

**Environmental Assessment Statement
and
Supplemental Report**

for

**443 Greenwich Street Parking Authorization
443 Greenwich Street
New York, NY**

Prepared by:

**Compliance Solutions Services, LLC
434 West 20th Street
New York, NY 10011**

November 2014

EAS FORM



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 443 Greenwich Street - Parking Authorization

1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)
15DCP050M

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)
N5005ZAM

OTHER REFERENCE NUMBER(S) (if applicable)
(e.g., legislative intro, CAPA) P2014M0234

2a. Lead Agency Information

NAME OF LEAD AGENCY
NYC Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON
Robert Dobruskin

ADDRESS 22 Reade Street

CITY New York

STATE NY

ZIP 10007

TELEPHONE 212-720-3423

EMAIL
rdobrus@planning.nyc.gov

2b. Applicant Information

NAME OF APPLICANT
SGN 443 Greenwich Street Owner LLC

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
John J Strauss, Compliance Solutions Services, LLC

ADDRESS 434 West 20th Street, Suite 8

CITY New York

STATE NY

ZIP 10011

TELEPHONE 212-741-3432

EMAIL jstrauss-
css@nyc.rr.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): 617.4(b)(9)

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

The Applicant, SGN 443 Greenwich Street Fee Owner LLC, seeks an Authorization from the City Planning Commission pursuant to Section 13-442 of the NYC Zoning Resolution (ZR) to create a 15-space attended parking garage in the cellar of an existing building in the Manhattan core on Block 222, Lot 1 in the Borough of Manhattan.

Project Location

BOROUGH Manhattan

COMMUNITY DISTRICT(S) 1

STREET ADDRESS 443-453 Greenwich Street

TAX BLOCK(S) AND LOT(S) Block 222, Lot 1

ZIP CODE 10013

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Corner lot bounded by Greenwich Street, Desbrosses Street, and Vestry Street

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C6-2A,
Special Tribeca Mixed-Use District (TMU) Areas A5 and A6

ZONING SECTIONAL MAP NUMBER 12a

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 13-442

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)

<input type="checkbox"/> LEGISLATION	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify:
<input type="checkbox"/> RULEMAKING	<input type="checkbox"/> POLICY OR PLAN, specify:
<input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES	<input type="checkbox"/> FUNDING OF PROGRAMS, specify:
<input type="checkbox"/> 384(b)(4) APPROVAL	<input type="checkbox"/> PERMITS, specify:
<input type="checkbox"/> OTHER, explain:	

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

<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input checked="" type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL
	<input checked="" type="checkbox"/> OTHER, explain: Department of Buildings Approval

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.*

<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
<input checked="" type="checkbox"/> 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.): 35,111.84	Waterbody area (sq. ft.) and type: None
Roads, buildings, and other paved surfaces (sq. ft.): 35,111.84	Other, describe (sq. ft.): None

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): 15 cellar level parking spaces

NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 257,702

HEIGHT OF EACH BUILDING (ft.): 88' to roof; 90'-10.25" to parapet NUMBER OF STORIES OF EACH BUILDING: 7

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 non-applicant owned area:

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: 32,894.48 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 4,111.81 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: N/A

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

<input checked="" type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> MANUFACTURING	<input checked="" type="checkbox"/> COMMERCIAL	<input type="checkbox"/> PARK/FOREST/OPEN SPACE	<input type="checkbox"/> 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	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures		Multi-family apartments	Multi-family apartments	
No. of dwelling units		53	53	
No. of low- to moderate-income units		0	0	
Gross floor area (sq. ft.)		257,702	257,702	
Commercial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)				
Gross floor area (sq. ft.)				
Manufacturing/Industrial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
Publicly Accessible Open Space	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	252,030 gsf formerly commercial building			
PARKING				
Garages	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces		0	0	
No. of accessory spaces		0	15	+15
Operating hours			24 hours/7 days per week	
Attended or non-attended			Attended	
Lots	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
POPULATION				
Residents	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify number:		109	109	
Briefly explain how the number of residents was calculated:	Based on average household size of 2.07 persons in census tract 39 (2010 census) x 53 dwelling units			
Businesses	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. and type				
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Students (non-resident)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify number:				
Briefly explain how the number of students was calculated:				
ZONING				
Zoning classification	C6-2A, TMU Areas A5 and A6	C6-2A, TMU Areas A5 and A6	C6-2A, TMU Areas A5 and A6	
Maximum amount of floor area that can be developed	257,702 GSF	257,702 GSF	257,702 GSF	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	R, C, M, Pkg; C6-2A, C6-3A, M1-6	R, C, M, Pkg; C6-2A, C6-3A, M1-6	R, C, M, Pkg; C6-2A, C6-3A, M1-6	
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 attach supporting information, if needed) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 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,		

	YES	NO
either under existing conditions or in the future with the proposed project?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
v. Affects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		

	YES	NO
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See attached narrative report.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
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 listed in Table 13-1 in Chapter 13 ?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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): 0		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
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): 0		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

(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.

