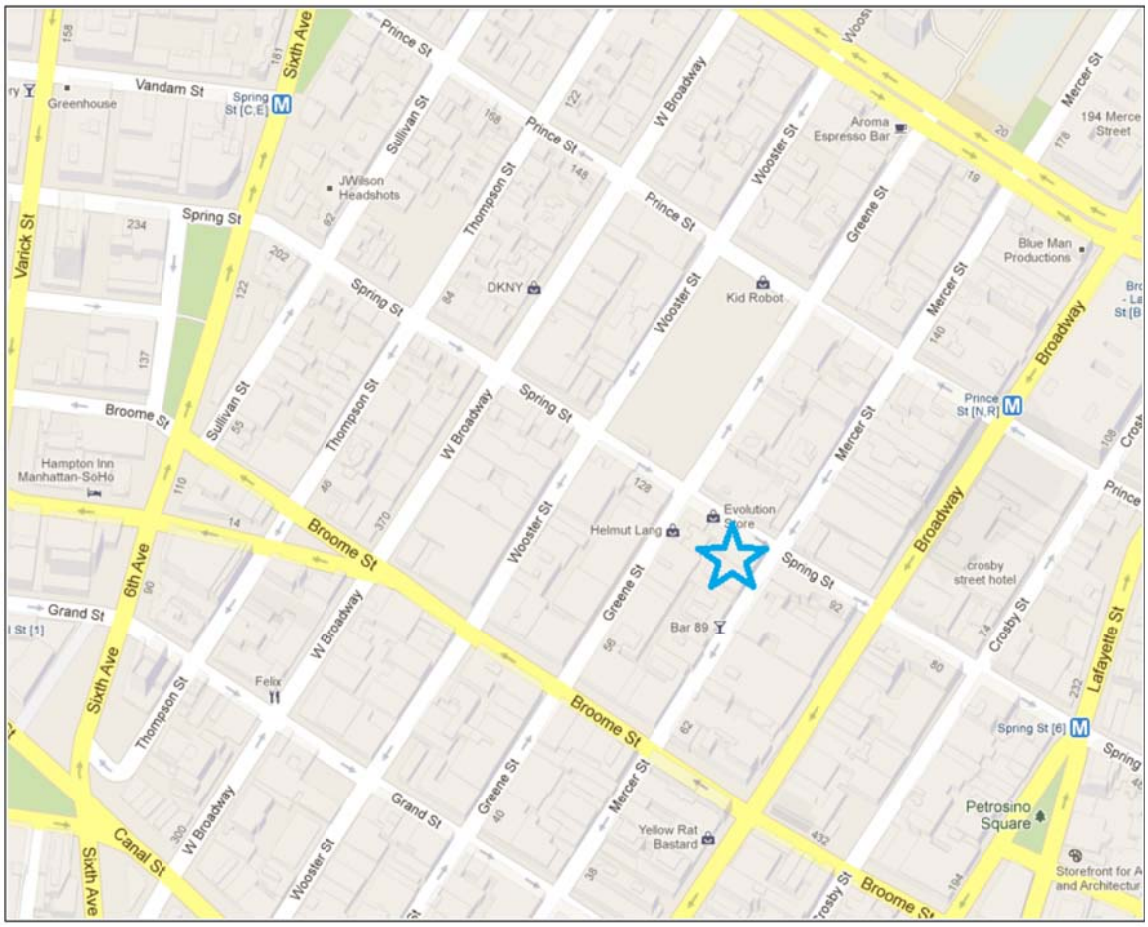
ENVIRONMENTAL ASSESSMENT STATEMENT



106 – 112 Spring Street/ 91 – 93 Mercer Street SoHo, New York

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Table of Contents

List of Exhibits

Appendices

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 106 Spring Street / 93 Mercer Street

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
14DCP053M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
140142ZAM	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
Department of City Planning			Workspace, Inc.		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Robert Dobruskin, Director EARD			Evan Lemonides		
ADDRESS 22 Reade Street, Room 4E			ADDRESS 105 Broad Street - PH		
CITY New York	STATE NY	ZIP 10007	CITY New York	STATE NY	ZIP 10004
TELEPHONE 212 720 3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 212 334 1962	EMAIL evan@lemonides.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): Located in SoHo Cast Iron Historic District

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

Application is for An Authorization Pursuant to Zoning Resolution Section 42-142 to Modify Section 42-14(D)(1)(d) to Allow the Conversion of Previously Approved Retail Space Below the Floor Level of the Second Story to Joint Living Work Quarters for Artists In an M1-5A Zoning District.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 2	STREET ADDRESS 106-112 Spring Street / 91-93 Mercer Street
TAX BLOCK(S) AND LOT(S) Manhattan Block 485 Lots 21 and 22		ZIP CODE 10013

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Southwest corner of the intersection formed by Spring Street and Mercer Street

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-5A	ZONING SECTIONAL MAP NUMBER 12c

5. *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 ZR 42-142

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

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:

6. *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.): 13,379 GSF
Waterbody area (sq. ft.) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 10,377 GSF
Other, describe (sq. ft.):

7. *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): 13,379 GSF
NUMBER OF BUILDINGS: 2
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Lot 21: +/- 32,100 GSF, Lot 22: +/- 27,500 GSF
HEIGHT OF EACH BUILDING (ft.): Lot 21: 76' 7", Lot 22: 65' 6"
NUMBER OF STORIES OF EACH BUILDING: Lot 21: 6 Stories, Lot 22: 6 Stories

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 disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2015
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 6 Months
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Interior Renovations (6 months)

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Retail	Retail		Retail
Gross floor area (sq. ft.)	13,379 SF	13,379 SF		(13,379 SF)
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use			JLWQA	JLWQA
Gross floor area (sq. ft.)			8,275 SF (3 units)	8,275 SF (3 units)
Open storage area (sq. ft.)			5,104 SF	5,104 SF
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify number:			6	6

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Briefly explain how the number of residents was calculated:	At Average Household (HH) Size of 2 Persons per HH			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. and type	2 Retail	2 Retail		(2 Retail)
No. and type of workers by business	10	10	0	(10 Workers)
No. and type of non-residents who are not workers	+/- 1,000 Customers	+/- 1,000 Customers	0	(+/-1,000 Customers)
Briefly explain how the number of businesses was calculated:	There is one business in each of the two buildings.			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-5A	M1-5A	M1-5A	
Maximum amount of floor area that can be developed	N/A	N/A	N/A	0
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Retail/Residential	Retail/Residential	Retail/Residential	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

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 Full 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.		
(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 more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☒
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☒
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☒

	YES	NO
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☒
v. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☒
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☒
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, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
O 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 If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
o 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 If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
o If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
O 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 If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. ***OPEN SPACE***: CEQR Technical Manual Chapter 7		
(a) Would the 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?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) 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?	☐	☒
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☐
o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered?	☐	☐

	YES	NO
Please specify:		
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?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
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?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
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 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?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☒
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☒
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 that	☐	☒

	YES	NO
listed in Table 13-1 in Chapter 13?		
(d) Would the 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?	☐	☒
(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 contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
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): 123		
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?	☐	☒
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
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): +/-780,000		
(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 appropriate screening analyses, attach 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? ***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.*	☐	☐
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/rail 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)	☐	☒
(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?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. Please See Analysis Section		
15. ***GREENHOUSE GAS EMISSIONS***: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒

	YES	NO
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
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?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
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; 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. As demonstrated in this document and the accompanying Analysis Section, the proposed action would not result in adverse impacts related to any of the constituent elements of public health, and therefore no further analysis is necessary.		
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 demonstrated in this document and the accompanying Analysis Section, the proposed action would not result in adverse impacts related to any of the constituent elements of neighborhood character, and therefore no further analysis is necessary.		
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.		

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.

Evan Lemonides	Evan Lemonides	October 31, 2014

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.

IMPACT CATEGORY	Potentially Significant Adverse Impact 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? ☐ YES ☒ NO

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 *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (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 *Negative Declaration*. The *Negative Declaration* 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
Deputy Director, EARD	New York City Department of City Planning
NAME	DATE
Olga Abinader	October 31, 2014
SIGNATURE	
Olga Abinader	

EAS MAP ATTACHMENTS

- Tax Map
- Zoning Map
- Land Use Map

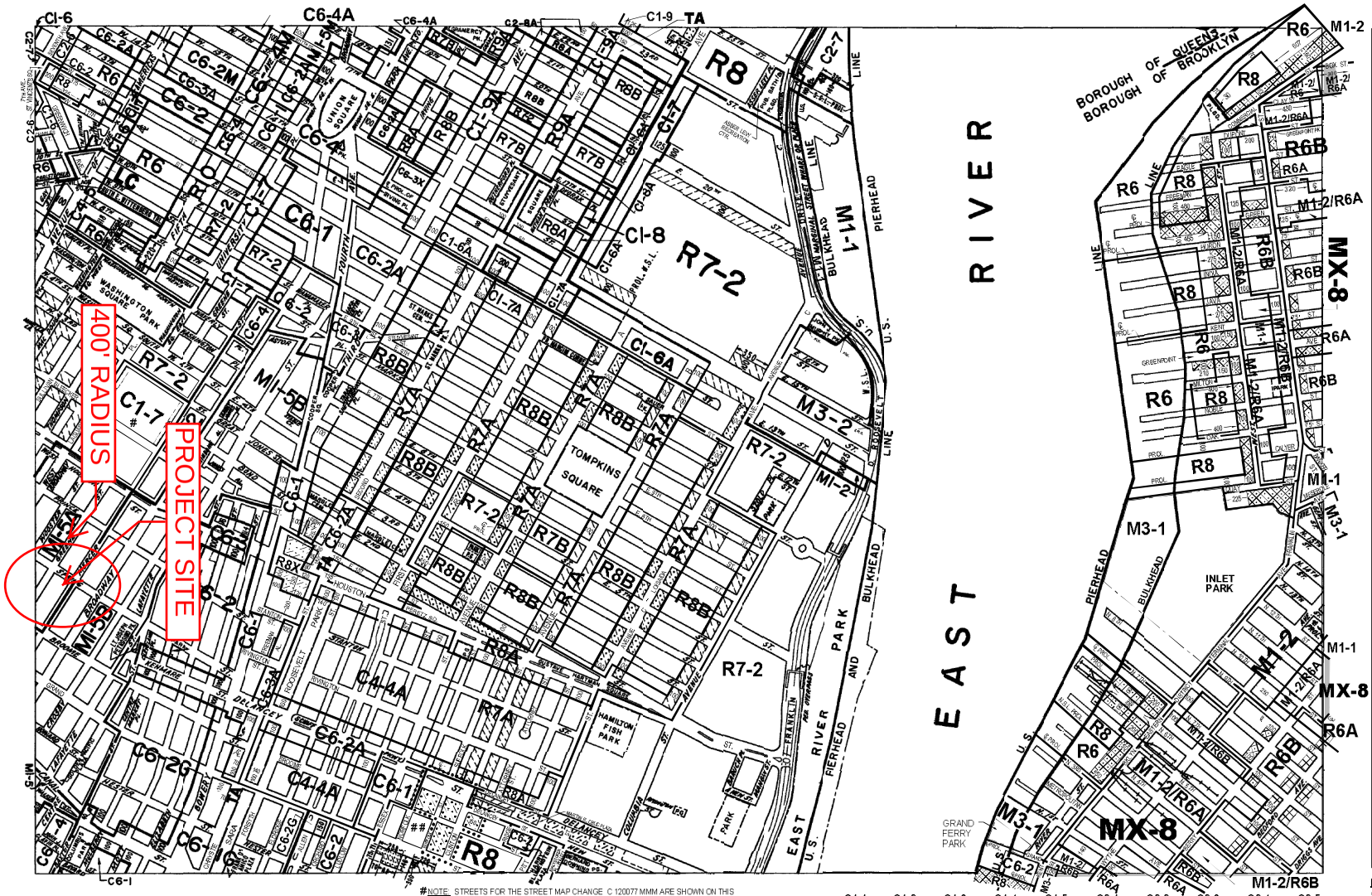
NYC Digital Tax Map

Effective Date : 12-18-2012 16:18:22
End Date : Current

Manhattan Block: 485

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon



#NOTE: STREETS FOR THE STREET MAP CHANGE C 120077 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

##NOTE: STREETS FOR THE STREET MAP CHANGE C 120156 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT the letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

10-11-2012 C 120226 ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

8b	8d	9b
12a	**12c**	13a
12b	12d	13b

ZONING MAP 12c

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

AREA MAP

LEGEND

M1-5A M1-5B	Existing Zoning	- - - - - - -	400 Foot Radius
483 486 500	Tax Block	**- - - - -**	Applicant Property
-------> <------	Street Direction	---------	Block and Lot Lines
40 50 65	Street Width	▬▬▬	Existing Zoning Line
	Building Footprint	5s 8s 11s	Number of Stories

KEY TO LAND USE CODES

C: Commercial RC: Mixed Commercial/Residential PK: Parking

Introduction and Project Description

Workspace, Inc. (the "applicant") is seeking an Authorization pursuant to Zoning Resolution Section 42-142 to modify section 42-14(D)(1)(d) to allow the conversion of previously approved retail space on the ground floor at 106 Spring Street/93 Mercer Street (Block 485, Lots 21 & 22 – the "project site"), to Joint Living Work Quarters for Artists (JLWQA). The project site is located in the SoHo neighborhood of Manhattan in an M1-5A zoning district within the SoHo Cast Iron Historic District, in Community Board 2 As shown in Exhibit 1, the project site is occupies the southwest corner of the intersection formed by Spring Street and Mercer Street.

