



BSA SUBMISSION NOTICE

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BO. STANDARDS AND APPEALS

Date: May 25, 2016

2016 MAY 25 4:11 PM
Examiner's Name: Unknown at this time

BSA Calendar #: 2016-4183-B2

CAL NO.
Electronic Submission: ☒ Email ☐ CD

Subject Property:

Address: 432 East 14th Street, New York, NY (Block 441 Lots 23 & 32)

Applicant Name Stroock & Stroock & Lavan LLP

Submitted by (Full Name): Susan Shaw

A) The material I am submitting is for a case currently **IN HEARING**, scheduled for _____
The reason I am submitting this material:

- ☐ Response to issues/questions raised by the Board at prior hearing
☐ Response to request made by Examiner
☐ Other: _____

Brief Description of submitted material: _____

List of items that are being voided/superseded: _____

B) The material I am submitting is for a **PENDING** case. The reason I am submitting this material:

- ☐ Response to BSA Notice of Comments
☐ Response to request made by Examiner
☐ Dismissal Warning Letter

Brief Description of submitted material: _____

List of items that are being voided/superseded: (THIS IS A NEW CASE): _____

Revised Radius Diagram/Land Use Map & Revised NYC Environmental Assessment Statement (EAS) Short Form, _____

MASTER CASE FILE INSTRUCTIONS

- Bind one set of new materials in the master case file
- Keep master case file in reverse chronological order (all new materials on top)
- Be sure to **VOID** any superseded materials (no stapling!)
- Handwritten revisions to any material are unacceptable

From: Submit (BSA) <submit@bsa.nyc.gov>
Sent: Wednesday, May 25, 2016 2:14 PM
To: Shaw, Susan
Subject: BSA Submission Receipt- Please Read

RECEIVED
113. STANDARDS AND APPEALS

Attention Applicant: P 12: 01

CAL. NO.

Your Submission has been received by the Board.
You will be contacted should your material be deemed Not Accepted

Did you complete the following?

1. Copy your Project Manager.
2. Number and label all documents according to the Filing instructions.
(please call or email Monique Granados should you have issues with this)**
3. Provided the Calendar number, Property Address and Hearing Date in the email subject (if no hearing date, state "Pending")
4. When submitting with Drop Box please label your folder - Calendar number, Property Address and Hearing Date (if no hearing date, state "Pending") and share the folder with Submit.**
5. Schedule an appointment to provide three (3) hard copies with the Records Unit; BSA Appointments are between 9:15 am-4pm.

***Please note: Emails received after 5pm will be marked received the next business day.
Give yourself enough time, to submit on time.**

To schedule an appointment to bring down your hard copies, please contact:

Doretha Whitley: 212-386-0071 or dwhitley@bsa.nyc.gov

or

Emanuel Jones: 212-386-0073 or emjones@bsa.nyc.gov

Or

General Number: 212-386-0009

Issues with Electronic Filings, please contact:

****Monique Granados: 212-386-0079 or mgranados@bsa.nyc.gov**

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MAY 25 A 11:57
DAL. HQ.

STROOCK

By Hand

May 25, 2016

Ross F. Moskowitz
Direct Dial: 212-806-5550
Fax: 212-806-6006
rmoskowitz@stroock.com

City of New York
Board of Standards and Appeals
250 Broadway, 29th Floor
New York, NY 10007
Attn: Margery Perlmutter, Chairperson

Re: East 14th Street Owner LLC
432 East 14th Street, New York, NY
Block 441 Lots 23 & 32
BSA Calendar No. 2016-4183-BZ (the "Application")

Dear Chairperson Perlmutter:

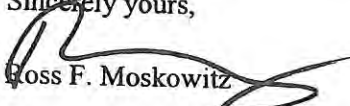
On behalf of East 14th Street Owner LLC, we respectfully submit the following documents to the Application, originally submitted on May 9, 2016. Enclosed please find one (1) original and two (2) copies of the following documents:

1. The revised New York City Environmental Quality Review, Environmental Assessment Statement (EAS) Short Form, dated May 3, 2016, including the New York City Landmarks Preservation Commission Environmental Review, "Archaeology Review Only", (Appendix A), dated May 10, 2016, prepared by AKRF, Inc.; and
2. A current Radius Diagram/Land Use Map, prepared by AKRF, Inc.

Please do not hesitate to contact us should you have any questions regarding the Application.

Thank you for your cooperation and assistance.

Sincerely yours,


Ross F. Moskowitz

Enclosures

NY 76196879v1

Board of Standards and Appeals

May 25, 2016

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cc: East 14th Street Owner LLC
Ms. Gigi Li, Chair, Manhattan Community Board 3 (by overnight delivery)
Ms. Susan Stetzer, District Manager, Manhattan Community Board 3 (by overnight delivery)
Honorable Rosie Mendez, City Council Member (by overnight delivery)
Honorable Gail Brewer, Manhattan Borough President (by overnight delivery)
Martin Rebholz, Borough Commissioner, Manhattan Department of Buildings (by overnight delivery)
Mr. Carl Weisbrod, Director, Department of City Planning, Manhattan Office (by overnight delivery)
Mr. Christopher Holmes, Department of City Planning, Manhattan Office
J.S. Freeman Associates, Inc.
SLCE Architects, LLP Fernando Alvarez, AIA Associate

NY 76196879v1



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

1. Does the Action Exceed Any Type I Threshold in EACR Part 617.4 or 42 RCNY 66-15(A) (Executive Order 91 of 1977, as amended)? ☐ YES

If "yes," STOP and complete the [FULL EAS FOI](#)

2016-4183-BZ

2. Project Name 432 East 14th Street

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)

TBD

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)

OTHER REFERENCE NUMBER(S) (if applicable)

(e.g., legislative intro, CAPA)

4a. Lead Agency Information

NAME OF LEAD AGENCY

New York City Board of Standards and Appeals (BSA)

NAME OF LEAD AGENCY CONTACT PERSON

Rory Levy

ADDRESS 250 Broadway, 29th Floor

CITY New York

STATE NY

ZIP 10007

TELEPHONE (212) 788 8749

EMAIL rlevy@bsa.nyc.gov

4b. Applicant Information

NAME OF APPLICANT

432 East 14th Street UDP LLC

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

Darryl Herring

ADDRESS 1776 Broadway, Suite 606

CITY New York

STATE NY

ZIP 10019

TELEPHONE (212) 767

0960

EMAIL

dherring@urbandp.com

5. Project Description

The proposed project involves the development of a mixed-use residential and commercial building at 432 East 14th Street (Block 441, Lot 23) in Manhattan, Community District 3. The proposed project would contain 155 dwelling units and approximately 9,100 square feet of retail space on portions of the ground floor and cellar level. The project would utilize approximately 3,970 square feet of air rights from Block 441, Lot 32, which is currently and would continue to be occupied by an 5-story residential building. The applicant is seeking a variance from the New York City Board of Standards and Appeals pursuant to Section 72-21 of the New York City Zoning Resolution (ZR) to waive applicable floor area, height, and setback regulations. Refer to page 1a, "Project Description," for more information.

Project Location

BOROUGH Manhattan

COMMUNITY DISTRICT(S) 3

STREET ADDRESS 432 E. 14th Street/435 E. 13th Street

TAX BLOCK(S) AND LOT(S) Block 441/Lots 23 and 32

ZIP CODE 10009

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Mid-block site with frontage along E. 13th and E. 14th Streets, between Avenue A and First Avenue

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C1-6A

ZONING SECTIONAL MAP NUMBER 12c

6. Required Actions or Approvals (check all that apply)

City Planning Commission:

☐ YES

☒ NO

☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT

☐ ZONING CERTIFICATION

☐ CONCESSION

☐ ZONING MAP AMENDMENT

☐ ZONING AUTHORIZATION

☐ UDAAP

☐ ZONING TEXT AMENDMENT

☐ ACQUISITION—REAL PROPERTY

☐ REVOCABLE CONSENT

☐ SITE SELECTION—PUBLIC FACILITY

☐ DISPOSITION—REAL PROPERTY

☐ FRANCHISE

☐ HOUSING PLAN & PROJECT

☐ OTHER, explain:

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☒ YES

☐ NO

☐ VARIANCE (use)

☒ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

5A. PROJECT DESCRIPTION

The proposed project involves the development of a mixed-use residential and commercial building at 432 East 14th Street/435 East 13th Street (Block 441, Lot 23) in the East Village neighborhood of Manhattan, Community District 3 (the “project site”). The project would utilize approximately 3,970 square feet of air rights from Block 441, Lot 32, which is currently and would continue to be occupied by a 5-story residential building. The proposed project would contain 155 dwelling units (including 31 affordable units) and approximately 9,100 square feet of retail space on portions of the ground floor and cellar level. The applicant is seeking a bulk variance from the NYC Board of Standards and Appeals (the “BSA”) pursuant to Section 72-21 of the New York City Zoning Resolution (ZR) to waive applicable floor area, height, and setback regulations (the “proposed action”).

The project site is located midblock between East 13th and East 14th streets, between First Avenue and Avenue A. The site is largely vacant and was previously occupied with a one-story former post office building. The building is currently being demolished. With the requested variance, the applicant would construct a mixed-use residential building with frontage along East 13th and East 14th streets. The East 13th Street portion of the building would be eight stories in height, and the East 14th Street portion of the building would be 12 stories in height. The two residential components of the building would be connected at the cellar level. Approximately 9,100 sf of retail space would occupy the ground floor along East 14th Street as well as part of the cellar level. A common courtyard would occupy the rear of each building. The project site is within a C6-1A zoning district.

To facilitate the proposed project, the applicant is seeking a bulk variance pursuant to Zoning Resolution (ZR) Section 72-21 to waive the floor area requirements of ZR Section 23-145 and the height and setback requirements of ZR Section 35-24. The project site’s C1-6A zoning district (R7A equivalent) has an FAR of 4.0, a maximum street wall height of 65’ and maximum building height of 80’. The proposed project would be developed to an FAR of 5.06, and the East 14th Street portion of the building would rise to a height of 124’ with no setback. The applicant is seeking the requested variance due to high groundwater and poor soil conditions at the site, which require atypical and costlier construction methods. The requested variance is a discretionary approval subject to City Environmental Quality Review (CEQR). The proposed project has a build year of 2018. Absent the proposed action, no development is anticipated to occur on the project site.

SCREENING ANALYSES

All analyses were performed in accordance with the 2014 *City Environmental Quality Review (CEQR) Technical Manual*.

LAND USE, ZONING, AND PUBLIC POLICY

See Attachment A.

SOCIOECONOMIC CONDITIONS

The proposed project would result in 155 dwelling units and approximately 9,100 sf of retail space, which falls below the *CEQR Technical Manual* thresholds for a preliminary assessment of indirect displacement (200 dwelling units and 200,000 sf of commercial space, respectively). The project site is currently vacant, and the air rights parcel is occupied by a residential building. As the project site is vacant, the proposed project would not directly displace any residents or employees. In addition, the proposed project would not adversely affect a specific industry. Therefore, the proposed project would not result in significant adverse impacts associated with socioeconomic conditions and no further assessment is warranted.

COMMUNITY FACILITIES

The proposed project would not result in the displacement or physical alteration to any public or publicly-funded community facilities such as schools, libraries, hospitals, child care facilities, fire houses or police precinct houses; therefore, no direct effects to community facilities would occur with the proposed action. According to the *CEQR Technical Manual*, the minimum number of dwelling units to trigger an assessment of indirect effects related to public schools in Manhattan is 310 units for elementary/intermediate schools and 2,492 units for high schools. The *CEQR Technical Manual* threshold for an assessment of publicly-funded day care is 170 units of housing affordable to households at or below 80 percent Area Median Income. The proposed project would result in 155 dwelling units, including 31 affordable units, which falls below CEQR thresholds for assessments of indirect effects associated with

public schools and publicly-funded child care. The proposed project would not result in 901 or more dwelling units, which is the number of units which triggers a detailed analysis of libraries in Manhattan. Lastly, the proposed action would not introduce a sizeable new neighborhood; therefore, an assessment of police and fire protection services and emergency health care facilities is not warranted. No significant adverse impacts associated with community facilities would occur.

OPEN SPACE

See Attachment B.

SHADOWS

See Attachment C.

HISTORIC AND CULTURAL RESOURCES

See Attachment D.

URBAN DESIGN AND VISUAL RESOURCES

See Attachment E.

NATURAL RESOURCES

The former post office had a building footprint which covered most of the project site except for a paved parking area that covers approximately 1,060 sf of the site. The project site is devoid of natural resources as defined in the *CEQR Technical Manual*. There are no water or wetland resources; nor are any upland resources which would be affected by the proposed project. Therefore, the proposed project would not result in significant adverse impacts related to natural resources and no further assessment is warranted.

HAZARDOUS MATERIALS

See Attachment F.

WATER AND SEWER INFRASTRUCTURE

The proposed project would not result in an exceptionally large demand for water (e.g., those that are projected to use more than one million gallons per day such as power plants, very large cooling systems, or large developments); nor would it be located in an area that experiences low water pressure (e.g. areas at the end of the water supply distribution system such as the Rockaway Peninsula and Coney Island). Therefore, the proposed project would not result in significant adverse impacts to water infrastructure and further assessment is not warranted. The project site is located in a combined sewer area and the development expected as a result of the proposed action would fall below 1,000 residential units or 250,000 sq. ft. of commercial, public facility, and institution and/or community facility space, which is the CEQR threshold for analysis for a projects in Manhattan; therefore, significant adverse impacts associated with the city's wastewater and stormwater conveyance and treatment infrastructure would not occur, and further assessment is not warranted.

SOLID WASTE AND SANITATION SERVICES

A solid waste assessment determines whether a project has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the New York City Solid Waste Management Plan or with state policy related to the City's integrated solid waste management system. The city's solid waste system includes waste minimization at the point of generation, collection, treatment, recycling, composting, transfer, processing, energy recovery, and disposal. The New York City Department of Sanitation collects solid waste generated by residences and community facilities. Commercial and industrial establishments in the city contract with private carters for collection and processing and/or disposal of various kinds of solid waste. According to the *CEQR Technical Manual*, projects which have the potential to generate 100,000 pounds (or 50 tons) per week or more may require further analysis. As indicated in Part II: Technical Analysis, item 11 of the CEQR Short Form, the proposed project's projected operational solid waste generation is estimated to be approximately 8,488 pounds per week. Therefore, the proposed project is not expected to result in significant adverse impact to solid waste and sanitation services, and further assessment is not warranted.

ENERGY

According to the *CEQR Technical Manual*, significant adverse energy impacts are not anticipated for the great majority of projects analyzed under CEQR. The incremental demand caused by most projects results in incremental supply, and consequently, an individual project's energy consumption often would not create a significant impact on energy supply. Consequently, a detailed assessment of energy impacts would be limited to projects that may significantly affect the transmission or generation of energy. However, it is recommended that the projected amount of energy consumption during long-term operation be disclosed in the environmental assessment. As indicated in Part II: Technical Analysis, item 12 of the CEQR Short Form, the proposed project's energy use is estimated to be 166,627,802 annual BTUs.

TRANSPORTATION

See Attachment G.

AIR QUALITY

See Attachment H.

NOISE

See Attachment I.

NEIGHBORHOOD CHARACTER

Under CEQR, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. In order to determine a project's effects on neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered together. These elements include: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and noise. According to the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in any 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. As indicated throughout this EAS, the proposed project would not result in significant adverse impacts in any of the elements that define neighborhood character; therefore, the proposed project would not result in significant adverse impacts on neighborhood character.

CONSTRUCTION

The construction activities associated with the development of the proposed project would be expected to result in conditions typical of construction sites in Manhattan. Construction of the proposed project would occur over a period of approximately 22 months. During this time, construction activities for the proposed project would normally take place Monday through Friday, although the delivery or installation of certain critical equipment could occur on weekend days. The permitted hours of construction are regulated by the New York City Department of Buildings (DOB) and apply to all areas of the City. In accordance with those regulations, work would begin at 7:00 AM on weekdays, although some workers would arrive and begin to prepare work areas between 6:00 AM and 7:00 AM. Weekend work may also be required. Appropriate permits from the Department of Buildings (DOB) would be obtained for any necessary work outside of normal construction hours (i.e., weekend work), and no work outside of normal construction hours could be performed until such permits are obtained.

Maintenance and Protection of Traffic (MPT) plans would be developed for any temporary curb-lane and sidewalk closures. Approval of these plans and implementation of the closures would be coordinated with the New York City Department of Transportation (DOT)'s Office of Construction Mitigation and Coordination (OCMC). In addition, all DOB safety requirements would be followed and construction of the proposed project would be conducted with care so as to minimize the disruption to the community.

Potential impacts on community noise levels during construction could result from the operation of construction equipment and from construction and delivery vehicles traveling to and from the project site. As discussed above, construction of the proposed project would be typical of construction in Manhattan and would occur over a period of approximately 22 months, which is considered short-term according to the *CEQR Technical Manual*. The construction of the proposed project would comply with applicable control measures for construction noise. Construction noise is

regulated by the New York City Noise Control Code and by the Environmental Protection Agency noise emission standards for construction equipment. These federal and local requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards. Except under exceptional circumstances, construction activities must be limited to weekdays between the hours of 7:00 AM and 6:00 PM. Construction material must also be handled and transported in such a manner as to not create unnecessary noise. Therefore, based on the limited duration and typical intensity of construction activities associated with the proposed project and adherence to the *New York City Noise Control Code* to minimize noise disruption, no significant adverse noise impacts are expected to occur as a result of the construction.

As discussed above, construction of the proposed project would be typical of construction in Manhattan and would occur over a period of approximately 22 months, which is considered short-term according to the *CEQR Technical Manual*. Furthermore, the most intense construction activities in terms of air pollutant emissions—demolition, excavation, and foundation work, during which a number of large non-road diesel engines would be employed—would last for only a portion of this duration. During construction of the proposed project, all necessary measures would be implemented to ensure adherence to the New York City Air Pollution Control Code to minimize construction-related dust emissions. Therefore, based on the limited duration and typical intensity of construction activities associated with the proposed project and the adherence to the New York City Air Pollution Control to minimize dust emissions, no significant adverse noise impacts are expected to occur as a result of the construction.

Therefore, the development of the proposed project would not have significant adverse construction impacts.

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION Variance pursuant to ZR Section 72-21, to waive the floor area requirements of ZR Section 23-145 and height and setback requirements of ZR Section 35-24

Department of Environmental Protection: ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

- | | |
|--|--|
| ☐ LEGISLATION | ☐ FUNDING OF CONSTRUCTION, specify: |
| ☐ RULEMAKING | ☐ POLICY OR PLAN, specify: |
| ☐ CONSTRUCTION OF PUBLIC FACILITIES | ☐ FUNDING OF PROGRAMS, specify: |
| ☐ 384(b)(4) APPROVAL | ☐ PERMITS, specify: |
| ☐ OTHER, explain: | |

Other City Approvals Not Subject to CEQR (check all that apply)

- | | |
|---|---|
| ☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) | ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL |
| | ☐ OTHER, explain: |

State or Federal Actions/Approvals/Funding: ☒ YES ☐ NO If "yes," specify: NYS Housing Finance Agency's 80/20 Housing Program

7. Site Description: The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.

Graphics: The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.

- | | | |
|--|---|---|
| ☒ SITE LOCATION MAP | ☒ ZONING MAP | ☒ SANBORN OR OTHER LAND USE MAP |
| ☒ TAX MAP | ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S) | |
| ☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP | | |

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 23,540 sf

Waterbody area (sq. ft) and type:

Roads, buildings, and other paved surfaces (sq. ft.): 23,540 sf

Other, describe (sq. ft.):

8. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 166,177 gsf

NUMBER OF BUILDINGS: 1

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 166,177 gsf

HEIGHT OF EACH BUILDING (ft.): 124' along E. 14th St. and 80' along E. 13th St.

NUMBER OF STORIES OF EACH BUILDING: 12 stories along E. 14th St. and 8 stories along E. 13th St.

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO

If "yes," specify: The total square feet owned or controlled by the applicant:

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: TBD sq. ft. (width x length)

VOLUME OF DISTURBANCE: 432,000 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: TBD sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	Commercial	Community Facility	Industrial/Manufacturing
Size (in gross sq. ft.)	131,222 gsf	9,131 gsf	NA	NA
Type (e.g., retail, office, school)	155 units	retail	NA	NA

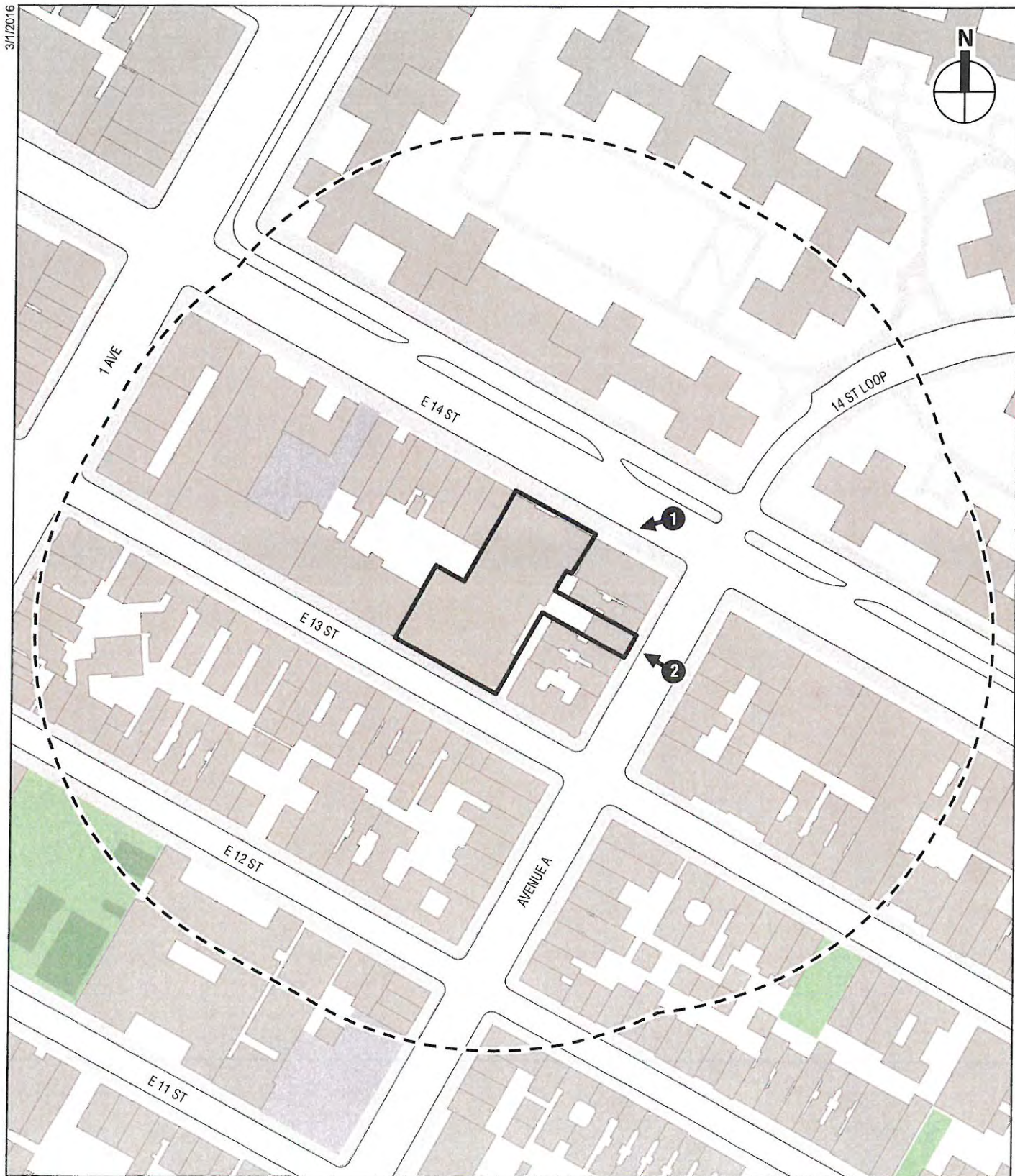
Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify:

NUMBER OF ADDITIONAL RESIDENTS: 344

NUMBER OF ADDITIONAL WORKERS: 33

Provide a brief explanation of how these numbers were determined: Sources: U. S. Census Bureau, 2010-2012 American Community Survey 3 Year Estimates Population Division - New York City Department of City Planning (Jan 2014); three employees per 1,000 sf of retail space and one employee per 25 dwelling units (East New York Rezoning DEIS)