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.

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.

See attached narrative report.

20. APPLICANT'S CERTIFICATION

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME

John J Strauss, Compliance Solutions Services, LLC

SIGNATURE




DATE

Nov. 14, 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.	Potentially Significant Adverse Impact	
	YES	NO
IMPACT CATEGORY		
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Check determination to be issued by the lead agency:		
<input type="checkbox"/> Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).		
<input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.		
<input checked="" type="checkbox"/> Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.		
4. LEAD AGENCY'S CERTIFICATION		
TITLE Deputy Director	LEAD AGENCY Department of City Planning	
NAME Olga Abinader	DATE November 14, 2014	
SIGNATURE 		

PROJECT DESCRIPTION

443 Greenwich Street Parking Authorization Project Description

Proposed Action

The applicant, SGN 443 Greenwich Street Owner LLC, is seeking an authorization pursuant to Zoning Resolution (ZR) Section 13-442 (Limited increase in parking spaces for existing buildings without parking). The proposed action would facilitate a proposal by the applicant to provide 15 attended parking spaces within an approximately 5,700 square foot (sf) area on the ground floor and cellar levels of an existing building on block 222, lot 1 (the "project site") in Manhattan, Community District 1. The project site is generally bounded by Desbrosses Street to the north, Vestry Street to the south, a line parallel and approximately 175 feet from Hudson Street to the east, and Greenwich Street to the west. The project site is located within a C6-2A zoning district in the Special Tribeca Mixed-Use District, the Manhattan Core as defined in ZR Section 12-10, and the New York City designated Tribeca North Historic District.

Pursuant to Department of Buildings (DOB) and Landmarks Preservation Commission (LPC) approvals, the existing 7-story, 252,030 gross square foot (gsf) vacant building is undergoing conversion to 53 market-rate residential units. In connection with the residential conversion, LPC-approved rehabilitation of the building's exterior façade, rooftop, and inner courtyard, including the construction of two new ramps, is ongoing. Previously the building at the project site contained commercial office uses.

The existing building does not contain parking uses. Per ZR Section 13-07(b)(1), for existing buildings that do not contain parking uses and are located within the Manhattan Core (which extends geographically from the southern tip of Manhattan to West 110th Street and East 96th Street), up to 15 off-street parking spaces may be permitted by authorization by the City Planning Commission pursuant to the provisions of ZR Section 13-442.

The proposed authorization would facilitate the conversion of the ground floor and cellar levels of the existing building to parking uses. In connection with the proposed parking spaces, a stop sign and speed bump would be provided on the project site. Two existing curb cuts located along Vestry and Desbrosses Streets would provide vehicular access to the proposed parking area. The proposed project is expected to be completed by 2015.

It should be noted that in connection with a CPC Special Permit (C 080313 ZSM) granted on August 14, 2008, a Restrictive Declaration was recorded against the project site. The Restrictive Declaration was intended to ensure that significant adverse impacts related to hazardous materials would not occur in connection with the then proposed conversion of the existing building to residential and commercial uses. Requirements with respect to air quality and noise were included on the approved site plan. Subsequently, in October 2010 in connection with the North Tribeca rezoning (C 100369 ZMM), the prior environmental requirements with respect to air quality and noise were updated, and the project site was assigned an (E) Designation (E-257) to ensure that the development of the site would not result in any significant adverse impacts in these categories. The (E) designation also covered hazardous materials, which duplicated the requirements within the previously recorded Restrictive Declaration discussed above. The NYC Office of Environmental Remediation (OER) is the agency responsible for overseeing compliance with both the (E) Designation and Restrictive Declaration. The 2008 Special Permit was renewed on November 4, 2013.

Existing Conditions

The project site is identified as 443-453 Greenwich Street (Block 222, Lot 1) which is a corner lot bounded by the easterly side of Greenwich Street, the southerly side of Desbrosses Street, and the northerly side of Vestry Street in the Tribeca neighborhood of lower Manhattan. The project site's zoning lot area measures approximately 35,111.84 square feet of land area. The rectangular shaped lot has 175.5' of frontage along Greenwich Street and 200.17' of frontage along both Desbrosses Street and Vestry Street.

