The proposed project also requires a license from the New York State Department of Health (DOH) and approval from New York City Department of Housing Preservation to release the land on which the new building would be built from the requirements of Article 5 of the Private Housing Finance Law. The proposed project is located in a C6-4 district on the western side of South Street between Rutger Slip and Jefferson Street (Block 247, Lot 2) in the Two Bridges neighborhood of Manhattan, Community District 3.

The minor modification would permit a maximum of 183,700 zoning square feet of community facility uses (Use Group 4a), an increase of community facility lot coverage by 16,972 square feet, and increase in the floor area ratio by 1.23, from 4.47 to 5.7. The modification would permit the relocation of the 103 existing parking spaces, and the addition of 45 new accessory parking spaces for a total of 148 parking spaces. 31 parking spaces would be located at-grade on the western portion of the Two Bridges site and would be accessed through two existing curb cuts, one on Cherry Street and one on South Street, while 117 parking spaces would be located within an attended, automated parking garage within the proposed building and accessed through the existing South Street curb cut on southeastern portion of the project site. The overall maximum dimensions of the proposed new

building are set forth on the application drawings that would become part of the LSRDP upon approval. The underlying C6-4 district, which permits a wide-range of higher-density commercial, residential, community facility uses at a maximum FAR of 10.0, would regulate the building envelope and configuration through the sky exposure plane and other controls.

The new building would be constructed on a 31,341 SF portion of Parcel 5 encompassing the existing parking lot on South Street between Rutgers Slip and the paved service drive that follows the former location of Jefferson Street (demapped). This area has been severed from the remainder of Parcel 5 (Block 247 Lot 1) to create a new tax lot (Block 247 Lot 2). Parcel 5 would remain a single zoning lot of 145,031 SF. Parcel 5 was developed in 1979 pursuant to the LSRD plan with two 26-story residential buildings at 265 and 275 Cherry Street containing 490 rental apartments for low-income households, 2,200 ZSF of commercial space, a paved on-grade parking lot on South Street, a paved on-grade area west of the 265 Cherry Street Building, and a courtyard containing two private playgrounds and landscaped seating areas between the two buildings..

The modification of the LSRDP would facilitate a proposal by the applicant to develop a 17-story, 195,000 gross square foot community facility building containing 120 assisted living residential units, and auxiliary space for supportive services. The applicant proposes to develop the building on the current parking lot, which contains 103 accessory at-grade parking spaces. With the proposed addition of 45 new parking spaces, a total of 148 parking spaces would be provided as accessory to the new community facility use and the existing residential uses both at-grade and in an attended, automated garage within the proposed building.

Absent the proposed action, the applicant has stated that the subject site would not be redeveloped. The project is expected to be completed by 2015.

The proposed action includes an (E) designation on the project site (Block 274, Lot 2) in order to preclude future air quality, noise and hazardous materials impacts, which could occur as a result of the proposed action. The (E) designation number is E-312.

The (E) designations text related to air quality is as follows:

> **To ensure that the proposed building's heat and hot water systems would not have a significant adverse impact on air quality, the (E) designation that would apply to the site would require that the proposed building must use natural gas as the only fossil fuel for any on-site heating and hot water systems and must be located on the tallest portion of the proposed building. Further, the proposed building's on-site heating and hot water systems would be designed to ensure that maximum concentrations of nitrogen dioxide do not exceed the National Ambient Air Quality Standard on a 1-hour average basis. To attain this standard, the proposed building's boilers used for space heating would have low-NOx (< 16 ppm) burners and the boilers used for hot water would utilize low-NOx (<20 ppm) burners, and the boilers would have a stack placement of a minimum of 260 feet from the**

lot line facing Cherry Street or a minimum of 236 feet from the lot line facing Rutgers Slip. The maximum capacity of equipment used for space heating and hot water would be 6 MMBTU/hr.

The (E) designation text related to noise is as follows:

To ensure an acceptable interior noise environment, future community facility uses must provide up to 38 dBA of window/wall attenuation to achieve interior noise levels of 45 dBA. Design requirements to attain this attenuation may include a closed window condition with alternate means of ventilation. Alternate means of ventilation include, but are not limited to central air conditioning. In addition, special design features may be necessary (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.) to provide additional building attenuation. The specific attenuation requirements to be implemented throughout the project building facades are provided in the National Center for Palliative Care Innovation at HealthCare Chaplaincy EAS, Table G-6 (CEQR No. 12DCP157M, May 2, 2013).

The (E) designations text related to hazardous materials is as follows:

Task 1-Sampling Protocol
The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol
A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation

as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. For all projected and potential development sites where no E-designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

With the placement of the (E) designation on the projected development site, no significant air quality, noise or hazardous materials impacts would be expected as the result of the proposed action.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated May 2, 2013, prepared in connection with the ULURP Application (Nos. M 120183ZSM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for hazardous materials would ensure that the proposed action would not result in significant adverse impacts.

2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Jonathan Keller at (212) 720-3419.

Celeste Evans

Date: May 3, 2013

Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: May 6, 2013

Amanda M. Burden, FAICP, Chair
City Planning Commission

Crystalline Silica Air Bourne Pollutant

Ana can you please print these attachments out for me as soon as possible and give it to brenda. And can you please copy and past this on another paper and print it out for me PLEASE I am soo behind

- What is crystalline silica (quartz)?
  The term "crystalline silica" and "quartz" refer to the same thing. Crystalline silica is a natural constituent of the earth's crust and is a basic component of sand and granite.

- What is silicosis?
  Silicosis is a disease of the lungs due to the breathing of dust containing crystalline silica particles. This dust can cause fibrosis or scar tissue formations in the lungs that reduce the lung's ability to work to extract oxygen from the air. There is no cure for this disease, thus, prevention is the only answer.

- What are the symptoms of silicosis?
  There are several stages of silicosis. Early stages may go completely unnoticed. Continued exposure may result in the exposed person noticing a shortness of breath upon exercising, possible fever and occasionally bluish skin at the ear lobes or lips. Silicosis makes a person more susceptible to infectious diseases of the lungs like tuberculosis. Progression of the disease leads to fatigue, extreme shortness of breath, loss of appetite, pain in the chest, and respiratory failure, which all may lead eventually to death. Acute silicosis may develop after short periods of exposure. Chronic silicosis usually occurs after 10 or more years of exposure to lower levels of quartz.

- Where are construction workers exposed to crystalline silica dust?
  The most severe exposures to crystalline silica result from sandblasting to remove paint and rust from stone buildings, metal bridges, tanks, and other surfaces. Other activities that may produce crystalline silica dust include jack hammering, rock/well drilling, concrete mixing, concrete drilling, and brick and concrete block cutting and sawing. Tunneling operations; repair or replacement of linings of rotary kilns and cupola furnaces; and setting, laying and repair of railroad track are potential sources of crystalline silica exposure.

- How is OSHA addressing exposure to crystalline silica-containing dust?
  OSHA has established a Permissible Exposure Limit, or PEL, which is the maximum amount of airborne crystalline silica that an employee maybe exposed to during the work-shift. OSHA is also beginning a Special Emphasis Program to inform employers and employees about the occurrence and hazards of crystalline silica and ways to reduce exposure to the dust.

- What can employees do to limit their exposure to crystalline silica?
  - Employers are required to provide and assure the use of appropriate controls for crystalline silica-containing dust. Be sure to use all available engineering controls such as water sprays and ventilation of containment structures. Substitution of less hazardous materials can also be used.
  - Be aware of the health effects of crystalline silica and that smoking adds to the damage.

(26)

- Know the work operations where exposure to crystalline silica may occur.
- Participate in any air monitoring or training programs offered by the employer.
- Use type CE positive pressure abrasive blasting respirators for sandblasting.
- For other operations where respirators maybe required, wear a respirator approved for protection against crystalline silica-containing dust. Do not alter the respirator in any way. Workers who use tight-fitting respirators cannot have beards/mustaches which interfere with the respirator seal to the face.
- If possible, change into disposable or washable work clothes at the worksite; shower (where available) and change into clean clothing before leaving the worksite.
- Do no eat, drink, use tobacco products, or apply cosmetics in areas where there is dust containing crystalline silica.
- Wash hands and face before eating, drinking, smoking, or applying cosmetics outside of the exposure area.

If you have any questions about any occupational health matter, feel free to ask us. Our job is to protect your health. For more information, contact your local or Regional OSHA office (listed in the telephone directory under United State Government - Department of Labor - Occupational Safety and Health Administration).

NYC Environmental Protection

Carter H. Strickland, Jr.
Commissioner

Angela Licata
Deputy Commissioner
of Sustainability
alicata@dep.nyc.gov

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-4398
F: (718) 595-4479

July 27, 2012

Mr. Robert Dobruskin
Director, Environmental Assessment and Review
New York City Planning Commission
22 Ready Street, Room 4E
New York, New York 10007

Re: 265 Cherry Street
Block 247, Lot 2
CEQR # 12DCP157M/ 13DEPTECH005M
Manhattan, New York

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the January 2012 Environmental Assessment Statement (EAS) prepare by Clair Haaga Altman, the Revised February 2011 Phase I Environmental Site Assessment prepared by Langan Engineering and Environmental Services (Langan) and the Limited Phase II Investigation Report prepare by GZA GeoEnvironmental (GZA) Inc., on behalf of HealthCare Chaplaincy Community Investment Inc. (applicant), for the above referenced project. It is our understanding that the applicant proposes a modification to CP-21885, the Two Bridges Large Scale Residential Development Plan, to allow an increase in community facility floor area, an increase in the community facility and total lot area coverage, the relocation of existing parking spaces and the addition of additional accessory parking spaces, and the correction of minor errors in dimensions shown in the existing documentation. The proposed project is located on the western side of South Street between Rutgers Slip and Jefferson Street in the Two Bridges neighborhood of Manhattan, Community District 3.

As currently proposed, the project will include a 17-story (plus mechanical level) approximately 195,000 gross square foot (gsf) National Center for Palliative Care Innovation building (approximately 185,000 gsf without the parking garage) on the site of the South Street parking lot. Pursuant to minor modification, the maximum floor area of the building would be 183,700 zoning square feet and all uses in the proposed building would be community facility uses in zoning use groups 3 and 4, plus accessory parking. The 31,341 square feet site (currently a paved parking lot) is zoned as a C6-4 district and is located in Lower East Side/Two Bridges residential and commercial mix use neighborhood.

The revised February 2011 Phase I revealed that historical on-site and surrounding areas land uses have predominantly consisted of residential, parking garage, automobile repair facilities, gasoline filling stations, a tin can factory, an auto body repair facility, light manufacturing and warehouses, bed spring manufacturer, a wood working shop, Wells Fargo Armored Car repair facility, dry cleaning facility, sanitation garage, etc. It should be noted that six gasoline Underground Storage

28

Tanks (USTs) were associated with historical on- site uses. In addition, approximately 103 sites were identified in the EDR radius report and the potential exists that these urban sites may have a cumulative effect on the groundwater quality at the subject property. The New York State Department of Environmental Conservation (NYSDEC) database revealed 29 spill sites; 4 leaking tanks LTANKS sites; 7 USTs and 7 RCRA NonGen sites within 1/8th mile radius of the subject property.

During a May 2008 Limited Phase II Investigation fieldwork, GZA completed six soil borings (GZA-1 through GZA-4 and GZA-7 through GZA-10) in areas identified as former gasoline service stations, former Wells Fargo service garage; and areas identified with former USTs uses. It should be noted that borings GZA-5 and GZA- 6 were not conducted due to the density of potential underground utilities located in the northern portion of the courtyard between 256 and 275 Cherry Street. Soil samples were collected and analyzed for volatile organic compounds (VOCs), polynuclear aromatic hydrocarbon (PAHs), polychlorinated biphenyls (PCBs) and priority pollutant metals in accordance with United States Environmental Protection Agency (EPA) Methods 8260, 8270, 8082 and 6000/7000 series respectively. Seven groundwater monitoring wells were installed in boring locations GZA-2, GZA-3, GZA-4, and GZA-7 through GZA-10 and analyzed for VOCs by EPA Method 8260. Groundwater was encountered at approximately 5 to 8 feet below ground surface during the May 2008 Limited Phase 11 Investigation. It should be noted that visual and olfactory evidence of petroleum contamination was observed in soil samples from borings GZA-1B, GZA-2, GZA-4 and GZA-9 and PID reading in these borings ranged from 0 ppm to over 2,000 ppm. In addition, petroleum sheen was observed on the groundwater in boring GZA-2 and GZA-9.

The soil analytical results revealed PCBs concentrations were either non-detect (ND) or below New York State Department of Environmental Conservation (NYSDEC) Technical and Administrative Guidance Memorandum (TAGM) #4046 Soil Cleanup Objectives (SCOs). Several VOCs and PAHs were detected above their respective NYSDEC TAGM SCOs. The groundwater analytical results revealed VOCs were detected above NYSDEC Class GA Water Quality Standards.

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

- DCP should inform the applicant that past on-site and or surrounding area land uses may have impacted the soil and groundwater at this site. Therefore, a Supplemental Phase II Environmental Site Assessment Investigation (Phase II) is necessary to adequately identity/characterize the surface and subsurface soils prior to the proposed development. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil/groundwater and soil vapor sampling activities should be submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting soil boring locations and groundwater sampling locations. Soil, groundwater and soil vapor samples should be collected and analyzed by a New York State Department of Health Environmental Laboratory Approval Program-CERTIFIED laboratory for the presence of Volatile Organic Compounds (VOCs) by United States Environmental Agency (EPA) Method 8260, Semi-Volatile Organic Compounds (SVOCs) by EPA method 8270, Pesticides/Polychlorinated Biphenyls by EPA Method 8081/8082 and Target

Analyte List (TAL) metals (filtered and unfiltered for groundwater samples). The soil vapor sampling will be conducted in accordance with the New York State Department of Health's (NYSDOH) October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York and analyzed for VOCs by EPA Method TO-15. An investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.