 Project Site

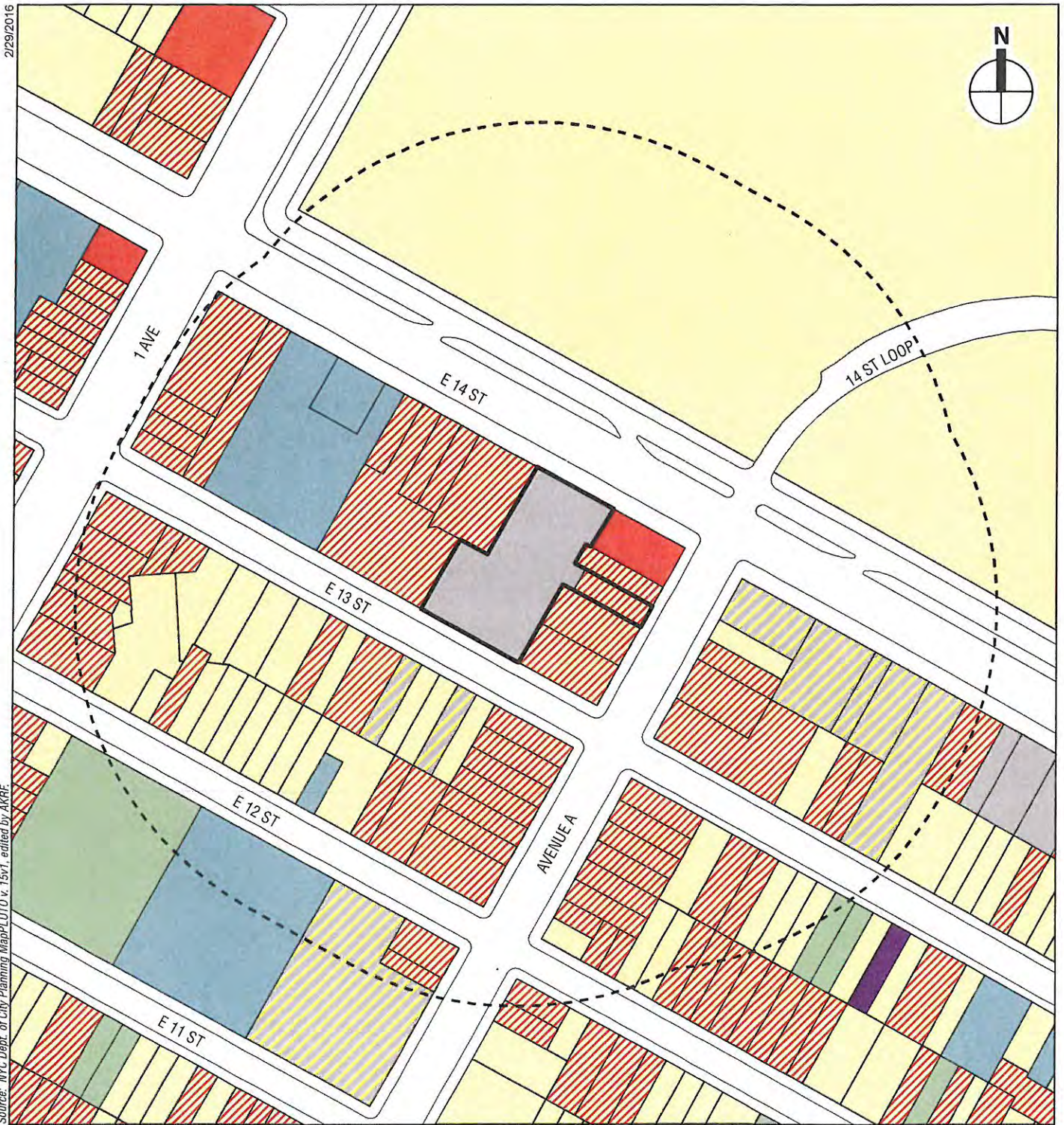
 Study Area (400-Foot Boundary)

 Photograph View Direction and Reference Number

0 200 FEET

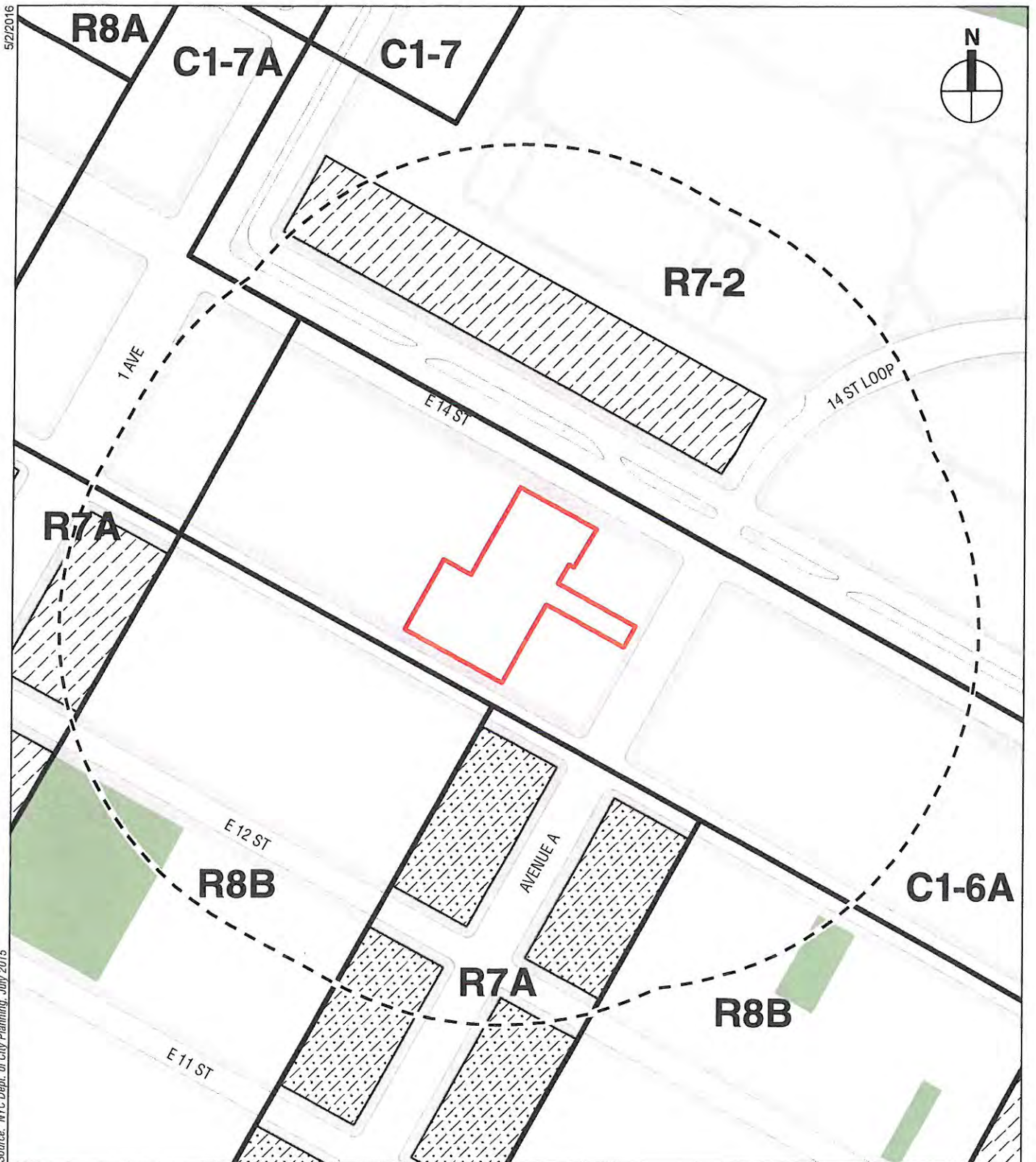
432 EAST 14TH STREET

Project Location Map
Figure 1



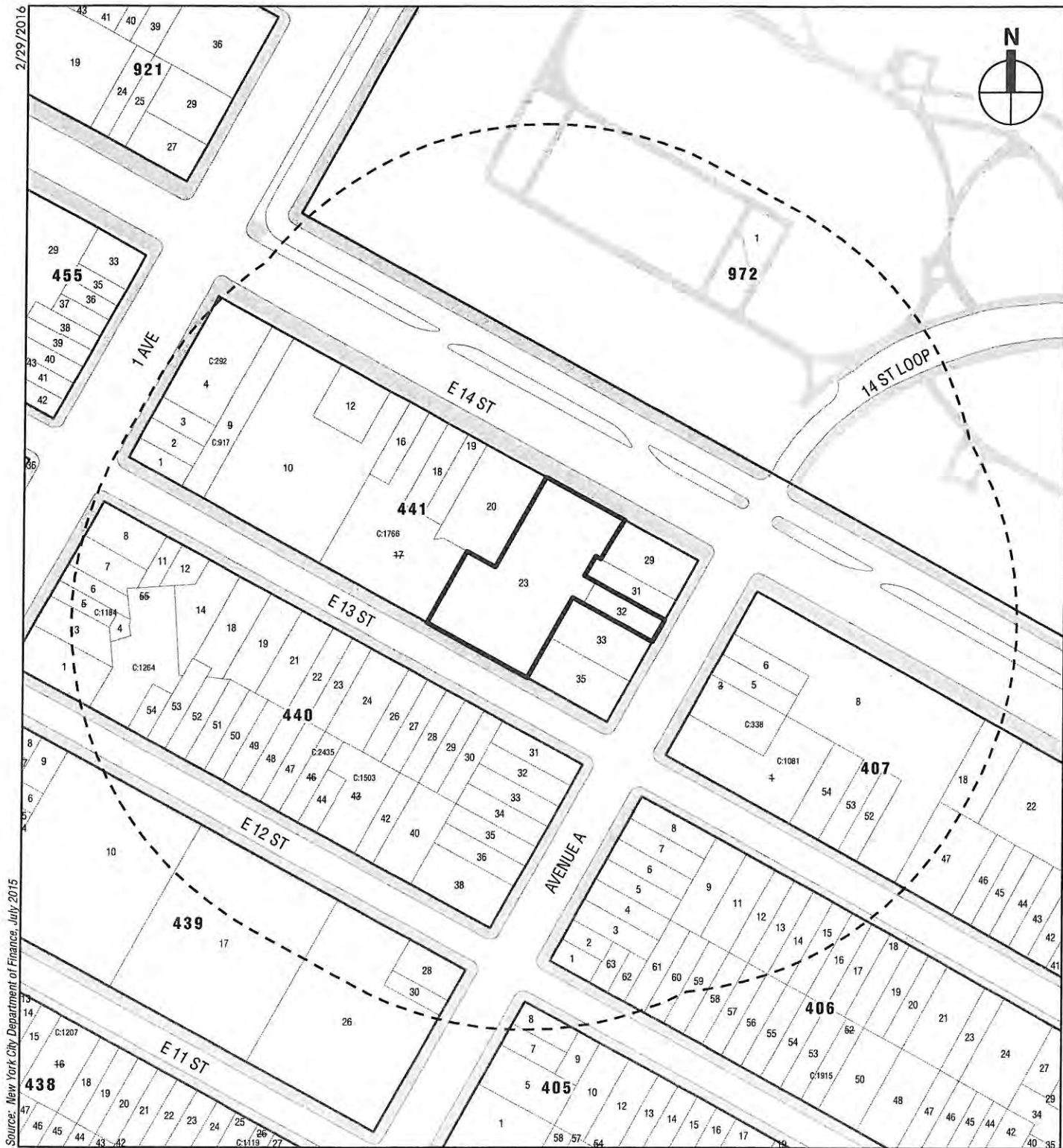
- | | |
|-----------------------------------|------------------------------------|
| Project Site | Public Facilities and Institutions |
| Study Area (400-foot boundary) | Residential |
| Commercial and Office Buildings | Residential with Commercial Below |
| Industrial and Manufacturing | Vacant Land |
| Open Space and Outdoor Recreation | Under Construction |

0 200 FEET



- Project Site
- Study Area (400-foot boundary)
- Zoning Districts
- C1-5 Commercial Overlay District
- C2-5 Commercial Overlay District

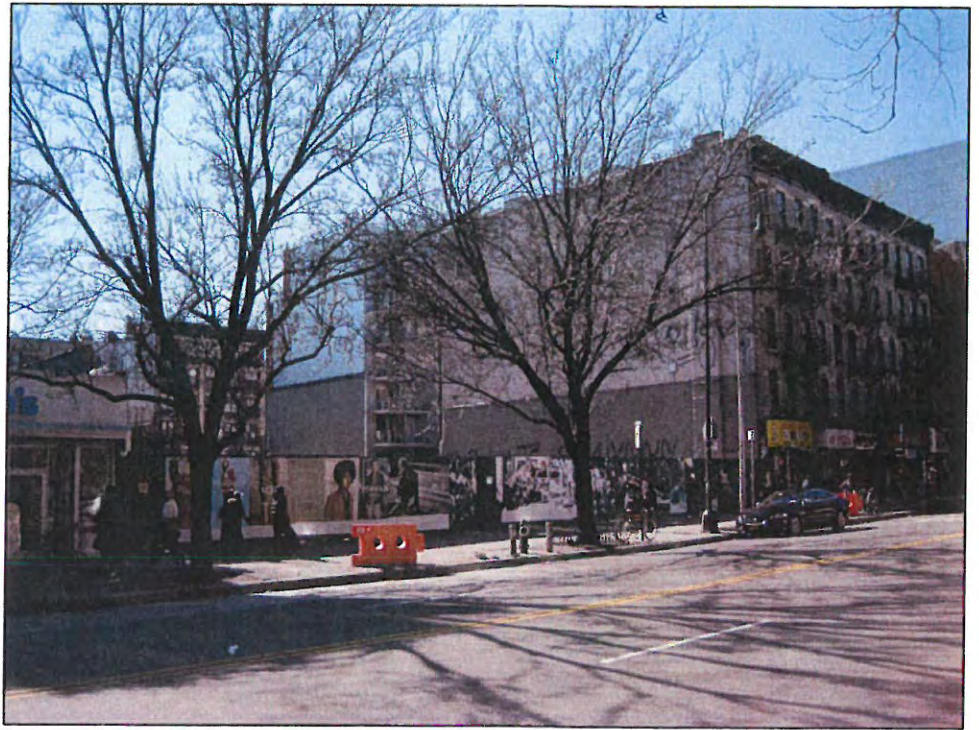
0 200 FEET



Source: New York City Department of Finance, July 2015

- Project Site
- Study Area (400-foot boundary)
- Tax Block Boundary
- Tax Lot Boundary
- 33 Tax Lot Number
- 33 Condo Tax Lot Number
- C: 40 Condo Flag/Condo Number
- Other Tax Boundary
- Possession Hooks

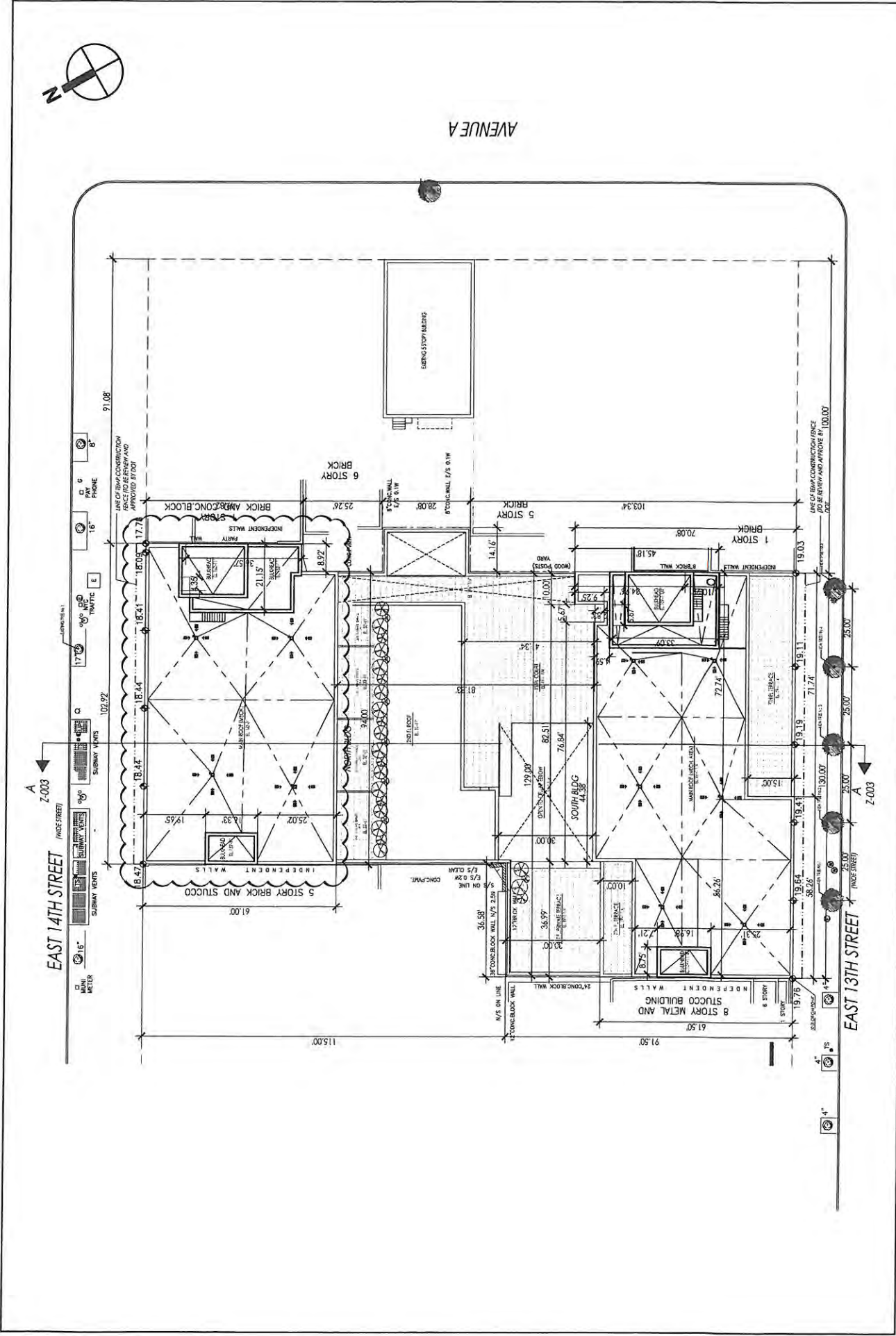
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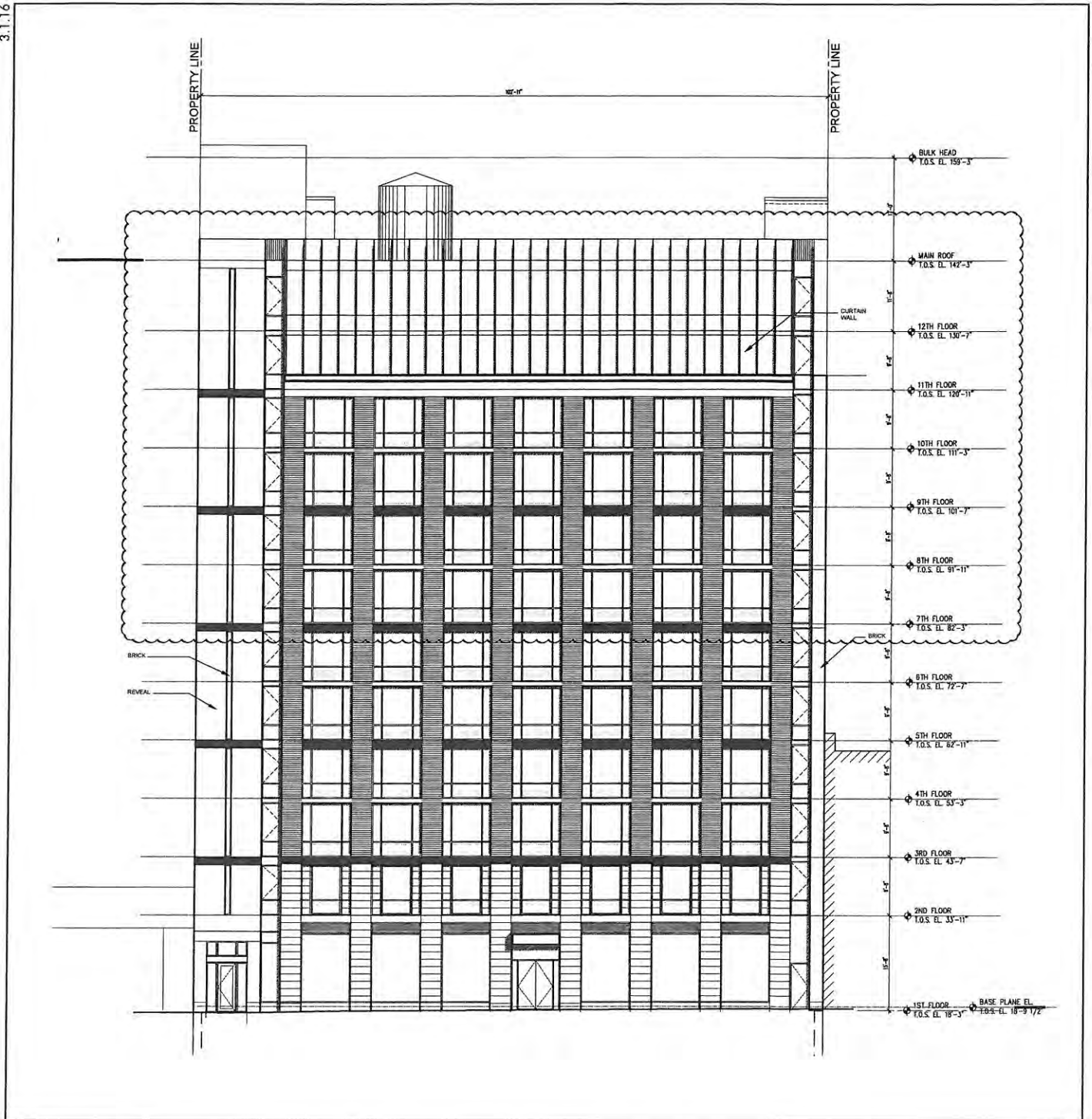
Project site, view from East 14th Street 1

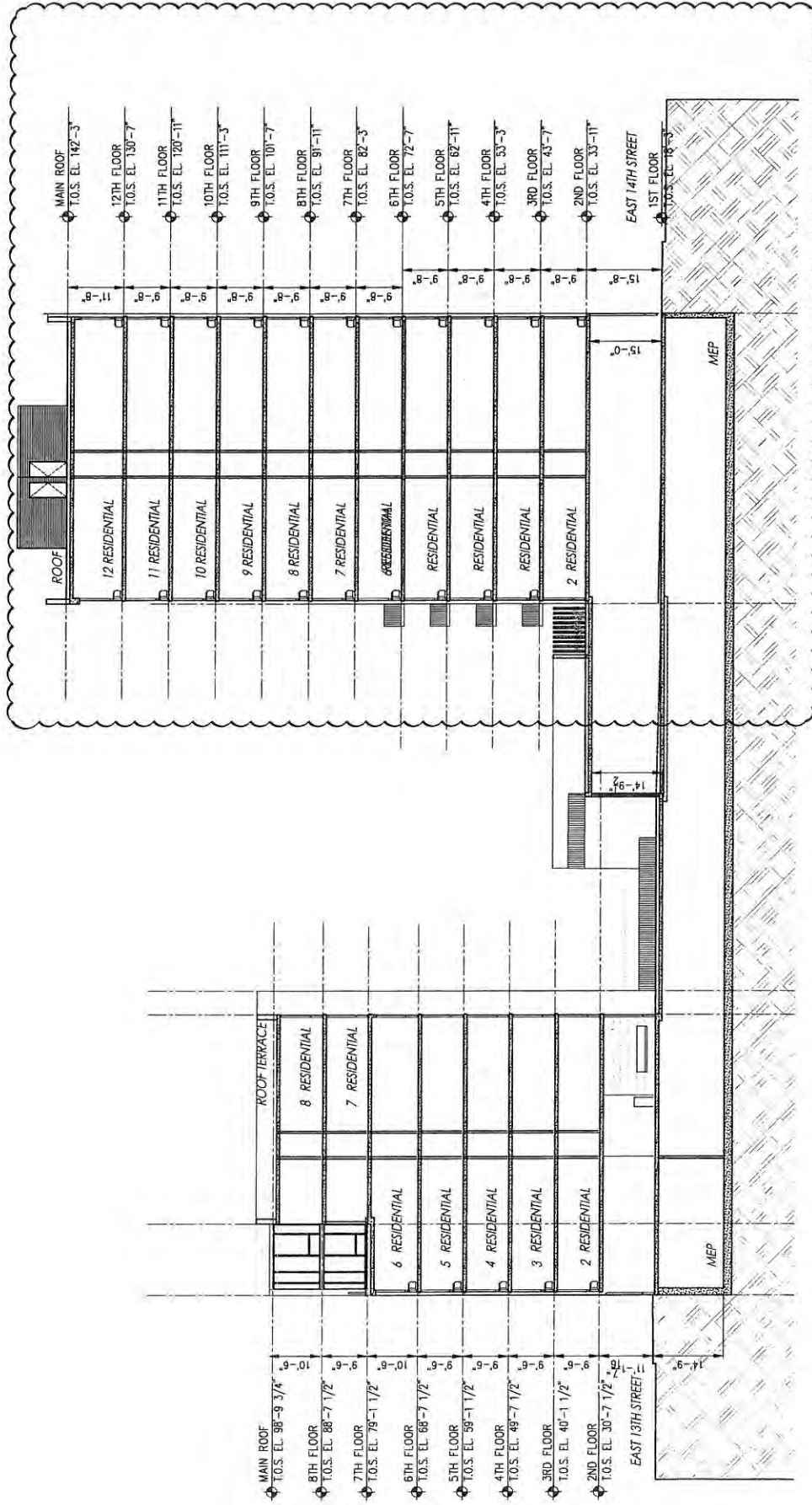


Air rights parcel, view from Avenue A 2



Proposed Site Plan
Figure 6





Proposed Building Section
Figure 8

Does the proposed project create new open space? ☐ YES ☒ NO		If "yes," specify size of project-created open space: _____ sq. ft.	
Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO			
If "yes," see Chapter 2 , "Establishing the Analysis Framework" and describe briefly:			
9. Analysis Year CEQR Technical Manual Chapter 2			
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2018			
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 22 months			
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO		IF MULTIPLE PHASES, HOW MANY?	
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:			
10. Predominant Land Use in the Vicinity of the Project (check all that apply)			
☒ RESIDENTIAL	☐ MANUFACTURING	☒ COMMERCIAL	☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: vacant

Part II: TECHNICAL ANALYSIS

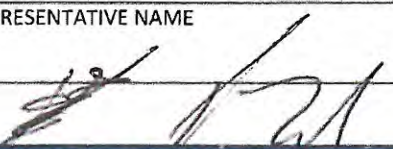
INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

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

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attachment A.		
(e) Is the project a large, publicly sponsored project?	☐	☒
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries ?	☐	☒
o If "yes," complete the Consistency Assessment Form .		
2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of 200 or more residential units?	☐	☒
o Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
o Directly displace more than 500 residents?	☐	☒
o Directly displace more than 100 employees?	☐	☒
o Affect conditions in a specific industry?	☐	☒
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
o Child Care Centers: Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
o Libraries: Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
o Public Schools: Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
o Health Care Facilities and Fire/Police Protection: Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	☐	☒
o If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	☐	☒
o If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐

	YES	NO
5. SHADOWS: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ?	☐	☒
o If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed ?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form , and submit according to its instructions .		
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment F		
10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area , would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13 ?	☐	☐
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☐

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): 8,488		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. ENERGY: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs): 166,627,802		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.</i>	☐	☐
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) Mobile Sources: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	☐	☒
(b) Stationary Sources: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed) See page 5a	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18 ?	☐	☒
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality;	☒	☐

	YES	NO
Hazardous Materials; Noise?		
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary. The proposed project would not result in any unmitigated impacts associated with hazardous materials, noise, or air quality; therefore a public health assessment is not warranted.		
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary. As discussed in the EAS, the proposed project would not result in significant adverse impacts in any of the technical areas referenced above in item 18(a).		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	☒	☐
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☐	☒
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22 , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		
Construction activities would not occur for longer than two years and construction effects would be typical of projects located in New York City.		
20. APPLICANT'S CERTIFICATION		
I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.		
Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.		
APPLICANT/REPRESENTATIVE NAME	DATE	
	MAY 3, 2016	
SIGNATURE		
PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.		