The project site is developed with an approximately 252,030 gsf [215,863 zoning square foot (zsf)] seven-story formerly commercial building. The building occupies the entirety of the zoning lot and contains an approximately 4,000 square foot courtyard. The building is currently vacant and, pursuant to prior approvals and plans filed with DOB (see Figures and Photographs Appendix for Site Plans), is under construction and in the process of being converted to residential use with 53 dwelling units. New structural work in and renovation of the building is currently in progress. The conversion to residential use, including the addition of penthouses, was facilitated by a CPC Special Permit issued in July 2008 (C 080313 ZSM) and renewed in November 2013 (N 130025 CMM). The subject property has curb cuts on both Vestry and Desbrosses Streets serving a gated, through-block driveway on the ground floor that accesses the building's courtyard. The existing curb cuts on both Vestry and Desbrosses Streets are expected to remain under the proposed action and will also provide access to the cellar level parking facility which is the subject of this review. No parking currently exists on the site.

The project site is located within a C6-2A zoning district. C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Use Groups 1 through 12, including corporate headquarters, large hotels, department stores, entertainment facilities, and high-rise residences in mixed buildings, are permitted in C6 districts. The C6-2A (R8A equivalent) zoning district is a commercial contextual district which permits a commercial FAR of 6.0, a residential FAR of 6.02, and a community facility FAR of 6.5. C6 districts are well served by mass transit, and off-street parking for most uses is not required.

The project site is located within the Special Tribeca Mixed-Use District (TMU). The TMU District was originally enacted in 1976 as the Lower Manhattan Mixed Use District to permit limited residential development in an otherwise industrial 62-block area in Manhattan within the triangle below Canal Street, west of Broadway. Revised in 1995 and in 2010, the underlying zoning throughout the district is now commercial but unique provisions limit the size of ground floor retail uses and hotels. New contextual mixed buildings house a growing residential community while special rules encourage a mix of uses by allowing light industries.

The site is split between two TMU subareas: the westerly 160' of the zoning lot is located in Area A5 and the easterly 40.17' is located in Area A6. TMU Area A5 permits a minimum building base height of 60', a maximum building base height of 70', a maximum total building height of 110', and a maximum FAR of 5.5. TMU Area A6 permits a minimum building base height of 60', a maximum building base height of 85', a maximum total building height of 120', and a maximum FAR of 5.4. The subject building has a maximum total building height of 90'-10.25" to the top of the building parapet, a maximum height of 107'-4.25" to the top of the building bulkhead, and an FAR of 6.15 and therefore exceeds the permitted FAR on the property. However, as the building predates the C6-2A and TMU zoning of the property, the

building is permitted as a legal nonconforming condition. As stated above, the conversion of the building to residential use, including the addition of penthouses, was permitted under the provisions of a CPC Special Permit issued in July 2008.

As noted in the hazardous materials, air quality and noise sections of this EAS, the project site was previously assigned an (E) designation (E-257) for concerns related to petroleum and non-petroleum contamination, air quality, and noise in connection with a prior approval (CEQR No. 10DCP039M).

It should also be noted that as the project site is located in the LPC-designated Tribeca North Historic District, the proposed action is considered to be a Type I action.

Prior Approvals and Actions

In 2008 the site received a Special Permit pursuant to Section 74-711 to facilitate the conversion of the existing 7-story building to residential use with penthouse additions and ground floor retail. The Special Permit (C 080313 ZSM) waived:

- The use regulations of the former M1-5 zoning district and the Special Tribeca Mixed Use District to allow residential and/or hotel uses, and to allow a physical culture and health establishment on portions of the ground floor and cellar levels without requiring a special permit from the Board of Standards and Appeals;
- The bulk regulations of the former M1-5 zoning district to allow portions of the building's existing pitched roof to be raised between 6 inches and 2 feet, and the encroachment of rooftop mechanicals within the 15' required setback area. The previous M1-5 zoning permitted a maximum street wall of 85' or 6 stories, whichever is less (6 stories in this case, or 75.8'), with a required setback of 20' on narrow streets and 15' on wide streets before rising with respect to a sky exposure plane. The building roof rises to a height of 85-88' (due to varying curb levels) and the height to the top of the parapet is 90'-10.25".
- The rooftop recreational requirements of the special district in conjunction with the conversion of portions of the building to residential use.

In 2010, the area was rezoned from M1-5 to C6-2A (N100370(A)ZRM and C100369ZMM), and the subject zoning lot was divided among two special district subareas with different use and bulk regulations. On July 9, 2013, the Applicant prepared revised special permit drawings that updated the zoning calculations and the approved building envelope to comply with the new requirements of the C6-2A zoning district. The new zoning permitted residential uses as-of-right, but waivers were still needed to contain more than 100 hotel rooms, to have a health club without requiring a BSA special permit, to encroach on the required setback area through filling in of the pitched roof, and to waive the required rooftop recreation space. On August 29, 2013, the Department of City Planning issued a letter to DOB stating that the revised drawings were in substantial compliance with the original special permit approval. On November 4, 2013, the CPC granted the first 3-year renewal of the special permit (N130025CMM).