Please note that the NYSDEC may have additional requirements for this site. DCP should inform the applicant that the Phase II Work plan and HASP should be submitted to DEP for review and approval prior to start of any fieldwork. Future correspondence and submittals related to this project should include the following tracking number **13DEPTECH005M.** If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney;
M. Winter
M. Khaja-Moinuddin
W. Yu
T. Estesen
C-Evans- DCP
R. Austin- NYSDEC
J. Vought- NYSDEC
File

EN-POWER GROUP

265/275 Cherry Street

Ventilation System Upgrades

July 2018

Contact:
Amalia Cuadra
acuadra@enpg.com
914.263.1199 x 5

30

EN-POWER GROUP's comprehensive energy services include

Energy

- Energy auditing & retro- commissioning
- Energy reduction plans & initiatives
- Engineering
- Project management
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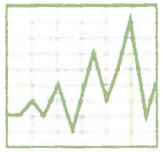
- Demand response



Environment

- Energy data benchmarking
- NYC Carbon Challenge
- Carbon emissions inventory
- Corporate sustainability strategies
- Green building certifications

Incentives

- Federal grants & tax incentives
- Utility rebate incentives
- State & city rebate incentives

Solution

- Energy savings can be achieved by:
  1. Cleaning and air-sealing ventilation ducts
  2. Installing constant air regulators (CARs) at each register. We can reduce the exhaust rate at each register from an average of 126 CFM to about 30 CFM
  3. Reducing the size of each exhaust fan to match the actual ventilated rate
- In-door air quality will improve (ASHRAE 62.1)
- Maintenance costs will be reduced because new fans will be direct drive fans (no belt)

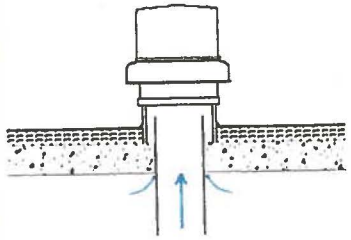
Problem

Currently, exhaust ventilation system is oversized and not being used properly:

- Exhaust fans are over-exhausting from
  - Upper floors
  - Leaks in the ventilation ducts

- Exhaust fans are under-exhausting from:
  - Lower floors

- Many residents close the exhaust registers because of high ventilation and noise levels



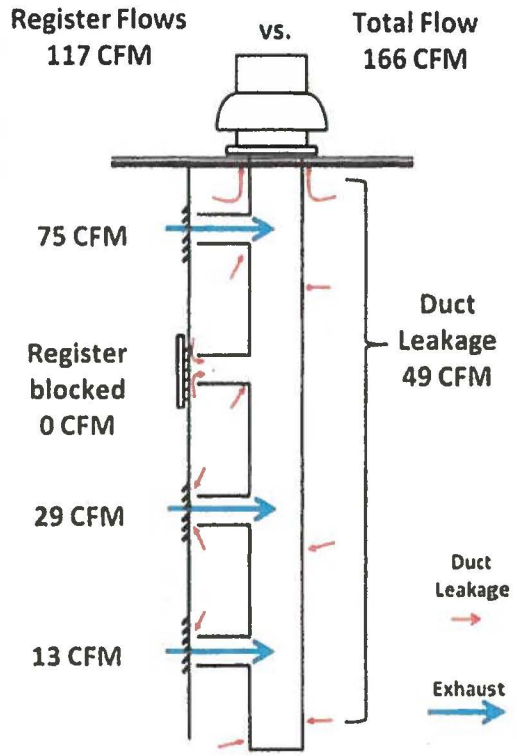
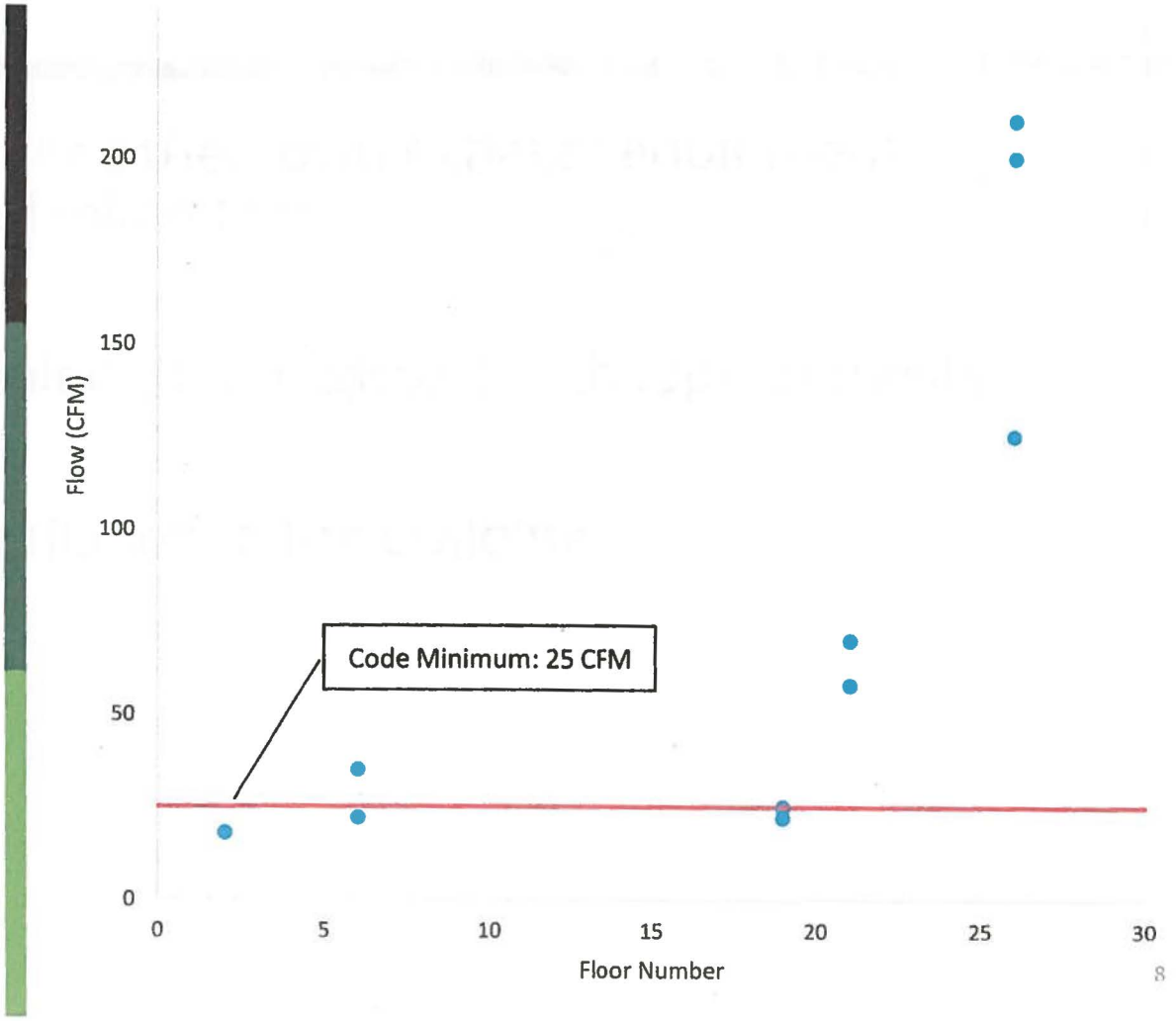


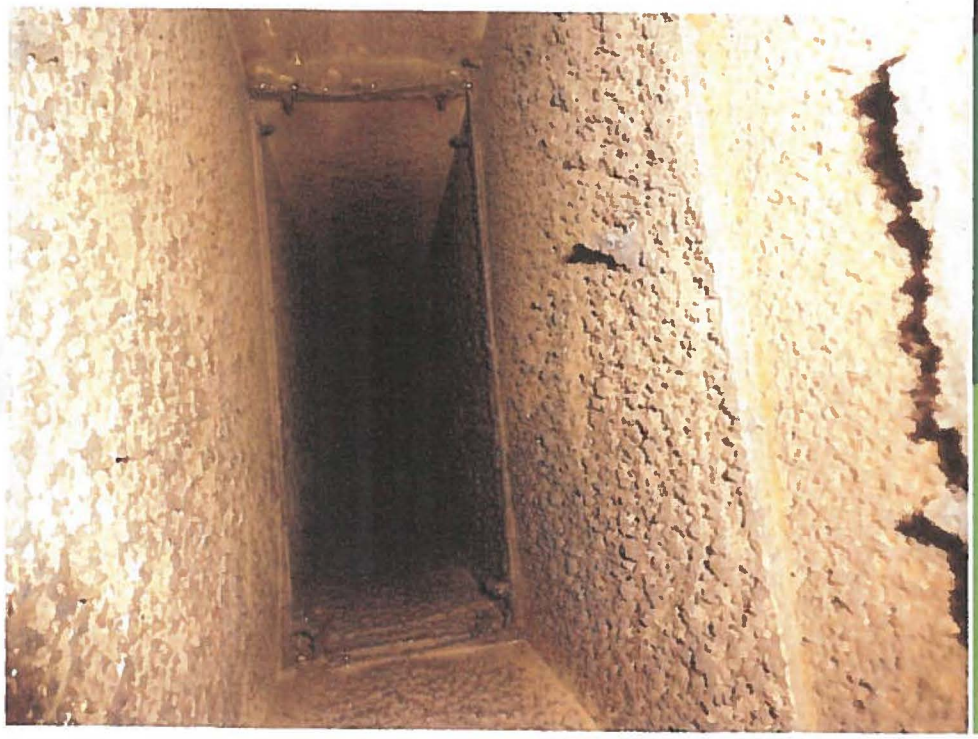
Figure 1. In a poorly sealed exhaust system, leaks can represent a major portion of the total ventilation load.

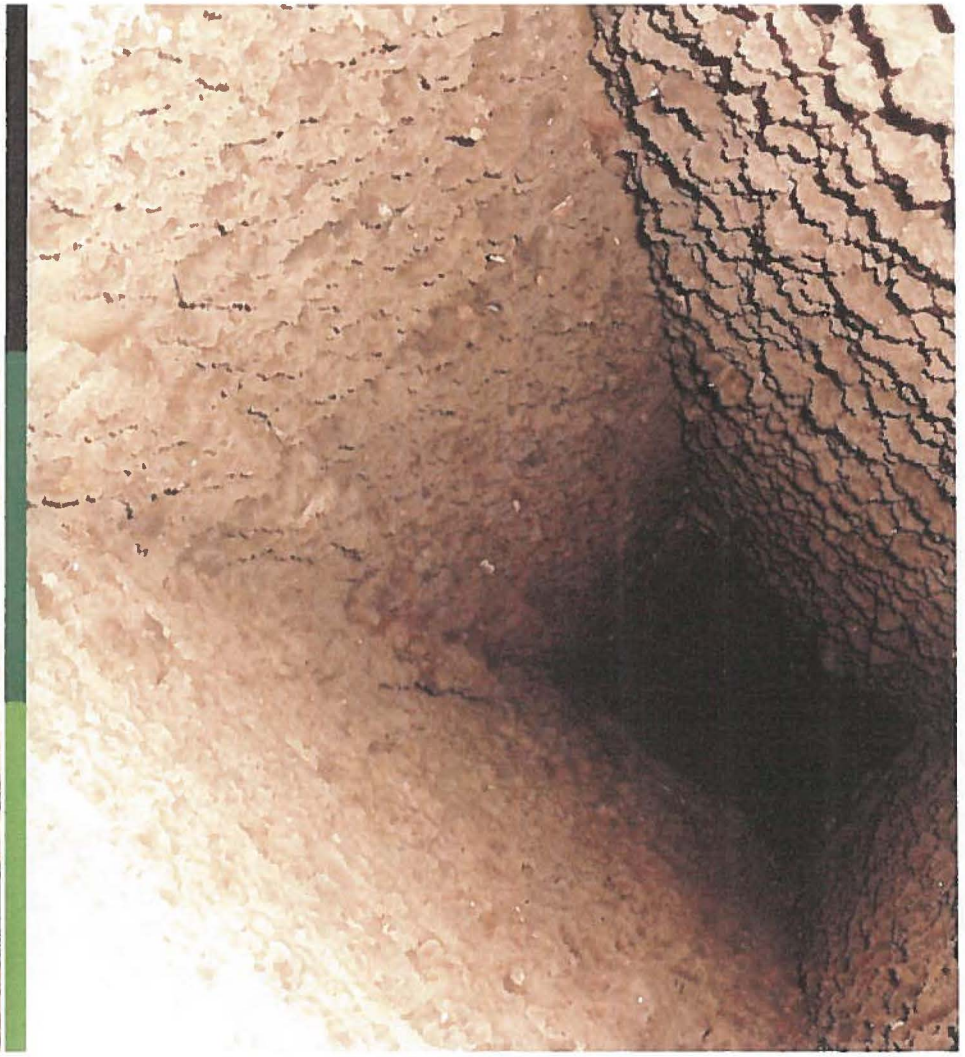
Kitchen Flowrates



Duct Condition

- Large amount of dirt buildup on insides of ducts
- Kitchen and bathroom registers extremely dirty





Zishun Ning <zishun.ning@gmail.com>
Attachments
Mon, Oct 29, 3:56 PM
to 17DCP148M_DL

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
To Whom It May Concern,

Please see attached for my testimony regarding the Two Bridges LSRD DEIS.

Best,
Zishun Ning

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

Re: Draft Environmental Impact Statement "Two Bridges Large Scale Residential Development Area Project"

My name is Zishun Ning. I represent Chinese Staff and Workers Association and the Chinatown Working Group. Regarding the Two Bridges tower proposal and the DEIS, I support the arguments put out by Lower East Side Organized Neighbors (LESON). I respectfully ask you to properly enforce the law and say NO to the tower proposals.

Under the zoning resolution Article 7, Chapter 8, which is legally binding, the proposed megatowers cannot be built. LSRDs can only be modified with special permits/authorizations under the Zoning Resolution if findings show the new construction *will not*: interfere with neighborhood character; restrict air and light access or privacy, introduce detrimental building bulk, or create traffic congestion. It is obvious that four megatowers being built within two square blocks cannot meet these requirements.

I am also aware that the minor modification was used illegally to approve the Healthcare Chaplaincy years ago; but this does not change the fact that "minor modifications" do not exist under the Zoning Resolution.

The DEIS also fails to include the NYS Department of Environmental Conservation as an Involved Party. Because the City of New York is out of compliance with multiple provisions of the Clean Water Act, and the Newtown Creek LTCP requirements have been identified but not yet fulfilled, the State DEC must be a party to any EIS evaluating major development that could interfere with compliance.

CPC, if you and the de Blasio administration are moving forward with these megatower proposals, you will violate your own law. The fact that we as a community have to remind you to follow your own law, is itself a testament of whose interest you have been representing. We are shocked, but not surprised, to see how far you are willing to go to destroy the community for the benefit of the developers. But we will not give up, because this is our community. If you insist on violating the law, we as a community will stop you.