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.		Potentially Significant Adverse Impact	
IMPACT CATEGORY		YES	NO
Land Use, Zoning, and Public Policy		☐	☐
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		☐	☐
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?		☐	☐
If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.			
3. Check determination to be issued by the lead agency:			
☐ Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).			
☐ Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.			
☐ Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.			
4. LEAD AGENCY'S CERTIFICATION			
TITLE		LEAD AGENCY	
NAME		DATE	
SIGNATURE			

NEGATIVE DECLARATION (Use of this form is optional)**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, _____ assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds that the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

A. INTRODUCTION

Under the 2014 *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a land use analysis evaluated the uses and development trends in the area that may be affected by a project, and determines whether that project is compatible with those conditions or may affect them. The analysis also considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

The proposed project involves the development of a mixed-use residential and commercial building at 432 East 14th Street/435 East 13th Street (Block 441, Lot 23) in the East Village neighborhood of Manhattan, Community District 3 (the "project site"). The project would utilize approximately 3,970 square feet of air rights from Block 441, Lot 32, which is currently and would continue to be occupied by a 5-story residential building. The proposed project would contain 155 dwelling units (including 31 affordable units) and approximately 9,100 square feet of retail space on portions of the ground floor and cellar level. The applicant is seeking a bulk variance from the New York City Board of Standards and Appeals (BSA) pursuant to Section 72-21 of the New York City Zoning Resolution (ZR) to waive applicable floor area, height, and setback regulations.

This attachment considers existing land use, zoning, and public policy, and compares conditions in the future without the proposed project to those that would occur in the future with the proposed project. As described below, the assessment concludes that the proposed project would be compatible with existing uses in the surrounding area, and would not result in any significant adverse impacts to land use, zoning, or public policy.

B. METHODOLOGY

According to the *CEQR Technical Manual*, a preliminary land use assessment, which includes a basic description of existing and future land uses and public policy, should be provided for all projects that would affect land use or public policy on a site, regardless of the project's anticipated effects. Accordingly, a preliminary analysis has been prepared that describes existing and anticipated future conditions for the 2018 analysis year for the project site, assesses the nature of any changes on these conditions that would be created by the proposed project, and identifies those changes, if any, that could be significant or adverse. The study area for this analysis of land use, zoning, and public policy encompass the area within 400 feet of the project site, which generally extends north into Stuyvesant Town, east between Avenues A and B, south to East 12th Street, and west to First Avenue (see **Figure A-1**). Sources for this analysis include the New York City Department of City Planning (DCP) and the New York City Department of Buildings (DOB).

C. EXISTING CONDITIONS

LAND USE

PROJECT SITE

As shown in **Figure A-1**, the project site is Block 441, Lot 23, a through-block lot located in the middle of the block bounded by East 13th and East 14th Streets, First Avenue, and Avenue A. The site is vacant; it was previously occupied with a one-story former post office building, which was recently demolished. The air rights parcel for the project, 219 Avenue A (Block 441, Lot 32) is occupied by a five-story brick residential building with ground-floor retail.

STUDY AREA

As shown on **Figure A-2**, the study area consists primarily of multi-family residential buildings, some containing ground floor retail space. Residential buildings in the study area range between four and seven stories in height, with the exception of buildings comprising Stuyvesant Town, which is located north of the project site across East 14th Street. The extensive Stuyvesant Town complex is on a superblock extending between East 14th and 20th Streets and Avenues A and C. It was created as a towers-in-the-park development, and its residential buildings rise to 13 stories (approximately 133 feet). These buildings contain ground floor retail space along East 14th Street. In addition, just outside the 400-foot study area is a 17-story residential building at 333 East 14th Street, with setbacks above the 15th floor.

Community facilities in the study area include the Church of the Immaculate Conception on the south side of East 14th Street, and the Immaculate Conception School, a private school associated with the church located on the north side of East 13th Street. The Girls Prep Lower East Side Middle School, a charter school, and the East Side Community High School, a public school, jointly operate in the former P.S. 60 building, a through-block structure in the middle of the block bounded by East 11th and 12th Streets, First Avenue, and Avenue A. Directly adjacent to this school is the most notable open space within the study area: Open Road Park, also referred to as the Lower East Side Playground. A portion of this open space is in use as a community garden; there is also one other community garden in the study area, Dias y Flores Community Garden, at 520-522 East 13th Street. A residential development is under construction at the northeast corner of East 11th Street and Avenue A, east of the school (see "Future Without the Proposed Action," below). Commercial uses within the study generally consist of neighborhood retail stores, including small delis and discount stores, located on the ground floor of residential buildings, as well as restaurants along First Avenue, Avenue A, East 13th Street, and East 14th Street.

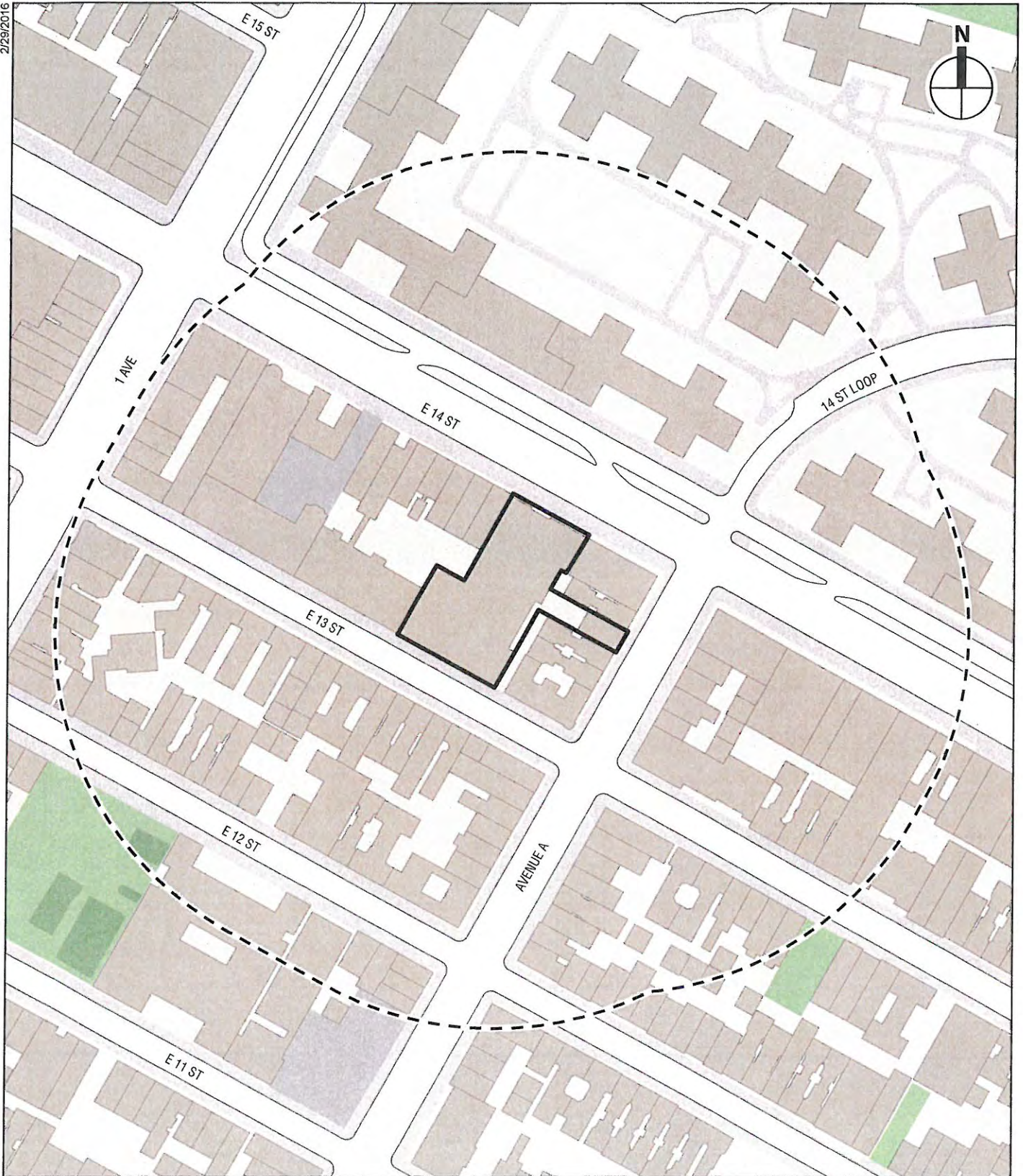
ZONING

PROJECT SITE

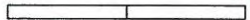
As shown in **Figure A-3** and **Table A-1**, the project site is located within a C1-6A zoning district (R7A equivalent district), which is a commercial district that is predominately residential in character. The C1-6A district allows commercial uses developed to an FAR of 2.0. Residential developments in C6-1A districts have a maximum FAR of 4.0, a maximum base height of 65 feet, and a maximum building height of 80 feet.

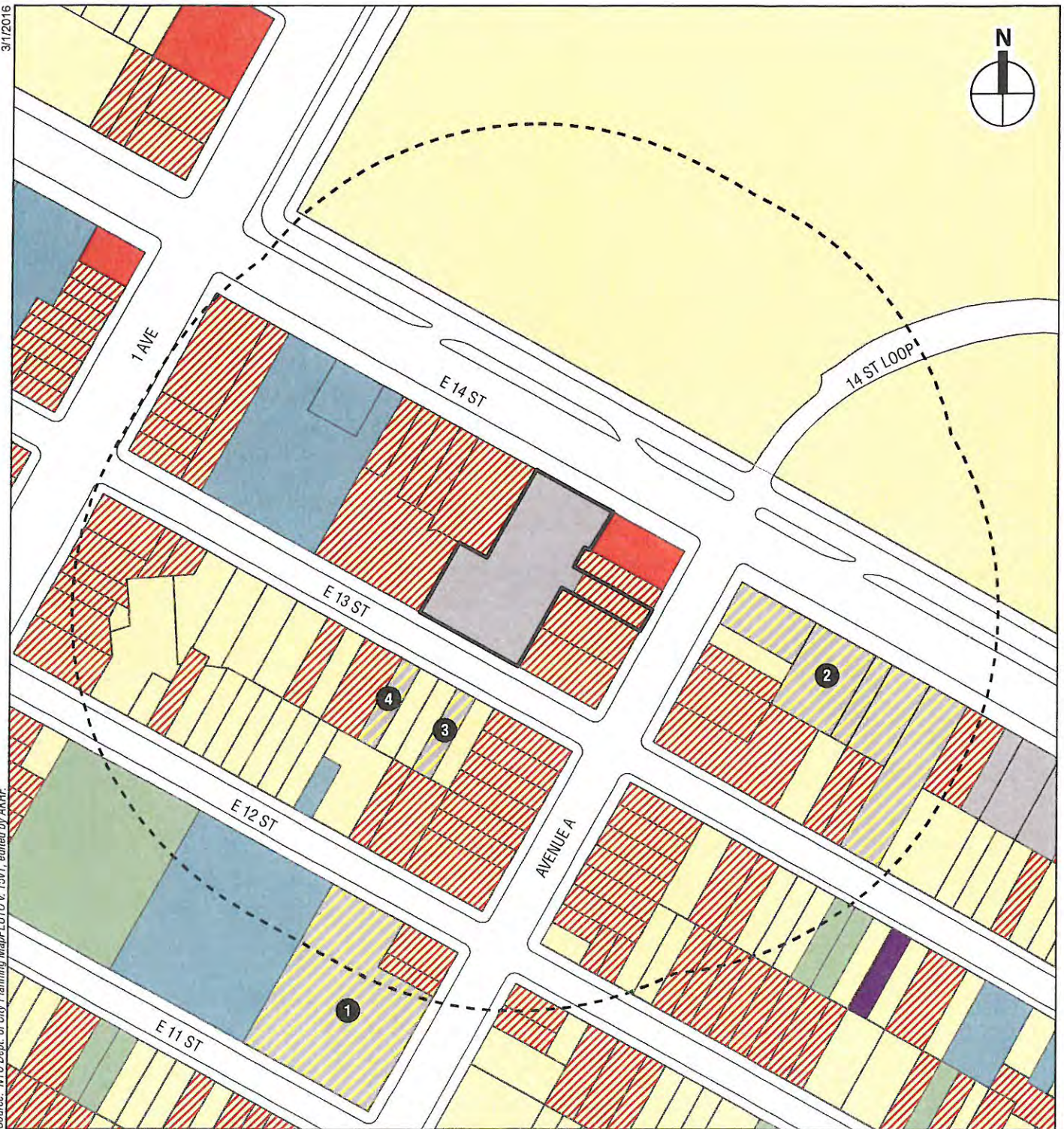
STUDY AREA

The majority of the project block is within the C1-6A district, which extends east across Avenue A. The portion of the project block facing First Avenue and the west side of First Avenue



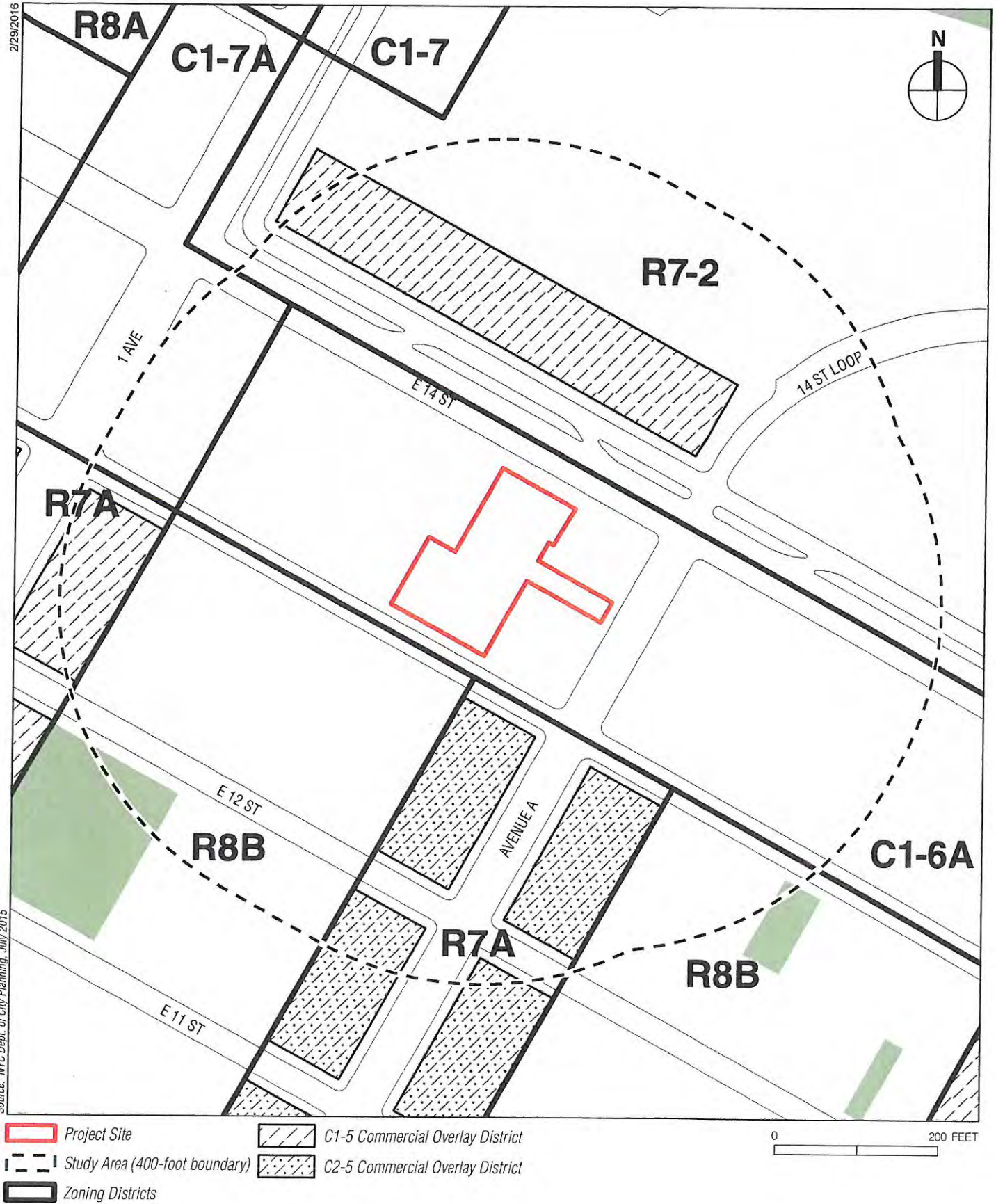
 Project Site
 Study Area (400-Foot Boundary)

0 200 FEET




- | | |
|-----------------------------------|------------------------------------|
| Project Site | Public Facilities and Institutions |
| Study Area (400-foot boundary) | Residential |
| No Build Project | Residential with Commercial Below |
| Commercial and Office Buildings | Vacant Land |
| Industrial and Manufacturing | Under Construction |
| Open Space and Outdoor Recreation | |

0 200 FEET



between East 13th and 15th Streets is mapped with a C1-7A district. Similar to the C1-6A zoning district, the C1-7A commercial district is predominantly residential in character and is mapped along major thoroughfares in medium and higher density areas of the city. The C1-7A district allows commercial uses developed to an FAR of 2.0, and a maximum FAR of 6.02 for residential developments, with an optional Inclusionary Housing Program bonus.

The First Avenue and Avenue A blockfronts within the study area south of East 13th Street are mapped with an R7A district, which generally has the same bulk requirements as the C1-6A district. The Quality Housing regulations, which are mandatory in R7A districts, set height limits and allow high lot coverage buildings that are set near or at the street line. The regulations also include amenities related to the planting of trees, landscaping and recreation space. South of 13th Street, First Avenue has a C1-5 commercial overlay and Avenue A has a C2-5 overlay. Both overlays allow retail use to an FAR of 2.0; however, the C2-5 commercial overlay allows a somewhat wider range of retail uses. Buildings are required to be built at or near the street line with a maximum base height of 65 feet and a maximum building height of 80 feet.

Midblock portions of the study area south of East 13th Street are mapped with an R8B zoning district. Like the R7A district, the Quality Housing regulations are mandatory in R8B districts. R8B districts allow residential development of an FAR of 4.0, have a maximum building height of 75 feet and maximum base height of 60 feet. An R7-2 zoning district is mapped north of East 14th Street and east of First Avenue. The R7-2 district allows residential and community facility uses and has a maximum FAR 3.44. Maximum building height is determined by the sky exposure plane; however, as an alternative, developers may choose build in accordance with the Quality Housing regulations, which are optional in R7-2 districts. There is a C1-5 overlay within this district on the north side of East 14th Street, between First Avenue and Avenue A.

PUBLIC POLICY

HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR PLAN

On May 5, 2014, the de Blasio administration released *Housing New York: A Five-Borough, Ten-Year Housing Plan* (“*Housing New York*”), which plans to build or preserve 200,000 affordable residential units. To achieve this goal, the plan aims to double the Department of Housing Preservation and Development’s (HPD) capital budget, target vacant and underused land for new development, protect tenants in rent-regulated apartments, streamline rules and processes to unlock new development opportunities, contain costs, and accelerate affordable construction. The plan details the key policies and programs for implementation, including developing affordable housing on underused public and private sites.

FRESH PROGRAM

The project site and study area are located within the Food Retail Expansion to Support Health (FRESH) tax incentive area. This special zoning designation provides financial incentives to promote the establishment and retention of neighborhood grocery stores in underserved communities throughout the five boroughs. The FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator. Tax incentives are discretionary and assessed on a per-case basis.

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

It is assumed that in the future without the proposed project, the project site will remain vacant. No development would occur. Within the 400-foot study area, there are four developments that

are expected to be constructed by the 2018 analysis year (see **Figure A-2**). As noted above, the site at 438 East 12th Street directly east of the shared middle school/high school is currently under construction for a six-story, 82-unit residential development, anticipated to be completed and occupied in 2017 (No Build Site 1 on **Figure A-2**). At 222 Avenue A (504-530 East 14th Street), ground has been broken on a seven-story, 150-unit mixed-use building; expected to be completed in 2017 (No Build Site 2 on **Figure A-2**). Construction is also underway at 436 and 442 East 13th Street, which are both being developed with six-story, six unit buildings (No Build Sites 3 and 4 on **Figure A-2**). The proposed residential projects are in keeping with the existing land use of the neighborhood.

E. PROBABLE IMPACTS OF THE PROPOSED PROJECT

LAND USE

The proposed action would facilitate the redevelopment of the project site with a new, mixed-use residential and commercial building containing 155 dwelling units (including 31 affordable units) and approximately 9,100 square feet of retail space on portions of the ground floor and cellar level. The proposed building would have frontage along East 13th and East 14th Streets. The East 13th Street portion of the building would be eight stories in height, and the East 14th Street portion of the building would be 12 stories in height. The two residential components of the building would be connected at the cellar level. The proposed retail space would occupy part of the cellar level and ground floor along East 14th Street.

The proposed project would be compatible with adjacent residential and retail uses and with land use within the larger study area, which is predominantly characterized by residential, community facility, and retail uses. Therefore, the proposed project would not result in significant adverse impacts to land use.

ZONING

As discussed above, the applicant is seeking a bulk variance pursuant to ZR Section 72-21 to waive floor area requirements and height and setback requirements. The project site's C1-6A zoning district (R7A equivalent) has an FAR of 4.0, a maximum street wall height of 65' and maximum building height of 80'. The proposed project would be developed to an FAR of 5.06, a density greater than what is allowed under the C1-6A district, and the East 14th Street portion of the building would rise to a height of 124' with no setback. Although the proposed project would be taller than most buildings to the south, the proposed building height along East 14th Street would be consistent with the maximum height of buildings located on the north side of East 14th Street in Stuyvesant Town, which are 13-stories in height (approximately 133'). In addition, located just outside the 400-foot study area is a 17-story residential building at 333 East 14th Street with setbacks above the 15th floor. The built FAR of this structure is approximately 12, considerably greater than the density sought under the proposed action. For these reasons, the proposed project would be generally consistent with other nearby residential buildings in terms of height and bulk; therefore, the proposed project would not result in significant adverse impacts related to zoning.

PUBLIC POLICY

As noted above, the proposed project would provide 31 units of affordable housing. The provision of affordable housing at the project site would advance the goals of *Housing New York*. The proposed project would be consistent with adopted public policies, and no significant adverse impacts would occur. *

A. INTRODUCTION

The proposed project would introduce new residents to the project site, creating new demands for open space in the area. Because the proposed project would add a new residential population, this chapter examines the potential impacts of the proposed project on open space resources in accordance with the 2014 *CEQR Technical Manual*. Specifically, the attachment examines the potential for the proposed project to have direct effects on nearby publicly accessible open spaces, such as eliminating or altering a public open space, as well as the potential for indirect effects created by changes in demand for and use of the area's open spaces. The analysis inventories the condition and use of open spaces within a ½-mile radius of the project area and addresses potential impacts on open space facilities both quantitatively and qualitatively. As described below, this analysis concludes that the proposed project would not result in any significant impacts on open spaces in the study area.

B. PRELIMINARY ASSESSMENT

According to the *CEQR Technical Manual*, a preliminary open space assessment involves calculating total population and open space acreage in a study area, and comparing the existing ratio of total acres of open space per 1,000 residents with the anticipated open space ratio in the future with the proposed project.

The study area for an analysis of potential residential impacts on open space includes all Census tracts that are located at least 50 percent within a ½-mile radius of the project site. As shown on **Figure B-1** and summarized in **Table B-1**, the study area for the proposed actions is composed of 12 Census tracts with a total population of 91,440.