Project Description

The proposed Parking Authorization would facilitate the development of 15 attended parking spaces in the cellar of the building. In connection with the filed DOB plans, the Applicant

intends to excavate and create a ramp intended for the existing building's through-block driveway. The driveway would access the cellar level where the 15 spaces would be located. The parking area, circulation area, ramps, and the driveway encompass an approximately 5,668.78 square-foot facility. The ramps would extend down from the entrance to the garage within the building and up to the exit from the garage within the building. The cellar level of the building will also contain an accessory swimming pool and fitness center for residents of the building.

The location of existing structural supports, mechanical rooms, and proposed building amenities limit the configuration of the parking facility. The parking would be provided in three groupings ranging from four to six parking spaces in size. Parking space numbers one through four (one of which would be an ADA space) would consist of two single loaded or individual stand alone spaces and two tandem (bumper-to-bumper or front-to-back) parking spaces such that the car in the front is blocking the car in the back. Parking space numbers five through ten would consist entirely of single loaded spaces. Parking space numbers eleven through fifteen would consist of one single loaded space and four tandem parking spaces with two cars in the front blocking the two cars in the rear. Attended parking would be provided for all the parking spaces and is primarily required in order to provide safe and efficient access to the rear parking space in the tandem parking groupings.

In addition to the vehicular parking, there would be parking for 44 bicycles in the cellar level, in compliance with the requirement set forth in ZR Section 36-711 that one bicycle space for every two dwelling units be provided, and over 15 SF would be provided for each space, per ZR Section 36-73. The parking for bicycles is not subject to the proposed Authorization.

As the project site is located within an LPC historic district (the Tribeca North Historic District), LPC approvals are required in connection with development on the project site. LPC held a hearing on September 24, 2013 and voted to approve the excavation to create the driveway, as well as improvement of the existing gates. This approval is reflected in an amendment to the Certificate of Appropriateness that was issued for the restorative work and conversion as part of the 2008 CPC Special Permit. The applicant noted that LPC, as part of their approval of the ramp, requested that a visual link be maintained between Vestry and Desbrosses Streets, and, as such, the Applicant would construct a circulation bridge on the ground floor with views from the street into the inner courtyard and to the other street. A further amendment to the Certificate of Appropriateness is being sought to reflect the stop sign and speed bump that would be installed in the exit ramp.

Based on an estimated 6-month approval process and a 6-month construction period, the Build Year is assumed to be 2015.

No-Action Scenario

Absent the proposed Authorization pursuant to this application, the Applicant would proceed with the conversion of the existing building to residential use as facilitated by the CPC Special Permit issued in July 2008 and renewed by the CPC on November 4, 2013.

The Landmarks Preservation Commission (LPC) held a hearing on September 24, 2013 and voted to approve the excavation to create a driveway, as well as improvement of the gates. In the Future No Action Scenario, the 5,668.78 gsf area (assigned to accessory parking in the With

Action Scenario) would be utilized for storage as well as serving as a drop-off and pick-up area for building residents and for deliveries and to provide access. The driveway leading to the cellar would require that drop-offs and pick-ups take place in the cellar of the building rather than on its ground floor level as would occur without the construction of the driveway.

With-Action Scenario

Under the With-Action Scenario for the Project Build Year of 2015, 15 attended parking spaces would be provided in the cellar of the building through the requested Authorization. The proposal includes the excavation and ramping of the existing through-block driveway down to the cellar level where the 15 spaces would be located in an approximately 5,668.78 square-foot facility (including the parking spaces, circulation area, ramps, and the driveway). The Future With-Action scenario would be identical to the proposed development plan. The building currently undergoing construction, and all excavation and ramping of the existing through block driveway, would be identical in the No Action and With Action scenarios, except that a 5,668.78 gsf area would be occupied by 15 parking spaces, rather than utilized for storage.

As stated above, the Applicant proposes to provide 15 parking spaces in the cellar of the building through the requested Authorization. The 1,556.97 sf ramps, which are undergoing construction on an as-of-right basis per current approvals, would extend down from the entrance to the garage within the building on Vestry Street and up to the exit from the garage within the building on Desbrosses Street. The Applicant is in the process of converting the building to residential use with 53 dwelling units, pursuant to the approved Special Permit (CEQR No. 08DCP040M).

The only substantive difference between the No-Action and With-Action scenarios if the parking is not approved would be that there would be additional area available for general storage purposes.

Purpose and Need

The Applicant seeks to create a 15-space attended parking garage in the cellar of the existing building on the subject property as part of the conversion of this building to residential use with 53 dwelling units. The parking would be provided for residents of the building and is considered a necessary amenity. These parking spaces would be accessed via ramps and driveway access onto Desbrosses Street and from Vestry Street. An Authorization is needed to modify requirements related to existing buildings and off-street parking facilities in the Manhattan Core in order to provide up to 15 parking spaces in an existing building developed without the provision of parking.