CPC, you still have a chance to do the right thing. I therefore urge you, for the interest of the community, to follow your own law and reject these towers. Further, in consideration of sustainable future, I demand that you pass the Chinatown Working Group rezoning plan in its entirety as a mitigation, so that we will all be protected from displacement.

Victor Papa <victorpapa@twobridges.org>
Attachments
Mon, Oct 29, 4:06 PM
to 17DCP148M_DL, Robert Dobruskin (DCP), Brewer, Gale (ManhattanBP), Magaret Chin

You are viewing an attached message AKRF Mail can't verify the authenticity of attached messages.
Two Bridges Neighborhood Council, Inc. written comments on the DEIS.

--
VICTOR J. PAPA
President | Two Bridges Neighborhood Council, Inc.
275 Cherry Street
New York, NY, 10002
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FB: www.facebook.com/twobridges

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Two Bridges

October 29, 2018

Robert Dobruskin, AICP, Director
City Planning Commission
120 Broadway, 31st Floor
New York, N.Y. 10271

Re: Project Identification CEQR No. 17DCP148M

Dear Mr. Dobruskin:

Two Bridges' response following the public hearing on the above subject.

1. **On the Relocation Issue – Two Bridges Senior Apartments, 80 Rutgers Slip**

We are sensitive to the implications of relocating seniors and are taking all measures necessary to minimize the impact on them.

Facts: (As of 10/292018)

Affected Units

1. 19 units are affected by dint of the construction design.
2. 9 of these are TEMPORARILY affected due to the need to relocate windows and to completely renovate each unit.
3. 10 units will be replaced PERMANENTLY within the new structure and are added to an approximate 165 affordable units; the latter as a resultant amenity.

Vacant Units

4. 9 units are currently being kept vacant with the objective to relocate affected tenants into them at project completion, thereby allowing internal transfers, or put another way, to assure that every affected household remains in the building.

Two Bridges has had several meetings with the tenants of the building. Some of these meetings even included Settlement Housing Fund, JDS and SHoP staff. All of these meetings have focused on imparting information about the development plans while fully disclosing the relocation implications upon those limited number of tenants who will be affected. In addition, we have also had one-on-one meetings with the affected tenants, always with the attendance of the social service staff of the building, the relocation specialists we have hired and members of the tenant's family we invite and welcome if they so desire to be there. These meetings took into account the tenant's preferences about which of several alternative temporary measures they would prefer during the interim. We plan more such meetings like this and will always assure that they include professionals that are familiar with the needs, culture, and language of the population at the senior building.

2. **On the Improvements Issue: Two Bridges Senior Apartments, 80 Rutgers Slip**

Important Improvements

- A laundry room will be installed on each floor of the senior building, thereby replacing the one laundry room on the first floor;
- Flood proofing measures to protect the building in a storm condition
- Relocate the fire pump to above the flood plain;
- Installation of an emergency backup generator to the existing electrical system in the building;
- Renovation of the existing lobby;
- New retail space at the street front Include bringing to life a block of the neighborhood that has been vacant of meaningful retail and street life for a long time;
- Extensive landscaping improvements around the building.

3. **On the Sale of the Air Rights and the Proceeds Thereafter**

The sale of the air rights will help capitalize Two Bridges Neighborhood Council, allowing for greatly expanding the reach of community development work in the Two Bridges/Chinatown/Lower East Side neighborhoods and New York City. The net proceeds will be devoted to our mission as a long standing member of the community, In keeping with our 501(c)(3) status and as required by Statute and the regulations of the NY State Attorney General.

Respectfully Submitted,

Victor J. Papa, President

TBTTA
(Two Bridges Tower Resident Association at 82 Rutgers Slip)

Trever Holland
President
Two Bridges Tower Resident Association
82 Rutgers Slip APT 19F
New York, NY 10002
twobridgestower@gmail.com
October 29, 2018

- **Application Number: M 180505(A) ZSM**
- **Project: TWO BRIDGES**
- **Public Hearing Date: 10/17/2018**
- **Borough: Manhattan**
- **Community District: 3**
-

COMMENTS TO THE CITY PLANNING COMMISSION ON PROPOSALS TO ADD FOUR MEGATOWERS TO THE SITE PLAN OF THE TWO BRIDGES LARGE SCALE RESIDENTIAL DEVELOPMENT (LSRD) AS MODIFICATION OF PRIOR M180506(B) ZSM, M180507(C) ZSM, M180505(A) ZSM

AND ON PROPOSED CERTIFICATION TO MODIFY GROUND-FLOOR COMMERICAL USE REQUIREMENT, N180498 ZCM

I submit these comments on behalf of our resident association, TBTRA at 82 Rutgers Slip. Most of our comments, including the more technical aspects, were originally submitted as part of the TUFF-LES response. However, we wish to amplify a few points as residents who sit directly in the LSRD impacted zone:

We stand firm with this statement:

We have given you the necessary pillars-legally, zoning wise and socially, to stand with our community and vote no to these, "minor modifications". We are aware that this issue may ultimately be decided in the courts. That being said,

your decision to vote no is further shielded from the ultimate litigation that will follow if the vote is yes.

We have also given you the necessary alternatives to this process. None of which restrict FAR or stop development. Most communities have balked at rezoning, especially plans that actually allow for full FAR usage. We have endorsed a plan (CWG) that has withstood nearly 10 years of community planning.

Pursuant to 78-313 (b), the distribution of floor area and dwelling units *must benefit residents of the LSRD* and must not unduly increase the bulk of buildings, density of population, or intensity of use to the detriment of residents in that block or nearby blocks. However, based on the DEIS, the proposed developments will result in unmitigated adverse impacts on the community with regard to socioeconomic conditions, community facilities, open space, shadows, transportation, parking, and construction.

***We vehemently object to the notion that this process is a result of "community involvement". I cannot emphasize this point enough*. As LSRD residents, I can clearly tell you that our voice has not been heard. None of the actions benefit the residents of the LSRD. The so-called community engagement meetings were meant to solicit residents outside of the LSRD. Even so, the actual number of LSRD residents who gave input is shameful. The only corrective action that can be taken here is a full ULURP.**

We strongly object to the proposed mitigations. **None of these mitigations came out of discussions with LSRD residents. NONE. These mitigations were chosen in a closed room with absolutely no community involvement.** How is it possible

that the residents in the LSRD actually lose open space??!! We did not propose those changes.

None of the open space mitigations for parks are representative of the spaces we frequently use. This process is completely flawed as it lacks a way for residents to effectively participate. Who chose those parks??!!

We simply ask for our voice to be heard. Is it any wonder why we are so angry? **We never participated, agreed or discussed, making the private entranceway to our building at 82 Rutgers a public place. Never.** Why must we, as LSRD residents, further carry the additional burden of the developer's need to mitigate open space? Especially, if we don't have a say.

We actually don't think this is complicated. Vote no to the minor modification or take up the proposed text amendment. That avoids the legal issue and the development process still gets to move on with proper LSRD and community involvement. **What has been really sad to see from a resident standpoint is the efforts city planning will go through *to make it easy* for developers and difficult for affected residents.** It has been nearly five years now and **all we've seen from city planning is, "…do this to avoid ULURP".** Well, vote no and let's put this through a proper process

Monthly Disappearance of Thousands of Small Businesses & Local Jobs MUST STOP!

Monday
10/22
Rally + Public
Hearing,
City Hall
noon-rally
hearing
1pm

Tell Your City Council Member: Pass The Legislation That Will End NYC's Small Business Crisis

Over a thousand small businesses close in NYC each month and thousands of jobs are lost! This crisis is caused by **REBNY** (Real Estate Board of New York). REBNY boasts that it prevents City Council passage of the Small Business Jobs Survival Act (SBJSA). **SBJSA** would provide essential rights to all commercial tenants—mom and pop stores, small grocery chains, local retailers, restaurants, boutiques, hardware stores, dry cleaners, dentists and doctors, accountants and lawyers, artists and art dealers, manufacturing shops and others—that would protect them from being price gouged out of existence.

New York City Council Must Pass Intact Small Business Jobs Survival Act intro 0737-2018

The law must guarantee all commercial tenants whether storefronts on the ground floor or professional offices on the 20th floor:

1. Right to negotiate fair lease terms
2. Right to renew leases for a minimum of ten years
3. End of oppressive landlord pass-alongs
4. Right to arbitration to stop rent gouging

Please contribute to: **Campaign To Stop REBNY Bullies** to print and distribute half a million leaflets. Have questions? Call 718-852-2808

Campaign to Stop REBNY Bullies: stopREBNYbullies.org • Email: info@stopREBNYbullies.org
Small Business Congress: saveNYCjobs.com
Friends of the SBJSA: SBJSA.com / TakeBackNYC.NYC / SaveNYC.NYC

Tell Your City Council Member: Save Our Small Businesses and Jobs, Pass Intact the SBJSA

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Dist **3** **Corey Johnson** SpeakerJohnson@council.nyc.gov / 212-788-6979
Dist **4** **Keith Powers** KPowers@council.nyc.gov / 212-788-7393
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Dist **26** **Jimmy Van Bramer** JVanBramer@council.nyc.gov / 212-788-7370
Dist **27** **I. Daneek Miller** District27@council.nyc.gov / 212-788-7084
Dist **28** **Adrienne E. Adams** Adams@council.nyc.gov / 212-788-6850
Dist **29** **Karen Koslowitz** Koslowitz@council.nyc.gov / 212-788-6981
Dist **30** **Robert Holden** District30@council.nyc.gov / 212.788.7381
Dist **31** **Donovan J. Richards** drichards@council.nyc.gov / 212-788-721
Dist **32** **Eric A. Ulrich** eulrich@council.nyc.gov / 212-788-7069
Dist **33** **Stephen T. Levin** slevin@council.nyc.gov / 212-788-7348
Dist **34** **Antonio Reynoso** areynoso@council.nyc.gov / 212-788-7095
Dist **35** **Laurie A. Cumbo** LCumbo@council.nyc.gov / 212-788-7081
Dist **36** **Robert E. Cornegy, Jr.** district36@council.nyc.gov / 212-788-73
Dist **37** **Rafael L. Espinal, Jr.** REspinal@council.nyc.gov / 212-788-728
Dist **38** **Carlos Menchaca** info38@council.nyc.gov / 212-788-7372
Dist **39** **Brad Lander** lander@council.nyc.gov / 212-788-6969
Dist **40** **Mathieu Eugene** mathieu.eugene@council.nyc.gov / 212-788-73
Dist **41** **Alicka Ampry-Samuel** District41@council.nyc.gov / 212-788-73
Dist **42** **Inez Barron** Ibarron@council.nyc.gov / 212-788-6957
Dist **43** **Justin Brannan** AskJB@council.nyc.gov / 212-788-7363
Dist **44** **Kalman Yeger** AskKalman@council.nyc.gov / 212-788-7357
Dist **45** **Jumaane D. Williams** JWilliams@council.nyc.gov / 212-788-685
Dist **46** **Alan N. Maisel** AMaisel@council.nyc.gov / 212-788-7286
Dist **47** **Mark Treyger** MTreyger@council.nyc.gov / 212-788-7045
Dist **48** **Chaim M. Deutsch** cdeutsch@council.nyc.gov / 212-788-7360
Dist **49** **Deborah Rose** DROSE@Council.nyc.gov / 212-788-6972
Dist **50** **Steven Matteo** SMatteo@council.nyc.gov / 212-788-7159
Dist **51** **Joseph C. Borelli** borelli@council.nyc.gov / 212-788-6989

stopREBNYbullies.org

Corporate Campaign

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

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Additionally, the developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the Newton Creek WWTP sewer system.

As a community organization we call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member: Michael Wang

Email/Phone/Address: 47 Claremont 51, New York, NY 10027

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Lazar Bloch
Name of Community Member

40 W. 12th St, NY, NY 10011
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Stephanie Ureña
Name of Community Member

Email/Phone/Address

18 G.
(265)

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Risa Reyes # 78

Name of Community Member

Email/Phone/Address

265 Cherry St

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Miriam Rivera

Name of Community Member

Email/Phone/Address

265 Cherry St #16E
NY NY

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Nancy Comez
Name of Community Member

265 Cherry
25 C

ComEZEthan265a
icloud.com
Email/Phone/Address

914 485-9979

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Joshua Dora
Name of Community Member

Email/Phone/Address

3F 265 Cherry

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Oswaldo Mendoza
Name of Community Member

-
Email/Phone/Address

265 CHERRY ST APT #20E

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Lei wan tang
Name of Community Member

vca2301@yahoo.com
Email/Phone/Address

265 Henry St 6C

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Milady Vargas
Name of Community Member

Email/Phone/Address

263 Cherry apt #5E

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

9c 365 cherry

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Daisy Sun

Name of Community Member

Email/Phone/Address

265 Cherry Street Apt 15H New York NY. 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Siu Yin Lee Siu Yin Lee

Name of Community Member

Email/Phone/Address

265 CHERRY ST #4H
NY, NY. 10002.

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Edythe Reyes
Name of Community Member

cucame363@gmail
Email/Phone/Address

300 Cherry St #13
NYC NY 10002
347 318 0024

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Anne Tilley
Name of Community Member

25-K
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Magdalia Fandino
Name of Community Member

646-705-8867
Magdalia.Fandino@yahoo.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

26521C

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Emilio Almonte
Name of Community Member

emjzm@gmail.com
Email/Phone/Address

17h

265 Cherry

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Polanco

Christina Polanco

Name of Community Member

Email/Phone/Address

24A

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Paul Chung Lutz

Name of Community Member

Email/Phone/Address

265 Cherry St. 13-A

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Maria L. Rodriguez
Name of Community Member

Email/Phone/Address

265 Cherry Street
Apt 5N
NYC NYC 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Lorraine Minier
Name of Community Member

Email/Phone/Address

265 cherry st apt 14G

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Mercer Jabre
Name of Community Member

Email/Phone/Address

265 Cherry St.
NYC 10002
#75

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Jaime Mendez
Name of Community Member

(212-267-4470
Email/Phone/Address

265 Cherry St. 2164

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Brenda Sides
Name of Community Member

Email/Phone/Address

265 Cherry Street #18H
New York, N.Y. 10002

ATTENTION: Robet Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community organization we call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Signer: OCTAVIA YOUNG On behalf of: _____

Email/Phone/Address: 917 657 5027, 362 Riverside Drive, _____

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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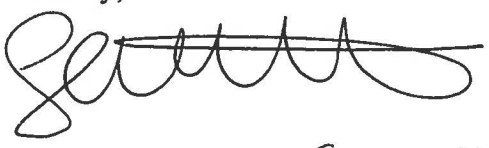
As a community organization we call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,



Name of Community Member: Samantha Kim

Email/Phone/Address: ssk2193@barnard.edu / 4692307729 / 936 West End Ave Apt B13, New York, NY, 10025

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community organization we call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member: Shirley Tan (Shirley Tan)

Email/Phone/Address: N/A 116 Amsterdam Ave

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Liam Broderick

Email/Phone/Address: lb3123@columbia.edu / 720-425-4420 / 600 West 113th St New York, NY, 10025

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Matt Martin

Email/Phone/Address: mjm2312@columbia.edu / 8453040769 / 272 W 107th Apt 15A NY NY 11025

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Faith Ameen

Email/Phone/Address: fea2111@barnard.edu

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Lorelei Haaul

Email/Phone/Address: 4934 Altschul NY, NY 10027

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Michael Landes

Email/Phone/Address: 917-969-4430 / 1 University Pl, Apt 15D 10003

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Madeline Hikida

Email/Phone/Address: 15 West 12 Street Apt 6C New York NY 10011

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Rev Rena White

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Zack Abrams

Email/Phone/Address: zackdabrams@gmail.com

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: John Becker

Email/Phone/Address: jnb2145@columbia.edu

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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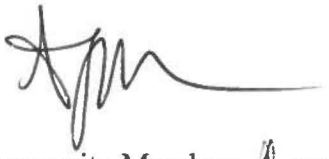

Name of Community Member: Amanda McDougall

Email/Phone/Address: amandajoanmcdougall@gmail.com

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Grace Holleman

Email/Phone/Address: grace.holleman@gmail.com

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Max Watson

Email/Phone/Address: 900 Park Ave.