Within the open space study area, there are 18 publicly accessible open space resources, as shown on **Figure B-2** and summarized in **Table B-2**. These resources provide approximately 26.32 acres of open space. The open spaces listed in **Table B-2** are owned and operated by the New York City Department of Parks and Recreation and community groups and associations. Consistent with *CEQR Technical Manual* guidance, community garden resources are only included in the quantitative assessment if the resource's hours of operation are clearly posted on site.

In addition to the resources included in the quantitative assessment, and consistent with the *CEQR Technical Manual*, there are several open space resources that have not been included, including community gardens with unposted hours, such as the 9th St Community Garden Park and De Colores Community Yard. In addition, the Dry Dock Playground and Pool Area were closed for construction and were therefore not included in the quantitative assessment. The open space resources that were not included in the quantitative assessment have a total acreage of 3.35 acres. These resources are expected to provide additional open space amenities to residents of the study area.

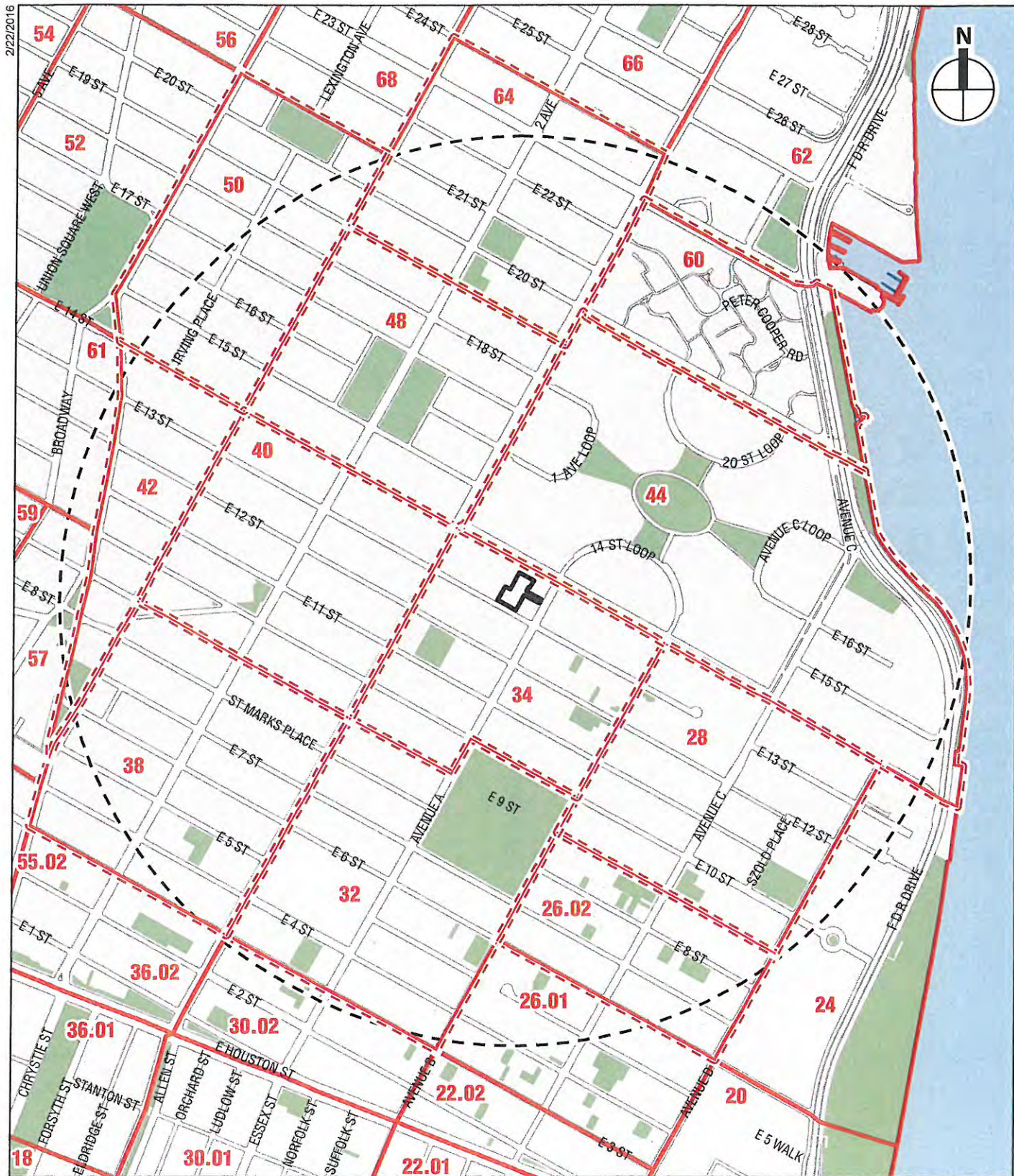
Table B-1
Open Space Study Area Census Tracts

Census Tract Number	Population
26.02	4,377
28	7,409
32	7,802
34	6,673
38	8,407
40	9,543
42	5,045
44	16,735
48	7,551
50	5,238
60	5,026
64	7,634
Total:	91,440
Note: See Figure B-1 for Census tract locations.	
Source: American Community Survey Five-Year Estimates, 2014, Table B01003.	

Table B-2
Open Space Resources

Map No. ¹	Name	Size Acres	Active	Passive	Condition / Utilization
1	Peter's Field	0.88	0.88	0.00	Good / High
2	Augustus St. Gaudens Playground	0.64	0.64	0.00	Good / High
3	Cooper Triangle	0.17	0.00	0.17	Good / Low
4	Dias Y Flores	0.12	0.00	0.12	Fair / Low
5	Abe Lebewohl Park	0.16	0.00	0.16	Good / Low
6	Murphy's Brothers Playground	1.27	1.14	0.13	Good / Low
7	Stuyvesant Square	3.93	0.00	3.93	Good / Moderate
8	Stuyvesant Cove Park	2.25	1.69	0.56	Good / Moderate
9	Green Oasis And Gilbert's Garden	0.41	0.00	0.41	Good / Low
10	Firemen's Memorial Garden	0.17	0.00	0.17	Good / Low
11	The Creative Little Garden	0.05	0.00	0.05	Good / Good
12	Earth People	0.11	0.00	0.11	Good / Low
13	Tompkins Square Park	10.50	5.25	5.25	Good / High
14	Joseph C Sauer Playground	0.40	0.20	0.20	Good / Low
15	El Sol Brillante Jr	0.06	0.00	0.06	Good / Low
16	Capt. Patrick J. Brown Walk	1.00	0.75	0.25	Good / Low
17	Avenue B Community Garden Association	0.03	0.00	0.03	Poor / Low
18	Open Road Park / Lower East Side Playground	0.83	0.83	0.00	Good / High
Total:		26.32	11.38	11.60	N/A
Note: ¹ See Figure B-2 for open space locations.					
Source: New York City Department of Parks and Recreation; NYC DCP MapPLUTO v15.					

Table B-3 compares the existing study area open space ratio with the corresponding ratio in the future with the proposed project. With the additional 333 residents introduced to the study area by the proposed project, the open space ratio would be reduced from 0.288 to 0.287 acres per 1,000 residents, a decrease of 0.348 percent.



- Project Site
- Study Area (Half-mile boundary)
- Residential Study Area Boundary
- Census Tracts

0 800 FEET

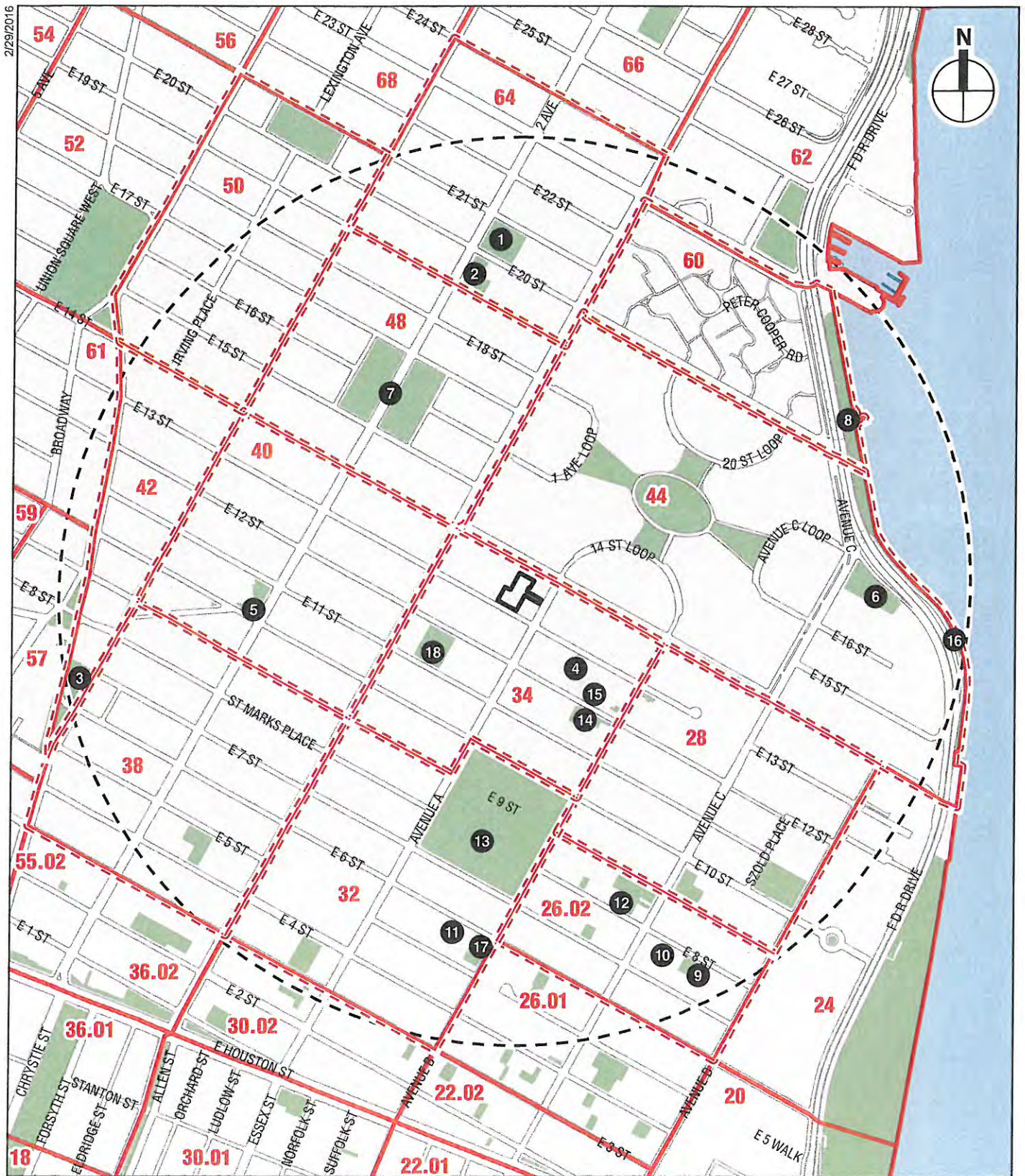


Table B-3

Adequacy of Public Open Space Resources in the Study Area

	Existing Conditions	With-Action Condition
Study Area Residents ¹	91,440	91,773
Open Space Acreage ²	26.3	26.3
Open Space Acreage / 1,000 Residents	0.288	0.287
Percent Change, Existing to With-Action	-0.348	
Note: ¹ See Table B-1.		
² See Table B-2 and Figure B-1.		

According to the *CEQR Technical Manual*, if a potential decrease in the open space ratio exceeds 5 percent, it is generally considered to be a substantial change warranting a detailed analysis. As the decrease in the open space ratio for the study area would not meet this threshold, a detailed open space assessment is not warranted, and the proposed actions would not result in any significant adverse impacts on open space. *

A. INTRODUCTION

This attachment examines whether the proposed project at 432 East 14th Street/435 East 13th Street in Manhattan would result in a significant adverse shadow impact on any nearby sunlight-sensitive resources. According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, sunlight-sensitive resources of concern include public open spaces, sunlight-dependent features of historic architectural resources, and natural resources that depend on sunlight.

As detailed below, the proposed project would create under an hour of new shadows on one sunlight-sensitive resource: the stained glass windows and open-air arcade of the Immaculate Conception Church. The detailed shadows analysis found that incremental shadows from the proposed project would not substantially reduce the public's enjoyment of the church's sunlight-sensitive features. Therefore, the proposed project would not have a significant adverse shadows impact on this resource.

B. DEFINITIONS AND METHODOLOGY

This analysis has been prepared in accordance with CEQR procedures and follows the guidelines of the 2014 *CEQR Technical Manual*.

DEFINITIONS

Incremental shadow is the additional, or new, shadow that a structure resulting from a proposed project would cast on a sunlight-sensitive resource.

Sunlight-sensitive resources are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Such resources generally include:

- *Public open space* such as parks, beaches, playgrounds, plazas, schoolyards (if open to the public during non-school hours), greenways, and landscaped medians with seating. Planted areas within unused portions of roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources.
- *Features of architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features need be considered, as opposed to the entire resource. Such sunlight-sensitive features might include: design elements that depend on the contrast between light and dark (e.g., recessed balconies, arcades, deep window reveals); elaborate, highly carved ornamentation; stained glass windows; historic landscapes and scenic landmarks; and features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as a historic landmark.

- *Natural resources* where the introduction of shadows could alter the resource's condition or microclimate. Such resources could include surface water bodies, wetlands, or designated resources such as coastal fish and wildlife habitats.

Non-sunlight-sensitive resources include, for the purposes of CEQR:

- *City streets and sidewalks* (except Greenstreets);
- *Private open space* (e.g., front and back yards, stoops, vacant lots, and any private, non-publicly-accessible open space);
- *Project-generated open space* cannot experience a significant adverse shadow impact from the project, according to CEQR, because without the project the open space would not exist.

A **significant adverse shadow impact** occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources. Each case must be considered on its own merits based on the extent and duration of new shadow and an analysis of the resource's sensitivity to reduced sunlight.

METHODOLOGY

Following the guidelines of the 2014 *CEQR Technical Manual*, a preliminary screening assessment is first conducted to ascertain whether a project's shadow could reach any sunlight-sensitive resources at any time of year. The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the project site representing the longest shadow that could be cast. If there are sunlight-sensitive resources within this radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project shadow by accounting for the fact that shadows can never be cast between a certain range of angles south of the project site due to the path of the sun through the sky at the latitude of New York City.

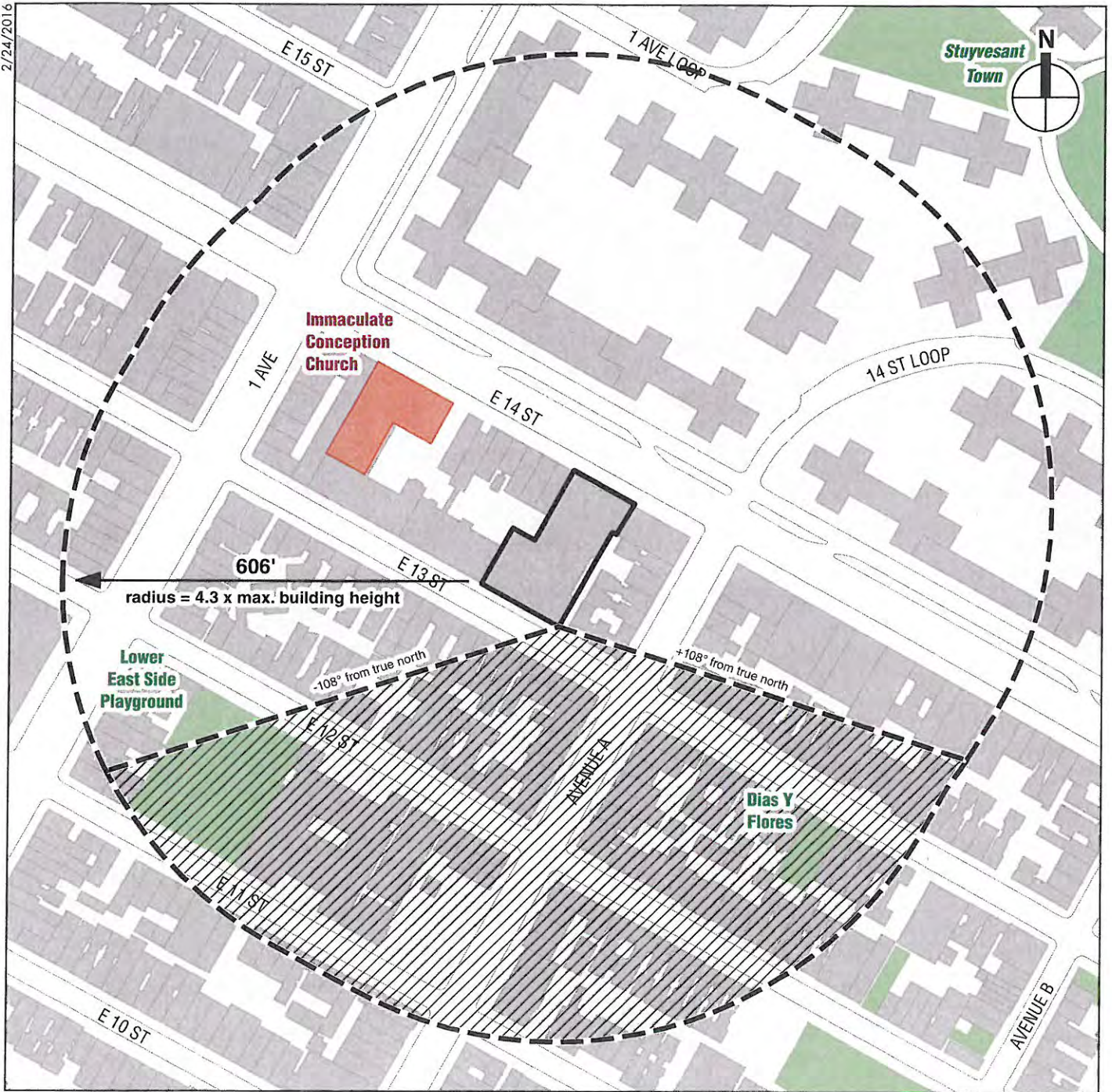
If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by project shadow by looking at specific representative days in each season and determining the maximum extent of shadow over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project. The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text.

C. PRELIMINARY SCREENING ASSESSMENT

A base map was developed using Geographic Information Systems (GIS)¹ showing the location of the proposed project and the surrounding street layout (see **Figure C-1**). In coordination with the land use and historic and cultural resources assessments presented in other attachments to

¹ Software: Esri ArcGIS 10.3; Data: New York City Department of Information Technology and Telecommunications (DoITT) and other City agencies, and AKRF site visits.



- Development Site
- Tier 1: Longest shadow study area boundary
- Tier 2: Area south of site that could never be shaded by proposed building
- Publicly-Accessible Open Space
- Historic Resources with Sunlight-Sensitive Features

0 400 FEET

this Environmental Assessment Statement (EAS), potential sunlight-sensitive resources were identified and shown on the map.

TIER 1 SCREENING ASSESSMENT

For the Tier 1 assessment, the longest shadow that the proposed project could cast is calculated, and, using this length as the radius, a perimeter is drawn around the project site. Anything outside this perimeter representing the longest possible shadow could never be affected by project-generated shadow, while anything inside the perimeter needs additional assessment.

According to the *CEQR Technical Manual*, the longest shadow that a structure can cast at the latitude of New York City occurs on December 21, the winter solstice, at the start of the analysis day at 8:51 AM, and is equal to 4.3 times the height of the structure.

At a maximum height of 141 feet above East 14th Street, including rooftop mechanical structures, the proposed project could cast a shadow up to 606 feet in length (141×4.3). Using this length as the radius, a perimeter was drawn around the project site (see **Figure C-1**). Two sunlight-sensitive resources are located within the longest shadow study area; the Lower East Side Playground, and Immaculate Conception Church (see description below). Therefore, a Tier 2 assessment is required.

TIER 2 SCREENING ASSESSMENT

Because of the path that the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. **Figure C-1** illustrates this triangular area south of the project site. The complementing area to the north within the longest shadow study area represents the remaining area that could potentially experience new project-generated shadow. As illustrated in **Figure C-1**, the two open space resources identified in the Tier 1 screening remain within the area that could potentially experience new project-generated shadows. Therefore, a Tier 3 assessment is required to model project-generated shadows on specific representative days of the year.

TIER 3 SCREENING ASSESSMENT

The direction and length of shadows vary throughout the course of the day and also differ depending on the season. Shadows move constantly but more quickly at the start and the end of the day than they do in the middle of the day. In order to determine whether project-generated shadow could fall on a sunlight-sensitive resource, three-dimensional computer mapping software is used in the Tier 3 assessment to calculate and display the incremental shadows from the proposed project on individual representative days of the year. A computer model was developed containing three-dimensional representations of the elements in the base map used in the preceding assessments, the topographic information of the study area, and the massing of the proposed project.

REPRESENTATIVE DAYS FOR ANALYSIS

Following the guidance of the *CEQR Technical Manual*, 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 range of shadows over the course of the year. An additional representative day during the

growing season is also modeled, the day halfway between the summer solstice and the equinoxes, i.e., May 6 or August 6, which have approximately the same shadow patterns.

TIMEFRAME WINDOW OF ANALYSIS

The shadow assessment considers shadows occurring between one and a half hours after sunrise and one and a half hours before sunset. Within the 90 minutes after sunrise and the 90 minutes before sunset, the sun is low on the horizon, and its rays reach the vicinity of the project site at low angles, 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 in these two 90-minute periods are not considered significant under CEQR, and their assessment is not required.

TIER 3 SCREENING ASSESSMENT RESULTS

Figure C-2 illustrates the range of shadows that would occur, in the absence of intervening buildings, from the proposed development on the four representative days of analysis. The extent of shadow is shown between the start of the analysis day (one and a half hours after sunrise) to the end of the analysis day (one and a half hours before sunset).

Because the portion of the proposed building fronting on East 14th Street would be approximately 50 feet taller than the portion of the building fronting on East 13th Street, the Tier 3 Assessment shadows stretch further to the north than to south from the project site. Due to the massing of the proposed building, the Tier 3 Assessment found that new shadow could never reach the Lower East Side Playground. However, the Tier 3 Assessment also identified that without intervening structures, project-generated shadow could fall on the Immaculate Conception Church on the March 21/September 21 and December 21 analysis days. Therefore, a detailed analysis is necessary to provide additional information on the potential extent and duration of incremental shadow on the sunlight-sensitive features of the church.

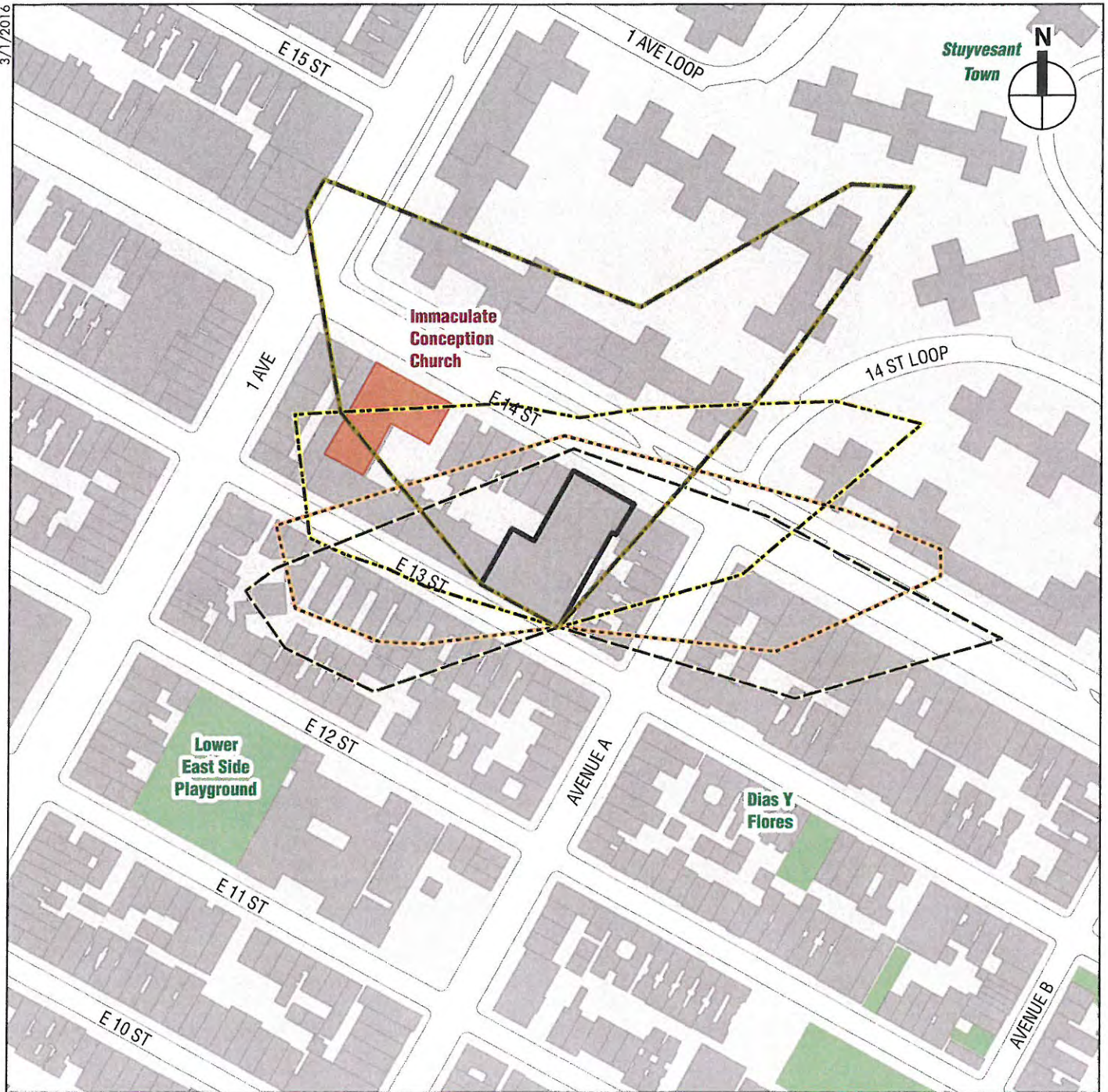
D. DETAILED ANALYSIS

The purpose of the detailed analysis is to determine the extent and duration of incremental shadows that fall on sunlight-sensitive resources as a result of the project and to assess their potential effects. To complete the assessment, a baseline or future No Action condition is established by appending three-dimensional representations of the existing buildings and planned future developments within the vicinity of the project site to the three-dimensional model used in the Tier 3 assessment. The future condition with the proposed project (With Action) and its shadows can then be compared to the baseline condition to determine the incremental shadows that would result with the proposed project.