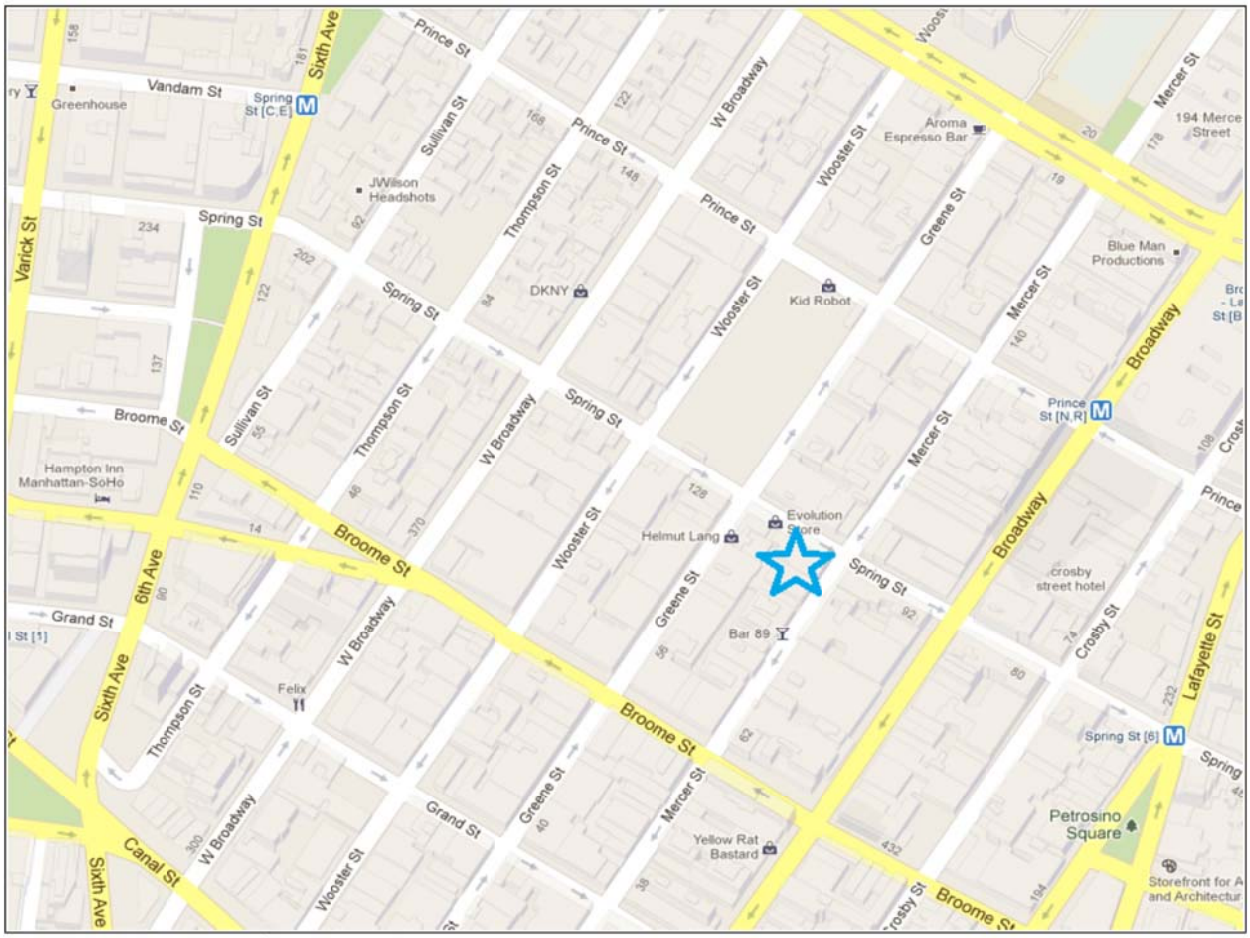


Exhibit 1: Project Site Location

The ground floor space is currently in retail use (Burton Snowboard Flagship Store on Lot 21 and Helmut Lang Flagship Store on Lot 22) consistent with a special permit pursuant to §74-711 that was granted in 2003. The application (ULURP No. C 020675 ZSM) was presented to the City Planning Commission at a Public Meeting held in Spector Hall on January 22, 2003, and was scheduled to be heard on February 5, 2003. A favorable report was adopted by CPC on March 5, 2003 (Calendar No. 15). The related environmental review (CEQR No. 02DCP057M) was filed with DCP on March 15, 2002 and CPC issued a Negative Declaration, indicating that the proposed

special permit to permit the cellar and ground floor retail uses, would not result in significant environmental impacts. The special permit allowed the retail use of approximately 8,275 square feet on the ground floor and 5,104 square feet in the cellar.

The applicant requests a special permit to facilitate a proposal to reoccupy the existing ground and cellar floors of the property at the project site with 8,275 gross square feet of JLWQA occupancy space and the 5,104 square feet of cellar space to be used as storage space accessory to the residential units in the building.

As shown on the existing and proposed site plans included in Appendix A, a total of three (3) new residential units would be provided in the 8,275 square feet of ground floor space, with two of the three residential units located in the 106 Spring Street building, and the third unit located in the 93 Mercer Street building. At an average household size of 2 persons per household, (the average household size in the Soho Neighborhood of Manhattan is approximately 1.7 persons per household), the three new residential units would accommodate approximately 6 new residents.

It is the applicant's position that the existing JLWQA space on the upper floors of the project site are in high demand and the proposed action is needed to allow for the creation of three additional JLWQA units that would help meet these demands. The upper floors of the project site are currently occupied by 20 units of JLWQA. Changing the ground floor to JLWQA would allow the development of three additional units of JLWQA, and would be consistent with the other uses already in the building and throughout the Historic District.

Analysis Methodology

The project site is located within the SoHo Cast Iron Historic District, and as such the proposed action is designated a Type 1 Action as defined in SEQR regulations at 6 NYCRR 617.4, and adopted by CEQR. Accordingly, the analyses presented below follow the format in the full CEQR Environmental Assessment Statement (EAS) form, not the the EAS short form.

In evaluating the potential impacts that may be associated with a proposed action, a No-Action development scenario is developed to provide a baseline against which the effects of a proposed action can be gauged. In this case, absent the proposed authorization, it is likely that the No-Action scenario would simply be the continuation of the existing conditions (i.e., retail use of approximately 8,275 square feet on the ground floor and 5,104 square feet in the cellar).

Exhibit 2 summarizes the Existing, No-Action, and With-Action scenarios and the incremental difference between the No-Action and the With-Action scenarios.

Site	Existing	No-Action	With-Action	Increment
Ground Floor Block 485, Lots 21 & 22	8,275 SF Retail	8,275 SF Retail	8,275 SF JLWQA	+ 8,275 SF JLWQA - 8,275 SF Retail
Cellar Level Block 485, Lots 21 & 22	5,104 SF Retail	5,104 SF Retail	5,104 SF Storage	+ 5,104 SF Storage - 5,104 SF Retail

Exhibit 2: Existing, No-Action, and With-Action Summary

The EAS has been prepared per the *2014 CEQR Technical Manual* to evaluate the potential for significant environmental impacts associated with the proposed action. The analyses presented in this document are based on a proposed build year of 2015.

The sections presented below correspond to the sections of the *2014 CEQR Technical Manual* that require additional analysis based on the preliminary information supplied on the EAS Form.

1. Land Use Zoning and Public Policy

The proposed action would not result in a change in land use or zoning that is different from surrounding land uses and zoning. However, a preliminary assessment of land use, zoning and public policy is generally provided for all projects that would affect land use or would change the zoning on a site. This information can be useful for conducting environmental analyses in other technical areas, and helps provide a baseline for determining whether detailed analysis is appropriate.

Land Use

Existing Conditions of the Project Site

The project site is located at 106-112 Spring Street/91-93 Mercer Street in the SoHo neighborhood of Manhattan (Block 485, Lots 21 & 22). As shown in Exhibit 1, the project site occupies the southwest corner of the intersection formed by Spring Street and Mercer Street. Like many of the buildings in the SoHo neighborhood, the ground floor of the project site is occupied by retail use (Burton Snowboard Flagship Store on Lot 21 and Helmut Lang Flagship Store on Lot 22), and the upper floors are occupied by JLWQA space. A photo log of the project site and surrounding area is provided in Appendix B.

Project Area Background

The SoHo neighborhood is generally bounded by Houston Street to the north, Canal Street to the south, West Broadway to the west, and Crosby Street to the east. The built environment in the vicinity of the site predominantly contains a mix of 19th and 20th Century cast iron and masonry loft buildings, in addition to apartment buildings. The majority of the ground floor spaces are occupied by retail businesses and most of the upper floor spaces are residential uses.

No-Action Conditions

In the future without the proposed action, land uses in the SoHo neighborhood would continue to be determined by the existing M1-5A zoning regulations along with the SoHo Cast Iron Historic District requirements, and the existing land use trends that have been discussed above. Absent the proposed authorization, the project site itself would most likely remain as it is today – with retail and accessory storage uses occupying the ground floor and cellar level.

With-Action Conditions

In the future with-action scenario, the proposed authorization would permit the ground floor of the project site to be used for JLWQA. The upper floors of the building would not be altered and would continue to be JLWQA use. The proposed authorization is site-specific, and would not be expected to result in any changes to any of the adjacent or nearby buildings.

According to the City's March 2014 CEQR Technical Manual, a significant land use impact may occur under the following circumstances:

- If the proposed action would directly displace a land use and such a loss would adversely affect surrounding land uses.

- In general, if an action would generate a land use that would be incompatible with surrounding uses.

- The use changes would accelerate existing and anticipated trends in development for the area that lead to adverse socioeconomic impacts.

As described above, the proposed action would allow the conversion of 8,275 square feet of ground floor retail space to JLWQA use, along with a change in use in a portion of the cellar. The relatively small amount of displaced retail space would not adversely affect surrounding land uses.

The proposed 8,275 new square feet of floor area for JLWQA is compatible with the JLWQA space located in the upper floors of the project site, and in many of the nearby buildings. The proposed action would not introduce a land use that is incompatible with what exists in the area today.

As discussed above, the land use trends in the neighborhood are well established. The proposed action is relatively small, and is also consistent with established land use patterns. Accordingly, the action would not affect any other land uses in the surrounding area.

The proposed action would not result in any of the conditions described in the CEQR Technical Manual and therefore, would not result in significant adverse impacts on the area's land use and no further analysis is warranted.

Zoning

As discussed above, the project site is located in an M1-5A zoning district. This zoning district allows manufacturing and commercial uses with limitations on ground floor retail uses. In addition to the typical uses found in manufacturing zones in Use Groups 16 and 17, M1-5A districts also permit limited as-of right Joint Living Work Quarters for Artists (JLWQA) use in buildings with smaller footprints, as well as JLWQA through certifications of the Chair of the City Planning Commission or authorizations and special permits by the City Planning Commission in larger footprint buildings, all in buildings erected prior to December 15, 1961.

This zoning district encompasses the area bounded by a line on the east along Mercer Street. On the north the boundary is West Houston Street and on the west it is along a line midblock between West Broadway and Thompson Street. The southern boundary is along Canal Street from the midblock of West Broadway and Thompson Street to the midblock of West Broadway and Wooster Street at which point it shifts north to run along Broome Street. Other districts in the immediate area include an M1-5B district immediately to the east of the project site and an R7-2 and another M1-5B to the west.

The Little Italy Special District, which shares many of the same retail and residential characteristics as the SoHo neighborhood, lies to the east. The Tribeca Mixed Use Special District, which was established to permit a limited amount of residential development in an otherwise industrial area, lies to the west and to the south.

Public Policy

The project site is located within the SoHo Cast Iron Historic District. The NYC Landmarks Preservation Commission will need to approve any proposed changes to the building facade. Therefore, the proposed action would conform to the goals and objectives that are embodied in any LPC approval.

The project site is not located within an Urban Renewal Area, nor is it located within the Coastal Zone boundary. Public policy for the affected area is embodied in the site's zoning in the context of the SoHo Historic District, and in the zoning authorization that is proposed for the site, which would permit the new residential uses.

The proposed action is consistent with and would not result in significant adverse impacts to any of the City's public policies.

9. Historic Resources

The term "historic resources" encompasses districts, buildings, structures, sites and objects of historical, aesthetic, cultural, and archaeological significance. For CEQR purposes, this includes architectural and archaeological resources.

As shown in the 400-foot radius historical resources map in Exhibit 3, the project site is located in the SoHo Cast Iron Historic District, The historic resources map shows the boundaries of the SoHo Cast Iron District along West Broadway to the west and along Crosby Street to the east. The SoHo Cast Iron Historic District Extension lies outside the 400-foot radius of the project site, to the west of West Broadway and to the east of Crosby Street.

Exhibit 3: 400-Foot Historic Resources Map

The SoHo Cast Iron Historic District is an an LPC designated New York City Historic District that is also listed on the New York State and National Registers of Historic Places. The district, which was designated by LPC in 1973, is bounded by West/East Houston Street on the north, Canal and Howard Streets on the south, West Broadway to the west, and Crosby Street and Broadway to the east.

The LPC Designation Report for the SoHo - Cast Iron Historic District[1] states, in part, that SoHo (from "south of Houston") is a commercial district, primarily developed in the mid- to late 19th century to serve the wholesale dry goods trade. The district contains the world's largest collection of buildings with cast-iron fronts. The District also contains examples of brick, stone, and mixed iron-and-masonry commercial construction typical of the post-Civil War period.

The only reference to the project site in the LPC Designation Report is to note that the property is on the southwest corner of Spring and Mercer Streets. The existing structures on the project site are not individually designated historic structures or "contributing" buildings to the SoHo - Cast Iron Historic District.

As indicated in Exhibit 3, the nearest designated historic landmark – the E. V. Haughwout Building at 488 Broadway/440 Broome Street – is located outside the 400-foot radius of the project site. This structure was erected in in 1857, and is the earliest example of a complete cast-iron façade in the Historic District. This building, which has an elegant full Venetian Renaissance façade, also housed one of the first major department stores in the District.

As noted the applicant desires to obtain approval to be permitted to convert the ground floor space to from commercial retail space to three (3) units of JLWQA along with a change in use of 5,104 square feet of cellar area from commercial (retail) storage to residential storage space. As indicated on the existing and proposed site plans (Appendix A), the proposed modification includes only interior renovations; no changes would be made to any of the exterior building elements, nor would any new ground disturbance be required to complete the proposed interior renovations.

The current LPC determination of no potential for archaeological significance is attached in Appendix C.

As discussed above in the Introduction and Project Description section, in 2003, the applicant had obtained from the City Planning Commission approval of the change in use of the ground floor and portions of the cellar to retail and had received Certificates of No Effect from LPC (May 23, 2001 for the 93 Mercer Street building and May 6, 2002 for the 106 Spring Street building) as part of that action (attached in Appendix C). As noted above, the Special Permit to allow the ground floor and cellar retail use was also reviewed by CEQR (CEQR No. 02DCP057M) and a Negative Declaration was issued by the Environmental Analysis and Review Division of NYC's Department of City Planning.

The subject floor space is currently in retail use pursuant to a special permit (§74-711) granted by the CPC (C 020675 ZSM , which was approved on March 5, 2003/Calendar No. 15). The special permit allowed the use and occupancy of approximately 8,275 square feet of retail use on the ground floor and 5,104 square feet of retail use in the cellar. Pursuant to the requirements of Section 74-711, the Applicant obtained reports

1 http://www.nyc.gov/html/lpc/downloads/pdf/reports/SoHo_HD.pdf

from the Landmarks Preservation Commission (the "LPC") stating that a program had been established for continuing maintenance that would result in the preservation of the subject building or buildings and that such use modifications or restorative work required under the continuing maintenance program, contributes to a preservation purpose (LPC 014849 concerning 106 Spring Street and LPC 014848 concerning 93 Mercer Street, both issued May 15, 2002). As part of the action by the LPC certain restorative work was required to the buildings and Certificates of No Effect were issued by LPC pertaining to 93 Mercer Street on May 23, 2001 (CNE 01-6865) and pertaining to106 Spring Street on May 6, 2002 (CNE 02-6247) for restorative facade work and related interior alterations. Subsequently the LPC approved amendments to the restoration program on February 9, 2009 reducing the required restorative work (LPC – 055114). At this time all restorative work has been completed.