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Juliet Emerson-Colvin

Email/Phone/Address: julierbee@gmail.com / 415-601-4876 /
1235 Amsterdam Ave.

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member: Sara Bell

Email/Phone/Address: 362 Riverside Dr, NY NY 10027

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member 5 F.

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

240 Madison ST 6L

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Michelle Eastland
Name of Community Member

646 255-9809
Email/Phone/Address

240 Madison St.

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member 102 240 Madison

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
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New York, NY 10271

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Sincerely,

Adam Hagard

Name of Community Member

230 Gillis St.

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Ed Washington

Name of Community Member

1212 602-1631

Email/Phone/Address

15G 230 Clinton St

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

martina marino 230 Madison St

Name of Community Member Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Jasmine Bryant
Name of Community Member

6466593625
Email/Phone/Address

240 Madison St 7E

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

2410 Marlborough Rd

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

L Figueroa 6B
Name of Community Member

lwfigs@gmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

E Gurfinkel
Name of Community Member

212 587 0705
Email/Phone/Address

240 Madison St
NY NY

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Celestina Rivas

Name of Community Member

240 Madison 9D

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Flora Paz

Name of Community Member

Email/Phone/Address

240 Madison St
11H

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Rosa Hernandez
Name of Community Member

Email/Phone/Address

240 Madison St apt 9F
N.Y. N.Y. 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

246 madison St Apt 13D

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

240 Madison ST 15F
Email/Phone/Address

Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

ERIK Cohen
Name of Community Member

~~Email~~/Phone/Address

ERIK'S SHOE REPAIR
353 GRAND ST.
NY, NY 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Anita Ramirez
Name of Community Member

anita.ramirez@allergan.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

KEN HUEY
Name of Community Member

HUEBURT2000@YAHOO.
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Margaret Dru
Name of Community Member

Paralegal39@aol.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Jose Santana

Name of Community Member

40 Gouverneur St Apt 1
New York N.Y. 10002

Email/Phone/Address

(1646) 958-2905
Bag[redacted]248@yahoo.co
Z

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Desma Rose
Name of Community Member

Dos.785c@gmail
Email/Phone/Address

646 488 6849

786 South St

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

EDWARD CHEUNG
Name of Community Member

shopsaveandbeyond@gmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Martin Mayer

Name of Community Member

mmayer415@ych00.com

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Joe M Bautista

Name of Community Member

JOE.BAUTISTA@GMAIL.COM

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Name of Community Member

Email/Phone/Address

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Sincerely,

Karina Portillo
Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

275 CHRYSLER APT HT

Name of Community Member

Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Flor Fahy

Name of Community Member

Email/Phone/Address

154 Broome St
23E

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Valerie Acerra
Name of Community Member

413 Grand Street
Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Jocelyn Valdez
Name of Community Member

Email/Phone/Address

330 Clinton St
14-A

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Edith Ramnarace
Name of Community Member

marnel@NYC.RR.com
Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Trasena Beath

Name of Community Member

230 Clinton St #5H

taxbeath@gma

Email/Phone/Address

CU

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Shelley Maldonado

Name of Community Member

212-349-2906

Email/Phone/Address

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Environmental Assessment & Review Division
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120 Broadway
New York, NY 10271

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Sincerely,

Ashley Bozio
Name of Community Member

ozorio ashley@gmail.com
Email/Phone/Address

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Environmental Assessment & Review Division
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New York, NY 10271

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Sincerely,

Janette Scott

Name of Community Member 16A
230 Madison St.

JanetteScott48@gm

Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Joyce Moore

Name of Community Member

230 Madison St E

Email/Phone/Address

230 Madison St

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

60

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Environmental Assessment & Review Division
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120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

allan 3G
240 Madison St

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Ellen Taylor

Name of Community Member

240 Madison St 2-F

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Stuart Rosa 240 madison — (646) 673-1535

Name of Community Member — Email/Phone/Address

3D.

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Andrael M
Name of Community Member

Mikemercado1984@gmail.co
Email/Phone/Address

10-D 280 Madison Ave

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

12 E.
Madison St

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120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

Yanely Mena
280 Madison St

12C

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Lizeth J. Fernandez — LizethJF@yahoo.c
Name of Community Member — Email/Phone/Address
125
260 Madison St

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Amary mora
Name of Community Member

929 275 6494
Email/Phone/Address
280 Madison st 15

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Shawna Jackson
Name of Community Member

Shajackist@yahoo.com
Email/Phone/Address
280 Madison St 15-B

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

MARIA ESCALANTE
Name of Community Member

280 Madison St 1G
NY NY 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Dwanna Torres
Name of Community Member

280 Madison St 16-F
917-651-6490
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Mercedes SaintKitts
Name of Community Member

212-385-7422
Email/Phone/Address
280, Madison St 15
nyc 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

280 Madison ST.

ROSA LOPEZ 7A

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Brenda Lewis
Name of Community Member

Email/Phone/Address

Madison St
Apt 10C

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Wanda Roberts
Name of Community Member

280 Madison St
12C

212-962 3681
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Sandy Silva

Name of Community Member

646 377 1524

Email/Phone/Address

240 Madison St 14
N.Y N.Y 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

240 Madison St 12D
NYC 10002

646 590 3957
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Victor Padilla
Name of Community Member

240 Madison St
Email/Phone/Address

917 656 9276

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Mei Ha Yu — (646)339-5756

Name of Community Member — Email/Phone/Address

Mei Ha Yu
240 Madison St. Apt. 10B
New York, NY 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Michele R Dean

Name of Community Member

Michele R Dean

Ladyfootlocker45@yahoo.com

Email/Phone/Address

240 Madison St. #14A

646-302-0305

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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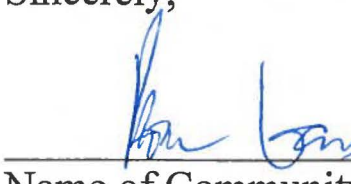
Sincerely,



Name of Community Member

280 Madison St. #6A

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Lidia RAMIREZ
Name of Community Member

280 Madison ST 9A
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Rosina Bell
Name of Community Member

345 grand st ny, ny 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Diana Ognendo
Name of Community Member

14 Jackson St. 3A 1
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Oksana Cintron
Name of Community Member

230 Clinton st 3C 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

[signature]
Name of Community Member

280 madison street 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Grace Rodriguez 286 South St. (212) 964-6440

Name of Community Member | Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

María Morales Ortiz
Name of Community Member

212-233-1770
Email/Phone/Address

230 Clinton St apt 10F

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Bernice DeShields

Name of Community Member

646-342-4026

Email/Phone/Address

35 Avenue A 2A
NY, NY 10009

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Ron Rodriguez
Name of Community Member

131 Broome st 23B
NY-NY 10002

212 533 9402
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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Sincerely,

Lolita Vega 571 FDR Drive #11E NYC 10002
Name of Community Member

917-566-9421
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Tracy Hadley

Name of Community Member

Email/Phone/Address

160 MADISON

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Ana Jensen 646-259-1476
Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

640 Water St SE

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

131 Broome St

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

630 water Street
2D NYC 10002

Shante Taft

Name of Community Member

Shante123@gmail.com

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Linda Santaly
Name of Community Member

5+1.2 4046 @ aol.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Charles Melendez
Name of Community Member

307 Clinton St

Charlesm70765@gmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Shayla Jones
Name of Community Member

Shayla.Jones 18(
gm
.c
Email/Phone/Address

145 Clinton / PhJ

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Anuradha Pandey
Name of Community Member

Email/Phone/Address

280 Madison St. 7E

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Juan Santos

Name of Community Member

Email/Phone/Address

280 Madison Ave

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

DAVIS

Name of Community Member

Email/Phone/Address

8C 280 Madison Ave.

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Lisa A. Davila
Name of Community Member

917-688-6669
Email/Phone/Address
300 Cherry St 7F

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Fan Yi Mok
Name of Community Member

fanyimok@gmail.com
Email/Phone/Address

240 Madison St
10B

Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

X Karina Nuguera — 646-249-8164

Name of Community Member — Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Nelida Rodriguez
Name of Community Member

646-712-5572
Email/Phone/Address

Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Karina Marquina — 646-249-8164

Name of Community Member — Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Alberto Encarnación
Name of Community Member

1-646)985-6435
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Theresa Yount
Name of Community Member

286 South St 11F
Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

3476814107

Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Elsie Rivera
Name of Community Member

212-608 4202
Email/Phone/Address

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Department of City Planning
120 Broadway
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Sincerely,

Lisa Anderson
Name of Community Member

Denise Jackson 2007105@gmail.com
Email/Phone/Address

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Environmental Assessment & Review Division
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120 Broadway
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Sincerely,

Barbara H Kempe
Name of Community Member

bhkempe@gmail.com
Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Susan Osmall
Name of Community Member

susanismael@hotmail.
Email/Phone/Address

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New York, NY 10271

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Sincerely,

Karen O'Connor
Name of Community Member

KaOC723@aol.com
Email/Phone/Address

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Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Elva Ortiz Zayas
Name of Community Member

elo9017@nyl.org.
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Leslie Morris

Name of Community Member

[illegible]

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Danielle Shore
Name of Community Member

DeeLaChula@gmail.
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

medinajerseygirl@yahoo.com
Email/Phone/Address

Department of City Planning
120 Broadway
New York, NY 10271

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Name of Community Member

abstractfleet@gmail.com
Email/Phone/Address

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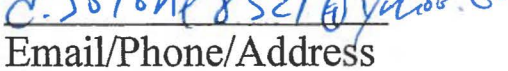
Name of Community Member



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Sincerely,

Jenny Taylor 18 | 845-257-8750

Name of Community Member | Email/Phone/Address

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Furthermore, the developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the surrounding community.

As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Yoskyl Ynoa
Name of Community Member

Sra ynoa 45@gmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Velma Frezzell
Name of Community Member

Vfrezzell@hotmail.com
347 863 4637, 648 Water Stree
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Nathaniel Robinson
Name of Community Member

415 PIKE ST
Email/Phone/Address
APT 13-C

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Gennara Filpo
Name of Community Member

282 Cherry St ny ny 10
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Carmen Abreu
Name of Community Member

65 Jefferson St 11249
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely, Terrence Matthews 65 Jefferson St

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Shirley Cunningham
Name of Community Member

65 Jefferson
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

64 rutger st apt 18F nyc 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Luis Castellano Ortiz
Email/Phone/Address @gmail.
765 Cherry street
Apt 22G

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

265 Cherry St. #20K
New York, NY. 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Pei Yan Lo
Name of Community Member

Email/Phone/Address

265 Cherry #20g

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Joseph Lee
Name of Community Member

646-235-9218
Email/Phone/Address

282 Cherry St 16-

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

282 Cherry St #1

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Ronald Pittman.
Name of Community Member

212 267 0409
Email/Phone/Address

282 Cherry St
16-H

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Amelia Lopez

Name of Community Member

212-619-1060

Email/Phone/Address

282 Cherry St Apt 15

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Susana Ortiz
Name of Community Member

917-3123943
Email/Phone/Address
287 cherry st
apt 15C

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Amparo Colón-Lopez
Name of Community Member

CeciLIA.VI@Live.com
Email/Phone/Address

282 Cherry St 13E

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Carmelo Lajes
Name of Community Member

212-619-1060
Email/Phone/Address

282 Cherry st
Apt 15-B

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

#110

Pandora Sund
Name of Community Member

282 Cherry St
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

X [signature]

Name of Community Member

282 Cherry st 11B
10/15/18

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Zhi S Zhang
Name of Community Member

703.203.0681
Email/Phone/Address
280 Grand St 11-

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Myriam Arias-Acevedo
Name of Community Member

282 Cherry St #11F
212 267-1882
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

TIANYUN LAI

Name of Community Member

282 Cherry St #11J

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

#

Hai Qing Li — 282 Cherry St 11A

Name of Community Member — Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

[signature] 255 Cherry St 11G

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Andrea Peña
Name of Community Member

1646-240-1581
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

RVdrutko@Hotmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Gloria E Rivera
Name of Community Member

212 406 3649
Email/Phone/Address
300 Cherry St 16-F

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Ramona Garrido
Name of Community Member

1917 870-9335
Email/Phone/Address

300 Cherry 14 F

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Furthermore, the developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the surrounding community.

As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Angel Reyes
Name of Community Member

300 Cherry St 12C
Email/Phone/Address
964-9002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

ana Lam
Name of Community Member

265 Cherry St Apt #26J
Email/Phone/Address

ATENCIÓN: Robert Dobruskin
Director de la División de Evaluación Ambiental
Departamento de Planificación de la Ciudad
120 Broadway
Nueva York, NY 10271

El siguiente es un comentario enviado para la Declaración de Impacto Ambiental (EIS) sobre los cuatro proyectos propuestos para el área de Two Bridges.