The residential conversion of the building would result in the re-occupancy of the building which has been vacant for approximately 6 years. The inclusion of parking to serve a portion of the occupants of the building would minimize the burden on parking facilities remaining in the surrounding neighborhood.

Required Approvals

The proposed action requires the approval of a Parking Authorization pursuant to ZR Section 13-442 to create a 15-space attended parking garage in the cellar of an existing building in the Manhattan core. The granting of the Parking Authorization is a discretionary action that is subject to City Environmental Quality Review (CEQR).

SUPPLEMENTAL REPORT

EAS NARRATIVE ATTACHMENT

443 GREENWICH STREET - PARKING AUTHORIZATION

ENVIRONMENTAL ASSESSMENT STATEMENT

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Full Form, the analysis areas that require further explanation include land use, zoning, and public policy, historic and cultural resources, hazardous materials, air quality, noise, and construction as further detailed below. The section numbers below correspond to the relevant chapters of the March 2014 *CEQR Technical Manual*.

4. LAND USE, ZONING, AND PUBLIC POLICY

EXISTING CONDITIONS

Land Use

Project Site

The project site is identified as 443-453 Greenwich Street (Block 222, Lot 1) which is a corner lot bounded by the easterly side of Greenwich Street, the southerly side of Desbrosses Street, and the northerly side of Vestry Street in the Tribeca neighborhood of lower Manhattan. The project site consists of approximately 35,111.84 square feet of land area on a single zoning lot. The rectangular shaped lot has 175.5' of frontage along Greenwich Street and 200.17' of frontage along both Desbrosses Street and Vestry Street. The property is bordered by one lot to the east.

The zoning lot, which is comprised of two corner lots and a through lot, is improved with a 7-story building, which was constructed in two phases in the 1880's. The building consists of brick with sandstone elements and was designed by the noted architect Charles C. Haight for the Trinity Church Corporation. The street walls of the building rise without setback to varying heights based on topography, but in all cases exceed 85 feet and are below 88 feet. The building's total height is approximately 90 feet.

The building, which is currently vacant but was formerly occupied commercially, contains 252,030 gross square feet (gsf)/215,863 zoning square feet (zsf) of floor area (6.15 FAR) and occupies the entire zoning lot except for an approximately 4,000 square foot interior courtyard. The building currently has curb cuts on both Desbrosses and Vestry Streets, 141'-5 11/16" and 141'-5 1/2" from their respective intersections with Greenwich Street, serving a gated, through-block driveway on the ground floor that accesses the building's inner court. No parking exists on site today.

The building is currently vacant and is under construction and in the process of being converted to residential use with 53 dwelling units. New structural work in the building is approximately 10 percent complete. The conversion to residential use, including the addition of penthouses,

was facilitated by a CPC Special Permit issued in July 2008 (C 080313 ZSM) as further discussed below.

Current Status of Construction

The bulk of the cellar level excavation work in the existing building has been completed to date including the removal of approximately 2,000 cubic yards of material. Up to an additional approximately 500 to 1,000 cubic yards of material may be removed for grading purposes and to construct the proposed driveways in the cellar of the building.

Construction on the remainder of the building is ongoing. While all interior demolition has been completed, other structural work including the installation of new foundations and building cores and the replacement of existing wood joists, is at a very early stage in the construction process. All construction that has occurred to date is in compliance with the provisions of the Special Permit.

The existing curb cuts on both Vestry and Desbrosses Streets serving the through-block driveway on the ground floor that accesses the building's courtyard will remain under the proposed action and will also provide access to the cellar level parking facility which is the subject of this review.

Background

On July 23, 2008, the City Planning Commission granted a Special Permit (C 080313 ZSM) (the "Special Permit") pursuant to NYC Zoning Resolution (ZR) Section 74-711 (the Zoning Lot is in the Tribeca North Historic District (the "Historic District")). The City Council did not assume jurisdiction, and the Special Permit became effective on August 14, 2008. The Special Permit granted zoning relief (collectively, the "Waivers") under the prior M1-5 zoning (the "Prior Zoning")¹ in order to facilitate the conversion of the building to residential use, including proposed penthouses to be constructed through the reallocation of mechanical space, which was not allowed as of right under the Prior Zoning.

Specifically, the Special Permit granted Waivers of the Prior Zoning with respect to the following: (1) residential use, (2) retail use, (3) transient hotel use, (4) health club use, (5) required setback above front wall, (6) rooftop recreation, (7) street wall height, and (8) rear yard equivalent.

On September 15, 2010, the Commission enacted the North Tribeca rezoning, consisting of a zoning map amendment (C 100369 ZMM) and corresponding text amendments (N 100370A ZRM) (collectively, the "Amendments") that established the Current Zoning. The rezoning replaced the "outdated" Prior Zoning with a "contextual rezoning with unique bulk controls" in recognition of the increasingly residential character of the neighborhood and the emergence of local retail consistent with such character.