The applicant requests permission to use the 8,275 square feet of ground floor space as JLWQA space and the 5,104 square feet of cellar space as building storage space associated with the residential units in the building. Therefore, the site plans submitted as a part of this application (Appendix A) reflect such a physical change showing the creation of three (3) new JLWQA spaces on the ground floor and the creation of storage space in the cellar.

Prior to proceeding with any construction work associated with the conversion of this space to JLWQA use, the applicant would be required to file plans with LPC. LPC would review the plans for consistency with its regulations, determine the need for any additional restorative work on the building, and evaluate the project's contribution to a preservation purpose before issuing its approval. A Modification to the Restrictive Declaration will be filed to regulate the continued maintenance of the historic building.

The proposed action would facilitate only interior renovations and based on the information presented above, there is no potential for the project-related development to result in significant adverse impacts on any historic or archaeological resources and no further assessment is warranted.

12. Hazardous Materials

As detailed in the CEQR Technical Manual, the goal of a hazardous materials assessment is to determine whether a proposed action may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile organic compounds, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic).

According to the CEQR Technical Manual, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an

action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

Phase I Environmental Site Assessment for the Project Site

A Phase I Environmental Site Assessment Report (Phase I ESA) was prepared by Peak Environmental, Inc. (March 2013) in conformance with the ASTM Standard Practice E 1527-05 to determine whether the Proposed Action could lead to increased exposure of people or the environment to hazardous materials and whether the increased exposure would result in significant adverse public health impacts or environmental damage.

The Phase I ESA consisted of a site description, information provided by the user, records review, reconnaissance, interviews, and other environmental conditions. The 2013 Phase I ESA revealed that historical on-site and surrounding area land uses consisted of a variety of residential, commercial, and industrial uses including mixed-use commercial and residential buildings, retail/wholesale garment and clothing stores, apartments, a warehouse, a printing company, a paper box company, an oil company, and a dry cleaning cleaning establishment. The Phase I ESA is included in Appendix D.

The Phase I ESA was reviewed by the New York City Department of Environmental Protection (DEP). In a letter dated February 12, 2014, (also included in Appendix D), DEP concluded the following:

- The applicant shall submit a site-specific Construction Health and Safety Plan (CHASP) on the basis of workers exposure to contaminants for the proposed construction/renovation project.

- At the completion of the construction/renovation work, the applicant shall perform indoor air sampling for the on-site structure. The air sampling shall be conducted in accordance with the New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York.

- Construction/renovation activities should not occur without DEP's written approval of the CHASP.

- At the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted to DEP for review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., indoor air sampling results, etc.).

DEP accepted the CHASP pending the inclusion of the names and telephone numbers of the Project Manager and Site Supervisor, and a map showing a highlighted route from the Project Site, to Beth Israel Hospital (DEP letter dated April 8, 2014 attached in Appendix D). These revisions have been made to the CHASP, that is also included in

Appendix D. The DEP April 8, 2014 letter also reiterated the need for the indoor air sampling and the P.E. certified Remedial Closure Report discussed immediately above.

As specified in the April 8, 2014 DEP letter, the P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented. Therefore the proposed action will not result in significant impacts with respect to hazardous materials, and no further analysis is warranted.

17. Air Quality

Based on the 2014 CEQR Technical Manual, Section 220, projects that would use fossil fuels for heating/hot water have the potential to create significant impacts with respect to air quality stationary sources. The proposed action would allow the conversion of 8,275 square feet of retail floor area on the ground floor, to three (3) JLWQA units, along with a change in use of 5,104 square feet of cellar area from commercial (retail) storage to residential storage.

The proposed action would have no effect on the heating, ventilation and air conditioning (HVAC) systems serving the project site at 106 Spring Street/93 Mercer Street. The existing retail sales and storage space is served by the existing heating, hot water, ventilation, and air conditioning systems, and these systems would continue to serve the three (3) new residential units and associated storage area. There would be no change to the overall floor areas, and no modifications are being proposed or needed to these existing systems.

HVAC Stationary Sources

A screening analysis has been prepared to determine the potential for the existing HVAC systems to cause significant impacts at any of the nearby buildings. The roof plan showing the HVAC locations for the project site at 106 Spring/93 Mercer Street, is shown in Exhibit 4.

According to information provided by the applicant, both the +/- 32,100 GSF 106 Spring building, and the +/- 27,500 GSF 93 Mercer Street building, are heated by number 2 fuel oil, with the furnace located in the 106 Spring Street building.

The nearest building of similar or greater height is the 8-story building across Mercer Street, on the southeast corner of Spring Street/Mercer Street, as shown in Exhibit 5. As indicated, the distance from the HVAC systems on the 106 Spring Street building, to the nearest building of similar or greater height, is approximately 97 feet.

The two buildings together contain approximately 60,000 GSF of floor area. The screening analysis corresponding to a 60,000 square foot building heated with number 2 fuel oil, is shown in Exhibit 6. As indicated, the +/- 97 foot distance from Exhibit 5 falls below the pertinent nomograph curve. Therefore there is no potential for the proposed project to result in stationary source air quality impacts and no further assessment is warranted.

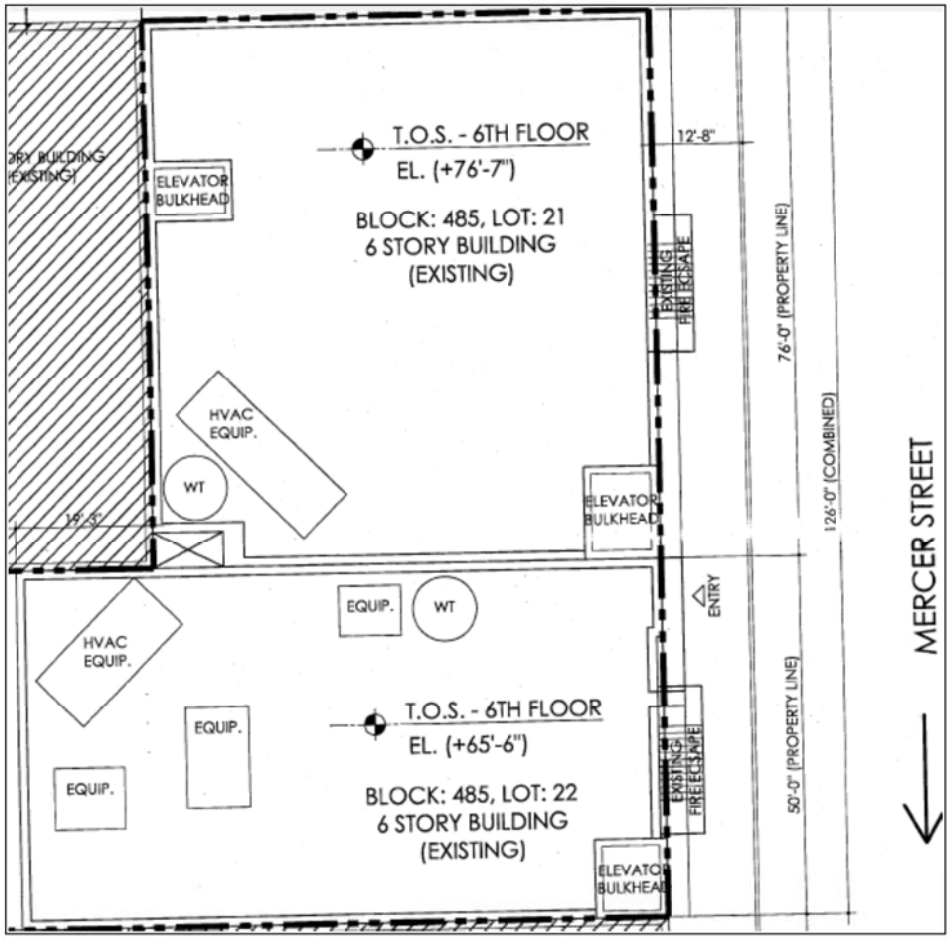


Exhibit 4: Existing and Proposed Roof Plan

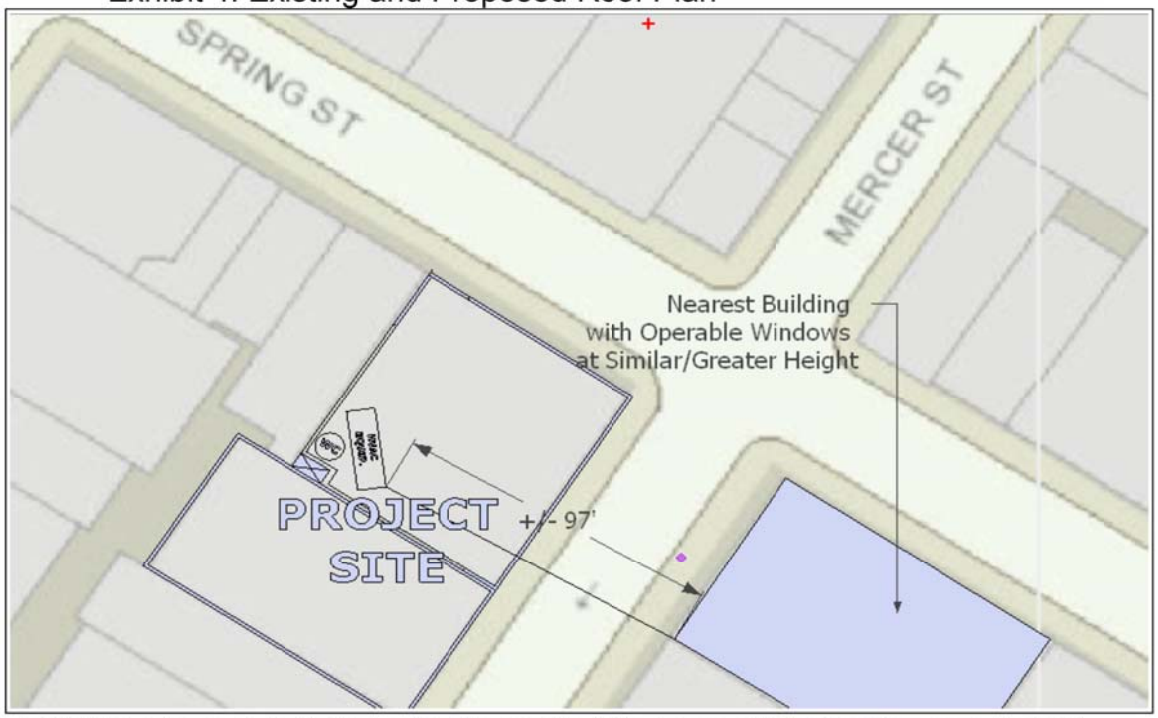


Exhibit 5: Nearest Building with Operable Windows of Similar/Greater Height

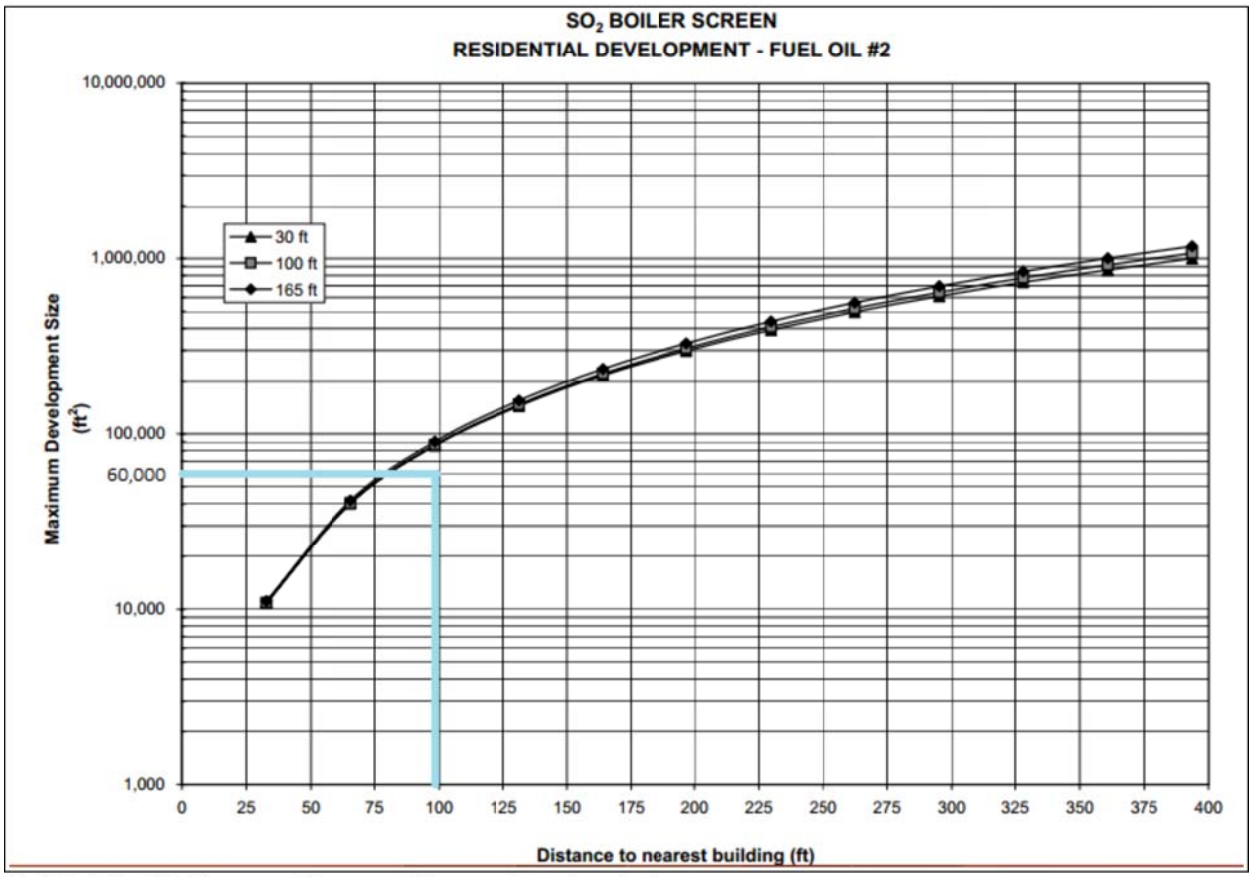


Exhibit 6: Stationary Source Screening Analysis

Industrial Sources

The proposed action would permit residential use (JLWQA, Use Group 17D) within an M1-5A manufacturing district. Despite the area's manufacturing zoning, local development consists of a mix of residential and commercial uses.