El Artículo VII, Capítulo 8, de la Resolución de Zonificación de LSRD establece que los proyectos de construcción en el área de Two Bridges no pueden interferir con el carácter del vecindario, restringir el acceso de aire y luz, o crear un volumen de construcción perjudicial.

Se ha demostrado que las torres propuestas violarían cada una de estas calificaciones y, por lo tanto, no pueden cumplir con los requisitos necesarios para obtener las autorizaciones y / o permisos especiales en virtud del Artículo VII de la Resolución de Zonificación, Capítulo 8.

Además, los proyectos propuestos agravarán la incapacidad de la Ciudad para cumplir con las leyes federales y estatales sobre la contaminación del agua, como la Ley Federal de Agua Limpia. Los efectos ambientales adversos de las torres propuestas no se pueden mitigar sin considerar el impacto acumulativo de todo el desarrollo que se está produciendo en la comunidad circundante.

Como miembro de la comunidad, pido a la Ciudad que haga cumplir la ley rechazando estos desarrollos planificados.

Sinceramente,

Toño M. Casanova.

Nombre del correo electrónico / teléfono / dirección del miembro de la comunidad

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

347-574-3[illegible]

Name of Community Member

Email/Phone/Address

265/20B

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Tiana Ramos 61@gmail.com
Email/Phone/Address
250 Clinton 8-H

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

[signature] 250 Clinton St 7B

Name of Community Member Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Shamara Matthan
Name of Community Member

den211@yahoo.com
Email/Phone/Address
250 Cherry St, Apt 10P

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Linda Chan
Name of Community Member

250 Clinton St. Apt 9C
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Li Xiou Cheng
Name of Community Member

250 CLINTON ST 8C
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Zhong Yu
Name of Community Member

250 Cherry St, Apt #9D
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

S ShaKea Davis
Name of Community Member

250 Clinton St #14C
NY NY 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Dante Chavis
Name of Community Member

Dmchavis007@gmail.com
Email/Phone/Address
250 Cherry St, Apt#15G

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Siggy Santana

Name of Community Member

Siggy.Santana@gmail.com

Email/Phone/Address

646 244 0703

340 Cherry St, Apt #2D

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Sarah Otero
Name of Community Member

340 Cherry St #3A
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Silvia Lee

Name of Community Member

340 Cherry, Apt 7C

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely, Hd

Hilda Estrada
Name of Community Member

346 Cherry St 813
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

J. R.

Name of Community Member

Nizzk3n@Email.com

Email/Phone/Address

250 Cherry St, Apt #2G

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address
Jillrose526@gmail.com
340 Cherry St, Apt# 1C

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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Sincerely,

Lydia Jamarez
Name of Community Member

340 Cherry St NYC
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

K[illegible] Li 2/[illegible]
Name of Community Member

250 Cherry St, Apt #7C
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Jeremy Li — Name of Community Member

lijeremy94@yahoo.com — Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Christal Yu
Name of Community Member

cyu4770@bths.edu
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

HAnnington Dia
Name of Community Member

hANNINgton16@gmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Yanin Peña
Name of Community Member

Ypena.armstrong@gmail.com / 345 Grand St NY, NY 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

340 Cherry NY NY 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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Sincerely,

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Jsmooth@YAHOO.COM
Email/Phone/Address
347-399-5119

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

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Furthermore, the developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the surrounding community.

As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Helen Jenkins
Name of Community Member

340 Cherry St 9F ny, ny 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Susan Miles
Name of Community Member

2017 Woodbine St. #3L Ridgewood NY 11385
Waya9094@yahoo.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Barbara Caporale

Email/Phone/Address

523 E 5th
NYC

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Michele Beck
Name of Community Member

speaking@hotmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Dorria Ameen

DORRIA AMEEN
Name of Community Member

102 AVE B
NEW YORK, NY 10009
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Dorothy Wilson

Name of Community Member

not do to dw @gmail.com

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

John Rommel

Name of Community Member

JRommel NYC @ Gmail

Email/Phone/Address

NO TOWERS! NO COMPROMISES

October 29th, 2018

Marisa Lago, Chair
Kenneth J. Knuckles, Vice Chairman
Allen P. Cappelli, Commissioner
Alfred C. Cerullo III, Commissioner
Larisa Ortiz, Commissioner
Hope Knight, Commissioner
Cheryl Cohen Effron, Commissioner
Richard W. Eaddy, Commissioner
Orlando Marin, Commissioner
Joseph Douek, Commissioner
Anna Hayes Levin, Commissioner
Michelle de la Uz, Commissioner

Dear Commissioners,

We, the undersigned members of the Chinatown Tenants Union, are in opposition to the proposal for luxury towers along the waterfront. We urge you to vote against the proposal before you.

The Chinatown Tenants Union is a grassroots organizing program operated by CAAAV: Organizing Asian Communities. Our focus is on uniting the working-class, immigrant tenant community to fight gentrification. Membership is open to all Chinatown tenants, and members meet monthly to discuss and organize campaigns around tenants' rights, building problems, bad-acting landlords, and city and state-level housing issues. This letter was prepared at our October monthly meeting on October 21, 2018.

We are long-time, rent-stabilized tenants living in tenement buildings. Most of us are first-generation immigrants, and many of us live within and around the DEIS's ¼ mile study area, particularly along on East Broadway, Henry, Madison, and Monroe streets.

Our reasons for opposition are as follows:

1. The proposal has enormous potential to bring increased gentrification and displacement pressures to our community.

2. The legal protections for rent-regulated residential units are already not strong enough to properly protect residents from displacement pressure. Following the construction of these towers, rent-regulated units will be even more subject to displacement pressure. Therefore, the proposal has the capacity to displace many rent-regulated tenants.
3. Displacement pressure results in material consequences for rent-regulated tenants. Many rent-regulated tenants face landlord harassment in the form of intentionally neglected repairs, lack of heat or hot water, improper and/or illegal rent increases, and frivolous eviction lawsuits.
4. During the construction, there will be adverse traffic, noise, and air pollution impacts to the surrounding area which have not been properly addressed or mitigated.
5. No mitigations have been proposed to address potential impacts to schools overcrowding the community.

We ask you to vote in opposition to these proposals, to protect the conditions and quality of our community.

Thank you for your time and attention.

Sincerely,
The Chinatown Tenants Union

CAAAV
ORGANIZING ASIAN COMMUNITIES

反对水边发展!

保护唐人街! 反对贵族化!

姓名 Name	地址 Address	电话/电子邮件 Telephone Number	签名 Signature
JIAN CHEN	26 MADISON ~~ST~~ APT 3J	646-704-7961	
GUO ZHEN DIAN	80 MADISON ST #26 NEW YORK NY 10002	6467148289	GUO ZHEN DIAN
WANG MEIFANG	123 Division St. #8 New York NY 10002	646-945-1738	MEIFANG WANG
YOH LINGCHANG	154 Broome St Apt 20	718-873-6647	Yoh Ling Chang
Iris Liang	106 Madison Street # 5B, NYC 10002	347-335-9902	Iris Liang
Joyce Yu	106 Madison St, #5D NY 10002	917-697-2822	Joyce
Yindie Huang	77 Madison ST Apt #3 NY NY 1000	646-515-3695	Yindie Huang
MAN WAI TSUI	77 madison st APT#14 NY NY 10002	516-967-9695	Man Wai Tsui
Raymond	138 5th Ave	646 918 -8178	
Jackie Dai	77 madison st, APT 13, NY, NY 10002	646-249-4113	Jackie Dai

CAAAV
ORGANIZING ASIAN COMMUNITIES

反对水边发展!

保护唐人街! 反对贵族化!

姓名 Name	地址 Address	电话/电子邮件 Telephone Number	签名 Signature
Guo Qi Guan	54 Henry ST 3RD New York NY 10002	917-678-2228	Guo Qi Guan
Baan	195 Madison St. 8th New York NY 10002	917-501-4306	Baan
~~ZHU BEN~~ Wen Sheng Zheng	81 Bowery #13	917 399 3112	ZHENG WEN SHENG
Ben Ren Zhu	81 Bowery #26	917 526 4688	ZHU BEN REN
Liu Su Zhen	51 Mott St #4	646-236-3104	LIU SHU ZHEN
Bin Liang	85 COLUMBIA ST #21A	347-905-3285	
(Chen, Ren Ping)	53 Monroe St., Apt. 7	646-624-9158	

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Jayla Chatham
Name of Community Member

64 Essex St NYC 10002, #36
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Miguel Rodriguez
Name of Community Member

212-470-4893
Email/Phone/Address

64 Essex St. NYC 10002 # 21E

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

[signature]
Name of Community Member

212 349-6971
Email/Phone/Address
64 Essex St. NYC 10002 #23H

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

MUHARNI ABDULL #4
Name of Community Member

alexjeab123@gmail.com
Email/Phone/Address

64 ESSEX A. NYC 10002 #236

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Capri Styles
Name of Community Member

64 Essex St NYC 10002 #13B
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

Email/Phone/Address

64 Essex st. #23B
NYC 10002.

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Fatema Chowdhury
Name of Community Member

212-228-5765
Email/Phone/Address
64 Essex St. NYC 10002 19H

ATENCIÓN: Robert Dobruskin
Director de la División de Evaluación Ambiental
Departamento de Planificación de la Ciudad
120 Broadway
Nueva York, NY 10271

El siguiente es un comentario enviado para la Declaración de Impacto Ambiental (EIS) sobre los cuatro proyectos propuestos para el área de Two Bridges.

El Artículo VII, Capítulo 8, de la Resolución de Zonificación de LSRD establece que los proyectos de construcción en el área de Two Bridges no pueden interferir con el carácter del vecindario, restringir el acceso de aire y luz, o crear un volumen de construcción perjudicial.

Se ha demostrado que las torres propuestas violarían cada una de estas calificaciones y, por lo tanto, no pueden cumplir con los requisitos necesarios para obtener las autorizaciones y / o permisos especiales en virtud del Artículo VII de la Resolución de Zonificación, Capítulo 8.

Además, los proyectos propuestos agravarán la incapacidad de la Ciudad para cumplir con las leyes federales y estatales sobre la contaminación del agua, como la Ley Federal de Agua Limpia. Los efectos ambientales adversos de las torres propuestas no se pueden mitigar sin considerar el impacto acumulativo de todo el desarrollo que se está produciendo en la comunidad circundante.

Como miembro de la comunidad, pido a la Ciudad que haga cumplir la ley rechazando estos desarrollos planificados.

Sinceramente,

Carmen Cerda, Tenant Assoc. President.

Nombre del correo electrónico / teléfono / dirección del miembro de la comunidad

64 Essex St. NYC 10002 #19 G

ATENCIÓN: Robert Dobruskin
Director de la División de Evaluación Ambiental
Departamento de Planificación de la Ciudad
120 Broadway
Nueva York, NY 10271

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Como miembro de la comunidad, pido a la Ciudad que haga cumplir la ley rechazando estos desarrollos planificados.

Sinceramente,

Nombre del correo electrónico / teléfono / dirección del miembro de la comunidad

64 ESSEX ST NYC 10002 # 17B

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Raul Romero
Name of Community Member

romeos do main @ hotmail.com
Email/Phone/Address

64 ESSEX ST. NYC 10002 # 15G

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

64 Delancey St. NY, 10002, #7D
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Eileen Stucker
Name of Community Member

64 Essex NY10002, #15H
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Rozalia Archer
Name of Community Member

212-228-4738
Email/Phone/Address

64 Essex St NYC 10002, #7.H

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

[redacted]
Name of Community Member

[redacted]
Email/Phone/Address

11-D

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Cynthia Nieves — 64 E 8th St. NYC 10003 - 16G

Name of Community Member — Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

64 Essex St. NYC. 10002 #76
Email/Phone/Address

ATENCIÓN: Robert Dobruskin
Director de la División de Evaluación Ambiental
Departamento de Planificación de la Ciudad
120 Broadway
Nueva York, NY 10271

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Se ha demostrado que las torres propuestas violarían cada una de estas calificaciones y, por lo tanto, no pueden cumplir con los requisitos necesarios para obtener las autorizaciones y / o permisos especiales en virtud del Artículo VII de la Resolución de Zonificación, Capítulo 8.

Además, los proyectos propuestos agravarán la incapacidad de la Ciudad para cumplir con las leyes federales y estatales sobre la contaminación del agua, como la Ley Federal de Agua Limpia. Los efectos ambientales adversos de las torres propuestas no se pueden mitigar sin considerar el impacto acumulativo de todo el desarrollo que se está produciendo en la comunidad circundante.

Como miembro de la comunidad, pido a la Ciudad que haga cumplir la ley rechazando estos desarrollos planificados.

Sinceramente,

Chris Lunara 64 Essex St. #5A
New York NY 10002

Nombre del correo electrónico / teléfono / dirección del miembro de la comunidad

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

It has been demonstrated that the proposed towers would violate each of these qualifications and therefore cannot meet the requirements necessary to secure the authorizations and/or special permits under Zoning Resolution Article VII, Chapter 8.

Furthermore, the developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the surrounding community.

As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

M. Santiago Morales

Name of Community Member

64-66 Essex St 8A
N.Y.C.

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely, Miriam Kohn

Name of Community Member

64 Essex St. #56
NYC 10002
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

64 Essex NYC 10002, #9F
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Audrey C Ward
Name of Community Member

audreyccward@gmail.c
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Andrew E. Wark — 212-513-0181

Name of Community Member — Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

IAMDRAWMON@GMAIL

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Matthew Levy
Name of Community Member

MJLevy2020@gmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Christopher Levy
Name of Community Member

Christopherlevy0100@gmail.c
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Nancy Heredia
Name of Community Member

300 Cherry St #1F
Email/Phone/Address

ATENCIÓN: Robert Dobruskin
Director de la División de Evaluación Ambiental
Departamento de Planificación de la Ciudad
120 Broadway
Nueva York, NY 10271

El siguiente es un comentario enviado para la Declaración de Impacto Ambiental (EIS) sobre los cuatro proyectos propuestos para el área de Two Bridges.

El Artículo VII, Capítulo 8, de la Resolución de Zonificación de LSRD establece que los proyectos de construcción en el área de Two Bridges no pueden interferir con el carácter del vecindario, restringir el acceso de aire y luz, o crear un volumen de construcción perjudicial.

Se ha demostrado que las torres propuestas violarían cada una de estas calificaciones y, por lo tanto, no pueden cumplir con los requisitos necesarios para obtener las autorizaciones y / o permisos especiales en virtud del Artículo VII de la Resolución de Zonificación, Capítulo 8.