The No Action scenario assumes the project site would remain vacant. **Figure C-3** illustrates the computer models used in the detailed analysis of the future no action scenario and the future with the proposed development.

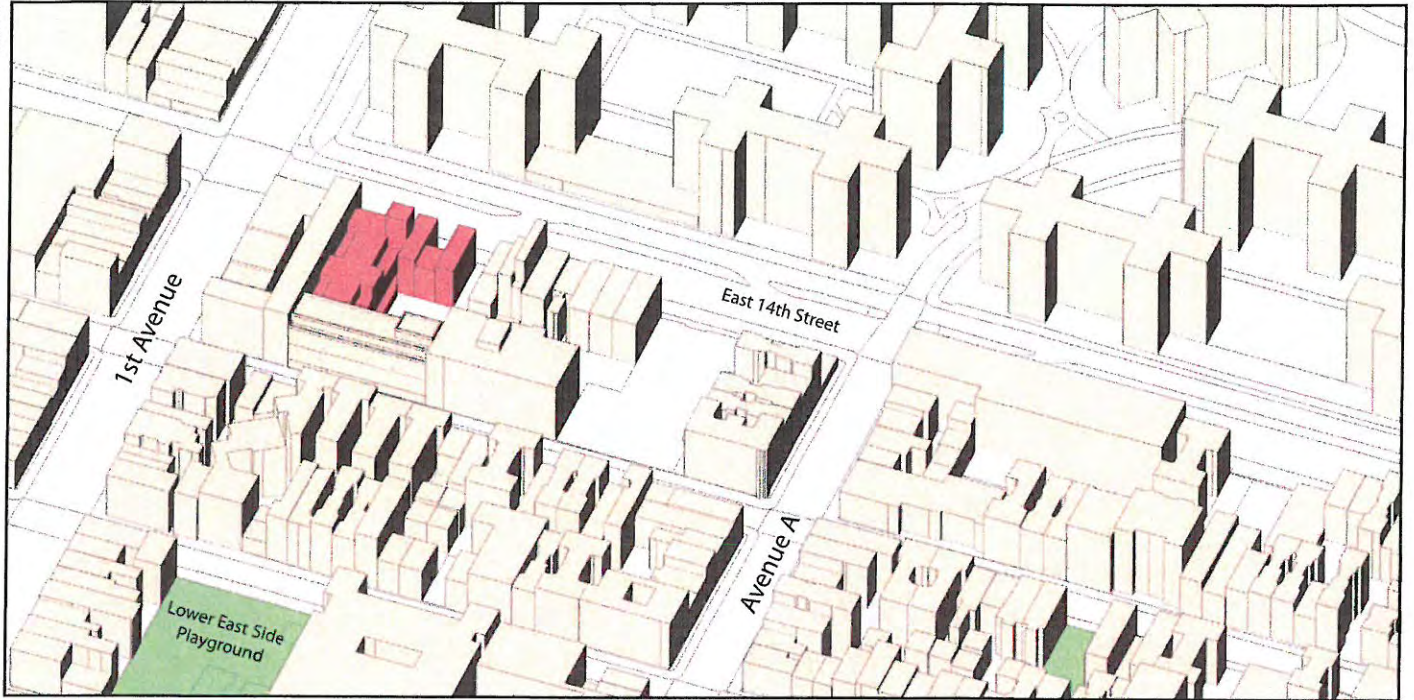
ANALYSIS RESULTS

The analysis found that the sunlight-sensitive features of the Immaculate Conception Church would experience 31 minutes of new shadow at the beginning of the March 21/September 21 analysis day. **Table C-1** shows the entry and exit times and total duration of project-generated incremental shadow on the affected resource.

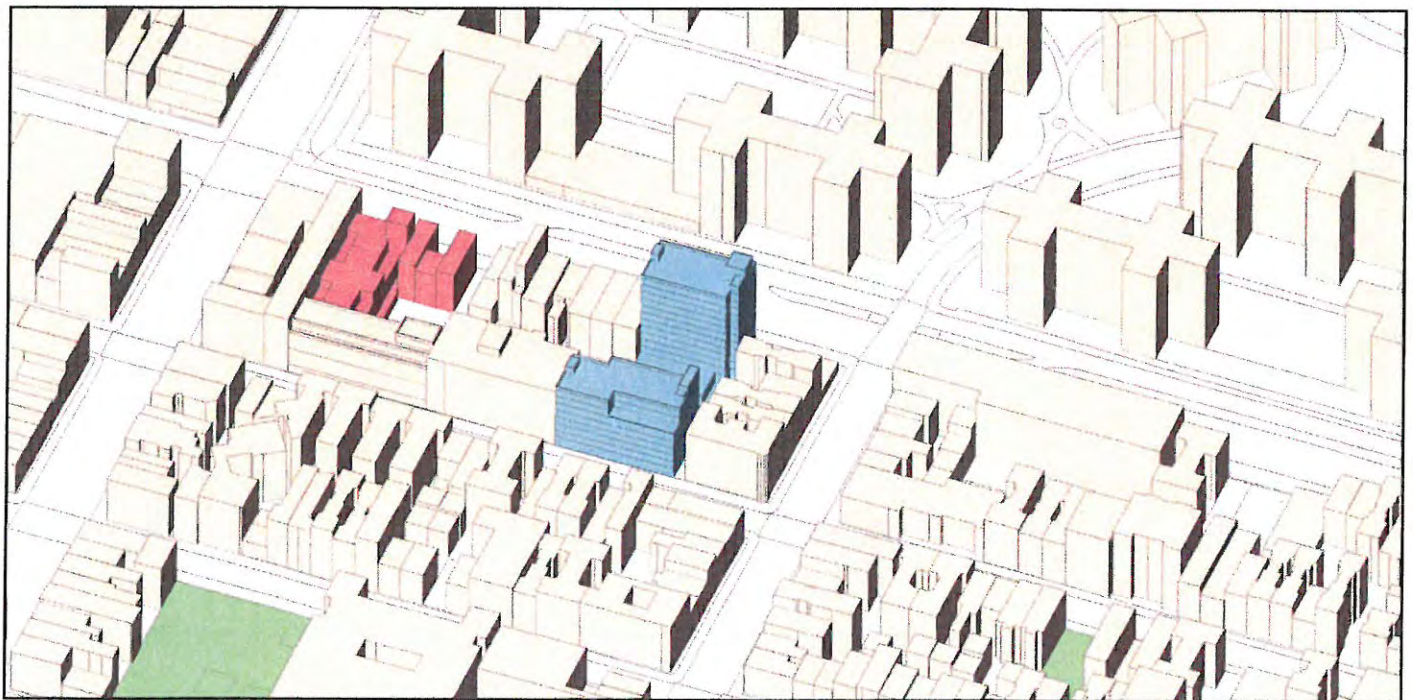


- Development Site
- Publicly-Accessible Open Space
- Historic Resources with Sunlight-Sensitive Features
- Shadow Path without Existing Structures
 - March 21/September 21
 - May 6/August 6
 - June 21
 - December 21

0 400 FEET



Existing



Proposed

-  Proposed Building
-  Historic Resource with Sunlight Sensitive Features
-  Publically Accessible open Space

Table C-1
Incremental Shadow Durations

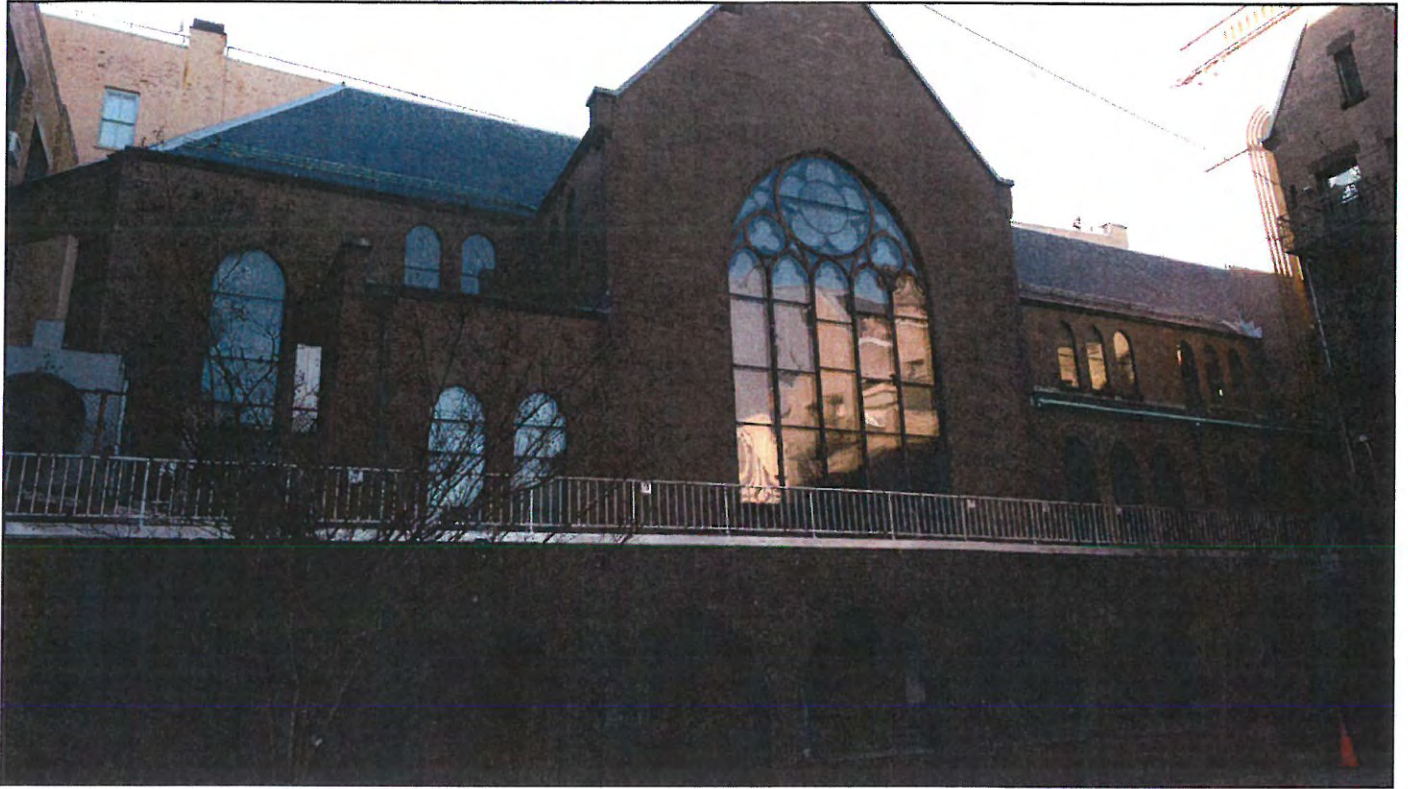
Analysis day and timeframe window	March 21 / September 21 7:36 AM – 4:29 PM	May 6 / August 6 6:27 AM – 5:18 PM	June 21 5:57 AM – 6:01 PM	December 21 8:51 AM – 2:53 PM
Immaculate Conception Church	7:36 AM – 8:07 AM Total: 0 hr 31 min	-	-	-
Notes: Table indicates entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource. Daylight savings time is not used—times are Eastern Standard Time, per <i>CEQR Technical Manual</i> guidelines. However, as Eastern Daylight Time is in effect for the March/September, May/August, and June analysis periods, add one hour to the given times to determine the actual clock time.				

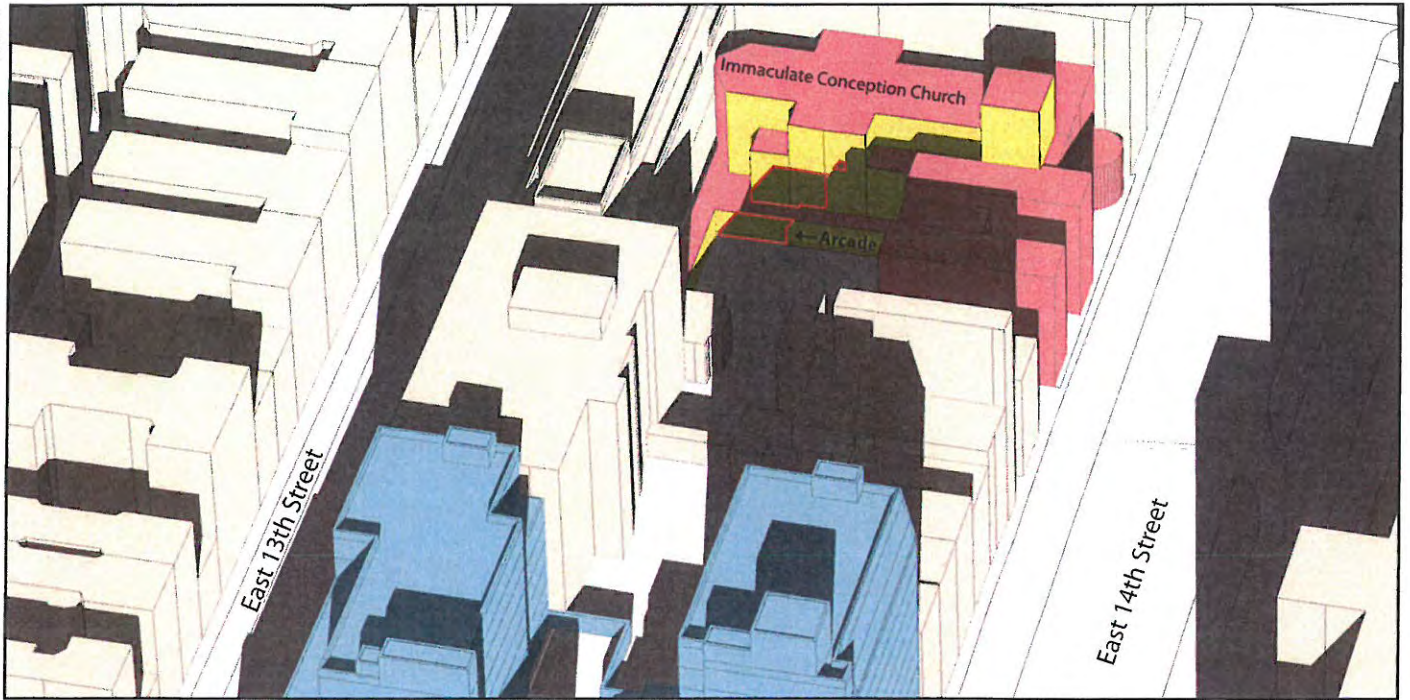
The Immaculate Conception Church is located on the same block as the project site, at 414 East 14th Street. It is a designated New York City Landmark (NYCL) and is listed on the State and National Registers of Historic Places (S/NR). The church has several architectural features that are considered to be sunlight-sensitive, including stained-glass windows, an open-air arcade, and elaborate carved ornamentation. The facades of the Church that include these features were modeled in the detailed analysis to assess the impact of incremental shadow from the proposed project.

The detailed analysis found that only the facade of the Church's interior court which faces the project site could experience incremental shadow. **Figure C-4** shows a recent photograph of this facade, located in the interior of the block between East 14th and 13th Streets. **Figure C-5** illustrates the position of incremental shadow on the Church at two times on the morning of the March 21/September 21 analysis day. The analysis day would begin (at 7:36 AM) with incremental shadow from the proposed project falling on stained-glass windows and the arcade of the church. By 8:00 AM, the new shadow would move off the facade featuring stained-glass windows and remain only on a small portion of the arcade. After 8:07 AM, none of the church's sunlight-sensitive features would be affected by new shadow from the proposed project, and the affected facades would receive direct sunlight for the remainder of the morning.

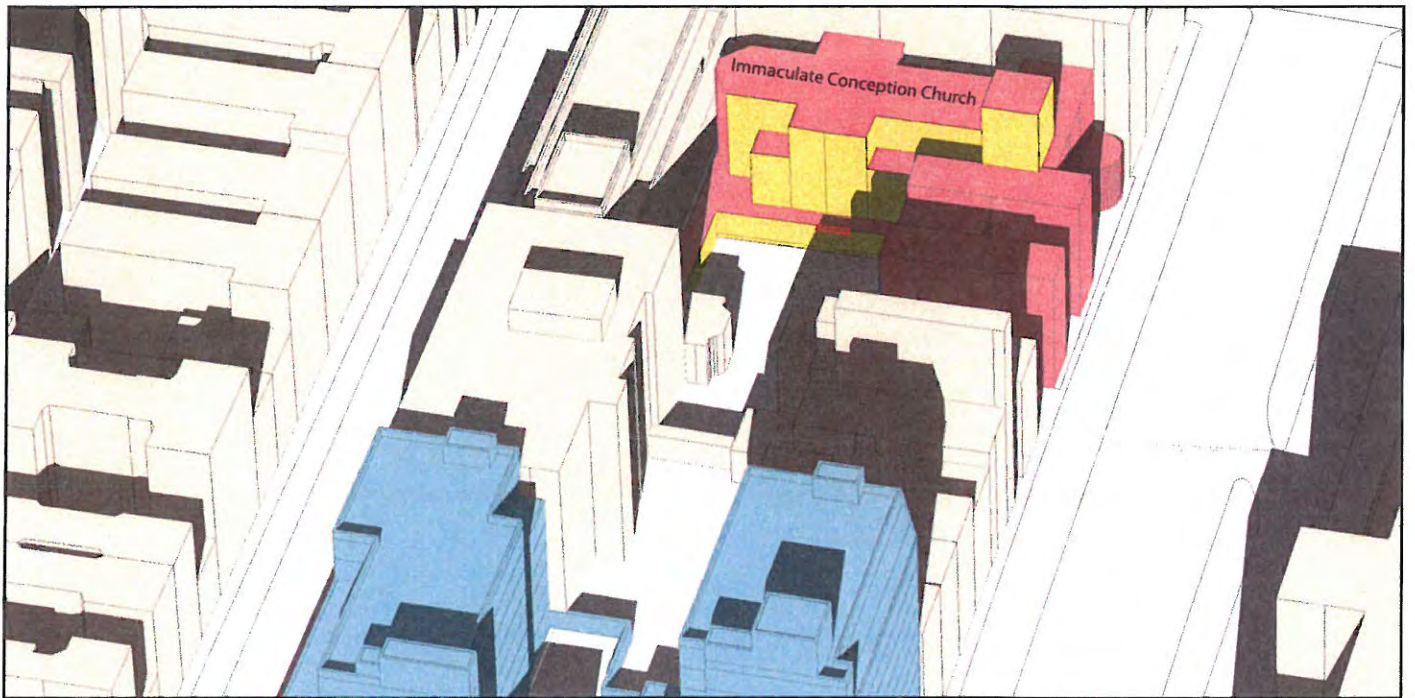
CONCLUSION

The proposed project would create 31 minutes of new shadow on one sunlight-sensitive architectural resource, the Immaculate Conception Church. The detailed shadow analysis found that a portion of the eastern facade and arcade of the Church's interior court would be affected by shadows from the proposed project on the morning of the March 21/September 21 analysis day. However, the short duration and small extent of shadow would not substantially reduce the public's enjoyment of the church's sunlight-sensitive features. Therefore, the sunlight-sensitive resource would not experience a significant adverse shadow impact and the proposed project would not result in a significant shadow impact. *





7:40 AM



8:00 AM

- Proposed Building
- Incremental Shadow on Sunlight-Sensitive Feature
- Facade with Sunlight -Sensitive Features

A. INTRODUCTION

This chapter assesses the potential of the proposed project to affect historic and cultural resources. The project site, located at 432 East 14th Street in the East Village neighborhood of Manhattan, would be redeveloped with an 8- and 12-story, 125,258 square foot (sf) building with approximately 155 dwelling units and 9,131 sf of commercial floor area.

As detailed below, the proposed project would not result in any significant adverse director indirect impacts to known or potential historic architectural resources on the project site or in the study area.

B. METHODOLOGY

Historic and cultural resources include both archaeological and architectural resources. The study area for archaeological resources is the project site itself where disturbance from excavation and construction can be anticipated. In a comment letter dated April 20, 2015, the New York State Historic Preservation Office (SHPO) determined that the site has no archaeological significance (see **Appendix A**). In a comment letter dated May 10, 2016, the New York City Landmarks Preservation Commission also determined that the site has no archaeological significance (see **Appendix A**). Therefore, this attachment focuses on standing structures only.

In general, potential impacts to architectural resources can include both direct, physical impacts and indirect, contextual impacts. Direct impacts include demolition of a resource and alterations to a resource that cause it to become a different visual entity. A resource could also be damaged from vibration (i.e., from construction blasting or pile driving), and additional damage from adjacent construction could occur from falling objects, subsidence, collapse, or damage from construction machinery. Adjacent construction is defined as any construction activity that would occur within 90 feet of an architectural resource, as defined in the New York City Department of Buildings (DOB) *Technical Policy and Procedure Notice (TPPN) #10/88*.¹ Contextual impacts can include the isolation of a property from its surrounding environment, or the introduction of visual, audible, or atmospheric elements that are out of character with a property or that alter its setting. Therefore, to assess the potential for both physical and contextual effects, the architectural resources study area is defined as the area within 400 feet of the project site (see **Figure D-1**).

¹ *TPPN #10/88* was issued by DOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. *TPPN #10/88* outlines procedures for the avoidance of damage to historic structures that are listed on the NR or New York City Landmarks (NYCLs) resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.

Known architectural resources include properties that are National Historic Landmarks (NHLs), properties listed on the State/National Registers of Historic Places (S/NR) or that have been determined eligible for listing (S/NR-eligible), and properties that have been designated as New York City Landmarks (NYCLs), determined NYCL-eligible, or calendared for NYCL designation. In addition, a survey of the study area was undertaken to identify any buildings that could meet S/NR and NYCL eligibility criteria (“potential architectural resources”).

C. EXISTING CONDITIONS

ARCHITECTURAL RESOURCES

PROJECT SITE

The project site at 432 East 14th Street is currently vacant land (see **Figure D-2**). The air rights parcel at 219 Avenue A (Block 441, Lot 32) is currently occupied by a 5-story residential building. There are no architectural resources on the project site. The building on the air rights parcel has not been identified as a potential architectural resource.

STUDY AREA

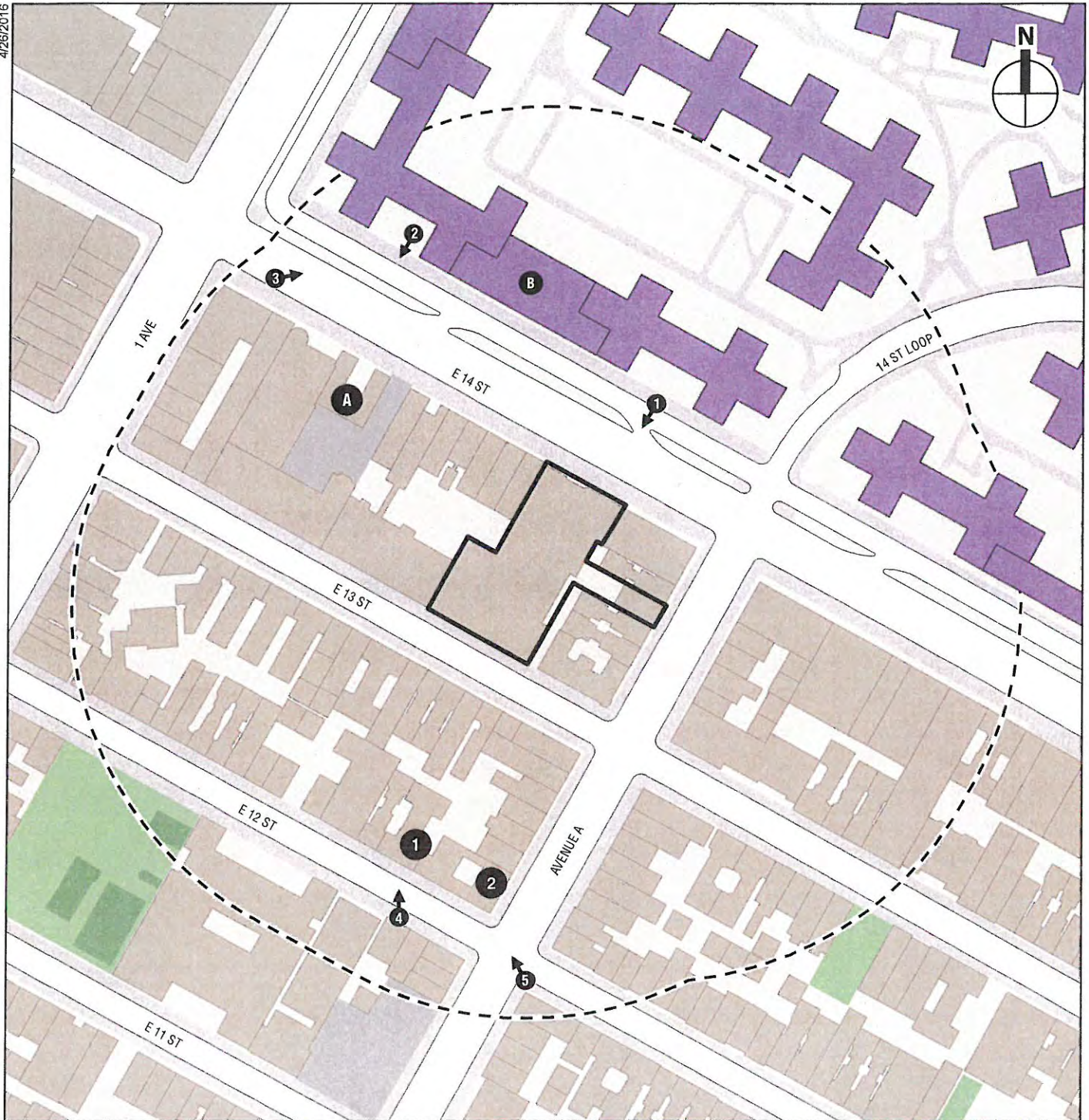
There are two architectural resources in the study area.