Because the proposed action would introduce a residential use into a manufacturing district, the potential for exposure of project occupants to industrial emissions is a concern.

DCP performed field observations and reviews of DCP land use maps. Several sites within the project area are classified as manufacturing uses. Based on field observations, it was concluded that none of these locations have industrial and/or manufacturing uses at their current addresses, despite the area's manufacturing zoning (see Exhibit 7 below). Therefore no significant adverse impacts related to industrial source air quality are expected to result from the proposed action and no further assessment is needed.

Address	Block/Lot	Current Uses
109 Mercer Street	499/32	Ground floor retail, upper offices and residential
115-117 Mercer Street	499/28&29	Ground floor retail, upper offices and JLWQA
111 Mercer Street	499/32	Ground floor retail, upper JLWQA
99 Spring Street	498/26	Ground floor retail, upper JLWQA
101 Spring Street	498/27	Studio museum – Donald Judd Foundation
114 Spring Street	485/18	Ground floor retail, Residential coop
118 Spring Street	485/17	Ground floor retail, upper JLWQA
73 Greene Street	486/22	Ground floor retail Offices
79 Greene Street	486/20	Ground floor retail, upper JLWQA
96 Greene Street	499/3	Ground floor retail, upper JLWQA
78 Greene Street	485/11	Ground floor retail, upper JLWQA
535 Broadway	498/21	Ground floor retail, upper offices
545 Broadway	498/16	Ground floor retail, upper JLWQA
521 Broadway	484/12	Ground floor retail, upper residential
499 Broadway	484/23	Ground floor retail, upper residential
489 Broadway	484/28	Ground floor retail, upper residential
468 Broome Street	485/40	Ground floor retail, upper residential

Exhibit 7: Adjacent and Nearby Land Uses

19. Noise

Two types of potential noise impacts are considered under CEQR. These are potential mobile source and stationary source noise impacts. Mobile source impacts are those which could result from a proposed action adding a substantial amount of traffic to an area. Potential stationary source noise impacts are considered when a proposed action would cause a stationary noise source to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor, if a proposed action would include unenclosed mechanical equipment for building ventilation purposes, or if the proposed action would introduce receptors into an area with high ambient noise levels. The March 2014 CEQR Technical Manual requires an assessment of a proposed action's potential effects on sensitive noise receptors, including in this instance, the effects on the interior noise levels of the new residential uses on the first floor in the subject building.

Potential Impacts of the Proposed Action on Surrounding Development

Mobile Sources

A mobile source noise analysis would only be required if a proposed action would at least double existing passenger car equivalent (PCE) traffic volume s along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) is located. Retail, residential, and JLWQA uses are located along Spring and Mercer Streets providing vehicular access to the Project Site, and this would therefore be of concern relative to mobile source noise impacts. In addition, the proposed new residential uses on the Project Site would be a sensitive use relative to noise impacts.

A detailed mobile source analysis is typically conducted when PCE values are at least doubled between the No-Action and the With-Action conditions during the worst case expected hour at receptors most likely to be affected by the Proposed Action. The subject property is located on the southwest corner of the intersection of Spring Street and Mercer Street, each of which streets are moderately trafficked. PCE values on Spring Street and Mercer Street or other area roadways would not be doubled due to the addition of the three new residential units, and therefore a detailed mobile source analysis is not warranted.

Therefore, the proposed project will not create the potential for significant noise impacts and no further assessment is warranted.

Stationary Sources

The Proposed Action would not include any unenclosed mechanical equipment for building ventilation purposes, and would not include any active outdoor recreational space that could result in stationary source noise impacts to the surrounding area. Any new mechanical equipment would be located either inside the building or would be enclosed on the roof of the structure.

Therefore, the Proposed Action would not result in potential stationary source noise impacts to any other buildings in the vicinity of the Project Site.

Potential Impacts of Surrounding Development on the Proposed Action

In accordance with the guidelines established within the March 2014 CEQR Technical Manual, a noise analysis was performed to identify the potential noise impact to the Project Site from the existing noise environment.

The Proposed Action's residential use would be considered to be a noise sensitive use which could potentially be adversely affected by existing ambient noise in the surrounding area. Existing noise level readings were taken for the Hudson Square FEIS. The receptor location on Spring Street between Hudson Street and Varick Street is considered to be a comparable worst-case to that of the subject Project Site. Vehicular traffic was the dominant source of noise at the receptor site. The highest recorded L10 at the receptor location was 74.3 dBA during the AM peak traffic volume period (Table 16-5, Hudson Square Rezoning FEIS – pertinent portion reproduced below in Exhibit 8):

Table 16-5
2022 With-Action Condition Noise Levels (in dBA)

Receptor	Location	Time	No-Action $L_{eq(1)}$	With-Action $L_{eq(1)}$	$L_{eq(1)}$ Change	With-Action $L_{10(1)}$
1	King Street between Greenwich and Hudson Streets	AM	64.1	64.3	0.2	65.2
		MD	64.7	64.8	0.1	67.1
		PM	63.0	63.1	0.1	65.2
		SMD	62.1	62.4	0.3	63.5
2	Greenwich Street between Charlton and King Streets	AM	67.7	68.0	0.3	71.4
		MD	67.2	67.5	0.3	69.6
		PM	65.9	66.0	0.1	68.9
		SMD	65.3	65.8	0.5	69.2
3	Charlton Street between Greenwich and Hudson Streets	AM	63.3	63.4	0.1	65.6
		MD	64.8	65.0	0.2	67.4
		PM	64.3	64.5	0.2	66.0
		SMD	64.5	64.7	0.2	65.0
4	Corner of Hudson and Spring Streets	AM	73.8	73.8	0.0	77.1
		MD	70.4	70.5	0.1	74.1
		PM	67.0	67.0	0.0	68.7
		SMD	67.5	67.6	0.1	70.0
5	Vandam Street between Hudson and Varick Streets	AM	65.7	65.7	0.0	68.0
		MD	65.7	65.7	0.0	67.3
		PM	64.9	64.9	0.0	66.2
		SMD	64.6	64.6	0.0	65.6
6	Varick Street between Vandam and Spring Streets	AM	70.7	70.8	0.1	74.9
		MD	72.4	72.4	0.0	75.5
		PM	68.6	68.7	0.1	71.1
		SMD	69.9	69.9	0.0	72.2
7	Spring Street between Varick and Hudson Streets	AM	71.0	71.3	0.3	74.3
		MD	68.8	69.0	0.2	72.0
		PM	71.8	72.2	0.4	74.1
		SMD	66.8	67.0	0.2	69.3

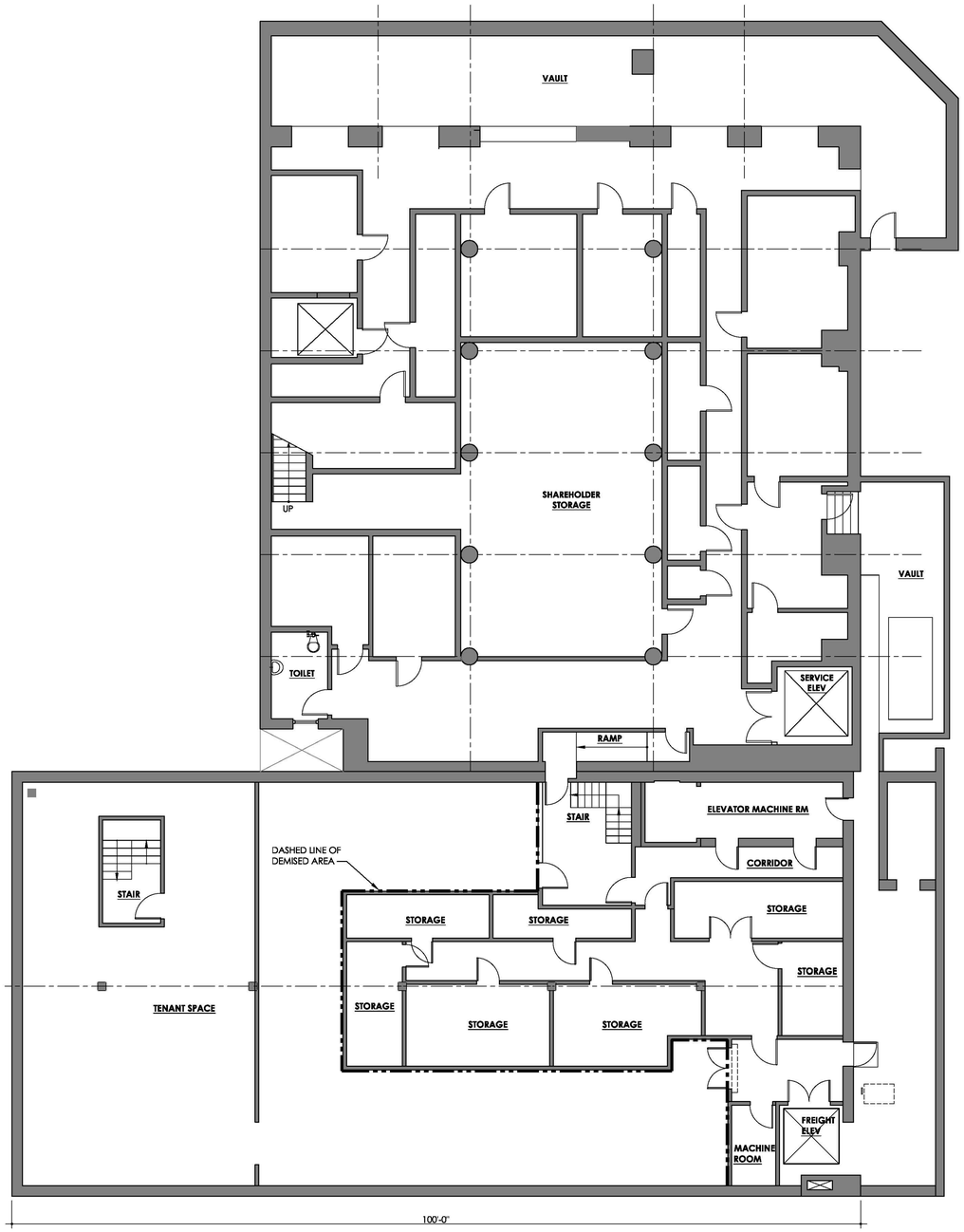
Exhibit 8: Portion Table 16-5 Source Hudson Square FEIS CEQR 12DCP045M (January 11, 2013)

As indicated in Table 19-3 from the 2014 CEQR Technical Manual, for Marginally Unacceptable Level noise levels of 74 < L10≤ 76, a window wall attenuation of 31dBA would be required as part of the Proposed Action in order to avoid potentially adverse impacts to building residents from traffic noise on the surrounding streets. Therefore, all exterior doors, windows, and walls would be provided with a minimum of 31 dBA of sound attenuation.

The proposed restoration work of the street level residential design at 106 Spring/93 Mercer Streets, per the LPC approved plans, would include a custom installation of glass and metal framing. The glass assemblies would have a code-required attenuation level of 35 dBA, based on the Outdoor-Indoor Transmission Class (OITC) values of individual façade components, which would ensure acceptable interior noise levels for residential use. As such, the Proposed Action is not anticipated to result in any significant adverse noise impacts, and no further analysis is warranted.

Appendix A:

Existing and Proposed Site Plans



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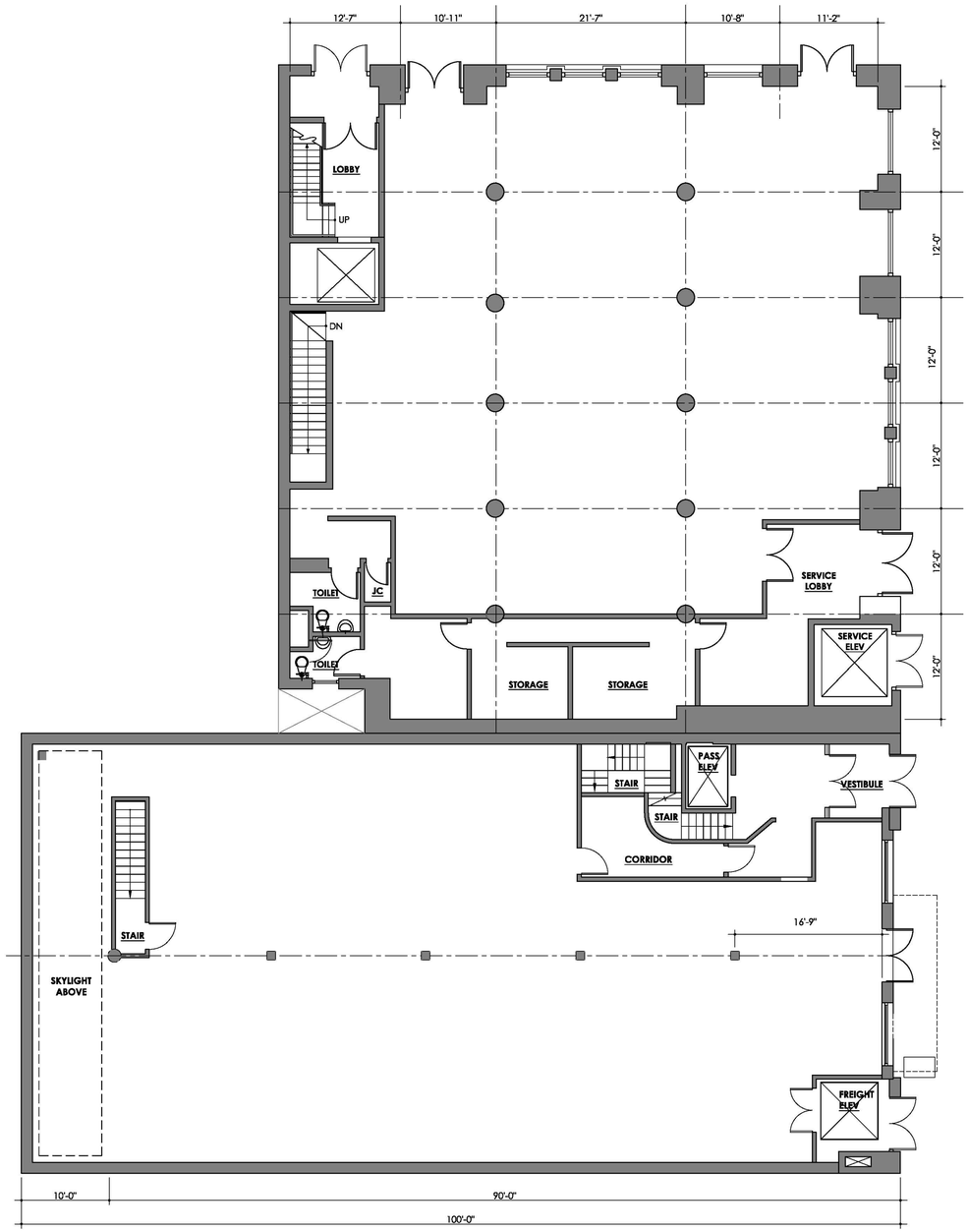