Además, los proyectos propuestos agravarán la incapacidad de la Ciudad para cumplir con las leyes federales y estatales sobre la contaminación del agua, como la Ley Federal de Agua Limpia. Los efectos ambientales adversos de las torres propuestas no se pueden mitigar sin considerar el impacto acumulativo de todo el desarrollo que se está produciendo en la comunidad circundante.

Como miembro de la comunidad, pido a la Ciudad que haga cumplir la ley rechazando estos desarrollos planificados.

Sinceramente, MARIANO CAMPO

Nombre del correo electrónico / teléfono / dirección del miembro de la comunidad

64 ESSEX ST 22E

ATENCIÓN: Robert Dobruskin
Director de la División de Evaluación Ambiental
Departamento de Planificación de la Ciudad
120 Broadway
Nueva York, NY 10271

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Como miembro de la comunidad, pido a la Ciudad que haga cumplir la ley rechazando estos desarrollos planificados.

Sincerameente, Li

64 Essex St 17

Nombre del correo electrónico / teléfono / dirección del miembro de la comunidad

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Doug Fo Sq 22D

Name of Community Member

Email/Phone/Address

64 Essex St

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Michael Gilhooley
Name of Community Member

64 Essex ST 2K
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Name of Community Member

64 Essex St #14B
New York NY 10002

sdelacruz54@yahoo.C

Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Nikola De La Cruz
Name of Community Member 64-66 Essex St #8B

64 ESSEX ST. #14B
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Ralph De La Cruz
Name of Community Member
64-66 Eckerx street, Apt. 14G

ralph.delacruz60@myhunter.cuny.edu
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Jocelyn Pabla
Name of Community Member
64-66 Essex Apt 14D

(347) 481-0198
Jocelynedithx3@aol.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

64 Essex RH

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member

Email/Phone/Address

64-66 ESSEX ST

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Elsa Garcia GC

Name of Community Member

Email/Phone/Address

64 Essex st

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Name of Community Member
66 - ESSEX STREET 6A

Julio6575@Gmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Angelina Opreakiewicz — 917-405 9702

Name of Community Member — Email/Phone/Address

64-66 Essex St #16H

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

[redacted]
Name of Community Member

[redacted]
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Carlos Rodriguez
Name of Community Member

646-602-9892
Email/Phone/Address

64-66 Essex St. Apt 2C
NY. 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Raphael Gomez
Name of Community Member

917-916-2206
Email/Phone/Address

64 Essex st
Apt # 22H

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Kevin J Thomson
Name of Community Member

YungBrooklyn1@gmail
Email/Phone/Address

64 Essex St.
NY, NY 10002

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Kimberly DeLaCruz
Name of Community Member

Kimberly.kdelacruz@gmail.com
Email/Phone/Address
646-272-9021

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

The following is a comment submitted for the Environmental Impact Statement (EIS) on the four developments proposed for the Two Bridges area.

LSRD Zoning Resolution Article VII, Chapter 8 states that developments in the Two Bridges area cannot interfere with the neighborhood's character, restrict air and light access, or create detrimental building bulk.

It has been demonstrated that the proposed towers would violate each of these qualifications and therefore cannot meet the requirements necessary to secure the authorizations and/or special permits under Zoning Resolution Article VII, Chapter 8.

Furthermore, the developments would exacerbate the City's inability to comply with Federal and State water pollution laws, including the Federal Clean Water Act. The adverse environmental effects of the proposed towers cannot be mitigated without considering the cumulative impact of all the development happening in the surrounding community.

As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

Joshua J. Espino
Name of Community Member

Thade418@Hotmail.com
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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Sincerely,

Mattie Seelhus
Name of Community Member

64-66 Essex St
Email/Phone/Address

ATTENTION: Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning
120 Broadway
New York, NY 10271

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As a community member I call on the City to ENFORCE THE LAW by rejecting these planned developments.

Sincerely,

William R Rapp
Name of Community Member

75 Montgomery St
212-349-4628
Email/Phone/Address

10/28/18

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

我 zheng, ShaoFang 居住在 265 cherry A 17G，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Shaofang Zheng
常驻打印和签名。

10-29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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我NGAN CHI WONG居住在265 Cherry A17C，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Ngan Chi Li Wong
常驻打印和签名。

10-29-2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Magdalia Castro reside at 275 Cherry Apt 6C am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Magdalia Castro — 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Migdalia Castro Resido en 275 Cherry St. Apto 6C, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

I moved to this building and was given the opportunity to choose what floor I would like from 6 to 10th floor on the C side overlooking the 7 BR. B'klyn + Manhattan Bridges the river + part of Brooklyn. To me that was the main attraction of the apartment. This November will make 39 years that I've lived here and I love it today more than when I moved in back then. Living here makes one feel saved + happy. Something that would make me very unhappy is the idea of having these buildings built right in front of my windows destroying the happiness of many for the greed of those who want profits instead of allowing tenants to enjoy what's been the joys of the past 39 years. Please, Do Not Allow this to happen. Thank you

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Migdalia Castro Migdalia Castro
Residente Imprimir y firmar el nombre.

Oct 29, 2018
Fecha

hard working decent people

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 MeiJuan Liu 居住在 Lands End II A _____，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

_____ _____ 10/29/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 Wai Goon Choi 居住在 275 Chery A 2F，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Wai Goon Choi — 10/28/18

常驻打印和签名。 日期

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N180498 ZCM

I Maggie Huang reside at 275 Cherry St Apt #26, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

10/29/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 Miao Ying Mao 居住在 275 cherry A 2G，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Miaoying Mao　　10/27/18

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 YORK CHEN 居住在 275 CHERRY A 3F，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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YORK CHEN
常驻打印和签名。

10.28.2018
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LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 TICH HOA HUA 居住在 275 CHERRY Street A 3H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Tich Hoa Hua — 10/28/2018

常驻打印和签名。 日期

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Lan Ng
常驻打印和签名。

10/29/18
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LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 Joanna Lau 居住在 275 Cherry ST A 4A，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2** 居民协会 **265** 和 **275 Cherry** 街道证词

1. East Broadway "F" 车地铁站客纳现在的迎千居住区的居民使用，如果未来地产商多盖④幢 70层的大厦，地铁交通将拥挤不堪 2. 多N千户居民在迎里居住，学校的商场比还不到位，会影响到孩子上学 3. 地产商想赚钱，自私向请市政府考虑我们住在迎里的居民，将迎个地区贵族化，我的生活将非常受影响。

4. 特别是在 265-275 Cherry ST 停车场盖两幢大厦，对我们的生活有最大

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Joanna Lau Joanna Lau 10/27/2018

常驻打印和签名。 日期

加上未来④幢大厦的人流将有的车辆，迎里交通拥挤不堪，一车难找街边车位

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 Yuet Sui La 居住在 275 cherry st A 4B，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Yuet Sui Lee
常驻打印和签名。

10/29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 Sheng Lin 居住在 275 Cherry St. A 4C，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Sheng Lin
常驻打印和签名。

10/28/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

我 XIU QIANG JIANG 居住在 275 A 4H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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XIU QIANG JIANG
常驻打印和签名。

10/29/18年
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
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我 Guan Feng Qun 居住在 275 APT 4J，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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常驻打印和签名。

10/28/18
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LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Soong Yee Wong 居住在 275 Cherry A Apt 4J，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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常驻打印和签名。 10/28/18 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Lydia Martinez reside at 275 Cherry St Apt 5E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Lydia Martinez Lydia Martinez 10/29/2018

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 KAM LING TSUI 居住在 275 CHERRY. ST A 5G，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Kam Ling Tsui　　10/28/18

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 WAH ON TSUI 居住在 275 CHERRY A 5G，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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WAH ON TSUI　　10/28/18

常驻打印和签名。　　日期

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N180498 ZCM

275 cherry st

Yo, ELSA Resido en @YALLE Apto 6E solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

No Quiero Edificios

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Elsa Ortiz — 10/28/18

Residente Imprimir y firmar el nombre. Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

I Lourdes. P. reside at 275 Cherry st Apt 6-G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Lourdes Pacheco Lourdes Pacheco 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Site 6A M 180506 (B) ZSM
N180498 ZCM

I Anthony H reside at 275 Cherry Apt 6J, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Anthony Herrera — 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Ramona Rodriguez reside at 275 Cherry St Apt 6 J, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

RAMONA Rodriguez — Resident Print and Sign name.

10, 29, 18 — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Dedra Rivers reside at 275 Cherry Apt 7G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Dedra Rivers — 10-28-18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I YUET MING CHAN reside at 275 Cherry St Apt 8B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

YUET MING CHAN

10/29/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Yick King reside at 275 cherry ST 8C Apt ___, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Chia Yick King — 10/29/2018

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Nancy MAK reside at 275 CHERRY Apt 8C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

NANCY MAK _____ 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 Yick King 居住在 275 Cherry ST 8C A，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Chiu Yick King 常驻打印和签名。 10/29/2018 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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Yo, Angel Estevez Residio en 275 cherry st Apto 8G, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

I do not agree with LSRD Development Projects buildings because there would be no point in using the ~~park~~ Recreation park downstairs for fresh air & relaxation if the ~~buil~~ new buildings would be blocking the view.

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Angel A Estevez
Residente Imprimir y firmar el nombre.

10-29-2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Site 6A M 180506 (B) ZSM
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我 [illegible] 居住在 275 Cherry St 4A，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

[illegible]
常驻打印和签名。

2018.10.29
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Zeng, Mai Yi 居住在 275 CHERRY St A 9D，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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Mai Yi Zeng
常驻打印和签名。

10/29/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
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Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I Shun Yin chen reside at 275 Apt 9F, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Shun Yin chen — Resident Print and Sign name.

10/28/2018 — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Minerva Rivera reside at 275 Cherry St Apt 9K am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Minerva Rivera
Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 _____ 居住在 275 A 10A，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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_____ 10.28.18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 MOK YIN LAI 居住在 275 CHERRY A 10E，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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MOK YIN LAI
常驻打印和签名。

10/28/2018
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LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 LIU YIN XIU 居住在 275 CHERRY ST A 10 G，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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LIU YIN XIU
常驻打印和签名。

10/29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 Siu 住在 275 CHERRY A 10J，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Siu [illegible]
常驻打印和签名。

10/28/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 ~~[illegible]~~ Chan Yat 居住在 275 Cherry A 10J，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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Chan Yat
常驻打印和签名。

10/29/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Helen Bligen reside at 275 CHERRY ST. Apt 11D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Helen Bligen

Resident Print and Sign name.

10/28/18

Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I VICTOR JOHNSON reside at 215 CHERRY ST. Apt 11D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

VICTOR L. JOHNSON / Victor Johnson — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Jose Mejias reside at 275 Cherry ST Apt 11G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Jose L. Mejias — 10/29/18

Resident Print and Sign name. — Date

Jose L. Mejias

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Maritza Rodriguez reside at 275 Cherry St Apt 11G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Maritza Rodriguez — 10/29/18

Resident Print and Sign name. — Date

M. Rodriguez

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 Tin Loy Li 居住在 275 Cherry St A 11 J，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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Tin Loy Li　　10-29-2018

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, 275 CHERRY ST #10B Resido en _____ Apto _____, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.**
- **Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Residente Imprimir y firmar el nombre. Fecha 10/30/18

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 Lin Kom Lee 居住在 275 A 12E，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Lin Kom Lee
常驻打印和签名。

10/28/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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Yo, ING LIANG LEE Resido en 275 Apto 12F, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Ing Liang Lee
Residente Imprimir y firmar el nombre.

11/28/2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

我 [signature] 居住在 275 [illegible] A [illegible]，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

常驻打印和签名。 [signature]

日期 29/10/18

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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RE: Two Bridges LSRD Draft Environmental Impact Statement
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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 275 Cherry St 居住在 13-B A _____，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Ngan Jung Ko　　10-18-2018

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

Yo, SHEK W CHU Resido en 275 13C Apto _____, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

SAM Keng Leong
Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

Yo, [redacted] Residо en [redacted] Apto 13 J, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

[redacted]
Residente imprimir y firmar el nombre.

10/17/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I LEON WONG reside at 275 Cherry Apt 13C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

LEON WONG Leon Wong 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, [redacted] Resido en 275 CHERRY STREET Apto 13T, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

[redacted]
Residente Imprimir y firmar el nombre.

2018, 10 2P
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Nydia Posado reside at 275 Cherry Apt 14E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 JIAN SHU ZHU 居住在 275 cherry st A 14G，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

A: 不协调社区景观、Distrupt Community veiws.

B: 违反空间使用权、Is a waste of our space.

C: 社区贵族化影响穷人的生活空间, will become a wealthy area and it can affect people living here already.

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Jian Shu Zhu
常驻打印和签名。

10.28.18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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我 Jat mong Liu 居住在 275 Cherry St. Apt 14F，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

常驻打印和签名。Liu Jat meng 14F 日期 10/29/2018

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Qiao Bing Li reside at 275 Cherry Apt 14H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Qiao Bing Li — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Yo, MARIA GALVAN Resido en 275 Cherry Apto 15, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Sufro de asma y la construccion me ha a mandar al hospital, porque todo ese polvo a ha a entrar a mi apt porque quedo frente al parque

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

maria galvan
Residente Imprimir y firmar el nombre.

10/29/2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I CAMIE LAI reside at 275 CHERRY St Apt 15B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

CAMIE LAI — Resident Print and Sign name.

10-28-18 — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 KAM TAT 居住在 16.27t.A 16，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

KAM TAT

常驻打印和签名。

日期 10.26

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I KIT CHOI CHAN reside at 275 Apt 16C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Kit Choi Chan
Resident Print and Sign name.

10/29/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

Yo Maria Liang Resido en 275 Apto 16D, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Ms. Maria Liang
Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Yo, Rosa Ovalles Resido en 275 Cherry St. Apto 17D solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Rosa Mejia de Ovalles — 10/29/2018

Residente Imprimir y firmar el nombre. Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

Yo, Griselda Ovalles Resido en 275 Cherry St. Apto 17D, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

NO

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Griselda Ovalles
Residente Imprimir y firmar el nombre.