The Church of the Immaculate Conception and Clergy Houses¹ (NYCL, S/NR), located at 406-414 East 14th Street, is located to the west of the project site on the project block (see **Figure D-3**). The buildings were designed in 1894 by architects Barney and Chapman. Once a part of Grace Church Parish, the chapel and clergy houses were known as Grace Chapel and Hospital on 14th Street and were furnished as a “free-pew” place of worship for those less fortunate financially than the members of Grace Church itself. The church and its clergy houses are designed in the French Gothic Revival style and faced in stone and smooth brown Roman brick. The church is rectangular in form, and rises more than three stories in height. The East 14th Street façade has a plain, asymmetrical gable which contains a large rose window directly above the entrance and its arched portal. To the right of the church entrance is a projecting six-sided chapel, with six pinnacled buttresses and paired pointed-arched windows separated by small columns. To the east and adjacent to the church is a six-story-high, freestanding tower. Each of its facades contains paired vertical openings, articulated by clusters of slender colonettes and terminating in pointed arches.

East of the church are the clergy houses, a pair of 3½-story brick and stone buildings that closely resemble French chateaus. The two houses are joined at their base by a low arch which frames the entrance to a small courtyard. Each floor of these buildings is rhythmically articulated by double windows and gabled dormer windows are set in the slate roof of the attic story. Belt course moldings at the second and fourth floors add decorative accents.

Stuyvesant Town (S/NR-eligible) is located to the north of the project site, on an 80-acre superblock bounded by East 14th and East 20th Streets, the FDR Drive, Avenue C, and First Avenue. The Stuyvesant Town development was built in 1947 by the Metropolitan Life

¹ The text describing the Church of the Immaculate Conception and Clergy House is derived from the New York City Landmark designation report (1966) and the National Register of Historic Places Inventory Nomination Form, *Grace Chapel and Hospital of Fourteenth Street/Church of the Immaculate Conception and Clergy House*, 1979.



Project Site

Study Area (400-Foot Boundary)

Photograph View Direction and Reference Number

Known Architectural Resource

The Church of Immaculate Conception and Clergy House

Stuyvesant Town

Potential Architectural Resources

437 East 12th Street

193 Avenue A

0 200 FEET



1



The Church of the Immaculate Conception and Clergy House 2



Stuyvesant Town, view east from East 14th Street 3

Known Architectural Resources
in Study Area
Figure D-3

Insurance Company to provide inexpensive housing for World War II veterans. It consists of 35 freestanding brick buildings of 13 and 14 stories, arranged around a central oval (see **Figure D-3**). The residential buildings have rectilinear footprints of multiple bays and unornamented facades. Playgrounds and lawns are interspersed throughout the development..

Two buildings in the study area were identified as potential architectural resources in the *East Village / Lower East Side Rezoning Final Environmental Impact Statement* (2005). No determination of NYCL or S/NR eligibility were made by LPC at that time. The early 20th century, 5-story brick and stone tenement building located at **437 East 12th Street** was occupied by Beat poet Allen Ginsberg for twenty-one years, from 1975-1996 (see **Figure D-4**). The apartment and neighborhood were featured in numerous poems written while Ginsberg lived in the building. **193 Avenue A** is a 6-story tenement building ornamented with stone window architraves, banding, and a decorative cornice. The building dates to the early 20th century.

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

In the future without the proposed project, the status of architectural resources could change. S/NR-eligible resources could be listed on the Registers, NYCL-eligible properties could be calendared for a designation hearing, and properties pending designation as Landmarks could be designated.

Section BC3309 of the New York City Building Code, "Protection of Adjoining Property," provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. While these regulations serve to protect all structures adjacent to construction areas, they do not afford special consideration for historic resources. Section BC 3309.4.4 and a second protective measure, the DOB's *TPPN #10/88*, applies to NYCLs, properties within New York City Historic Districts, and National Register-listed properties. *TPPN #10/88* and this sub-section of the Building Code supplements the standard building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

PROJECT SITE

It is assumed that in the future without the proposed project, the project site will remain vacant. No development would occur by the 2018 analysis year.

STUDY AREA

As discussed in Attachment A, "Land Use, Zoning, and Public Policy," there are four projects within the 400-foot study area that are expected to be constructed by the 2018 analysis year. The first site is located at 438 East 12th Street, one block directly south of the project site. It is currently under construction for a six-story residential development, anticipated to be completed and occupied in 2017. At 222 Avenue A (504-530 East 14th Street), on the southeast corner of East 14th Street and Avenue A, ground has been broken on a seven-story mixed-use building expected to be completed in 2017. Directly south of the project site, 436 and 442 East 13th Street are both being developed with six-story residential buildings. At six and seven stories, these projects will be in keeping with the heights of buildings in the surrounding area, and thus will not substantially change the visual setting of the resources noted above. None of these projects are within 90 feet of a known architectural resource. Should the potential resources

noted above be designated in the future, they would be within 90 feet of the projects at 436 and 442 East 13th Street and would be offered some protection through DOB controls governing the protection of adjacent properties from construction activities.

E. PROBABLE IMPACTS OF THE PROPOSED PROJECT

PROJECT SITE

With the proposed project, the project site would be redeveloped with a new 8- and 12-story mixed-use residential and commercial building. The building would be clad predominantly in brick on its street-facing facades, and would have frontage along East 13th and East 14th Streets. The East 13th Street portion of the building would be eight stories in height, and the East 14th Street portion of the building would be 12 stories in height. The two sections of the building would be connected at the cellar level. The proposed retail space would occupy part of the cellar level and ground floor along East 14th Street.

As there are no known or potential architectural resources on the project site, the proposed project would not have a direct, physical effect on such resources.

STUDY AREA

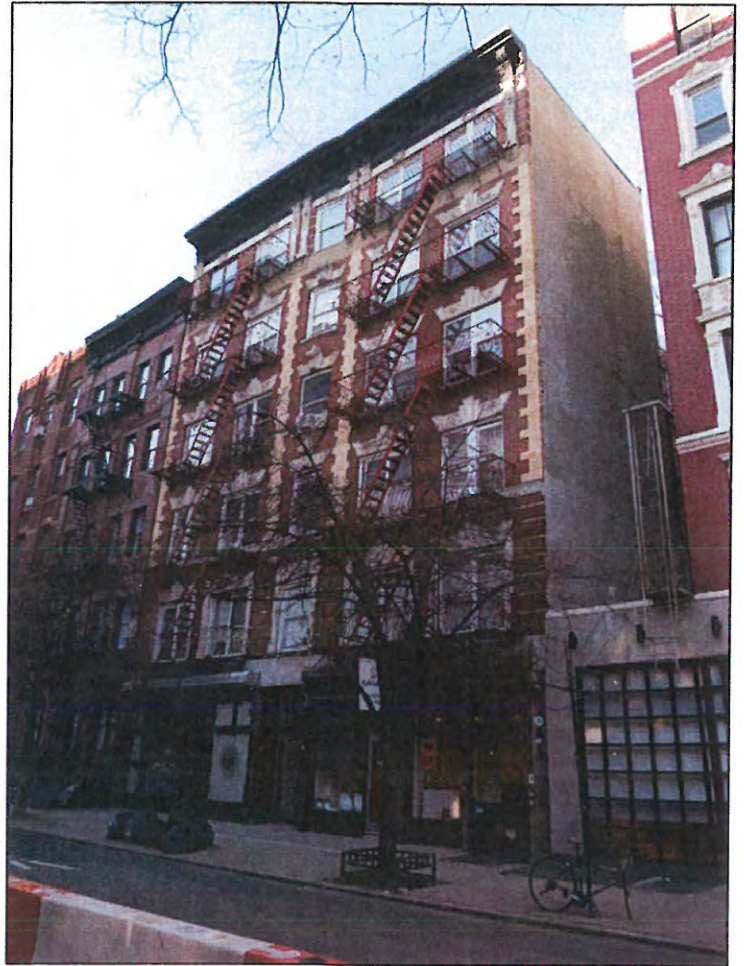
There are no known or potential architectural resources located within 90 feet of the project site. Therefore, the proposed project would not have a direct, physical effect on such resources.

The proposed project would replace an existing vacant lot. The 12-story portion of the proposed building would be similar in height to the 13-story buildings across East 14th Street in the Stuyvesant Town development. The East 13th Street façade would set back above the sixth floor, to be compatible with the existing streetwall along East 13th Street. Thus, the proposed project would be in keeping with the heights of buildings in the surrounding area, and would not substantially change the visual setting of the resources noted above. Further, the anticipated materials for the proposed building, brick, stucco and metal, are consistent with those of the existing study area buildings. Therefore, the proposed building would not introduce incompatible visual, audible, or atmospheric elements to the setting of the architectural resource.

As described in Attachment C, "Shadows," the proposed project would create under an hour of new shadows on the stained glass windows of The Church of Immaculate Conception; however this would not be considered a significant adverse effect on this architectural resource, because the project-generated shadows would not substantially reduce the public's enjoyment of the church's sunlight-sensitive features.

In its comment letter dated April 20, 2015, SHPO concluded that the proposed project would not have an impact on historic resources listed or determined eligible for listing on the New York State and National Registers of Historic Places.

Overall, the proposed project would not adversely impact any known or potential architectural resources on the project site or in the study area. *



437 East 12th Street 4



193 Avenue A 5

A. INTRODUCTION

This attachment considers the potential of the proposed project to affect urban design and visual resources. The proposed project would construct a mixed-use residential and commercial building at 432 East 14th Street/435 East 13th Street (Block 441, Lot 23) in the East Village neighborhood of Manhattan, Community District 3 (the “project site”). The project would utilize approximately 3,970 square feet of air rights from Block 441, Lot 32, which is currently and would continue to be occupied by a 5-story mixed-use building. The proposed project would contain 155 dwelling units (including 31 affordable units) and approximately 9,100 square feet of retail space in the portion of the project located on East 14th Street.

Under the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, urban design is defined as the totality of components that may affect a pedestrian’s experience of public space. These components include streets, buildings, visual resources, open spaces, natural resources, and wind. 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 analysis provided below addresses urban design characteristics and visual resources for existing conditions and the future without and with the proposed project.

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 actions include an override to waive applicable floor area, height, and setback regulations. These would allow for the development of a project that includes physical alterations observable by pedestrians that are 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. Consistent with *CEQR* methodologies, the study area for the urban design and visual resources analysis has been

defined as a 400-foot radius around the project area, consistent with the analysis of land use, zoning, and public policy (see **Figure E-1**).

The *CEQR Technical Manual* recommends an analysis of pedestrian wind conditions for projects that result in the construction of large buildings at locations that experience high wind conditions (such as along the waterfront, or other location where winds from the waterfront are not attenuated by buildings or natural features), which may result in an exacerbation of wind conditions due to “channelization” or “downwash” effects that may affect pedestrian safety. The proposed project would not result in the construction of large building at a location that experience high wind conditions, and thus a pedestrian wind analysis is not warranted.

C. EXISTING CONDITIONS

URBAN DESIGN

PROJECT SITE

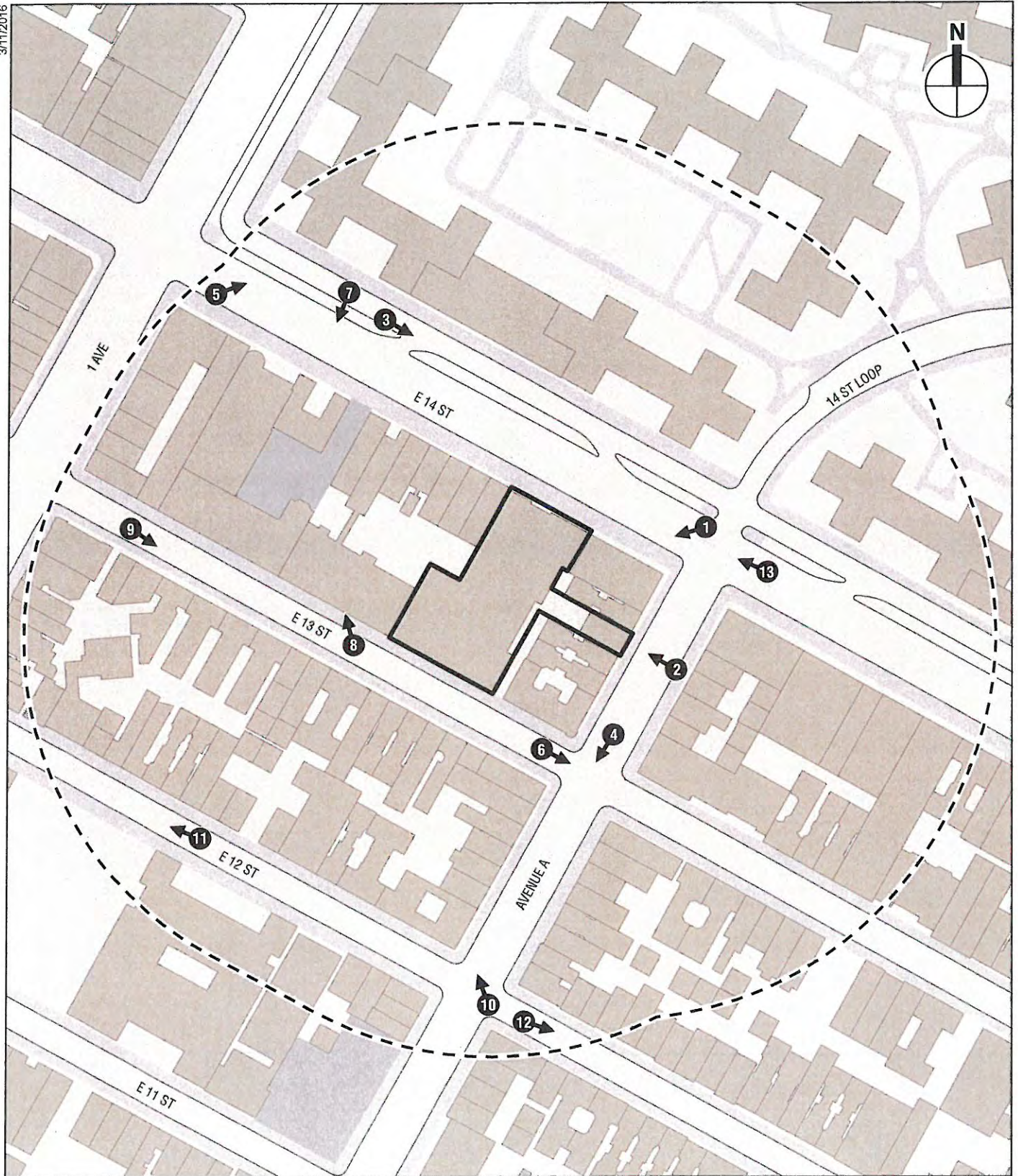
The project site is a through-block lot located in the middle of the block bounded by East 13th and East 14th Streets, First Avenue, and Avenue A (Block 441, Lot 23) (see **Figures E-1 and E-2**). The site is vacant; it was previously occupied with a one-story former post office building, which was recently demolished. A green, wooden construction fence encloses the lot along East 14th and East 13th Streets (see **Figure E-3**, photo 1). The air rights parcel for the project, 219 Avenue A (Block 441, Lot 32) is occupied by a five-story brick residential building with ground-floor retail. The building, which has been painted white, features projecting window lintels and an ornate central-pediment cornice (see **Figure E-3**, photo 2).

STUDY AREA

The 400-foot study area developed in a typical urban grid pattern, and the topography is relatively flat. It primarily contains low-scale mixed-use brick buildings developed beginning in the early 20th century. East 14th Street is a major east-west thoroughfare in the study area. North of East 14th Street, Stuyvesant Town occupies an 80-acre superblock bounded by East 14th and East 20th Streets, the FDR Drive, Avenue C, and First Avenue. Four private loop roads extend through the superblock. The loop road within the study area, 14th Street Loop, aligns with Avenues A and B. This large complex acts as a physical and visual barrier to the north of the project site. The discussion below focuses first on the area’s urban design—its basic layout and structures—and then describes its visual resources.

Streets, Streetscape, Open Space, and Natural Features

As described above, the study area is generally developed in a grid pattern, although north of East 14th Street several blocks were combined to create the Stuyvesant Town superblock. While the street grid is broken by Stuyvesant Town, its 14th Street Loop aligns with Avenue A and is a U-shaped street with sidewalks. Street furniture in the study area includes street lamps, traffic lights, Citi Bike parking station, bus stop signs, fire hydrants, trash cans, and benches. Mature street trees line East 14th Street, while the narrower side streets have smaller street trees. East 14th Street is a major east-west street in the study area, with four lanes of two-way traffic and street parking, as well as a one-way (westbound) lane and street parking separated from the main roadway by a raised, planted median (see **Figure E-4**, photo 3).



- Project Site
- Study Area (400-Foot Boundary)
- Photograph View Direction and Reference Number

0 200 FEET

Urban Design and Visual Resources
Reference Map
Figure E-1

3/11/2016



 Project Site
 Study Area (400-Foot Boundary)

0 200 FEET


432 EAST 14TH STREET

**Aerial Map
Figure E-2**



East 14th Street is a wide east-west cross street in the study area with a raised median dividing lanes of traffic. View looking east. **3**



Avenue A is a wide street with long views that include mature street trees just outside of the study area. View looking south. **4**

Avenue A is an 80-foot-wide, two-lane thoroughfare that runs north-south through the study area with parallel parking and bike lanes along both sides of the roadway (see **Figure E-4**, photo 4). East 13th Street is a 60-foot-wide, west-bound cross street with parking on either side of the street and a Citi Bike station near Avenue A. East 12th Street is a 60-foot-wide east-bound cross street with parking on either side of the street.

Active streets and street trees of varying size are the defining features of the streetscape. East 14th Street and Avenue A are busy with both vehicle and foot traffic. As a major east-west thoroughfare, East 14th Street has numerous bus lines and the First Avenue subway station of the L line is located at the corner of East 14th Street and First Avenue (see **Figure E-3**, photo 2). A Citi Bike station is located just east of Avenue A on East 13th Street, adding to the foot traffic in the area (see **Figure E-5**, photo 6). The east-west cross streets are heavily treed, with those along East 14th Street being larger, particularly on the north side of the street. As described more fully below, Stuyvesant Town consists of freestanding residential buildings set within landscaped grounds (see **Figure E-5**, photo 5). These grounds consist of grassy areas with trees, landscaped pedestrian passageways that run north-south and east-west through the complex, sidewalk seating areas, basketball, tennis, bocce and volleyball courts, and playgrounds. East of Avenue A, the Dias y Flores Garden is a community garden space located along East 13th Street. Another community garden is located along East 12th Street, just east of the study area, and the Lower East Side Playground is located at the southwest corner of the study area, adjacent to a public intermediate/high school.

Built Environment

The built environment within the study area is predominantly four- to six-story brick-clad buildings constructed in the first decade of the 20th century. Just east of the project site on East 14th Street, the project block is developed with one-story shops with glass and metal storefronts. The rest of the project block is mostly occupied with five-story walkup brick apartment buildings with ground-floor retail. A newly-constructed narrow, 8-story, 80-foot-tall, metal and glass residential building is located at 420 East 14th Street/427 East 13th Street (see **Figure E-3**, photo 1). This building is a through-block structure, with its other, much wider facade fronting onto East 13th Street (described below). The Church of the Immaculate Conception and Clergy House (see Attachment D, "Historic and Cultural Resources") is located at 406-414 East 14th Street. The 3½-story clergy houses are built out to the sidewalk, while the church building is set back approximately 14 feet. The buildings are clad in brownstone and dark brown brick (see **Figure E-6**, photo 7).

Just west of the project site on East 13th Street is the newly-constructed through-block building described above. The wider East 13th Street portion of the building provides the main residential entrance and rises a total of 77 feet with a setback at the sixth floor (see **Figure E-6**, photo 8). The facade is largely glazed, with metal frames, colorful accent panels, and projecting glass and metal balconies. The Immaculate Conception School, a tan brick, stone, and metal clad building built in 1946, is located adjacent to the through-block building and south of the church and clergy houses. The central portion of the school building rises four stories before a setback, while two 70-foot-tall sections are located at the east and west ends of the building (see **Figure E-6**, photo 8).

The south side of East 13th Street between First Avenue and Avenue A is developed with a mix of brick-clad, one- to six-story buildings dating to the early 20th century. A two-story, five bay wide brick building located at 408 East 13th Street has a one-story shed-roof, metal rooftop addition. 410-420 East 13th Street is a cluster of three six-story, identically designed brick and

limestone apartment buildings constructed in 1907. All retain their projecting window surrounds, detailed window lintels, and second-floor belt course. Only 420 East 13th Street retains the original metal cornice (see **Figure E-7**, photo 9).

Just north of the project site, the Stuyvesant Town development consists of 35 freestanding brick buildings of 13 and 14 stories, arranged around a central oval (see **Figure E-5**, photo 5). Along East 14th Street, the buildings reach a height of approximately 133 feet. The residential buildings have rectilinear footprints of multiple bays and unornamented facades. Playgrounds and lawns are interspersed throughout the development. On the perimeter, the buildings are aligned with the street grid, and commercial spaces are located along portions of East 14th Street frontages. Within the study area, Stuyvesant Town acts as a visual and physical barrier, with the large brick buildings breaking only for a one-story grocery store and the 14th Street Loop. At the intersection of East 14th Street and the 14th Street Loop, there are fenced, corner grassy areas with trees.

Buildings along Avenue A between East 14th and East 12th Streets vary in height from 38 feet to 65 feet. Buildings are primarily clad in brick, and many retain their original details such as projecting window surrounds, window lintels, and cornices (see **Figure E-7**, photo 10). The buildings are all built out to the sidewalk, creating a uniform street wall.

East of Avenue A, East 13th Street within the study area is developed with a mix of four- to six-story brick buildings. On the northeast corner of the intersection of Avenue A and East 13th Street is a newly-built, brick and concrete block four-story building with a one-story section on East 13 Street. This building is contextually designed, referencing details from neighboring buildings such as quoins, a rusticated first floor, contrasting window lintels, and a simplified cornice (see **Figure E-5**, photo 6). In the middle of the block at 523-525 East 13th Street is a large, nine-story brick apartment building. The four-bay-wide central section of the building is recessed and rises seven stories before a setback; the two two-bay-wide outer portions of the building rise six-stories before a setback.

On the block bounded by East 12th and East 11th Streets, First Avenue, and Avenue A, a charter middle school and a public high school are housed in the former P.S. 60 building, a through-block structure in the middle of the block bounded by East 11th and 12th Streets, First Avenue, and Avenue A. The five-story, 60-foot-tall H-plan school building was built in 1923 and is clad in brick and limestone. Two raised entrances are recessed from the street, and parking spaces are provided between these. The Lower East Side Playground, which includes playground equipment, a basketball court, and a soccer field is located to the west of the school building. To the west of the playground on East 11th Street is a community garden. A brightly colored mural is painted on the building west-adjacent to the soccer field (see **Figure E-8**, photo 11). A newly-constructed building is located opposite the school building, at 427 East 12th Street. The black brick and metal building rises six-stories without setbacks. East of the school is a large site currently under construction for a residential building (see below under “Future Without the Proposed Project”).