1 EXISTING CONDITIONS FIRST FLOOR
1/8"=1'-0"

No.	DATE	REVISION

PROJECT TITLE:
106 SPRING STREET
AND 93 MERCER STREET
NEW YORK, NY

DRAWING TITLE:
EXISTING CONDITIONS
FLOOR PLANS

SawickiTarella Architecture+Design, PC
303 West 13th Street, NY NY 10014
t 212 473.4000 f 212 533.2313
e-mail: stad@sawickitarella.com

DRAWING DATE:
05 MARCH 2012

BID DATE:

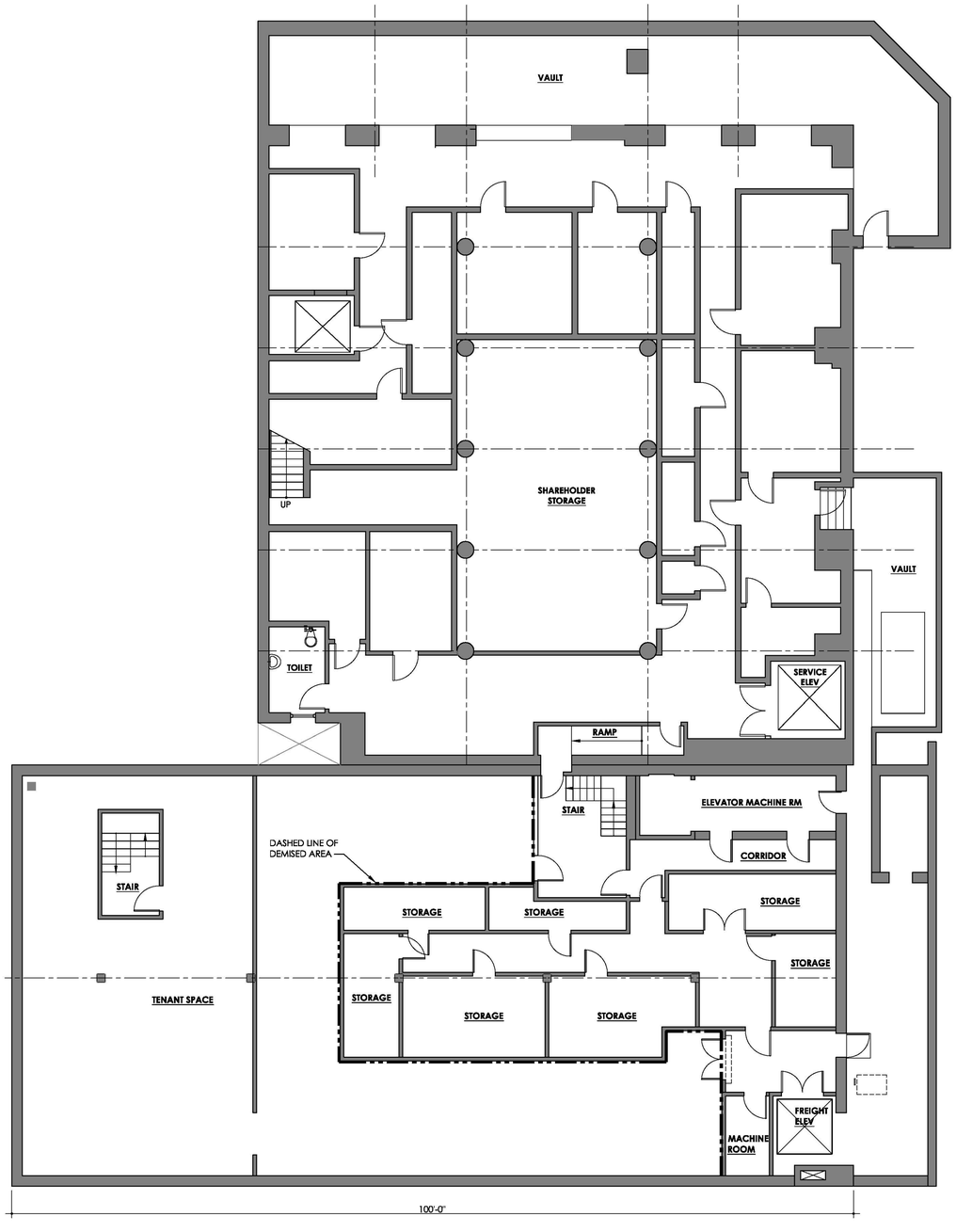
CAD FILENAME:
-

DRAWN / CHECKED:
AF/JST

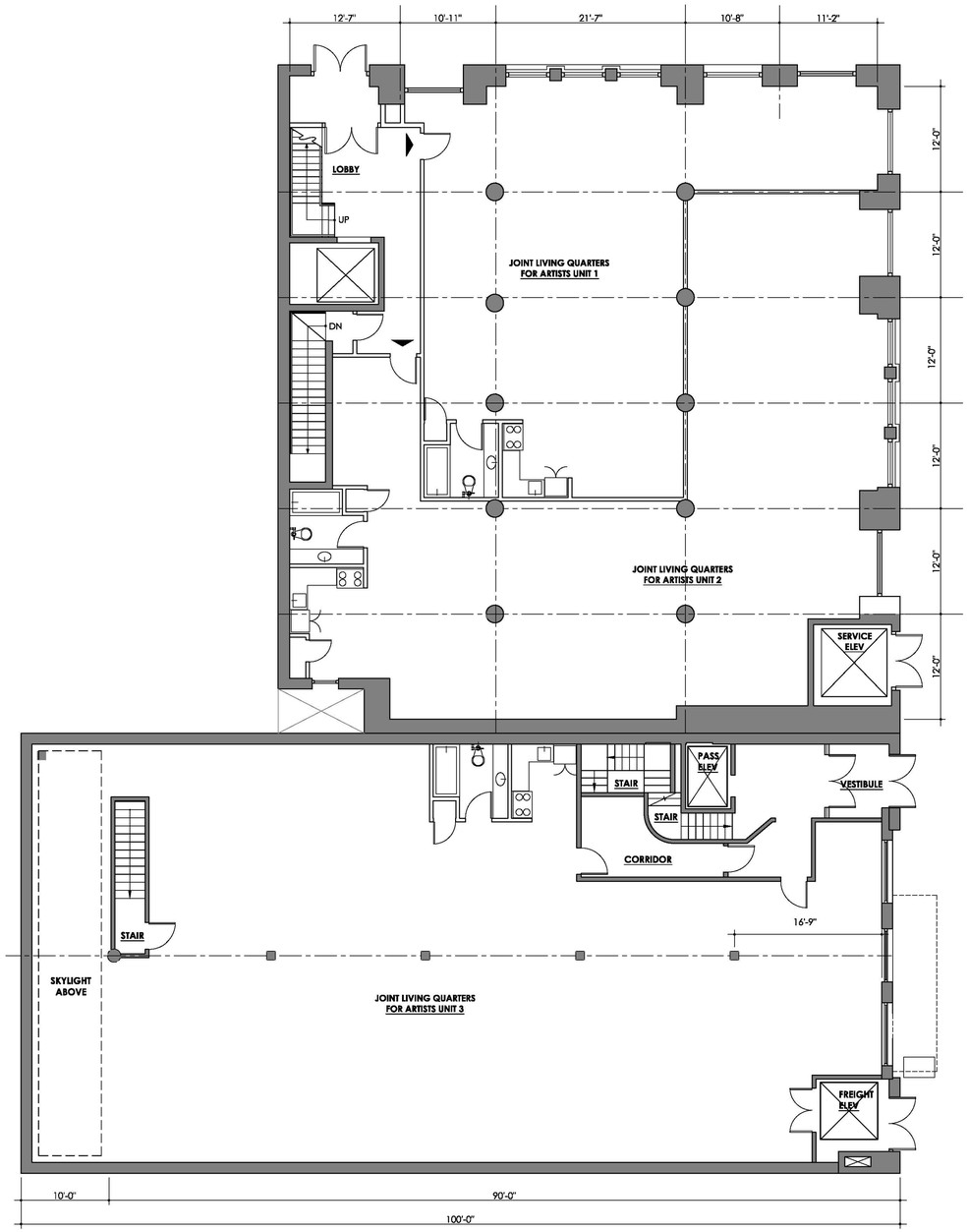
SCALE:
AS NOTED

JOB NUMBER:
1005

DRAWING NUMBER:
A-100.00



2 CELLAR FLOOR PLAN
1/8"=1'-0"



1 FIRST FLOOR PLAN
1/8"=1'-0"

No.	DATE	REVISION

PROJECT TITLE:
106 SPRING STREET
AND 93 MERCER STREET
NEW YORK, NY

DRAWING TITLE:
PROPOSED
CELLAR AND FIRST
FLOOR PLANS

SawickiTarella Architecture+Design, PC
303 West 13th Street, NY NY 10014
t 212 473.4000 f 212 533.2313
e-mail: stad@sawickitarella.com

DRAWING DATE:
05 MARCH 2012

BID DATE:

CAD FILENAME:
-

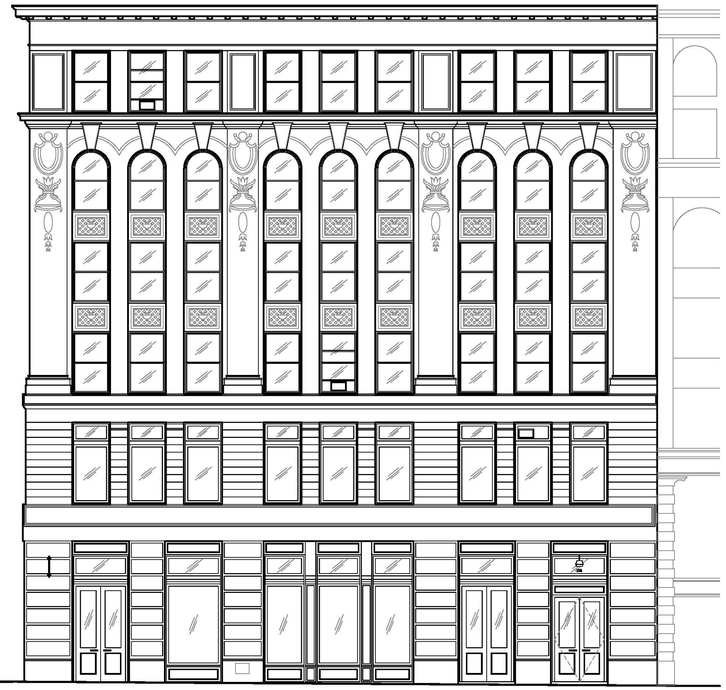
DRAWN / CHECKED:
AF/JST

SCALE:
AS NOTED

JOB NUMBER:
1005

DRAWING NUMBER:
A-200.00

2 MERCER STREET ELEVATION
1/8"=1'-0"



1 SPRING STREET ELEVATION
1/8"=1'-0"

No.	DATE	REVISION

PROJECT TITLE:
106 SPRING STREET
AND 93 MERCER STREET
NEW YORK, NY

DRAWING TITLE:
BUILDING ELEVATIONS

SawickiTarella Architecture+Design, PC
303 West 13th Street, NY NY 10014
t 212 473.4000 f 212 533.2313
e-mail: stad@sawickitarella.com

DRAWING DATE:
05 MARCH 2012

BID DATE:

CAD FILENAME:
-

DRAWN / CHECKED:
AF/JST

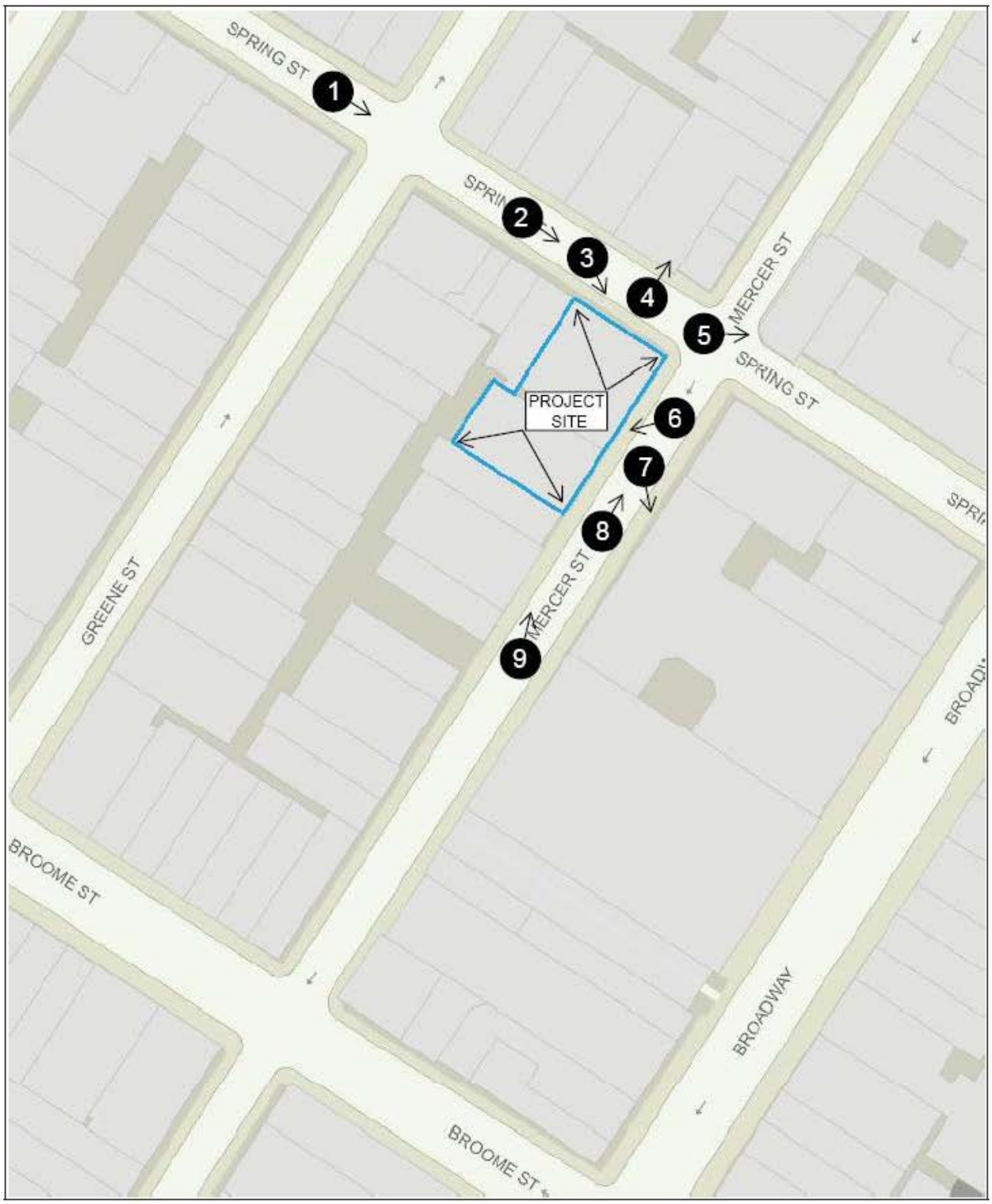
SCALE:
AS NOTED

JOB NUMBER:
1005

DRAWING NUMBER:
A-300.00

Appendix B:

Photographs


SPRING ST
1
2
3
4
5
MERCER ST
SPRING ST
PROJECT SITE
6
7
8
MERCER ST
9
GREENE ST
BROOME ST
BROADWAY
BROOME ST

1. Spring Street Facing East at Greene Street

2. Spring Street Facing East at Mercer Street

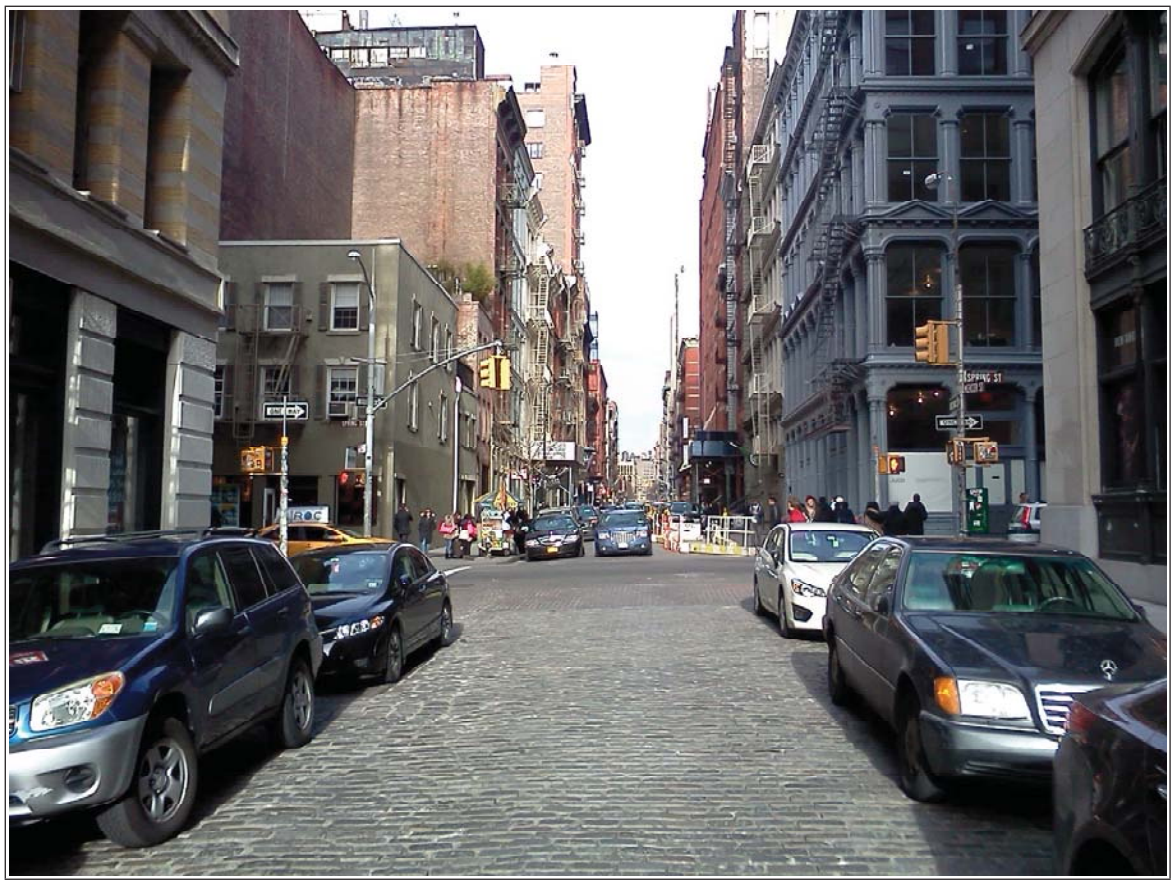
3. Project Site – Spring Street Frontage

4. Northwest Corner Spring Street at Mercer Street

5. Northeast Corner Spring Street at Mercer Street

6. Project Site – Mercer Street Frontage

7. East Side of Mercer Street Facing South



8. Mercer Street Facing North at Spring Street

9. West Side of Mercer Street Facing North

Appendix C:

LPC Correspondence November 14, 2013
2001, 2002 LPC Certificates of No Effect

NYC Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 14DCP053M
Project:
Address: 106 SPRING STREET, **BBL:** 1004850021
Date Received: 11/7/2013

[ ] No architectural significance

[X] No archaeological significance

[X] Designated New York City Landmark or Within Designated Historic District

[X] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments:

Within the Soho Cast Iron HD, LPC and S/NR listed. All LPC permits required should be appended to the EAS.

Gina Santucci

11/14/2013

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 28944_FSO_GS_11142013.doc

THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
100 OLD SLIP NEW YORK, NY 10005 TEL: 212 487-6800 FAX: 212 487-6744

PERMIT

CERTIFICATE OF NO EFFECT

ISSUE DATE:	EXPIRATION DATE:	DOCKET #:	CNE #:
05/23/01	05/23/2005	016564	CNE 01-6865

ADDRESS	BOROUGH:	BLOCK/LOT:
93 MERCER STREET-CELLAR-6 HISTORIC DISTRICT SOHO-CAST IRON	MANHATTAN	485 / 22

Display This Permit While Work Is In Progress

ISSUED TO:

Barry Holden
106 Spring Street
New York, NY 10036

Pursuant to Section 25-306 of the Administrative Code of the City of New York, the Landmarks Preservation Commission hereby approves certain alterations to the subject premises as proposed in your application completed on May 23, 2001.

The approved work consists of interior work at the cellar through the sixth floor including the removal and addition of plumbing fixtures. The proposal is shown in and drawings P-1 through P-3, dated 4/11/01, prepared by Karl Betten, Engineer, and submitted as components of the application.

The Commission has reviewed the application and these drawings and finds that the work will have no effect on significant protected features of the building.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked with your application number by the Commission with a permit seal indicating the date of

this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not expressly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Helen Barry.

Sherida E. Paulsen / HB

Sherida E. Paulsen
Chairman

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Joan Humphreys

cc: Sarah Carroll, Deputy Director of Preservation

THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007
TEL. 212 669-7700 FAX 212 669-7780

PERMIT

CERTIFICATE OF NO EFFECT

ISSUE DATE:	EXPIRATION DATE:	DOCKET #:	CNE #:
05/06/02	05/08/2006	017440	CNE 02-6247

ADDRESS	BOROUGH:	BLOCK/LOT:
106 SPRING STREET HISTORIC DISTRICT SOHO-CAST IRON	MANHATTAN	485 / 21

Display This Permit While Work Is In Progress

ISSUED TO:

Barry Holden, President
Workspace Inc.
93 Mercer Street
New York, NY 10013

Marla –
2nd pg.

Pursuant to Section 25-306 of the Administrative Code of the City of New York, the Landmarks Preservation Commission hereby approves certain alterations to the subject premises as proposed in your application completed on May 1, 2002.

The approved work consists of restorative facade work including the repair of damaged brick, granite and terra cotta on the facade, cleaning the brick and terra cotta facade with a low pressure water wash not to exceed 500 psi; repairing the cracked and damaged limestone, cast concrete, and granite; caulking the cracks in the terra cotta, and sills; caulking the windows; at the storefront, the work includes at the eastern-most bay replacing the existing infill with new wood and glass double-lead entrance doors and a transom; repairing and repainting all metal and wood moldings; replacing the decorative grating in the northern bay of the eastern facade; repainting all of the storefront infill; repainting the residential and service doors, and related interior alterations including the demolition and construction on interior, non-bearing partitions and finishes. This work is outlined in exsiting condition photographs, an existing conditions report dated received June 2001, and in drawings received April 2002, prepared by A+U Architecture, and submitted as components of the application.

In reviewing this application, the Commission notes that 106 Spring Street is a brick, limestone and terra cotta Renaissance Revival style store and loft building, designed by G A Schellinger and built in 1895-1896, and that the building's style, scale and materials are among the features that cause it to contribute to the

special architectual and historic character of the SoHo Cast Iron Historic District. The Commission finally notes that this Certificate of No Effect is issued in conjunction with an application for a Modification of Use, in association with a special permit pursuant to Section 74-711 of the Zoning Resolution.

With regard to this proposal, the Commission finds that the proposed work is restorative in nature and will return the building to its historic appearance; that the method of cleaning will safely and efficiently remove the dirt and soil from the facade; that the repair to the brick and limestone will match the original materials in terms of color, finish, texture, and profiles, and will insure the weatherproofing of the masonry and maintain the historic apperance of the exterior of the building; and that the design, materials, details and configuration of the new wood double-leaf entrance doors and transom will match the historic doors found elsewhere on the ground floor. Based on these findings, the Commission determines that the work is appropriate to the building and the historic district. The work, therefore, is approved.

The issuance of this permit is contingent upon the Commission's receipt, review, and approval of detailed written specifications outlining the proposed work, a paint analysis and paint chips of the proposed storefront color, and the replacement materials, all prior to the commencement of the work. Please contact the Landmarks Preservation Commission staff in order to arrange site visits.

The Commission has reviewed the application and these drawings and finds that the work will have no effect on significant protected features of the building.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of approval. The work is limited to what is contained in the perforated documents. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit, a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Jennifer Field.

Sherida E. Paulsen

Sherida E. Paulsen
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Joan Humphreys, A & H Architecture

cc: Joan Humphreys/Elliot Meisel, Esq./John Weiss, Esq., LPC

THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007
TEL: 212 669-7700 FAX: 212 669-7780

February 9, 2005

ISSUED TO:

Barry Holden, President
Workspace Inc.
93 Mercer Street
New York, NY 10013

Re: **MISCELLANEOUS/AMENDMENTS**
LPC - 055114
MISC 05-5390
106-112 SPRING STREET
AKA: 95-99 Mercer Street
SOHO-CAST IRON
Borough of Manhattan
Block/Lot: 485 / 21

Pursuant to Section 25-306 of the Administrative Code of the City of New York, the Landmarks Preservation Commission issued Certificate of No Effect 02-6247 (LPC 01-7440) on May 6, 2002 for restorative work and related interior alterations and MOU 02-6203 (LPC 01-4849) on May 15, 2002 in support of an application for the issuance of a Special Permit, pursuant to Section 74-711 of the Zoning Resolution for a modification of use at the subject premises, to allow retail use below the second story.

Subsequently, on February 7, 2005, the Commission received a proposal for an amendment to the work approved under the Certificate of No Effect. The proposed amendment consists of reducing the scope of work by omitting the proposed decorative grille at the northernmost Mercer Street ground floor shopfront bulkhead and eliminating the proposed repainting of the ground floor limestone. The proposal is indicated in a letter from Mark Winkelman, RA, dated February 3, 2005, and submitted as a component of the application.

Accordingly, the Commission reviewed the work and finds that no physical or photographic evidence has been found suggesting that a grille existed at this location; that the existing paint at the limestone base is not pealing, discoloring or showing other evidence of failing; and that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, Certificate of No Effect 02-6247 is hereby amended.

Additionally, staff of the Commission has conducted site inspections and found that the restorative work, except for the repairs to the cracked and damaged granite at the base of the building, has been completed in compliance

This amendment is issued on the basis of the building and the site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or during the review process.

Bernadette Artus

cc: Caroline Kane Levy, Deputy Director of Preservation; Mark Winkelman, RA; Joan Humphreys, A&H Architecture

Appendix D:

Phase I Environmental Site Assessment (March 4, 2003 - Peak Environmental, Inc.)

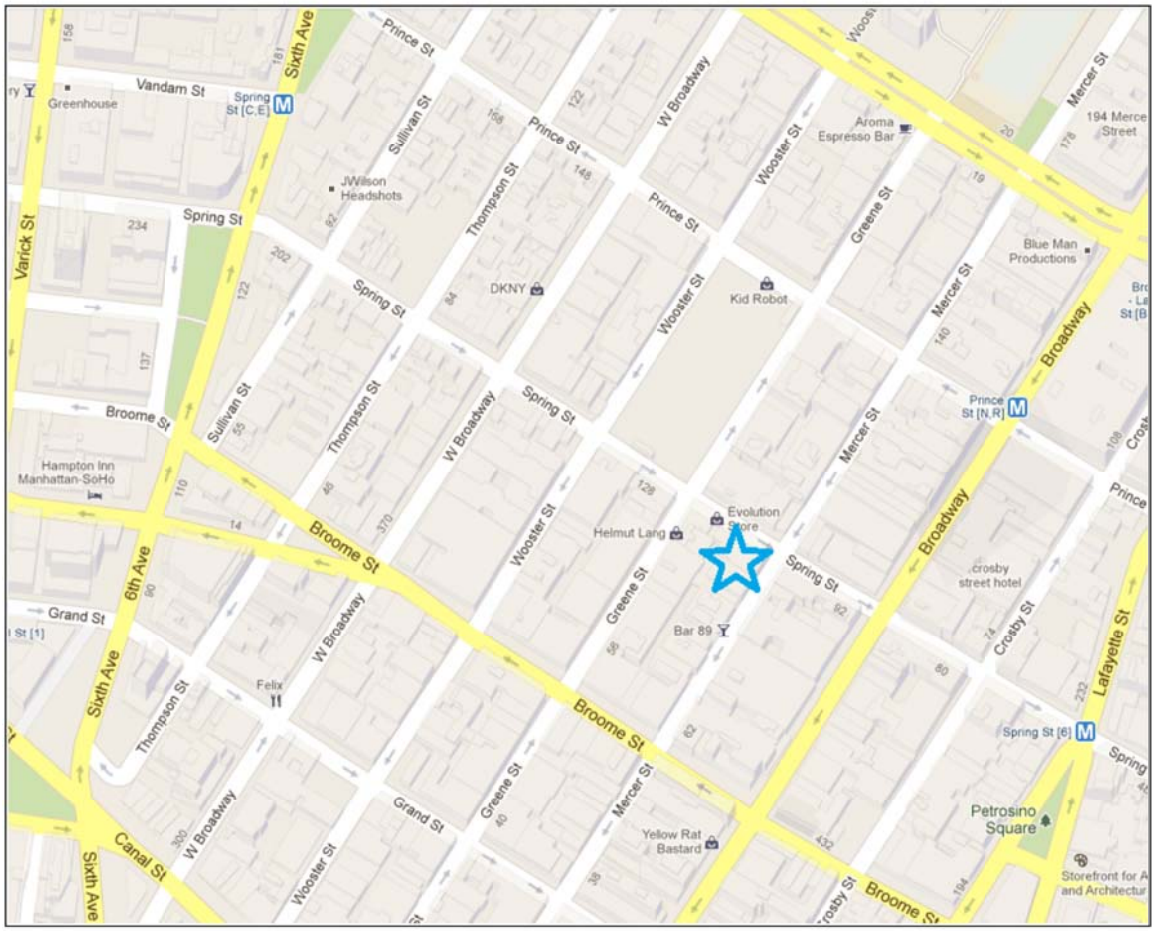
Construction Health and Safety Plan (April 22, 2014 - Evan Lemonides Associates)

NYCDEP Correspondence (Letters Dated February 12, 2014 and April 8, 2014)

Phase I Environmental Site Assessment (March 4, 2003 - Peak Environmental, Inc.)