10/29/2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

我 WEI ZHANG 居住在 275 Cherry St A 17F，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

[signature] 10-29-18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 Zheng Shaoyan 居住在 275 Cherry A 17G，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Zheng Shaoyan 10/28/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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Site 6A M 180506 (B) ZSM
N180498 ZCM

I Chanel Lewis reside at 275 Cherry St Apt 17H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Chanel Lewis / Chanel Lewis — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

I Karen Hunter reside at 275 Cherry St Apt 17H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Karen Hunter Karen Hunter 10/08/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

我 KWAN KWONG LAU 居住在 275 Cherry St 18B A _____，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Kwan Kwong Lau
常驻打印和签名。

10/29/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

I Mirna Aponte reside at 275 Cherry St. Apt 18A, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

dont destroy our neighborhood.

I have breathing issues and the air in front of building, open space helps me. These two towers you want to build on half a square block is horrible for our structure. We already have issues with water pressure and our park for our children will be in the dark, All the dust from construction will make my healthy breathing problem worse, Be considerate and think of us, tenants already here, why make us suffer to benefit yourselves. Building and blocking us and giving us health issues and apartment problems is inconsiderate. We all need to live, these buildings are wrong for this site. I am a senior citizen and you have many living in this complex. rs after Superstorm Sandy and nothing has been done for this area now u want to destroy it more.

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

M Aponte Mirna Aponte
Resident Print and Sign name.

10.28.2018
Date

ve impact of these horrendous towers on us, our buildings 265 + 275 Cherry and on FDR Drive is dangerous. t'll be right on top of us, literally, and definitely on the FDR Drive, the impact to our, Seniors + children, d citizens in general is scary. We're supposed to enjoy our lives in peace, good quality of life, that's wh live here, now for towers to overcame us and bring us bad air and darkness.
its area will definitely have more respiratory issues, 9.11, 10.29 and what awaits us.

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 Wei Ping Huang 居住在 275 CHERRY A 18D，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Weiping Huang
常驻打印和签名。

10/29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 David [illegible] 居住在 275 A 18E，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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David [illegible] 10/29/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 A ZHU HUANG 居住在 275 A 18E，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑。

X A: ZHU HUANG
常驻打印和签名。A: ZHU HUANG

10/28/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 LEUNG KWONG LUNG 居住在 275 CHERRY STREET Apt # 12A 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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Kwong Lung Leung
常驻打印和签名。

10/29/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 [illegible] 居住在 275 A 19B，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

[illegible]
常驻打印和签名。

10/28/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Helen Chau reside at 275 Cherry St Apt 19E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Helen Chau — 10/28/18.

Resident Print and Sign name. — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

I Olga Olamina reside at 275 Cherry St Apt 19H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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Olga Olamina — 10-28-18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

I Nom Foo Moy reside at 275 Cherry Apt 20A am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Nom Foo Moy Nom Foo Moy — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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I MARIA RODRIGUEZ reside at 275 CHERRY ST Apt 20G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

MARIA RODRIGUEZ
Maria Rodriguez
Resident Print and Sign name.

10/29/2018
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 CHAU YU WING 居住在 275 CHERRY ST A 21A，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Yu Wing Chau
常驻打印和签名。

10/28/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I Mercedes Rosado reside at 275 Cherry st. Apt 21B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Mercedes Rosado — Resident Print and Sign name.

10/29/2018 — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 Fung Can Chan 居住在 275 A 2D，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Fung Can Chan　　10/29/18

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Noemi Urena reside at 275 Cherry Apt 21G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Noemi Urena — 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

Yo, Beatriz Urena Resido en 275 Cherry Apto 21G, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Beatriz Urena / Beatriz Urena — 10/29/18

Residente Imprimir y firmar el nombre. — Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, RAMON UREÑA Resido en 275 CHERRY Apto 21G solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.**
- **Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Ramon Ureña
Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Serenity Lai reside at 275 Cherry St Apt 22D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name. Date 10/28/2018

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I 2AI NGAN PING reside at 275 CHERRY ST Apt 22D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

NGan Ping Lai
Resident Print and Sign name.

10/28/2018
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Alisha Lai reside at 275 Cherry St Apt 22D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Alisha Lai
Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Ngan Ping Lai reside at 275 Cherry St Apt 22D am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

X Lai Ngan Ping — 10/28/2018

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

Yo, YE DEXI Resido en 275 CHERRY ST Apto 22G, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Residente Imprimir y firmar el nombre.

10-28-18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Milelis SUAREZ Resido en 275 CHERRY ST Apto 22H, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Milelis SUAREZ
Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Ming an Dong reside at 275 Cherry Apt 23A, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Ming an Dong — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Shui Ying Ng reside at 275 Cherry Apt 23E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Shui Ying Ng

Resident Print and Sign name.

10/28/18

Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Kai Ng reside at 275 Cherry St Apt 23G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Kai Ng — 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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I Bo Chu Yu reside at 275 CHERRY ST Apt 23H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Bo Chu Yu
Resident Print and Sign name.

10.28.2018
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

我 Chloe Borrero 居住在 275 Cherry St A 23H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Chloe Borrero _____ 10/28/2018

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

Yo, YAU JUN CHAN Residio en 275 CHERRY Apto 24E, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

YAU JUN CHAN
Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I Damaris Cestero + Alejandrina Espino reside at 275 Cherry St Apt 24G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

We were greatly affected by 911 and all the pollution of those effects. Those buildings will be illegal and it will not allow us to get Sunlight and good air quality

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Alejandrina Espino/ A Espinal — 10/29/18
Resident Print and Sign name. Date

Damaris Cestero — 10/29/18

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I Bo Chu Yu reside at 275 CHERRY ST Apt 23H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Bo Chu Yu — Resident Print and Sign name.

10.28.2018 — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Chloe Borrero 居住在 275 Cherry St A 23H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Chloe Borrero Chloe Br 10/28/2018

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Janet Yu reside at 275 Cherry St. Apt 23H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Janet Yu
Resident Print and Sign name.

10/28/2018
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Ping Sun Yu reside at 275 CHERRY ST Apt 23H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Ping Sun Yu — 18.10.28 ONO

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, YAU JUN CHAN Resido en 275 CHERR Apto 24E, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

YAU JUN CHAN — 10/29/18

Residente Imprimir y firmar el nombre. Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

I Damaris Castro + Alejandrino Espino reside at 275 Cherry St Apt 24G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

We were greatly affected by 911 and all the pollution of those effects. Those buildings will be illegal and it will not allow us to get Sunlight and good air quality

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Alejandrino Espino/ A Espino — 10/29/18
Resident Print and Sign name. Date

Damaris Castro — 10/29/18

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Annie Rong Resido en 275 Cherry St Apto 24H, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Qiao Er Huang reside at 275 Cherry St. Apt 24H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Yo, Jonny Rong Resido en 275 Cherry St Apto 24H, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

我 Jiang hui Fen 居住在 275 cherry st A 25A，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Hui Fen Jiang
常驻打印和签名。

10/29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 ISABELLA 居住在 275 A 2楼 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Isabella M　　10-28-18

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Yuet Chu Leung reside at 275 Cherry St Apt 26C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Yuet Chu Leung / yuet Chu Leung — 10-28-2018

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 KAM K CHAN 居住在 275 CHERRY ST A 26F，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

Kam Kan Chan

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

常驻打印和签名。

10/28/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 WAI LEE TSE CHAN 居住在 275 CHERRY ST. A 26F，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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Wai Lee Tse Chan　　10/28/18

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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N180498 ZCM

我 WAICHAN TSANG 居住在 275 CHERRY ST. A 26 J，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Wai Chan Tsang　　10/28/18

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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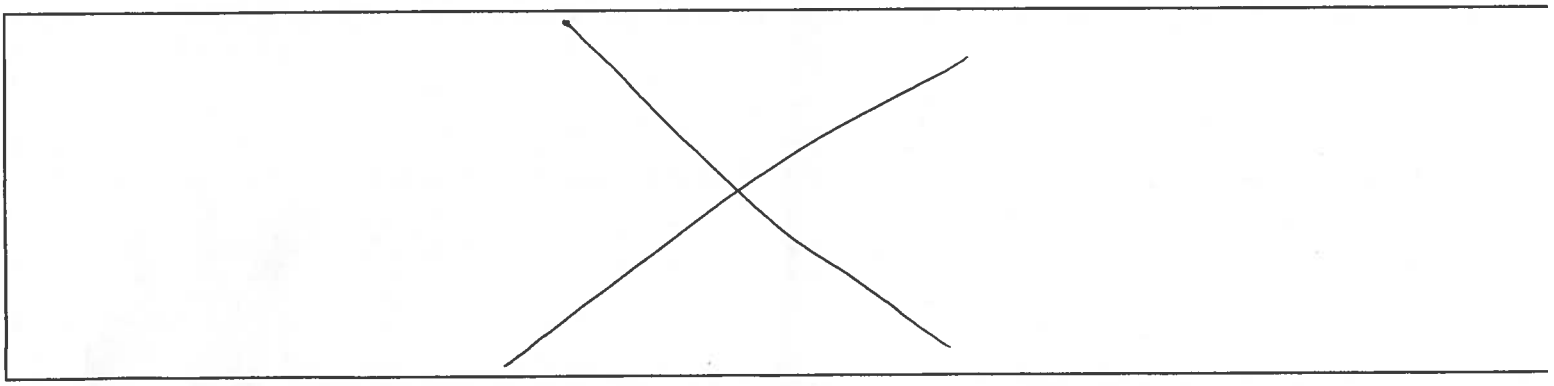
N180498 ZCM

Yo, YOLANDA LOPEZ Resido en 265 CHERRY ST. Apto 2C, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**



Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

YOLANDA LOPEZ Yolanda López
Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I PATRICIA CHU reside at 265 Cherry St Apt 2E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

PATRICIA CHU

10/28/2018

Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Lan Ju Chu reside at 265 Cherry St Apt 2E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

& Lan Ju Chu
Resident Print and Sign name.
Lan Ju Chu

10/28/2018
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Ying Lin Chan Residó en 265 cherry Apto 2E, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Ying Lin Chan
Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Samantha Wolf reside at 265 Cherry Apt 2J, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Samantha Wolf — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Mercedes Zapata Resido en 265 cherry st. Apto 3C, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

NO estoy de acuerdo con 17DCP148M TWO Bridges Me afetaria en la Ventilación no tendre Ventana Porque Van a estar cubiertas no Vere el sol. Con la construción le afecturia a mi hermano que sufre de Asma el Polvo y todo lo que lo envuelve. Habran muchos cambios como transporta escuelas, Programas despues de la escuela etc.

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Mercedes Zapata/Mercedes Zapata — 10/28/18

Residente Imprimir y firmar el nombre. — Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Juana Hernandez Resido en 265 Cherry St Apto 3D, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Juana Hernandez — 10-29-18

Residente Imprimir y firmar el nombre. Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Marilyn Baez reside at 265 Cherry Apt 3H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Marilyn Baez — 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, AURELINDA Residio en 265 3-5 Apto 3J, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

A-Checo.
Residente Imprimir y firmar el nombre.

10/29/2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I TZA SIU YING reside at 265 CHERRY ST Apt 4A, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

X TZA SIU YING 10/28/2018

Resident Print and Sign name. Date

TZA SIU YING

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, [signature] Resido en 265 Cherry St Apto 4C, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

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- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

[signature]
Residente Imprimir y firmar el nombre.

10-28-2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I _____ reside at _____Apt 4D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

MARIA SALAS — 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Alejandra Gil Resido en 265 cherry ST Apto 4F, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Alejandra Gil
Residente Imprimir y firmar el nombre.

10-29-2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Australia Mata reside at 265 cherry Apt 5E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

No queremos más edificio aquí porque eso es demasiada gente junto y no tenga mos espacio

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Australia Mata
Resident Print and Sign name.

10-28-18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Marcia S. Rodriguez reside at 265 Cherry St Apt 5H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

Impact #1- Health precautions - many seniors in the area as well young kids, afraid of the contaminated dust 911.
Impact #2 Neighborhood overcrowding, therefore over crowded schools, Health care Centers & community centers
Impact #3 - Monopolization of neighborhood loss of view, blocked of Fresh Light Sunlight building over look demostrate that build are in Top of us. Loss of Vitam D

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Marcia S. Rodriguez Marcia S. Rodriguez 10/28/18
Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Kevin Chau reside at 265 Cherry St Apt 6A, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Kevin Chau — Resident Print and Sign name.

10/12/18 — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 Jian Ying Huang 居住在 265 Cherry A 6B，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Jian Ying Huang
常驻打印和签名。

10/28/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I LAI WAN TANG reside at 265 Cherry Apt 6C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Lai wan Tang — 10/29/18

Resident Print and Sign name. — Date

LAI WAN TANG

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I LUC ANDREWS reside at 265 Cherry Apt 6C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

LUCIANO

Resident Print and Sign name. ANDREWS

10/29/18

Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

I VICTORIA CHU reside at 265 Cherry Apt 6C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

VICTORIA CHU

10/29/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

I Aaron Andrews reside at 265 Cherry St Apt 6C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Aaron Andrews — 10/24/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Nilda Ramos reside at 265 cherry St Apt 6d-, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Nilda Ramos-Nilda Ramos
Resident Print and Sign name.

10-29-218
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Ying Qun Zhou reside at 265 Cherry St Apt 6H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Ying Qun Zhou 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Kevin Chan reside at 265 Cherry Apt 611, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Kevin Chan Kevin Chan — 10/24/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Magdalia Fandino reside at 265 Cherry Apt 7C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I am disabled and spend my time in my bedroom. Looking at the window is where I find my comfort and state of mind.

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Magdalia Fandino Magdalia Fandino 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Carmen Smith reside at 265 Cherry ST Apt 7E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

CARMEN SMITH NOVA — Resident Print and Sign name.

OCT 28- 2018 — Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 CAI HUA TAN 居住在 265 Cherry A 9A，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Cai Hua Tan
常驻打印和签名。

12/29/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Yaselin Gonzalez Resido en 265 Cherry st Apto 8J, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Yaselin Gonzalez
Residente Imprimir y firmar el nombre.

10/29/2018
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Xavier Siu reside at 265 Cherry Street Apt 9B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Xavier Siu Xavier Siu 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Sophia Siu reside at 265 Cherry Street Apt 9B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Sophia Siu
Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Yiwen Siu reside at 265 Cherry Street Apt 9B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

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Yiwen Siu Yiwen Siu 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Sharon Yan reside at 265 Cherry Street Apt 9B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Sharon Yan
Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 D [illegible] 居住在 265 Cherry Apt-9C 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Dawlon L [illegible] 10/18/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Mei Chun Sit reside at 265 Cherry St Apt 10A, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, FRANCISCA LIONA Resido en 265 CHERRY ST Apto 10D, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Sofia Licona reside at 265 Cherry St, Apt 10L, NYC 10002 am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Sofia Licona

Resident Print and Sign name.