On July 25, 2012, three weeks before the Special Permit was to expire on August 14, 2012, in order to preserve the Applicant's rights under the Waivers, an application pursuant to ZR Section 11-43 was submitted to renew the Special Permit for a three-year term, which the

¹ Under the Prior Zoning, specifically former ZR Section 111-104(e), the Zoning Lot was treated as though it were located in an M2-4 district.

Commission granted on November 4, 2013 (N 130025 CMM).² While certain aspects of the Waivers are no longer necessary due to the Amendments and changes to the intended use of the building (i.e., it will not contain retail, transient hotel or health club use as the building will be a solely residential building), the Special Permit is still needed to allow (i) portions of the building's existing, pitched roof to be raised between 6 inches and 2 feet and (ii) the building to contain residential use (53 dwelling units) without the provision of required rooftop recreation space.

Study Area

The primary study area extends approximately 400 feet in all directions from the project site. The study area is roughly bounded by Canal Street on the north, an area between Laight and Hubert Streets on the south, an area between Hudson and Varick Streets to the east, and an area between Washington and West Streets to the west. In order to assess existing land use conditions for the proposed development, a parcel by parcel inventory was undertaken within the 400-foot radius study area surrounding the site. The inventory included a survey of ground floor uses and upper floors by predominant use.

The project site is located near the northern edge of Tribeca in Manhattan Community District 1. Although historically a predominantly industrial area, Tribeca now includes a mix of uses including residential, auto-related, commercial and industrial. The area has gained an increasingly residential character in recent years as a significant amount of new residential construction and many conversions have occurred, particularly in the neighborhood immediately surrounding the Building. Much of the neighborhood is subject to the jurisdiction of the Landmarks Preservation Commission ("LPC") as the neighborhood contains five different historic districts, including the Tribeca North Historic District in which the project site is located.

The neighborhood surrounding the building is developed with a mix of commercial, residential and industrial buildings, and is dominated by five- to eleven-story brick structures. These buildings are built to their lot lines, often without any setback, and share many similar design elements (ground floor and façade treatment). Buildings to the west often have narrow frontages and contain a mix of automobile shops; buildings to the east typically have a larger footprint and are taller.

The neighborhood was first settled during the first quarter of the 19th Century as a fashionable residential district. During the late 19th Century, the area was developed with many large warehouses which were associated with shipping and customs operations at the nearby wharves. These substantial brick storage and industrial buildings, designed in the Renaissance and Romanesque Revival styles, predominate and define the character of the district today. These buildings, like the subject building itself, typically occupy larger lots and are constructed with little or no setback, creating relatively uniform street walls. Granite slab sidewalks and Belgian block street pavers also reflect the late 19th century commercial character of the area,

² The Certificate of Appropriateness, a copy of which is attached to this document, that was issued in connection with the Special Permit remains in effect and was renewed on May 14, 2013 (a copy of the renewal letter is also attached). The most recent Certificate of Appropriateness, dated May 15, 2014, is also attached hereto.

although a number of taller residential buildings, up to 40 stories in height, have also been constructed in the area over the last 30 years.

The area surrounding the project site is primarily characterized by buildings that are either occupied by commercial and manufacturing uses or have been converted to JLWQA use, office space, or residential use. Many of the buildings contain a mixture of these uses and many also contain a ground floor retail component. There are also a large number of parking garages particularly in the area west of the site. A discussion of the development pattern and land uses on the twenty blocks located entirely or partially within 400 feet of the project site follows below.

The property is bordered by 32 Vestry Street which is a narrow vacant lot located between the project site and the adjacent property to the east. The remainder of Block 222 on which the project site is located is developed with a seven-story multiple dwelling and an 8-story multiple dwelling with ground floor retail space.

Block 225 located across Desbrosses Street from the project site to the north is developed with two 6-story multiple dwellings with ground floor retail space and a 3-story commercial/retail building directly opposite the subject project site. The remainder of the block contains one 4-story and one 12-story building manufacturing building.

The remaining blocks to the north of the project site are developed as follows:

- Approximately 50% of Block 224 between Greenwich, Washington, Desbrosses, and Watts Streets is developed with 5- to 6-story multiple dwellings, many containing ground floor retail space, and a 5-story commercial/retail building. The remainder of the block contains 1- to 2-story garage buildings and a parking lot.
- Block 224 between Washington, West, Desbrosses, and Watts Streets is developed with a 15-story multiple dwelling.
- The portion of Block 595 located within the 400-foot radius project study area north of Watts Street between Greenwich and Washington Streets is developed with six 5- to 7-story multiple dwellings, two of which contain ground floor retail space.
- The triangular shaped Block 594 bounded by Canal, Watts, and Greenwich Street is developed with a 7-story multiple dwelling with ground floor retail space.
- The 400-foot radius project study area portion of Block 594 located on the north side of Canal Street contains a vacant lot, a 1-story garage building, a 4-story and a 5-story multiple dwelling with ground floor retail space, and two 2-story commercial/retail buildings.
- The 400-foot radius project study area portion of Block 226 located on the north side of Canal Street between Hudson and Varick Streets contains two vacant lots and a 20-story commercial/retail building.
- A small corner of Block 578 occupied by the Holland Tunnel Approach is also located within 400 feet of the project site to the north of the property.