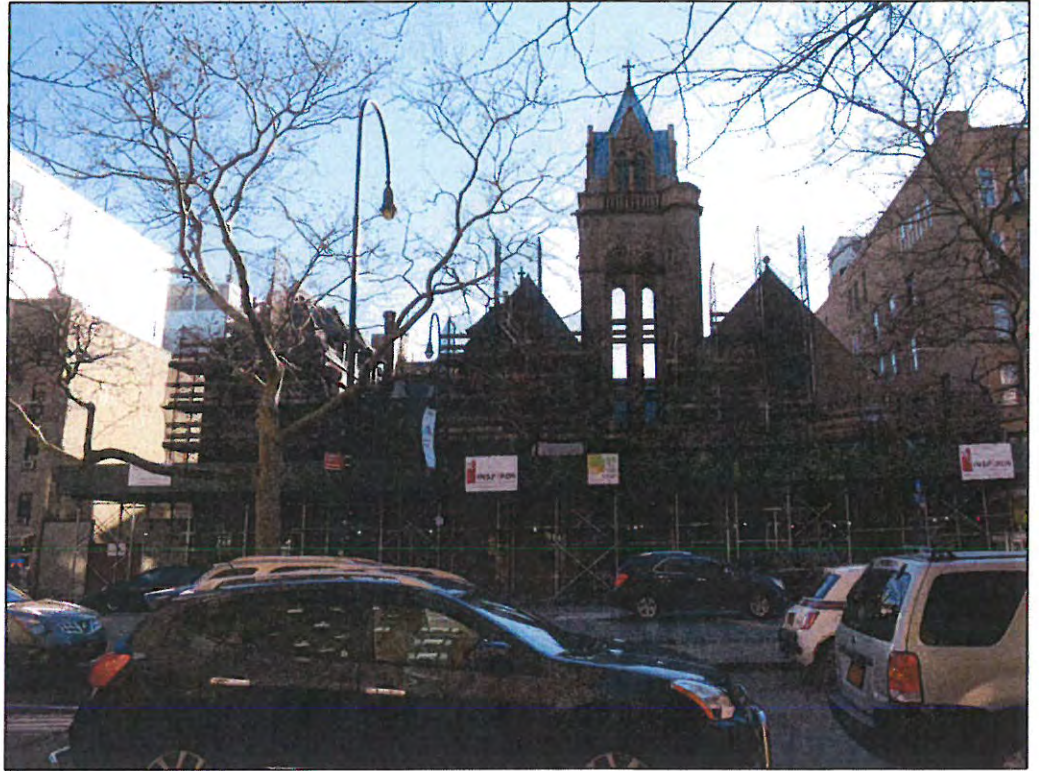
East of Avenue A, East 12th Street contains three four-story brick apartment buildings with ground-floor retail and two five-story brick apartment buildings, one with ground-floor retail. These buildings were all constructed in the beginning of the 20th century (see **Figure E-8**, photo 12).



View to Stuyvesant Town, looking east on East 14th Street near First Avenue 5



East 13th Street at Avenue A. A Citi Bike parking station is located on the southeast corner. View looking northeast. 6



Church of the Immaculate Conception and Clergy Houses. View looking south. 7



East 13th Street between First Avenue and Avenue A contains a newly-constructed residential building and a brick school building. View looking northwest. 8



South side of East 13th Street, view looking southeast from east of First Avenue 9



View looking northwest from East 12th Street and Avenue A 10



A soccer field and brightly painted mural are part of the playground space on the south side of East 12th Street. View looking southwest. 11



East 12th Street east of Avenue A contains a mix of brick buildings constructed in the early part of the 20th century. View looking east. 12

VISUAL RESOURCES

PROJECT SITE

As defined in the *CEQR Technical Manual*, a visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources. As described above, the project site is vacant, and there are no visual resources located on the project site. The five story residential building on the air rights parcel is not considered to be a visual resource.

STUDY AREA

Visual resources within the study area consist of historic architectural resources and natural resources. As described above, the Immaculate Conception Church and Clergy House located west of the project site on the project block are stone and brick buildings dating to 1894 (see **Figure E-6**, photo 7). The tall bell tower of the church is a notable visual element within study area views.

Along East 14th Street, views are long. To the west, views include the Consolidated Edison Company Building (a New York City Landmark that has been determined eligible for listing on the State and National Registers of Historic Places) located at the northeast corner of Irving Place and East 14th Street. The tall, white tower with hipped roof rises approximately 478 feet and is a distinctive landmark in the area (see **Figure E-9**, photo 13). To the east, views extend to the large Con Ed power plant located at the East River waterfront. Within the study area, the landscaped grounds and mature trees within and surrounding Stuyvesant Town are considered to be a visual resource.

Views east and west along East 12th and East 13th Streets tend to be shorter as the streets are narrower and lined with street trees. Avenue A provides long views to the south, including mature trees in Tompkins Square Park; views to the north on the avenue terminate at Stuyvesant Town.

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

PROJECT SITE

Absent the proposed project, it is assumed that the project site will remain vacant and no development would occur.

EFFECTS OF OTHER FUTURE PROJECTS

As discussed in Attachment A, “Land Use, Zoning, and Public Policy,” there are four developments that are expected to be constructed by the 2018 analysis year in the 400-foot study area. 438 East 12th Street, a six-story, approximately 80-foot-tall, 82-unit residential development, is anticipated to be completed and occupied in 2017. As currently designed, the facade will feature brick, aluminum, and glazing. At 222 Avenue A (504-530 East 14th Street), a seven-story, approximately 80-foot-tall, 150-unit mixed-use building is expected to be completed in 2017. Additional construction is underway at 436 and 442 East 13th Street, which are both being developed with six-story, six unit buildings.

E. PROBABLE IMPACTS OF THE PROPOSED PROJECT

URBAN DESIGN

The *CEQR Technical Manual* guidelines state that if the preliminary assessment shows that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed analysis is appropriate. Examples include projects that would potentially obstruct view corridors, compete with icons in the skyline, or make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings. Detailed analyses also are generally appropriate for areawide rezonings that include an increase in permitted floor area or changes in height and setback requirements, general large-scale developments, or projects that would result in substantial changes to the built environment of a historic district or components of a historic building that contribute to the resource's historic significance.

PROJECT SITE

In the future with the proposed project, a new, mixed-use residential and commercial building would be constructed on the site. The proposed building would have frontage along East 13th and East 14th Streets (see **Figures E-10** and **E-11**). The East 13th Street portion of the building would be eight stories in height (approximately 80 feet), with a setback above the sixth floor. The East 14th Street portion of the building would rise 12 stories (124 feet) without setbacks (see **Figure E-12**). Retail space would occupy the first floor of the East 14th Street portion of the building.

STUDY AREA

The proposed new building would be in keeping with the uses, height, and massing of buildings in the study area. The East 14th Street portion of the building would be similar in height to the 13- and 14-story buildings (133 feet tall) located across the street in Stuyvesant Town. The East 13th Street portion of the building would have a set back above the sixth floor to maintain the surrounding streetwall height on this street. The height of this portion of the building would be in keeping with other recently constructed buildings in the area, most notably the adjacent through-block development at 420 East 14th Street/427 East 13th Street. The footprint and massing of the proposed building would be in keeping with the larger developments in the study area, such as the adjacent through-block building, Stuyvesant Town, and 523-525 East 13th Street.

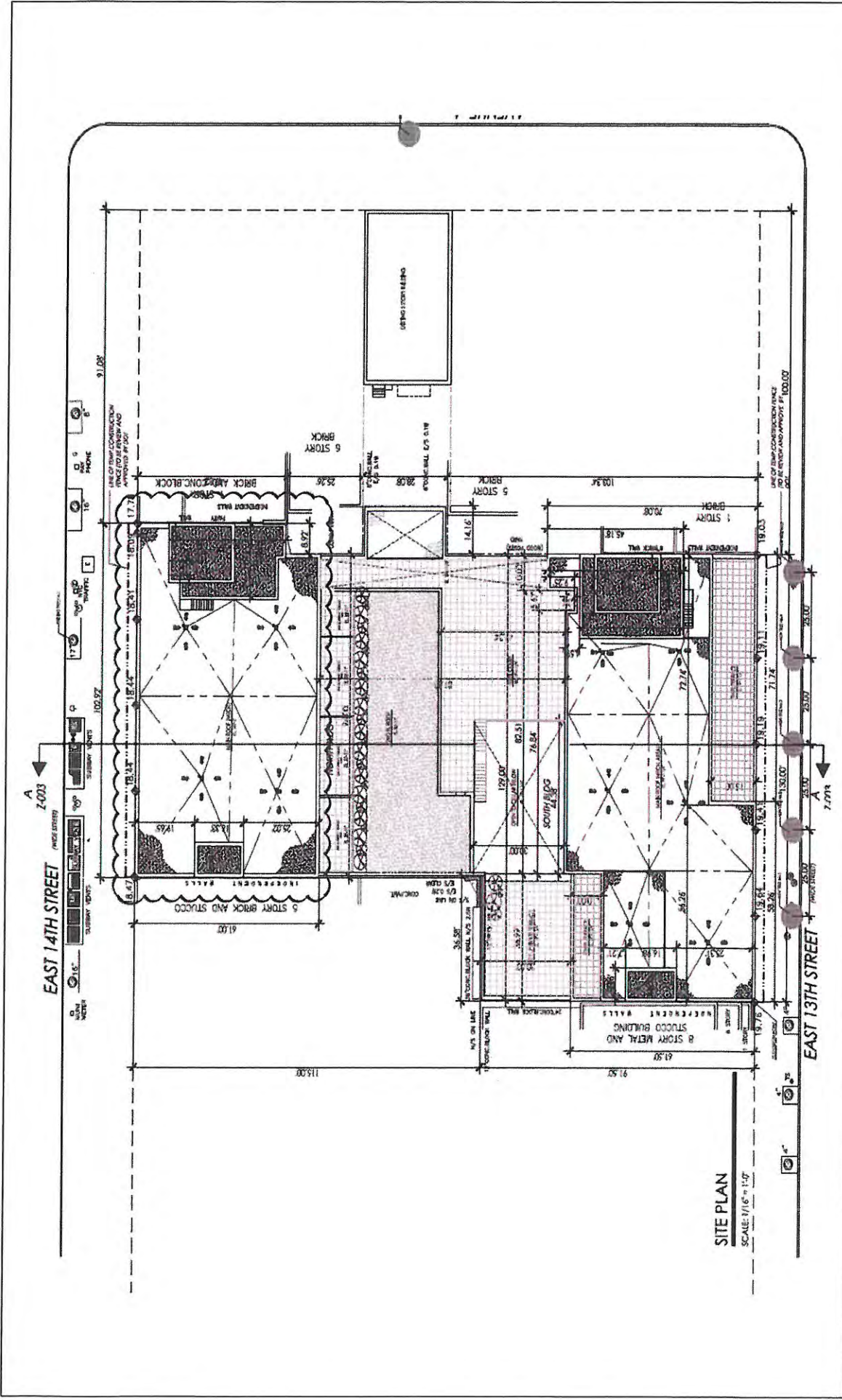
The proposed project would not be anticipated to adversely affect any urban design features of the study area, and would not adversely affect the experience of the pedestrian.

VISUAL RESOURCES

According to the guidance of the *CEQR Technical Manual*, additional visual resources analysis is required if: a project would partially or totally block a view corridor or a natural or built resource or a natural or built visual resource, and that resource is rare in the area or considered a defining feature of the neighborhood; or, a project would change urban design features so that the context of a natural or built visual resource is altered (for example, if a project alters the street grid so that the approach to the resource changes; if a project changes the scale of

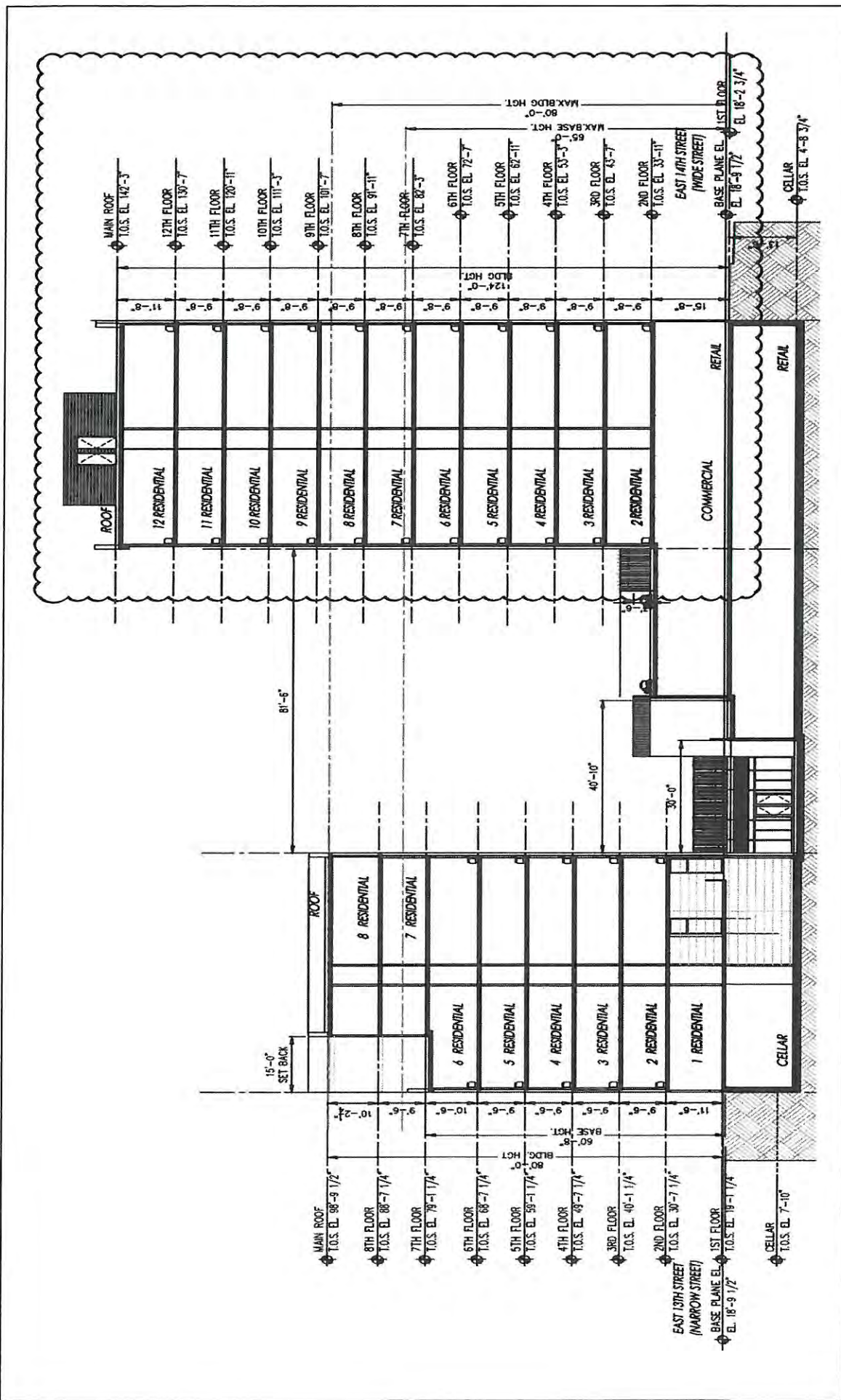


View west to Consolidated Edison building, from East 14th Street and Avenue A 13



432 E 14TH STREET

Proposed Site Plan
Figure E-10



Section of Proposed Building
Figure E-11

Illustrative Rendering
 East 14th Street Façade of Proposed Building
 Figure E-12



14TH STREET

surrounding buildings so that the context changes; or if a project removes lawns or other open areas that serve as a setting for the resource).

Key considerations in the assessment of the significance of a visual resource impact may include whether the project obstructs important visual resources and whether such obstruction would be permanent, seasonal, or temporary; how many viewers would be affected; whether the view is unique or do similar views exist; or whether the visual resource can be seen from many other locations.

PROJECT SITE

There are no visual resources located on the project site or the air rights parcel. Therefore, the proposed project would have no significant adverse impacts to on-site visual resources.

VISUAL REOURCES

The proposed building would not block any view corridors or views to any visual resources. Visual resources, including the Church of the Immaculate Conception and Clergy House and landscaping surrounding Stuyvesant Town, are located in close proximity to the project site; however, views to these resources would not be obstructed, and the proposed project would not alter the existing street grid or remove open areas that serve as a visual setting for either resource. Both resources would remain prominent in views from surrounding streets. Other visual resources in the area, such as the Consolidated Edison Building and the mature trees located within Tompkins Square Park, are located at a greater distance from the project site, and thus the addition of the proposed building would be less notable in the long views toward those resources.

Overall, the proposed project would not have a significant adverse impact on urban design or visual resources, or the pedestrian's experience of these characteristics of the built and natural environment. The proposed project does not merit further analysis of urban design and visual resources. *

A. INTRODUCTION

This attachment addresses the potential for the presence of hazardous materials resulting from previous and existing uses both on the project site and in the surrounding area, and potential risks related to the proposed project with respect to any such hazardous materials. The building formerly on the project site has been demolished, and the property is currently a vacant lot, capped with the former concrete building slab. The proposed project includes construction of a twelve-story mixed-use building with a shared cellar and landscaped areas fronting East 14th Street and an eight-story residential building with a shared cellar fronting East 13th Street.

This assessment was based on the findings of a May 2014 *Phase I Environmental Site Assessment (ESA)* performed by HydroTech Environmental Corp., an October 2014 *Subsurface (Phase II) Investigation* prepared by AKRF, Inc., and a May 2015 *Geotechnical Report* prepared by Mueser Rutledge Consulting Engineers.

B. EXISTING CONDITIONS

SUBSURFACE CONDITIONS

The project site is approximately 20 feet above sea level. During the Subsurface (Phase II) Investigation, a layer of fill material was observed to depths ranging from 0 to 13 feet (or more) overlying apparent native material including sand. Groundwater was first encountered at between approximately 13 and 15 feet below grade and estimated to flow in an approximately easterly direction toward the East River. Bedrock was not encountered in any of the borings, which extended to 20 feet. During a subsequent geotechnical investigation conducted in April and May 2015 by Mueser Rutledge Consulting Engineers, groundwater was observed at depths ranging from 12 to 12.5 feet below grade.

HAZARDOUS MATERIALS ASSESSMENT

The Phase I ESA identified a former New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup (BCP) site located immediately northwest adjacent to the project site with releases of hazardous materials associated with dry cleaning. The Subsurface (Phase II) Investigation identified somewhat elevated levels of semivolatile organic compounds (SVOCs) and metals in soil. Elevated levels of volatile organic compounds (VOCs) and SVOCs in groundwater and VOCs in soil vapor were also identified. These studies and are discussed in more detail below.

Phase I Environmental Site Assessment – 432 East 14th Street., Manhattan, New York, Hydro Tech Environmental, Corp., May 2014

The study identified two recognized environmental conditions (RECs), i.e., the presence or likely presence of hazardous substances or petroleum products in, on, or at a property. The first was a 1,000-gallon underground storage tank (UST) containing No. 2 fuel oil beneath the

southern portion of the building. The second was the northwest adjacent NYSDEC BCP site. A petroleum spill was reported to have occurred at the dry cleaner previously located at 427-429 East 13th Street. Although the BCP site remediation was completed in December 2007, a potential for residual soil vapor and vapor intrusion was identified. The suspected presence of asbestos-containing material (ACM) throughout the building was also identified.

Subsurface (Phase II) Investigation – 432 East 14th Street, New York, New York, AKRF, Inc., October 2014.

The investigation included a geophysical survey and the advancement of six borings with the collection and laboratory analysis of six soil and four groundwater samples. Four subsurface soil vapor points were also installed to collect soil vapor samples. The geophysical survey identified an anomaly consistent with the suspected UST, in the loading area near East 13th Street. The borings encountered up to 15 feet of historical fill material (sand and silt with gravel, brick, asphalt, concrete, brick, and glass) underlain by apparent native sand. Groundwater was first encountered between approximately 13 and 15 feet below grade, but bedrock was not encountered. Laboratory analysis of the soil samples indicated levels of certain VOCs, SVOCs, and metals were above 6 NYCRR Part 375 Restricted Residential Soil Cleanup Objectives; however, these are based on long-term exposure to soil in a multi-family residential setting, a scenario which does not occur now and would not occur in the future with the proposed project. Groundwater samples did not meet drinking water criteria, but groundwater in Manhattan is not used as a source of drinking water. Twenty-four VOCs associated with petroleum or chlorinated solvents were detected in the soil vapor samples, including tetrachloroethylene (PCE) and trichloroethylene (TCE) above the New York State Department of Health (NYSDOH) indoor air guidance values (AGVs) in one or more samples.

C. THE FUTURE WITHOUT THE PROPOSED PROJECT

In the future without the proposed project, the project site would be expected to remain in its existing condition. Without excavation for new development, there would be no significant potential for exposure to subsurface contaminants. The UST, which is no longer in use, would require removal or closure-in-place in accordance with NYSDEC regulatory requirements.

D. PROBABLE IMPACTS OF THE PROPOSED PROJECT

The greatest potential for exposure to any hazardous materials would occur during the proposed project's construction, which would require subsurface disturbance to construct the cellar and foundations of the new building. The potential for significant adverse impacts would be avoided by adhering to the following:

- A Remedial Action Work Plan (RAWP) and Construction Health and Safety Plan (CHASP) have been prepared for approval by the New York City Department of Environmental Protection (NYCDEP), the City agency overseeing the development of this property, for implementation during subsurface disturbance. The RAWP and CHASP are based on the findings of the Subsurface Investigation and address requirements for: management of excavated soils (including stockpiling and transportation/disposal of excess soil), dust control, and contingency measures should unforeseen petroleum tanks or soil contamination be encountered. The RAWP includes a provision for a vapor barrier beneath/outside of the foundations of the new building as a protective measure against vapor intrusion.
- The known UST and any additional petroleum tanks encountered during construction would be removed (along with any contaminated soil) in accordance with applicable regulations,

including New York City Fire Department and New York State Department of Environmental Conservation (NYSDEC) requirements (including those relating to spill reporting and tank registration).

- If dewatering is necessary during construction, water would be discharged to sewers in accordance with NYCDEP requirements. Groundwater would likely require treatment with granular activated carbon filters prior to discharge into the New York City sewers system.

With these measures in place, the proposed project would not result in any significant adverse impacts related to hazardous materials. *

Attachment G:

Transportation

[TO COME]

A. INTRODUCTION

The potential for air quality impacts associated with the proposed mixed-use project at 432 East 14th Street in the East Village neighborhood of Manhattan (Block 441, Lots 23 and 32) was analyzed.

The proposed project is not expected to significantly alter traffic conditions. The maximum hourly increase in traffic volume due to the proposed project would not exceed the *CEQR Technical Manual* carbon monoxide screening threshold of 170 auto trips during peak hour at nearby intersections in the study area, nor would it exceed the particulate matter (PM) screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, a mobile source analysis is not required.

The *CEQR Technical Manual* requires an assessment of any actions that could result in the location of sensitive uses within 1,000 feet of a major or large emission sources (e.g., a power plant) requiring federal or state facility permits. To assess the potential effects of these existing sources on the proposed project, a review of existing permitted facilities was conducted. The nearest existing major or large emission source is the East River Generating Station operated by Con Edison, located more than 1,000 feet from the project area. Therefore, analysis of the potential impact of large sources on the proposed project is not required.

The proposed project involves the development of a mixed-use building containing 155 dwelling units and commercial use with a 12-story frontage facing East 14th Street, and an 8-story frontage facing East 13th Street. Since the proposed building would include a fossil fuel-fired heat and hot water system, an analysis of potential future pollutant concentrations from this source was conducted. As presented below, there would be no potential for significant adverse air quality impacts from the proposed project's heat and hot water systems. Therefore, overall, no significant adverse air quality impacts would occur as a result of the proposed project.

B. METHODOLOGY

Two analyses were prepared to assess the potential for air quality impacts associated with emissions from the proposed project's heat and hot water systems, according to the methods described in the *CEQR Technical Manual*. It was conservatively assumed that the heat and hot water system would utilize No. 2 fuel oil. The main pollutant of concern when burning No. 2 fuel oil is sulfur dioxide (SO₂). An initial screening analysis was prepared using the methodology for the initial screening of impacts from heat and hot water system described in the *CEQR Technical Manual*, and further screening was prepared using the EPA approved AERSCREEN model to evaluate potential impacts on concentrations of 1-hour average nitrogen dioxide (NO₂), 1-hour average concentrations of SO₂, and 24-hour and annual average concentrations of PM less than 2.5 micrometers in diameter (PM_{2.5}).

INITIAL SCREENING

An initial screening analysis was performed using the methodology described in Section 322.1 of Chapter 17 of the *CEQR Technical Manual*. This methodology determines the threshold of development size below which the action would not have a significant adverse impact for most pollutants and averaging periods. The screening procedure utilizes information regarding the type of fuel to be burned, the maximum development size, and the exhaust stack height to evaluate whether or not a significant impact is possible.

Based on the distance from the development to the nearest building of similar or greater height, if the maximum development size is greater than the threshold size in the *CEQR Technical Manual*, then there is the potential for significant air quality impacts and a refined dispersion modeling analysis would be required. Otherwise, the source passes the screening analysis.

The nearest building of similar or greater height would be 630 feet from the project site. This is further than the 400 foot maximum screening distance, therefore a distance of 400 feet was chosen in accordance with the guidance provided in the *CEQR Technical Manual*.

However, since the screening does not address the most recently introduced standards, additional screening was undertaken (see below).

AERSCREEN ANALYSIS

Potential 1-hour NO₂, 1-hour SO₂, and 24-hour and annual average PM_{2.5} impacts from the proposed project's heat and hot water system's emissions were evaluated using the EPA's AERSCREEN model (version 15181 EPA, 2015). The AERSCREEN model predicts worst-case 1-hour average concentrations downwind from a point, area, or volume source. AERSCREEN generates application-specific worst-case meteorology using representative minimum and maximum ambient air temperatures, and site-specific surface characteristics such as albedo, Bowen ratio, and surface roughness length.¹ The AERSCREEN model was used to calculate worst-case ambient concentrations of criteria pollutants from the proposed project downwind of the stack. Potential 1-hour average NO₂ and 1-hour average SO₂ concentrations, added to representative background concentrations in the area, were compared with the National Ambient Air Quality Standards (NAAQS). Potential 24-hour and annual average incremental concentrations of PM_{2.5} were compared with PM_{2.5} *de minimis* criteria thresholds defined in the *CEQR Technical Manual*.