10/28/18

Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

Yo, Francisca Licera Resido en 265 Cherry St nyc 10002 Apto 10d, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

F. Licera
Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

我 April Yip 居住在 265 Cherry St. A 10H, 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

---

saftey first, no buildings

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

常驻打印和签名。 10/29/18 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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我_____居住在265 Cherry A 10J，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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Jun Lan Ming MAN　　10/29/18

常驻打印和签名。　　日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I KWanMoo Chi reside at 265 cherry ST Apt 11C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

KWanMoo Chi — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Li Lin 居住在 265 cherry ST APT 12C A _____，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

_____ 10/28/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Yuk Piu Lok reside at 26J Apt RD, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

(Yuk Piu Lok) 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I SANTIAGO RIVERA reside at 265 CHERRY ST Apt 12-H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

SANTIAGO RIVERA — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I PAUL C LUK reside at 265 Cherry ST Apt 13A, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Paul Chung Luk — 10-28-18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I David Soler reside at 265 Cherry St Apt 13-G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

David Soler
Resident Print and Sign name.

11/09/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Lillian Soler reside at 265 Cherry ST Apt 13-G, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Lillian Soler Lillian Soler

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Carmen fernandez reside at 265 cherry Apt 13H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

NO

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Carmen Fernandez
Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Lisandra Delacruz reside at 265 cherry St. Apt 13H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Lisandra Delacruz — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Carmen Delacruz reside at 265 cherry St Apt 13H am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Carmen — 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Yo, Ozaire Mora Resido en 265 cherry St Apto 13H solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Do Not let Your Houses Be Removed!

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Kwok Hing Chang 居住在 265 cherry St 13K A _____，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

_____ 10-29-18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

Yo, Anna C. Ng Resido en 265 Cherry ST Apto 14A, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Anna Ng
Residente Imprimir y firmar el nombre.

10/29/2018
Fecha

SSOCIAT

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Guo Fang reside at 265 Cherry St Apt 14D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

10-29-2018
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Carmen Miner Resido en 265 Cherry Apto 14G solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

No Edificio nosotro no queremos Edifica

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Carmen Miner Carmen Miner 10/29/18

Residente Imprimir y firmar el nombre. Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I Judy Chan reside at 265 Cherry Apt 14K am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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我 SIU LAM LAU 居住在 265 Cherry St A 15H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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SIU LAM LAU 10/29/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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我 TIN WA LAW 居住在 265 Cherry St A 15H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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TIN WA LAW 签名 _____ 10/29/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 Daisy Lau 居住在 265 cherry st A 15H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Daisy Lau _____ 10/28/18

常驻打印和签名。 日期

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[signature] 10/28/2018

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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Wing Kin Lau
常驻打印和签名。

02/28/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 SAMUEL LO 居住在 265 15K A 15K，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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Samuel Lo
常驻打印和签名。

10-29-2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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I Anibal Velez reside at 265 Cherry St Apt 16B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I'm have been a resident at this address for 40 years. I am highly concern that the project as presented will have a negative influence on Life, presently I was diagnosed w Parkinson this project will cause me to lose my parking space, and inconvenient m on maintain my primary method of transportation, this project will decrease our Green Space, our view and our air quality will be further diminished, even more so than th dust that effected this area after 911. I am fully against this project and the negati inpact it will have on the community and the enrironment.

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Anibal Velez Anibal Velez — 10-29-18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 Pei Yan Leung 居住在 265 Cherry A 16D，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Pei Yan Leung
常驻打印和签名。

10/29/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Miriam Rivera reside at 265 Cherry St Apt 16E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Miriam Rivera
Resident Print and Sign name.

10/29/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Gladys Gil reside at 265 Cherry St Apt 16H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I find it to be ridiculous that in such a small space they are wanting to build hi rises, how are we suppose to have any air circulation when everything is enclosed. Its bad enough one view has been taken away and now another one as well. I VOTE NO!!!

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Gladys Gil Gladys Gil 10.29.18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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Yo, Shirley Zhang Resido en 265 Cherry Apto 17B, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Shirley Zhang Shirley Zhang
Residente Imprimir y firmar el nombre.

10/28/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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I Louise Zhang reside at 265 Cherry Apt 17B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Louise Zhang
Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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我 YANG, Hui zHEN 居住在 265 cherry st Apt 12B 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

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- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

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Hui Zhen Yang _____ 10/28/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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I Ying Qun Zhou reside at 265 Cherry St Apt 6H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

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Ying Qun Zhou 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

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- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

YOU QIN ZHENG
常驻打印和签名。

10/28/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Tsui Chun 居住在 265 Cherry st A 18c，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Tsui Chun
常驻打印和签名。

10-29-2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
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Site 6A M 180506 (B) ZSM
N180498 ZCM

I Brenda Siders reside at 265 Apt 18H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

Stop the towers, respect our quality of life. We were already badly effected by the terrorist attacks from 911 which left myself and many others with breathing and other serious illnesses. I feel like if you build these luxury or any other form of tower would be equal to the 911 terrorist attack that we didn't need or ask for.

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Brenda siders
Brenda Siders
Resident Print and Sign name.

10-29-18
Date

STOP The tower

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Hearing Date: October 17th, 2018
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Site 6A M 180506 (B) ZSM
N180498 ZCM

I Claribel D reside at 265 Apt 19C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Claribel Cruz Claribel Cruz 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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RE: Two Bridges LSRD Draft Environmental Impact Statement
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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Jasmine Lau 居住在 265 Cherry St. A 19D，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Jasmine Lau (Jasmine Lau) 10/28/18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

Yo, Isabel Estevez Resido en 265 Cherry Apto 19E, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Isabel Estevez
Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Shi chung mak reside at 265 CHERRY ST Apt 19J, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

1/

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

MAK SHI CHUNG Shi chung mak 10-28-2018

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I MABEL HUI reside at 265 CHERRY ST Apt 20B, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

PATRICK Hui

Yo, 265 Resido en 265 Apto 2B, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.**
- **Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Residente Imprimir y firmar el nombre.

10-29-18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

Yo, Oswoldo Mendoza Resido en 265 cherry st Apto 10 E, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Oswoldo Mendoza
Residente Imprimir y firmar el nombre.

10/28/2018.
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, Katherine Mendez Resido en 265 Cherry St Apto 20H, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Katherine Mendez
Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I BAO zhuan Gang reside at 265 Apt 21D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

10/28/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 Hoi Shan Li 居住在 265 Cherry A #21B 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Hoi Shan Li
常驻打印和签名。

10/25/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Shum, Yam F. 居住在 265 Cherry St. A 22C, 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Yam Fong Sham
常驻打印和签名。

10/28/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 SUET TANG 居住在 265 CHERRY St. Apt 22D，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

The Parking lot are for the residents since the buildings ~~built~~ established. if they develop the Towers along the two bridges side, these buildings would effect the community environment, such as add the traffic ~~jam~~ problems and pollutions and etc.

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Suet Tang
常驻打印和签名。

10/28/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 265 St. 居住在 _____ A 22Fl 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Mee Keung 10-29-18

常驻打印和签名。 日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Mabel reside at 265 Cherry Apt 22H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

going forward with this development would no
e beneficial for the residents here at 265 and 275
herry St due to the fact that it'll bring unwanted
onstruction and pollution into the neighborhood
hese older buildings need fixes themselves and they won't
e Sustainable if the new structure is built.

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Mabel Lozada, Mabel Lozada — 10-29-18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I Maria Sanchez reside at 265 Cherry St Apt 23D, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

Bad air quality = (saffering from allergies and respiratory problems since 2014. Actually using Symbicort inhalator on a daily basis. I seeing pulmonologist every other month) Lack of Air quality & sun light affects our health.

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Maria Sanchez — 10/29/18

Resident Print and Sign name. Date

Maria Sanchez

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

[signature] reside at 265 Cherry Apt 23H, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

[signature] 10/29/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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Site 6A M 180506 (B) ZSM

N180498 ZCM

I Rev. Rena White reside at 265 Cherry St Apt 23I, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

My Concerns are: Humanitarian for the Community We are Post 9.11 Victims Suffering from Asthma, Bronchitis Stress, followed by the Aldrin bonds. Contributes that perpetuate some with Cancer. To Add drilling dust more problems to an inadequate dwelling. Further, if Seward Park is to be buy eminent

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Rev Rena White — 10/29/18

Resident Print and Sign name. — Date

Rev. Rena White

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Siu Keung Lam 居住在 265 Cherry St 24C，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Siu Keung Lam
常驻打印和签名。

10/29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Raul Alvarez reside at 265 Cherry St Apt 24E, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Raul Alvarez
Resident Print and Sign name.

10/29/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Priscilla Brooks reside at 265 Apt 24 am requesting City Planning Commission vote "NO" to the approval of the application ~~17~~DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Priscilla Brooks — 10/29/18

Resident Print and Sign name. — Date

Priscilla Brooks

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 HAI SU 居住在 265 A 24H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

HAI SU
常驻打印和签名。

10/29/18
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 Chun Ye Yang 居住在 265 CHERRY ST A 24H，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Chun Ye Yang
常驻打印和签名。

10/29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

我 SHOK YING TONG 居住在 265 Cherry Street Apt. A 26C，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

Windows need to Repair,

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Shokying Tong
常驻打印和签名。

10/29/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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I Nancy Gomez. reside at 265 cherry ST Apt 25-C, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Nancy Gomez.
Resident Print and Sign name.

10.29.18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

I Nancy Lome reside at 265 Cherry Apt 25C am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Nancy Lome — 10/28/18

Resident Print and Sign name. Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

Yo, YICK WING LAM Resido en 265 CHERRY ST Apto 25D, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Yick Wing Lam
Residente Imprimir y firmar el nombre.

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Stephen reside at 265 Apt 25-C am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

Stephen 10/28/2018

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

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N180498 ZCM

我 Ann Lam 居住在 265 Cherry A 25-F 正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
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- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

常驻打印和签名。

10/28/2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I R Jackson reside at 265 Cherry St Apt 26F am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

Due To The fact, that theres Enough cars Trucks Polluting the Neighborhood AT Risk More towers means more People, Cars Truck This Arera is Already Ove Populated!

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Ron Jackson
Resident Print and Sign name.

10/29/2018
Date

Ron Jackson

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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N180498 ZCM

I Chun Tsang Li reside at 265 Cherry ST Apt 26A, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

Resident Print and Sign name.

10/29/18
Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Yo, Juana Rodriguez Resido en 265 CHERRY Apto 26B, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Yo Juana Rodriguez y Residente EN EL 265 de CHERRY st APT 26B Yo Tengo Vivienda aqui por 25 año Y Yo No estoy de acuerdo que en ese parqueo se Construlla NINGUN Edificio porque ese es nuestro parqueo notifico No estoy de acuerdo gracias

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

Juana Rodriguez
Residente Imprimir y firmar el nombre

10/29/18
Fecha

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Site 6A M 180506 (B) ZSM
N180498 ZCM

我 Ting Shuang Jiang 居住在 265 Cherry St A26D，正在请求城市规划委员会根据以下小组在其证词中提供的事实和法律调查结果，对申请 17DCP148M 双桥 LSRD 开发项目的批准投反对票，我全力支持与我在下面提交的原因一起。

- **CPC（城市规划委员会）根据所有法律调查结果和其他机构要求和调查结果，对这些拟议的双桥 LSRD 发展的应用进行投票。**
- **AALDEF（亚裔美国法律辩护和教育基金）证词**
- **LESON（下东区有组织的邻居）证词**
- **Lands End 2 居民协会 265 和 275 Cherry 街道证词**

我请你代表我在 Landsend2ra@gmail.com 向居民协会提出我的疑虑

Ting Shuang Jiang
常驻打印和签名。

10-29-2018
日期

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

LANDS END II 居民协会

Attn: CITY PLANNING COMMISSION
Calendar Information Office-31st Floor
120 Broadway, New York, N.Y. 10271

RE: Two Bridges LSRD Draft Environmental Impact Statement
Hearing Date: October 17th, 2018
CEQR No: 17DCP148M
Site 4 (4A/4B) - M 180507 (C) ZSM
Site 5 M 180505 (A) ZSM
Site 6A M 180506 (B) ZSM
N180498 ZCM

I Nancy Chu reside at 265 cherry st Apt 19K, am requesting City Planning Commission vote "NO" to the approval of the application 17DCP148M Two Bridges LSRD Development Projects, based on the facts and legal findings provided by the following groups in their testimonies, in which I fully support along side the reasons I've also submitted below.

- **CPC (City Planning Commission) Vote No to the applications of these proposed Two Bridges LSRD developments based on all legal findings and other agency requirements and findings.**
- **AALDEF(Asian American Legal Defense and Education Fund) Testimony**
- **LESON (Lower East Side Organized Neighbors) Testimony**
- **Lands End 2 Resident Association of 265 & 275 Cherry street Testimony**

I ask that you please provide a response to my concerns to the Resident Association on my behalf at Landsend2ra@gmail.com

NANCY CHU

Resident Print and Sign name.

10/29/2018

Date

LANDS END 2 RESIDENT ASSOCIATION OF 265 & 275 CHERRY STREET RESIDENTS

ASOCIACIÓN DE RESIDENTES DE TERRENOS 2

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Yo, MELANIA TOLENTINO Resido en 265 CHERRY Apto 16G, solicito a la Comisión de Planificación de la Ciudad que vote "NO" a la aprobación de la solicitud 17DCP148M Two Bridges LSRD Development Projects, basado en los hechos y hallazgos legales proporcionados por los siguientes grupos en sus testimonios, en los cuales estoy totalmente de acuerdo. junto a las razones que también he presentado a continuación.

- **CPC (Comisión de Planificación de la Ciudad) Vote No a las solicitudes de estos desarrollos propuestos de Two Bridges LSRD basados en todos los hallazgos legales y otros requisitos y hallazgos de la agencia.• Testimonio de AALDEF (Fondo Asiático-Americano de Defensa Legal y Educación)**
- **Testimonio de LESON (Vecinos Organizados del Lower East Side)**
- **Lands End 2 Asociación de residentes de 265 y 275 Cherry Street Testimonio**

Le pido que brinde una respuesta a mis preocupaciones a la Asociación de Residentes en mi nombre en Landsend2ra@gmail.com

MELANIA TOLENTINO Melania Tolentino — 10/29/18

Residente Imprimir y firmar el nombre. — Fecha