Block 219 located across Vestry Street from the project site to the south is developed with one 5-story, one 6-story, and two 8-story multiple dwellings directly opposite the subject project site. The remainder of the block contains several 4- to 9-story multiple dwellings, most of which also contain ground floor retail space, and a 5-story commercial/retail building.

The remaining blocks to the south of the project site are developed as follows:

- Block 218 between Greenwich, Washington, Vestry, and Laight Streets is developed with eight 4- to 10-story multiple dwellings, two of which contain ground floor retail space.
- The 400-foot radius project study area portion of Block 218 between Washington, West, Vestry, and Laight Streets is developed with a 7-story multiple dwelling and a 13-story multiple dwelling, both of which contain ground floor retail space.
- The 400-foot radius project study area portion of Block 215 located south of Laight Street between Greenwich and Hudson Streets and divided by Collister Street contains one 5-story, one 9-story, and one 10-story multiple dwelling, all of which include ground floor retail space. This area of the block also contains a 6-story multiple dwelling and a 5-story manufacturing use.
- The 400-foot radius project study area portion of Block 217 located south of Laight Street between Greenwich and Washington Streets contains a 5-story commercial/retail building and a 1-story garage building.
- The 400-foot radius project study area portion of Block 220 bordered by Laight, Hudson, and Vestry Streets contains a 5- and a 7-story multiple dwelling, both of which include ground floor retail space, a 7-story multiple dwelling, a 2-story and a 6-story commercial/retail building, and a 5-story manufacturing building.
- A small corner of Block 213 occupied by the Holland Tunnel Exit is also located within 400 feet of the project site to the south of the property.

Block 223 located across Greenwich Street from the project site to the west is developed with a 4-story multiple dwelling with ground floor retail space, a 4-story commercial/retail building, a 6-story multiple dwelling, and three 1-story garage buildings directly opposite the subject project site. The remainder of the block contains several 2- to 8-story multiple dwellings, most of which also contain ground floor retail space, and a 3-story manufacturing building.

The 400-foot radius project study area portion of Block 223 bordered by Washington, Desbrosses, and Vestry Streets contains a 6-story multiple dwelling with ground floor retail space, three 2-story commercial/retail buildings, a 4-story manufacturing use, and two 2-story garages.

Block 221 is located directly east of the project site block and the 400-foot radius portion of this block is developed with a 12-story commercial/retail building and a 7-story manufacturing use as well as lands comprising the Holland Tunnel exit.

ZONING

Project Site

The New York City Zoning Resolution shows that the project site is located in a C6-2A commercial zoning district. C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Use Groups 1 through 12, including corporate headquarters, large hotels, department stores, entertainment facilities, and high-rise residences in mixed buildings, are permitted in C6 districts. The C6-2A district is a contextual mid- to high-density zoning district generally mapped outside of central business cores. The district allows a commercial FAR of 6.0 and has a residential equivalent of an R8A district allowing a residential FAR of 6.02. As C6 districts are well served by mass transit, off-street parking is generally not required.

The project site is also located in Areas A5 and A6 of the Special Tribeca Mixed Use District (TMU). The Building's west 160 feet are in Area A5 and its east 40.17 feet are in Area A6. The TMU was originally enacted in 1976 as the Lower Manhattan Mixed Use District to permit limited residential development in an otherwise industrial 62-block area in Manhattan within the triangle below Canal Street, west of Broadway. Revised in 1995 and in 2010, the underlying zoning throughout the district is now commercial but unique provisions limit the size of ground floor retail uses and hotels. New contextual mixed buildings house a growing residential community while special rules encourage a mix of uses by allowing light industries. The TMU regulations supersede some of the C6-2A regulations as discussed below.

Within Area A5 of the TMU, the maximum permitted floor area ratio is 5.5 and a setback (15 feet on narrow streets and 10 feet on wide streets) is required between a minimum base height of 60 feet and a maximum base height of 70 feet, above which height building heights are limited to 110 feet. Within Area A6 (which is also an Inclusionary Housing Designated Area), the maximum permitted floor area ratio is 5.4 and a setback (15 feet on narrow streets and 10 feet on wide streets) is required between a minimum base height of 60 feet and a maximum base height of 85 feet, above which height building heights are limited to 120 feet.