(* Provided Under Separate Cover *)

CONSTRUCTION HEALTH AND SAFETY PLAN (CHASP)



106 Spring Street/93 Mercer Street SoHo, New York

Prepared by:

Evan Lemonides Associates
105 Broad Street - PH
New York, NY 10004
(212) 334-1962

April 22, 2014

Table of Contents

Exhibits

Appendices

1.0 PURPOSE

The purpose of this Construction Phase Environmental Health and Safety Plan (CHASP) is to assign responsibilities, establish personnel protection standards and mandatory safety practices and procedures, and provide for contingencies that may arise during construction at the project site. The CHASP is intended to minimize health and safety risks resulting from the known and potential presence of hazardous materials on the site.

This plan is not designed to address potential geotechnical, mechanical, or structural safety concerns, nor to supersede or replace any OSHA regulation and/or local and state construction codes or regulations.

2.0 APPLICABILITY

The proposed action is a zoning authorization to allow the conversion of previously approved retail space on the ground floor at 106 Spring Street/93 Mercer Street (the "Site"), to Joint Living Work Quarters for Artists (JLWQA), and the existing retail space in the cellar to general building related storage areas. As such, only interior renovations are involved on the Site. Construction will not include activities that disturb the existing soil or groundwater on-site.

The contractors and their subcontractors involved in the construction project will provide a copy of this CHASP to their employees and will complete all work in accordance with this CHASP.

3.0 SITE DESCRIPTION

3.1 General Information

This CHASP has been prepared by Evan Lemonides Associates (ELA) on behalf of WORKSPACE, Inc. for 106 Spring Street/93 Mercer Street (the "Site"), located on the southwest corner of Spring Street/Mercer Street in SoHo. The Site is legally defined as Tax Block 485, Lots 21 and 22. The Site is currently occupied by two six-story mixed use buildings with retail space on the ground floor, and Joint Living Work Quarters for Artists (JLWQA) residential units on floors two through six. A site location map is provided as Figure 1.

As discussed above, the proposed project involves interior renovations on the Site. Construction will not include activities that disturb the existing soil or groundwater on-site.

3.2 Potential for Hazardous Materials

The hazard potential associated with hazardous materials on the Site was evaluated based on findings of a Phase I Environmental Site Assessment ("ESA") - Peak Environmental, March 2013. The Phase I ESA revealed that historical on-site and surrounding land uses consisted of a variety of residential, commercial, and industrial uses; the Phase I ESA did not identify the presence of any hazardous materials on the Site itself.

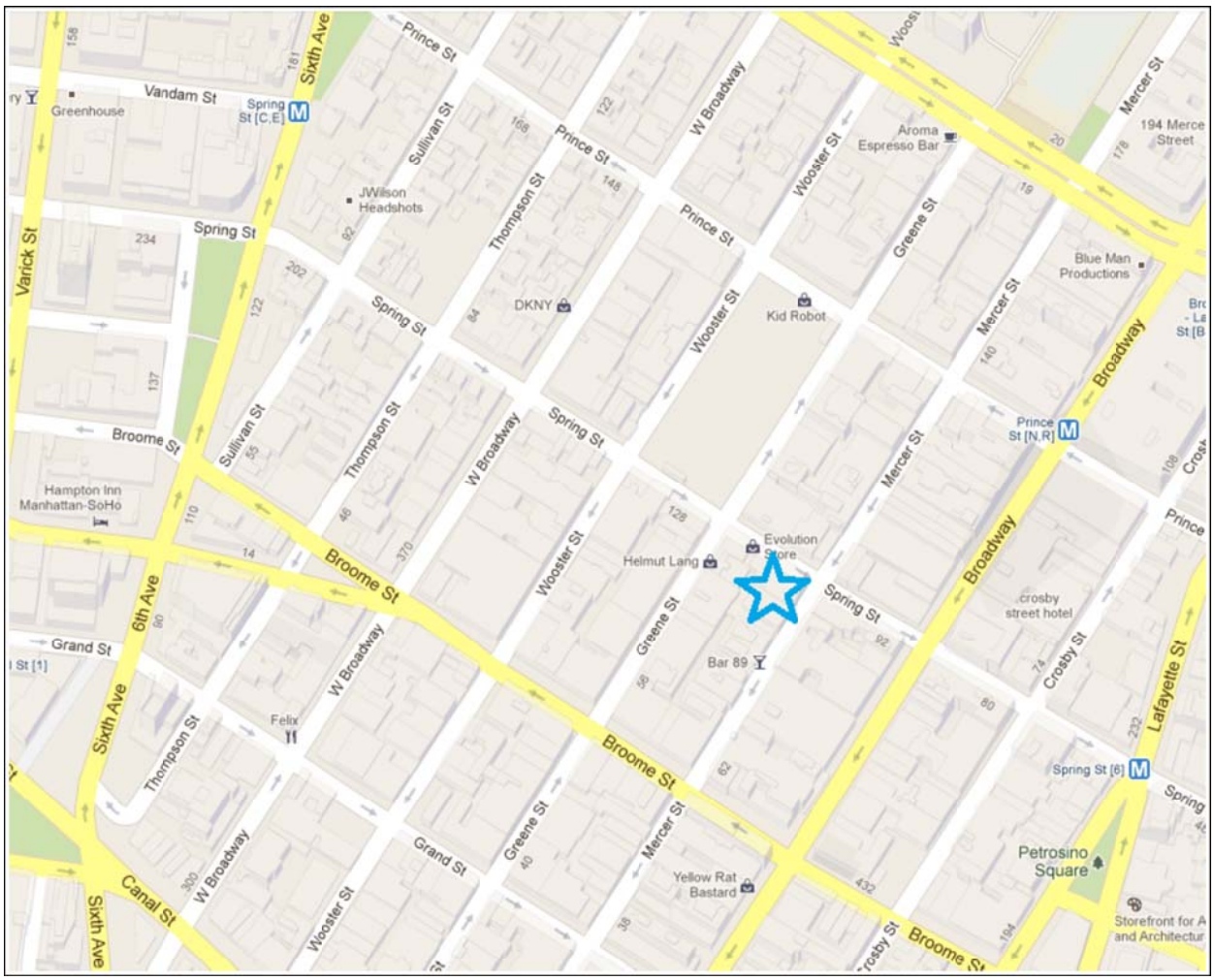


Figure 1: Site Location

3.3 Hazard Evaluation

The proposed construction includes interior renovations in portions of the ground and cellar levels of the two buildings located on the Site. The Phase I ESA did not reveal the presence of hazardous materials in these areas, not any areas on the Site. Nevertheless, the following sections of this CHASP address procedures (including training, work practices, emergency response, and post-construction air monitoring) to reduce the potential for injury to workers associated with the potential for contact with workplace hazards during general construction, and the potential for the new residents to be exposed to any potential environmental hazards upon completion of the project. It is noted that the hazards of general construction work are also separately covered by OSHA regulations and/or local and state construction codes and regulations.

4.0 HEALTH AND SAFETY OFFICER

The contractor or engineer will designate one of its personnel as the Site Safety Officer (SSO). The SSO will be a competent person responsible for the implementation of this plan. The SSO will have completed a 40-hour training course (up-dated by an annual refresher) that meets OSHA requirements of 29 CFR Part 1910, Occupational Safety and Health Standards. The SSO has stop-work authorization, which he/she will execute on his/her determination of an imminent safety hazard, emergency situation, or other potentially dangerous situation. If the SSO must be absent from the site, he/she will designate a suitably qualified replacement that is familiar with the CHASP.

5.0 TRAINING

All those who enter the work area while intrusive activities are being performed must recognize and understand the potential hazards to health and safety. All construction personnel upon entering the site must attend a brief training meeting, its purpose being to:

- Make workers aware of the potential hazards they may encounter;
- Instruct workers on how to identify potential hazards,
- Provide the knowledge and skills necessary for them to perform the work with minimal risk to health and safety;
- Make workers aware of the purpose and limitations of safety equipment; and
- Ensure that they can safely avoid or escape from emergencies.

Each member of the construction crew will be instructed in these objectives before he/she goes onto the site. Construction personnel will be responsible for identifying potential hazards in the work zone. The SSO or other suitably trained individual will be responsible for conducting the training program. Others who enter the site must be accompanied by a suitably-trained construction worker.

6.0 GENERAL WORK PRACTICES

To protect the health and safety of the field personnel, all field personnel will adhere to the guidelines listed below:

- Eating, drinking, chewing gum or tobacco, and smoking are prohibited, except in designated areas on the site. These areas will be designated by the SSO.
- Workers must wash their hands and face thoroughly on leaving the work area and before eating, drinking, or any other such activity. The workers should shower as soon as possible after leaving the site.

- Contact with contaminated or suspected surfaces should be avoided.
- The buddy system should always be used; each buddy should watch for signs of fatigue, exposure, and heat stress.

7.0 AIR MONITORING

As outlined in the NYCDEP letter dated February 12 2014, post-construction air monitoring will be performed in accordance with the New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion.

Field personnel will be trained in the proper operation of all field instruments at the start of the field program. Instruction manuals for the equipment will be on file at the site for referencing proper operation, maintenance and calibration procedures.

The equipment will be calibrated according to manufacturer specifications at the start of each day of fieldwork. If an instrument fails calibration, the project manager will be contacted immediately to obtain a replacement instrument and arrange for repairs. A calibration log will be maintained to record the date of each calibration, any failure to calibrate and corrective actions taken.

8.0 EMERGENCY RESPONSE

8.1 Emergency Procedures

In the event that an emergency develops on site, the procedures delineated herein are to be immediately followed. Emergency conditions are considered to exist if:

- Any member of the field crew is involved in an accident or experiences any adverse effects or symptoms of exposure while on site; and
- A condition is discovered that suggests the existence of a situation more hazardous than anticipated.
- A spill of oil or other hazardous materials.

General emergency procedures, and specific procedures for personal injury, chemical exposure and radiation exposure, are described below. In the event of an accident or emergency, an Incident Report form should be filled out and placed in the project file. An example Weekly Safety Report Form and Incident Report Form are provided in Appendix A. Information on emergency hand signals is provided in Appendix B.

8.1.1 Chemical Exposure

If a member of the field crew demonstrates symptoms of chemical exposure the procedures outlined below should be followed:

- Another team member (buddy) should remove the individual from the immediate area of contamination. The buddy should communicate to the SSO (via voice and hand signals) of the chemical exposure. The SSO

should contact the appropriate emergency response agency.

- Precautions should be taken to avoid exposure of other individuals to the chemical.
- If the chemical is on the individual's clothing, the chemical should be neutralized or removed if it is safe to do so.
- If the chemical has contacted the skin, the skin should be washed with copious amounts of water.
- In case of eye contact, an emergency eye wash should be used. Eyes should be washed for at least 15 minutes.
- All chemical exposure incidents must be reported in writing to the SSO. The SSO is responsible for completing the Incident Report Form.

8.1.2 Personal Injury

In case of personal injury at the site, the following procedures should be followed:

- Another team member (buddy) should signal the SSO that an injury has occurred.
- A field team member trained in first aid can administer treatment to an injured worker.
- If deemed necessary, the victim should then be transported to the nearest hospital or medical center. If necessary, an ambulance should be called to transport the victim.
- The SSO is responsible for making certain that an Incident Report Form is completed. This form is to be submitted to the SSO. Follow-up action should be taken to correct the situation that caused the accident.
- Any incident (near miss, property damage, first aid, medical treatment, etc.) must be reported.

A first-aid kit, eye-wash, and blood-borne pathogens kit will be kept on-site during the field activities.

8.1.3 Procedures Implemented in the Event of a Major Fire, Explosion, or Emergency

- Notify the paramedics and/or fire department, as necessary;
- Signal the evacuation procedure previously outlined and implement the entire procedure;
- Isolate the area;
- Stay upwind of any fire;
- Keep the area surrounding the problem source clear after the incident occurs;
- Complete accident report for and distribute to appropriate personnel.

8.1.4 Spill Response

All personnel must take every precaution to minimize the potential for spills during site operations. Any spill will be reported immediately to the SSO. The SSO will then determine and report any required spills to the NYCDEP

and/or NYSDEC Hotlines.

Spill control apparatus (sorbent materials) will be located on-site. All materials used for the clean up of spills will be containerized and labeled separately from other wastes. The SSO, in consultation with ELA's Project Manager, will determine if additional spill response measures are required.

