



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

REVISED NEGATIVE DECLARATION
Supersedes Negative Declaration Issued on September 29, 2014¹

Project Identification

CEQR No. 14DCP183M
ULURP Nos. N140407ZRM, C140408ZSM, and C140409ZSM
Manhattan, Community District 4
SEQR Type: Unlisted

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

505-513 West 43rd Street

The applicant, 1818 Nadlan LLC, is seeking a special permit pursuant to Zoning Resolution (ZR) Section §74-681 to allow development over a railroad right of way; a text amendment to ZR Section §96-32 to establish a special permit that allows modification of ZR Sections §23-633, §23-663, §23-892, and §23-44 within certain areas of the Special Clinton District; and a special permit related to modification of height, setback, and rear yards pursuant to the proposed amended ZR Section §96-32 (collectively the "proposed actions"). The proposed actions are being sought in connection with a proposed residential development to be constructed at 505-513 West 43rd Street (Block 1072, Lot 24, the "project site"), a through-block lot open to a below-grade railroad right of way, in the Clinton neighborhood of Manhattan, Community District 4. The project site is located partially within an R9 zoning district within the "Western Subarea C2" of the Special Clinton District and partially within an R8/C2-5 zoning district within the "Preservation Area" of the Special Clinton District.

The proposed actions would facilitate a proposal by the applicant to erect an approximately 20,100 square foot (sf) concrete and steel platform above the existing railroad right of way and construct a 15-story, 154 foot tall, approximately 181,000 gross square foot (gsf), development above the proposed platform. The proposed new development is expected to include 107 residential units (8 of which would be permanently affordable pursuant to the provisions of the Inclusionary Housing Program, 18 additional permanently affordable units would be located at an off-site location) and a 23-space accessory parking garage (the "proposed project"). The proposed project, as established by the proposed approvals, would be configured as two, 15-story, 154 foot tall approximately 80,000 gsf tower structures (the "North Segment" and the "South Segment") above a single story ground floor base containing accessory residential uses and the proposed 23-space parking garage. A new driveway at West 43rd Street, accessed by a

¹ This Revised Negative Declaration reflects a modification to the proposed project, as described in the supporting statement of this document.

135 feet from the West 44th Street lot line to avoid any potential significant adverse air quality impacts.

The (E) designation related to noise is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation on all facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

The (E) designation related to hazardous materials is as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

This Revised Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617. Should you have any questions pertaining to this Revised Negative Declaration, you may contact Ingrid Young at (212) 720-3425.



Olga Abinader, Deputy Director
Environmental Assessment and Review Division
Department of City Planning

Date: February 27, 2015

Carl Weisbrod, Chairman
City Planning Commission

Date: March 2, 2015

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