The model incorporates the Plume Rise Model Enhancements (PRIME) downwash algorithm, which is designed to predict impacts in the "cavity region" (i.e., the area around a structure which, under certain conditions, may affect an exhaust plume, causing a portion of the plume to become entrained in a recirculation region). AERSCREEN applies the PRIME algorithm based on inputs from the Building Profile Input Program for PRIME (BPIPPRM) to provide a detailed analysis of downwash influences on a direction-specific basis. AERSCREEN also incorporates complex terrain algorithms and uses a terrain processor to account for the terrain in the vicinity of the source on a direction-specific basis.

¹ The albedo is the fraction of the total incident solar radiation reflected by the ground surface. The Bowen ratio is the ratio of the sensible heat flux to the latent (evaporative) heat flux. The surface roughness length is related to the height of obstacles to the wind flow and represents the height at which the mean horizontal wind speed is zero based on a logarithmic profile.

The AERSCREEN model was run both with and without the influence of building downwash, using urban diffusion coefficients that were based on a review of land-use maps of the area. Other model options were selected based on EPA guidance.

Nitrogen oxides (nitric oxide [NO] and NO₂, collectively referred to as NO_x) are emitted mostly as NO and are transformed to NO₂ as part of the chemical reactions in the atmosphere. Maximum 1-hour average NO₂ concentrations were estimated using an NO₂ to NO_x ratio of 0.8. The 0.8 ratio used for the maximum 1-hour concentration is the recommended default ratio per EPA's guidance for NO₂ modeling.¹

EMISSION RATES AND STACK PARAMETERS

The stack exhaust parameters and emission rates used in the AERSCREEN analysis are presented in **Table H-1**. Annual emissions rates from the heat and hot water system were calculated based on fuel consumption estimates, using energy use estimates based on the type of development and size of the building (166,177 gross square feet [gsf]) as recommended in the *CEQR Technical Manual*, and applying the EPA's emission factors for No. 2 fuel oil-fired boilers.² The short-term emission rates were calculated by scaling the annual emissions to account for a 100-day heating season. The exhaust from the heat and hot water system was assumed to be vented through a single stack located on the bulkhead roof of the building at a height of 145 feet above grade (3 feet above the roof). The exhaust velocity was calculated based on the exhaust flowrate for the boiler capacity estimated using the energy use of the proposed project and EPA's fuel factors³. Assumptions for stack diameter and exhaust temperature for the proposed system were obtained from a survey of boiler exhaust data performed and provided by New York City Department of Environmental Protection (NYCDEP) and were used to calculate the exhaust velocity.

Table H-1
Heat and Hot Water System Stack Parameters and
Emission Rates

Stack Parameter	Value
Stack Height (feet)	145
Stack Diameter (feet)	1.00
Exhaust Velocity (feet per second)	17.2
Exhaust Temperature (degrees Fahrenheit)	300
<i>Emission Rate (grams/second)</i>	
NO ₂ (1-hour average)	0.0676
SO ₂ (1-hour average)	0.0008
PM _{2.5} (24-hour average)	0.0064
PM _{2.5} (Annual average)	0.0018

¹ EPA. Memorandum: *Clarification on the use of AERMOD Dispersion Modeling for Demonstrating Compliance with the NO₂ National Ambient Air Quality Standard*. September 30, 2014.

² EPA. *Compilations of Air Pollutant Emission Factors AP-42*. Fifth Edition, Volume I, Chapter 1, Section 3. <http://www.epa.gov/ttn/chief/ap42>. September, 1998.

³ Table 19-2 40 C.F.R Chapter I Subchapter C Part 60

RECEPTOR LOCATIONS

A receptor is specific location at which concentrations are projected. Receptor information provides the distance from the source, terrain height, and height above ground for selected locations. The screening analysis considered the effect of the proposed project's stationary source emissions on a residential building located at 445 East 14th Street (which is the nearest building with a height above 100 feet above grade, at approximately 130 feet away from the proposed project on the side closest to the receptor building), as well as other adjacent buildings that are three to seven stories shorter than the proposed project (with heights between 50 and 90 feet above grade) that were also considered due to its proximity.

BACKGROUND CONCENTRATIONS

To estimate the maximum expected total NO₂ and SO₂ concentrations at a given receptor, the maximum concentration increments predicted from the heating system were added to the corresponding background concentrations (see **Table H-2**). These background levels represent the 98th and 99th percentile annually of the daily-highest 1-hour average NO₂ and SO₂ concentrations, respectively (these are the statistical forms of the respective standards) that were measured at the nearest New York State Department of Environmental Conservation (NYSDEC) background monitoring station for each of the pollutants. It was conservatively assumed that these high background concentrations occur on all days.

Table H-2
Maximum Background Pollutant Concentrations
For Heat and Hot Water System Analysis

Pollutant	Average Period	Location	Background Concentration (µg/m ³)	Standard (µg/m ³)
NO ₂	1-hour	Queens College, Queens	109	188 ⁽¹⁾
SO ₂	1-hour	Queens College, Queens	37	196 ⁽¹⁾
PM _{2.5}	24-hour	PS 19, New York	25.6	6.4 ⁽²⁾
PM _{2.5}	Annual	N/A	N/A	0.3 ⁽³⁾

Notes:
¹ N/A – Not Applicable
² 1-hour average NAAQS.
³ 24-hour average PM_{2.5} *de minimis* criterion, not to exceed more than half the difference between the background concentration and the 24-hour standard of 35 µg/m³.
³ *de minimis* criterion for annual average PM_{2.5} (discrete receptor), not to exceed

The background concentration for annual average PM_{2.5} is not used since the criterion for this standard is based on incremental concentrations only, as described above. However, the *de minimis* criterion for 24-hour average PM_{2.5} takes into account the background concentration.

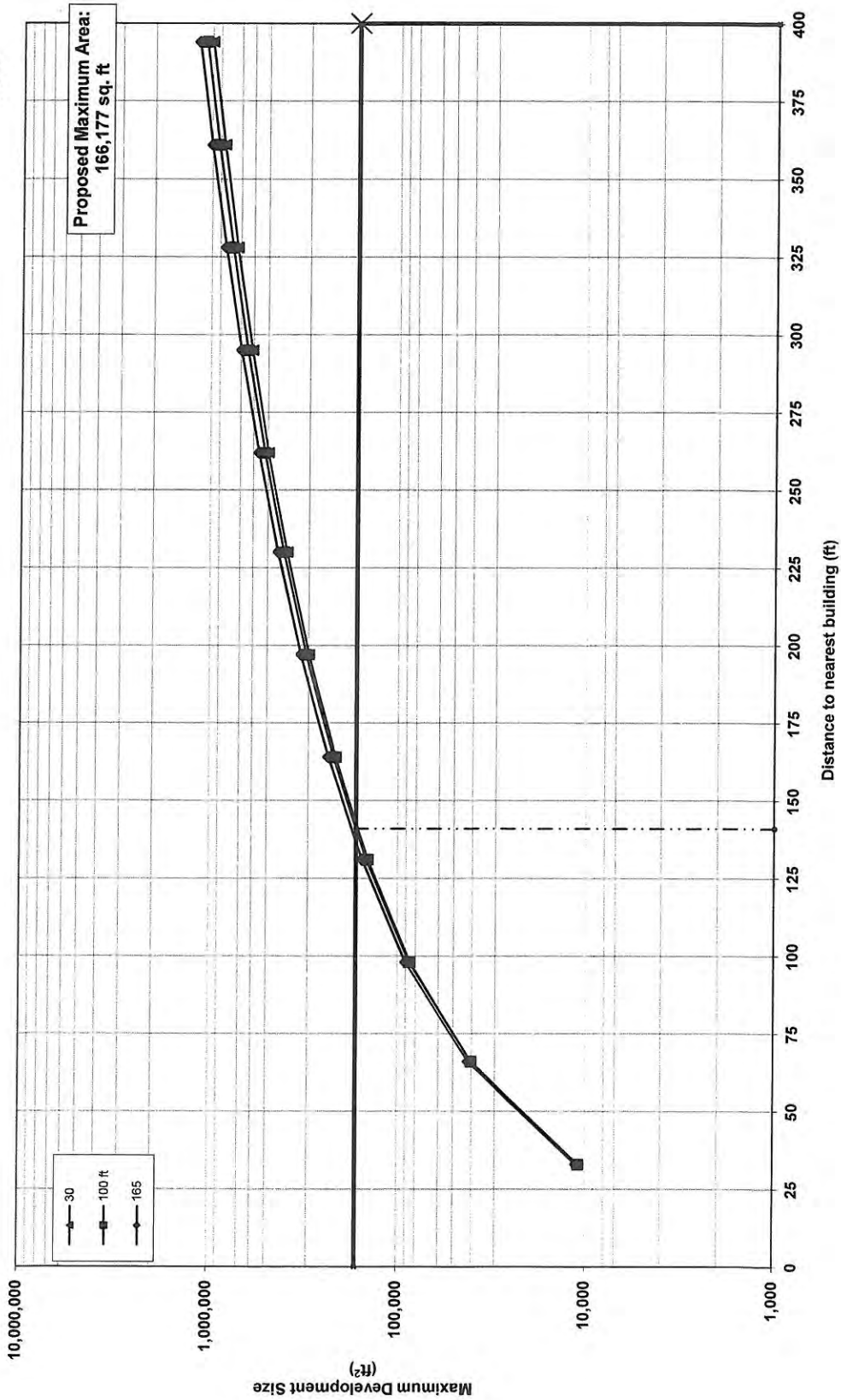
PROBABLE IMPACTS OF THE PROPOSED PROJECT

INITIAL SCREENING

The results of the simplified screening analysis are presented in **Figure H-1**. The distance below which impacts might occur on buildings of similar height was determined to be approximately 141 feet. There would be no building of similar height within 400 feet of the project site. Therefore, a distance of 400 feet was chosen in accordance with the guidance provided in the *CEQR*

FIG App 17-5
SO₂ BOILER SCREEN
RESIDENTIAL DEVELOPMENT - FUEL OIL #2

HVAC Screening Analysis
Site: 432 East 14th Street
Date: 2/29/2016
Pass



Stack Height: 145 ft
Distance to Nearest Building of Similar or Greater Height: 400 ft
Proposed Maximum SQFA: 166,177 sq. ft.
Minimum Allowable Distance to Nearest Building: 141 ft

Technical Manual. Since annual average SO₂ is the critical pollutant in this analysis, impacts would also not be expected for the annual average NO₂, PM₁₀, and CO standards.

AERSCREEN ANALYSIS

The results of the AERSCREEN analysis for 1-hour average NO₂, 1-hour average SO₂, and 24-hour and annual average PM_{2.5} are presented in **Table H-3**. The projected potential impacts from the proposed project's heat and hot water system on all pollutant concentrations are less than their respective thresholds (NAAQS and *de minimis* criteria).

Table H-3
Maximum Modeled Pollutant Concentrations (µg/m³)

Pollutant	Averaging Period	Maximum Modeled Increment	Background Concentration	Total / Incremental Concentration	Criterion
NO ₂	1-hour	25	109	134	188
SO ₂	1-hour	1	37	38	196
PM _{2.5}	24-hour	1.8	N/A	4.1	4.7 ⁽¹⁾
	Annual	0.08	N/A	0.19	0.3 ⁽²⁾

Notes:

N/A – Not Applicable

¹ PM_{2.5} 24-hour average *de minimis* criteria —not to exceed more than half the difference between the background concentration and the 24-hour standard of 35 µg/m³.

² PM_{2.5} annual average *de minimis* criteria for discrete receptors.

CONCLUSION

Based on the results of both screening analyses, the proposed project's heat and hot water systems would not result in any significant adverse air quality impacts. *

A. INTRODUCTION

The proposed project at 432 East 14th Street would not generate sufficient traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of noise passenger car equivalents [Noise PCEs] which would be necessary to cause a 3 dBA increase in noise levels). However, the effects of ambient noise adjacent to the project site (including noise from vehicular traffic) are addressed in the following attachment. The analysis determines the level of building attenuation necessary to ensure that the proposed building's interior noise levels satisfy applicable City Environmental Quality Review (CEQR) interior noise criteria.

B. ACOUSTICS FUNDAMENTALS

Sound is a fluctuation in air pressure. Sound pressure levels are measured in units called "decibels" ("dB"). The particular character of the sound that we hear (a whistle compared with a French horn, for example) is determined by the speed, or "frequency," at which the air pressure fluctuates, or "oscillates." Frequency defines the oscillation of sound pressure in terms of cycles per second. One cycle per second is known as 1 Hertz ("Hz"). People can hear over a relatively limited range of sound frequencies, generally between 20 Hz and 20,000 Hz, and the human ear does not perceive all frequencies equally well. High frequencies (e.g., a whistle) are more easily discernable and therefore more intrusive than many of the lower frequencies (e.g., the lower notes on the French horn).

"A"-WEIGHTED SOUND LEVEL (DBA)

In order to establish a uniform noise measurement that simulates people's perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear. This is known as the A-weighted sound level, or "dBA," and it is the descriptor of noise levels most often used for community noise. As shown in **Table I-1**, the threshold of human hearing is defined as 0 dBA; quiet conditions (as in a library, for example) are approximately 40 dBA; levels between 50 dBA and 70 dBA define the range of noise levels generated by normal daily activity; levels above 70 dBA would be considered noisy, and then loud, intrusive, and deafening as the scale approaches 130 dBA.

In considering these values, it is important to note that the dBA scale is logarithmic, meaning that each increase of 10 dBA describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dBA, is perceived as twice as loud as a library at 40 dBA. For most people to perceive an increase in noise, it must be at least 3 dBA. At 5 dBA, the change will be readily noticeable.

Table I-1
Common Noise Levels

Sound Source	(dBA)
Military jet, air raid siren	130
Amplified rock music	110
Jet takeoff at 500 meters	100
Freight train at 30 meters	95
Train horn at 30 meters	90
Heavy truck at 15 meters	80-90
Busy city street, loud shout	80
Busy traffic intersection	70-80
Highway traffic at 15 meters, train	70
Predominantly industrial area	60
Light car traffic at 15 meters, city or commercial areas, or residential areas close to industry	50-60
Background noise in an office	50
Suburban areas with medium-density transportation	40-50
Public library	40
Soft whisper at 5 meters	30
Threshold of hearing	0
Note: A 10 dBA increase in level appears to double the loudness, and a 10 dBA decrease halves the apparent loudness.	
Sources: Cowan, James P. <i>Handbook of Environmental Acoustics</i> , Van Nostrand Reinhold, New York, 1994. Egan, M. David, <i>Architectural Acoustics</i> . McGraw-Hill Book Company, 1988.	

SOUND LEVEL DESCRIPTORS

Because the sound pressure level unit of dBA describes a noise level at just one moment and few noises are constant, other ways of describing noise that fluctuates over extended periods have been developed. One way is to describe the fluctuating sound heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level," L_{eq} , can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours, denoted by $L_{eq(24)}$), conveys the same sound energy as the actual time-varying sound. Statistical sound level descriptors such as L_1 , L_{10} , L_{50} , L_{90} , and L_x , are used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively.

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

For purposes of the proposed project, the L_{10} descriptor has been selected as the noise descriptor to be used in this noise impact evaluation. The 1-hour L_{10} is the noise descriptor used in the *CEQR Technical Manual* noise exposure guidelines for CEQR classification.

C. NOISE STANDARDS AND CRITERIA

NEW YORK CEQR NOISE CRITERIA

The *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise level (see **Table I-2**). Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for residential uses and interior noise levels of 50 dBA or lower for commercial uses and are determined based on exterior $L_{10(1)}$ noise levels.

Table I-2
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

Noise Level With Proposed Project	Marginally Unacceptable				Clearly Unacceptable
	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation ^A	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)^B$ dB(A)
Notes: ^A The above composite window-wall attenuation requirements are for residential dwellings and community facility development. Commercial uses would require 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation. ^B Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA. Source: New York City Department of Environmental Protection.					

D. EXISTING NOISE LEVELS

Existing noise levels at the project site were measured at two locations. Site 1 was located on East 14th Street between First Avenue and Avenue A, and Site 2 was located on East 13th Street between First Avenue and Avenue A (see **Figure I-1**).

At the receptor sites, the existing noise levels were measured for a 20-minute period during the three weekday peak periods—AM (7:00 AM to 9:00 AM), midday (MD) (12:00 PM to 2:00 PM), and PM (4:00 PM to 6:00 PM). Measurements were taken on February 11, 2016 and February 25, 2016.

EQUIPMENT USED DURING NOISE MONITORING

Measurements were performed using a Brüel & Kjær Sound Level Meter (SLM) Type 2260, a Brüel & Kjær ½-inch microphone Type 4189, and a Brüel & Kjær Sound Level Calibrator Type 4231. The SLM has a valid laboratory calibration within 1 year, as is standard practice. The Brüel & Kjær SLM is a Type 1 instrument according to ANSI Standard S1.4-1983 (R2006). The microphone was mounted at a height of approximately five feet above the ground surface on a tripod and at least approximately five feet away from any large reflecting surfaces. The SLM was calibrated before and after readings with a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included L_{eq} , L_1 , L_{10} , L_{50} , L_{90} , and 1/3 octave band levels. A windscreen was used during all sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

The results of the existing noise level measurements are summarized in **Table I-3**.

At the receptor site, vehicular traffic was the dominant noise source. Measured levels are relatively low to moderate and reflect the level of vehicular activity on the adjacent roadways. In

terms of the CEQR criteria, the existing noise levels at Site 1 are in the “marginally unacceptable” category and the existing noise levels at Site 2 are in the “marginally acceptable” category.

Table I-3
Existing Noise Levels in dBA

Site	Location	Time Period	L _{eq}	L ₁	L ₁₀	L ₅₀	L ₉₀
1	East 14th Street between First Avenue and Avenue A	AM	72.2	80.4	75.2	69.3	64.4
		MD	70.9	79.6	74.0	67.5	62.1
		PM	70.1	79.4	73.2	67.3	60.7
2	East 13th Street between First Avenue and Avenue A	AM	66.8	78.6	69.2	59.3	54.6
		MD	68.1	80.9	68.2	60.7	57.6
		PM	63.9	73.2	68.2	59.7	54.2

Notes: Noise measurements were performed on February 11, 2016 and February 25, 2016.

E. NOISE ATTENUATION MEASURES

As shown in **Table I-2**, the *CEQR Technical Manual* has set noise attenuation quantities for buildings based on exterior L₁₀₍₁₎ noise levels in order to maintain interior noise levels of 45 dBA or lower for residential uses and 50 dBA or lower for commercial uses. The results of the building attenuation analysis are summarized in **Table I-4**.

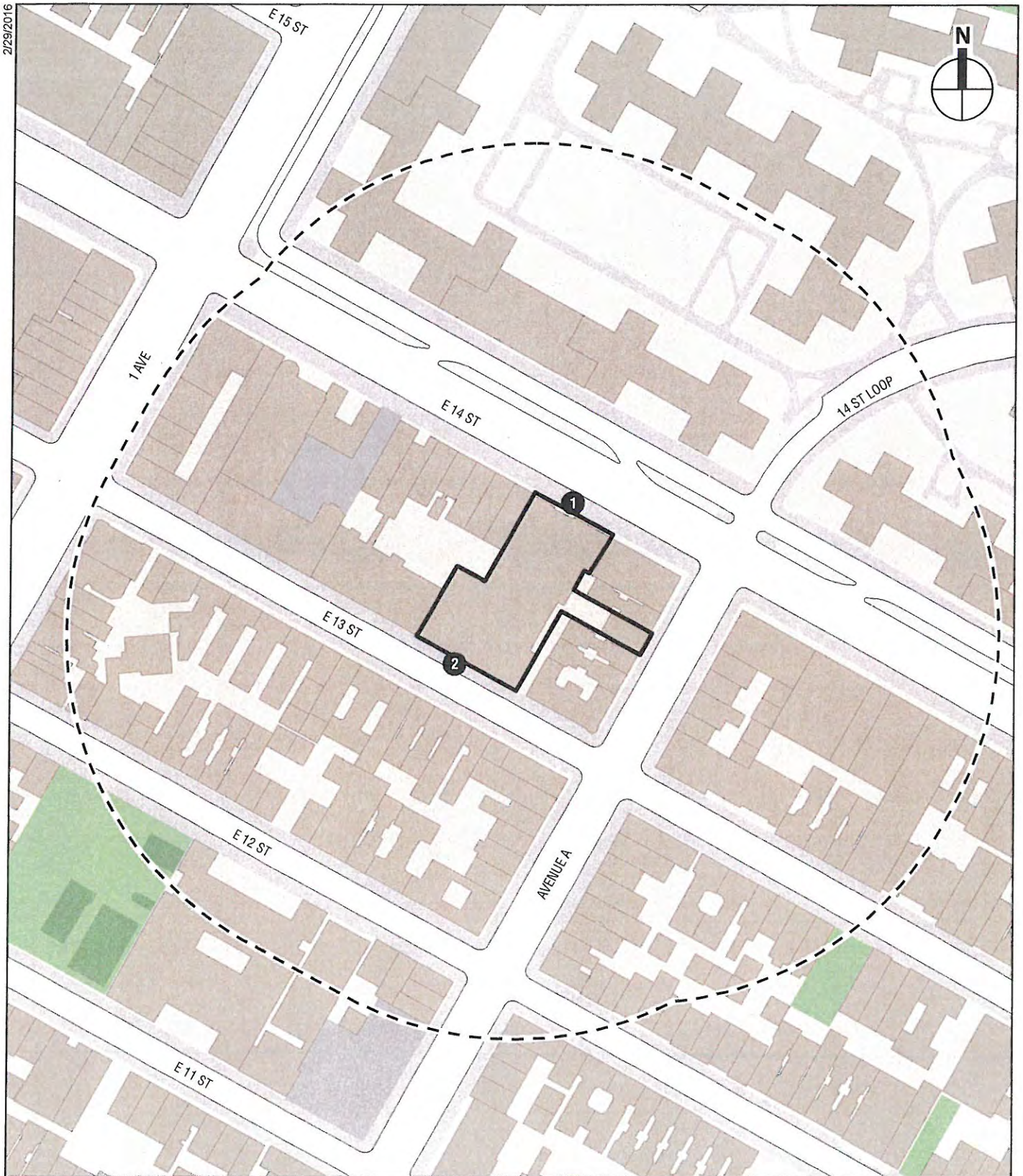
Table I-4
CEQR Building Attenuation Requirements

Receptor Site	Façade	Maximum Measured L ₁₀ (in dBA)	Attenuation Required ¹ (in dBA)
1	North	75.2	31
2	South, East, West	69.2	N/A ²

Notes: ¹ The CEQR attenuation requirements shown are for residential use; commercial uses would require 5 dBA less attenuation.
² “N/A” indicates that the L₁₀ value is less than 70 dB(A). The *CEQR Technical Manual* does not address noise levels this low, therefore there is no minimum attenuation guidance.

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Normally, a building façade consists of wall, glazing, and any vents or louvers associated with the building mechanical systems in various ratios of area. Currently, the proposed design for the building includes acoustically-rated windows and central air conditioning as an alternate means of ventilation. The proposed building’s façades, including these elements, would be designed to provide a composite Outdoor-Indoor Transmission Class (OITC) rating¹ greater than or equal to those listed in above in **Table I-4**, along with an alternative means of ventilation in all habitable rooms of the residential units. By adhering to these design specifications, the proposed building will

¹ The OITC classification is defined by ASTM International (ASTM E1332) and provides a single-number rating that is used for designing a building façade including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise.



-  Project Site
-  Study Area (400-Foot Boundary)
-  Noise Receptor

0 200 FEET

provide sufficient attenuation to achieve the CEQR interior noise level guideline of 45 dBA or lower for residential uses and 50 dBA or lower for commercial uses, which would be considered acceptable according to CEQR interior noise level guidelines.

F. MECHANICAL EQUIPMENT

It is assumed that the building's mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the proposed project would not result in any significant adverse noise impacts related to building mechanical equipment. *

Appendix A

ENVIRONMENTAL REVIEW

Project number: BOARD OF STANDARDS AND APPEALS / LA-CEQR-M

Project:

Address: 432 EAST 14 STREET, **BBL:** 1004410023

Date Received: 5/3/2016

[X] No archaeological significance

Comments: ARCHAEOLOGY REVIEW ONLY.

Gina Santucci

5/10/2016

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 31420_FSO_DNP_05102016.doc



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

April 20, 2015

Mrs. Claudia Cooney
Vice President
AKRF, Inc.
440 Park Avenue South
7th floor
New York, NY 10016

Re: HFA
435 East 13th Street Residential Development
432 East 14th Street, New York, NY 10009
15PR01790

Dear Mrs. Cooney:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Deputy Commissioner for Historic Preservation

RECEIVED
ED. STANDARDS AND APPEALS
2016 MAY 25 11:55
CAL. HO.

- Project Site
- - - Study Area Boundary (400' from Project Site Center)
- Zoning-District Boundary
- R7-2** Zoning District
- 1222** Block Number
- 40** Lot Number
- 110 Street Address
- 110 Lot Frontage/Depth
- 110 Building Height/Number of Stories
- 5** Photograph View Direction and Reference Number

BUILDING TYPE

- MD** Multiple Dwelling
- R** Retail

LAND USE

- Residential
- Commercial
- Residential/Commercial
- Institutional/Community
- Open Space/Park Land
- Parking



Radius Diagram/Land Use Map

435 E 13TH - 432 E 14TH ST

SCALE 0 200 FEET 1 inch = 100 feet