8.2 Hospital Directions

The nearest hospital emergency room is **Mount Sinai Beth Islrael Medical Center**, located on East 16th Street between First Avenue and Second Avenue. The highlighted route from the project site at 106 Spring Street, to the Beth Israel Hospital emergency room, and the corresponding written directions, are included below:

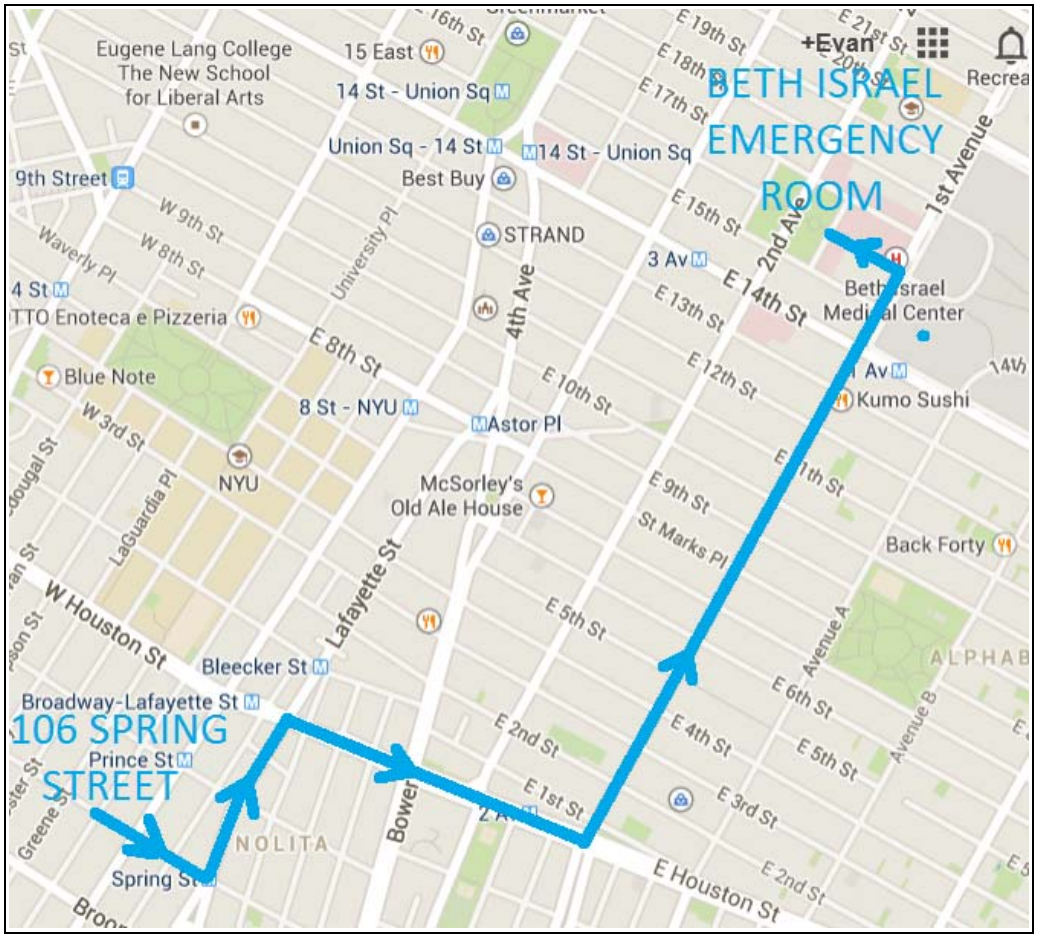


Figure 2: Driving Directions to Mount Sinai Beth Israel Emergency Room

Directions to Mount Sinai Beth Israel Medical Center

Hospital Name:	Beth Israel Medical Center
Phone Number:	(212) 420-2806
Address/Location:	East 16th Street , between First Avenue and Second Avenue – New York, New York
Directions:	1. Drive EAST on *Spring Street*. 2. Turn LEFT onto *Lafayette Street* 3. Turn RIGHT onto *Houston Street* 4. Turn LEFT onto First Avenue, Proceed to *16th Street.* The entrance to the Emergency Department is located on the left.

8.3 CHASP Contact Information

Project Manager (PM): Evan Lemonides	(212) 334-1962
Site Supervisor (SS): Darlene Bouyea	(347) 205 2531
Site Safety Officer (SSO): Daniel M. Broe	(631) 258-6827
Alternate Site Safety Officer (ASSO): George Wright	(212) 582-7434
NYC Poison Control Center (24 Hours/7 Days)	(212) 764-7667
NYCDEC Spill Response Team	(800) 457-7362
NYCDEP Hotline	(718) DEP-HELP

9.0 APPROVAL & ACKNOWLEDGMENTS OF CHASP

APPROVAL

Signed: _____ Date:

_____, Project Manager

Signed: _____ Date:

_____, Health and Safety Officer

Below is an affidavit that must be signed by all workers who enter the site. A copy of the CHASP must be on-site at all times and will be kept by the SSO.

AFFIDAVIT

I,_____(name), of_____(company name), have read the Construction Health and Safety Plan (CHASP) for the 106 Spring Street/93 Mercer Street Site in New York, New York. I agree to conduct all on-site work in accordance with the requirements set forth in this CHASP and understand that failure to comply with this CHASP could lead to my removal from the site.

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

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Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Signed:_____ Company_____ Date_____

Appendix A:
Safety Report Form and Incident Report Form

WEEKLY SAFETY REPORT FORM

Week Ending: _____ Project Name/Number: _____

Report Date: _____ Project Manager Name: _____

Summary of any violations of procedures occurring that week:

_____

_____

_____

Summary of any job related injuries, illnesses, or near misses that week:

_____

_____

_____

_____

Summary of air monitoring data that week (include and sample analyses, action levels exceeded, and actions taken):

_____

_____

_____

Comments:

_____

_____

_____

Name: _____ Company: _____

Signature: _____ Title: _____

INCIDENT REPORT FORM

Date of Report: _____

Injured: _____

Employer: _____

Site: _____ Site Location: _____

Report Prepared By: _____ _____
Signature Title

ACCIDENT/INCIDENT CATEGORY (check all that applies)

___Injury	___ Illness	___ Near Miss
__ Property Damage	___ Fire	___ Chemical Exposure
__ On-site Equipment	___ Motor Vehicle	___ Electrical
__ Mechanical	___ Spill	___ Other

DATE AND TIME OF ACCIDENT/INCIDENT: Narrative report of Accident/Incident: Identify: 1) actions leading to or contributing to the accident/incident; 2) the accident/incident occurrence; and 3) actions following the accident/incident.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

WITNESS TO ACCIDENT/INCIDENT:

Name:	_____	Company:	_____
Address:	_____	Address:	_____
Phone No.:	_____	Phone No.:	_____
Name:	_____	Company:	_____
Address:	_____	Address:	_____
Phone No.:	_____	Phone No.:	_____

INJURED - ILL:

Name: _____ SSN: _____

Address: _____ Age: _____

Length of Service: _____ Time on Present Job: _____

Time/Classification: _____

SEVERITY OF INJURY OR ILLNESS:

____ Disabling ___ Non-disabling ___ Fatality

____ Medical Treatment ___ First Aid Only

ESTIMATED NUMBER OF DAYS AWAY FROM JOB: _____

NATURE OF INJURY OR ILLNESS: _____

_____

_____

_____

CLASSIFICATION OF INJURY:

__ Abrasions _____ Dislocations ____ Punctures

__ Bites _____ Faint/Dizziness ____ Radiation Burns

__ Blisters _____ Fractures ____ Respiratory Allergy

__ Bruises _____ Frostbite ____ Sprains

__ Chemical Burns _____ Heat Burns ____ Toxic Resp. Exposure

__ Cold Exposure _____ Heat Exhaustion ____ Toxic Ingestion

__ Concussion _____ Heat Stroke ____ Dermal Allergy

__ Lacerations

Part of Body Affected: _____

Degree of Disability: _____

Date Medical Care was Received: _____

Where Medical Care was Received: _____

Address (if off-site): _____

(If two or more injuries, record on separate sheets)

PROPERTY DAMAGE:

Description of Damage: _____

_____

Cost of Damage: $ _____

ACCIDENT/INCIDENT LOCATION: _____

ACCIDENT/INCIDENT ANALYSIS: Causative agent most directly related to accident/incident (Object, substance, material, machinery, equipment, conditions)

_____

_____

_____

_____

Was weather a factor?:_____

_____

Unsafe mechanical/physical/environmental condition at time of accident/incident (Be specific):

_____

_____

_____

Personal factors (Attitude, knowledge or skill, reaction time, fatigue):

_____

_____

ON-SITE ACCIDENTS/INCIDENTS:

Level of personal protection equipment required in Site Safety Plan:

_____

_____

Modifications:

_____

Was injured using required equipment?:

_____

_____

If not, how did actual equipment use differ from plan?:

_____

_____

ACTION TAKEN TO PREVENT RECURRENCE: (Be specific. What has or will be done? When will it be done? Who is the responsible party to insure that the correction is made?

_____

_____

_____

_____

_____

ACCIDENT/INCIDENT REPORT REVIEWED BY:

_____ _____

SSO Name Printed SSO Signature

OTHERS PARTICIPATING IN INVESTIGATION:

_____ _____

Signature Title

_____ _____

Signature Title

_____ _____

Signature Title

ACCIDENT/INCIDENT FOLLOW-UP: Date: _____

Outcome of accident/incident: _____

_____

_____

_____

Physician's recommendations: _____

_____

_____

_____

Date injured returned to work: _____

Follow-up performed by:

_____ _____

Signature Title

ATTACH ANY ADDITIONAL INFORMATION TO THIS FORM

APPENDIX C

EMERGENCY HAND SIGNALS

EMERGENCY SIGNALS

In most cases, field personnel will carry portable radios for communication. If this is the case, a transmission that indicates an emergency will take priority over all other transmissions. All other site radios will yield the frequency to the emergency transmissions.

Where radio communications is not available, the following air-horn and/or hand signals will be used:

EMERGENCY HAND SIGNALS

OUT OF AIR, CAN'T BREATHE!

Hand gripping throat

LEAVE AREA IMMEDIATELY, NO DEBATE!

(No Picture) Grip partner's wrist or place both hands around waist

NEED ASSISTANCE!

Hands on top of head

OKAY! – I'M ALL RIGHT!

- I UNDERSTAND!

Thumbs up

NO! - NEGATIVE!

Thumbs down

Environmental Protection

Carter H. Strickland, Jr.
Commissioner

Angela Licata
Deputy Commissioner
of Sustainability
alicata@dep.nyc.gov

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-4398
F: (718) 595-4479

February 12, 2014

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

Re: 106-112 Spring Street and 91-93 Mercer Street
Block 485, Lots 21 and 22
CEQR # 14DCP053M
New York, New York

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the January 2013 Environmental Assessment Statement prepared by Evan Lemonides Associates and the March 2013 Phase I Environmental Site Assessment Report (Phase I) prepared by Peak Environmental Inc. on behalf of Evan Lemonides (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning authorization from the New York City Department of City Planning (DCP) to permit the conversion of a previously approved retail space on the ground floor to Joint Living Work Quarters for Artists (JLWQA) and the retail space in the cellar to be used for general building related storage areas. The subject property consists of two (2) six-story mixed-use commercial and residential buildings. The ground floor space is currently in retail use pursuant to a special permit approved on March 5, 2003. The special permit allowed the retail use of approximately 8,275 square feet on the ground floor and 5,104 square feet in the cellar. The upper floors of the project site are currently occupied by 20 units of JLWQA. Changing the ground floor to JLWQA would allow the development of three additional units of JLWQA. The project site is located on the southwest corner of the intersection formed by Spring Street and Mercer Street in the SoHo neighborhood of Manhattan Community District 2.

The March 2013 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential, commercial, and industrial uses including mixed-use commercial and residential buildings, retail/wholesale garment and clothing stores, apartments, a warehouse, a printing company, a paper box company, an oil company, dry cleaning, "Handy Folding Pail Co Inc Manufacturing", Mill Remnants Co", "NY Wood Letter Co", "Tab Mfg Co Inc", "Amer Truck & Caster Co", "Grant Truck & Handling Co", "Magni-Power Co Magnts", "My-T-Veyor Corp", "Chicago Roll Forming Corp", "Magni-Power Co Magnts", "Un-o-veyor Systems Co", "Amer Red Hand Truck Inc", "Amer Truck & Caster Co", "American Kwik-Stak Corp", "American Pulley Co", "Grant Truck & Handling Co", "Osius Mac Farlane Glass Works", "Randolph

Industrial Equipment Co", "Service Steel Engineering LTD", "Un-o-veyor Systems Co", "West Bend Equipt Corp Trucks", "724 Prints Inc", "Big Joe Hydraulics Inc", "Burton Snowboards", and "Workspace Inc". The New York State Department of Environmental Conservation (NYSDEC) SPILLS database identified 32 closed spills within a 1/8-mile radius of the project site. The NYSDEC Leaking Tanks (LTANKS) database identified 103 closed LTANKS sites within a 1/2-mile radius of the project site.

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

- DCP should instruct the applicant to submit a site-specific Construction Health and Safety Plan (CHASP) on the basis of workers exposure to contaminants for the proposed construction/renovation project. The CHASP should be submitted to DEP for review and approval. Construction/renovation activities should not occur without DEP's written approval of the CHASP.

- DCP should instruct the applicant that at the completion of the construction/renovation work, indoor air sampling will be required for the on-site structure. The air sampling should be conducted in accordance with the New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York.

DCP should instruct the applicant that at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted to DEP for review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., indoor air sampling results, etc.). Future correspondence and submittals related to this project should include the following CEQR number **14DCP053M**. If you have any questions, you may contact Mr. Wei Yu at (718) 595-4358.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney
M. Winter
W. Yu
T. Estesen
M. Wimbish
C. Evans – DCP
I. Young – DCP
File

NYC Environmental Protection

Emily Lloyd
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

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April 8, 2014

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

Re: 106-112 Spring Street and 91-93 Mercer Street
Block 485, Lots 21 and 22
CEQR # 14DCP053M
New York, New York

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the February 2014 Construction Health and Safety Plan (CHASP) prepared by Evan Lemonides Associates on behalf of Evan Lemonides (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning authorization from the New York City Department of City Planning (DCP) to permit the conversion of a previously approved retail space on the ground floor to Joint Living Work Quarters for Artists (JLWQA) and the retail space in the cellar to be used for general building related storage areas. The subject property consists of two (2) six-story mixed-use commercial and residential buildings. The ground floor space is currently in retail use pursuant to a special permit approved on March 5, 2003. The special permit allowed the retail use of approximately 8,275 square feet on the ground floor and 5,104 square feet in the cellar. The upper floors of the project site are currently occupied by 20 units of JLWQA. Changing the ground floor to JLWQA would allow the development of three additional units of JLWQA. The project site is located on the southwest corner of the intersection formed by Spring Street and Mercer Street in the SoHo neighborhood of Manhattan Community District 2.

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

- DCP should instruct the applicant to include the name and phone number of the Project Manager and Site Supervisor in the CHASP.

- DCP should instruct the applicant to include a highlighted route (including map) to Beth Israel Medical Center in the CHASP.

- DCP should instruct the applicant that at the completion of the construction/renovation work, indoor air sampling will be required for the on-site structure (outdoor air sampling should also conducted concurrently

with indoor air sampling to evaluate the indoor air results appropriately). The air sampling should be conducted in accordance with the New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York.

DEP finds the February 2014 CHASP for the proposed project acceptable as long as the aforementioned information is incorporated into the CHASP. DCP should remind the applicant that at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted to DEP for review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., indoor and outdoor air sampling results, etc.). Future correspondence and submittals related to this project should include the following CEQR number **14DCP053M**. If you have any questions, you may contact Mr. Wei Yu at (718) 595-4358.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney
M. Winter
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T. Estesen
M. Wimbish
C. Evans – DCP
I. Young – DCP
File