Approximately 28,067 square feet of the 35,112 square foot site is located in Area A5 of the TMU and approximately 7,045 square feet is located in Area A6. Pursuant to ZR Section 111-20(d), Area A5 permits a maximum FAR of 5.5 or 154,369 square feet and Area A6 permits a maximum FAR of 5.4 or 38,043 square feet for a total permitted floor area of 192,412 on the subject property. The existing floor area on the site of 215,863 square feet is overbuilt by 23,451 square feet.

Parking spaces are not allowed in the subject building, which was built without the provision of parking spaces, without an Authorization from the City Planning Commission pursuant to Section 13-442 of the Zoning Resolution.

Study Area

Most of the area within 400 feet of the project site shares the property's C6-2A/TMU zoning. A small portion of the C6-2A zoned area at the northern edge of the project study area northeast of Canal and Watts Street is located outside of the TMU Special District. Therefore, the zoning use and bulk provisions relevant to the project site generally also apply to this portion of the project study area.

Another zoning district within 400 feet of the site includes a very small area zoned C6-3A/TMU located at the western edge of the project study area. C6-3 districts have a commercial FAR of 6.0. The C6-3A district is a contextual zoning district which limits maximum building height and has a residential equivalent of the R9A district allowing a maximum FAR of 7.52.

The remaining zoning district located within 400 feet of the site includes an M1-6 district, a portion of which is located within the Special Hudson Square District in the northeast corner of the project study area. The M1-6 zoning district provides for an FAR of 10.0 for manufacturing, commercial, and community facility uses. It is the City's highest density manufacturing district, mapped only in Manhattan, and an FAR of 12 can be achieved with a bonus for a public plaza. The Special Hudson Square District was established to support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial, and community facility uses while promoting the retention of commercial uses and light manufacturing uses.

PUBLIC POLICY

Project Site

The project site is located within the LPC designated Tribeca North Historic District which is certified eligible for State/National Register listing. The District was designated by the LPC in December 1992. The property is therefore subject to New York City, New York State, and Federal landmarks preservation regulations.

The site is not located within the current approved City Coastal Zone Boundary and is therefore not subject to the provisions of the New York City Waterfront Revitalization Program (WRP) at the present time.

The project site is not covered by any 197-a or other community plans, and it is not within an urban renewal area and is therefore not subject to the provisions of an urban renewal plan.

Study Area

Portions of the land use study area surrounding the project site are also subject to the requirements of public policy documents as further discussed below.

Much of the 400-foot radius project study area is included in the Tribeca North Historic District. Therefore, these portions of the study area are subject to the provisions of the New York City Landmarks Law and also to New York State and Federal landmarks legislation. The LPC designated Fleming Smith Warehouse at 451 Washington Street and a portion of the Holland Plaza Building on the north side of Canal Street are also located within 400 feet of the project site.

The portions of the 400-foot radius project study area extending from Washington Street west between Laight and Watts Streets as well as the area south of Laight Street extending from Greenwich Street to the west are located within the current approved City Coastal Zone Boundary. These areas are therefore subject to the City's Waterfront Revitalization Program.

No other public policy documents would apply to the project study area.

THE FUTURE WITHOUT THE PROJECT

Land Use

The No-Action RWCDs for the Project Build Year of 2015 would entail the conversion of the existing building on the project site to residential occupancy containing a total of 53 dwelling units within 257,702 gsf/215,860 zsf of floor area. The No-Action scenario on the property would essentially be the same as the proposed development/Future With-Action scenario except that it would not include any parking.

As discussed in the existing land use section above, a CPC Special Permit pursuant to ZR Section 74-711 was issued for a different development in the existing building on the site in July 2008 (ULURP No. C 080313 ZSM). This project was analyzed in an EAS which was issued a Negative Declaration on April 4, 2008 (CEQR No. 08DCP040M). The Special Permit sought to facilitate the conversion of the existing 7-story building on the property to a mixture of residential, hotel, retail, and physical culture establishment (PCE) uses and to allow penthouse additions to the building. The prior CPC Special Permit allowed the proposed PCE use without requiring a special permit from the BSA.

As previously noted, in 2010, the area was rezoned from M1-5 to C6-2A (CEQR No. 10DCP039M), and the subject zoning lot was divided among two special district subareas with different use and bulk regulations. On July 9, 2013, the Applicant prepared revised special permit drawings that updated the zoning calculations and the approved building envelope to comply with the new requirements of the C6-2A zoning district. On August 29, 2013, the Department of City Planning issued a letter to DOB stating that the revised drawings were in substantial compliance with the original special permit approval. On November 4, 2013, the CPC granted the first 3-year renewal of the special permit.

Absent the proposed Authorization pursuant to this application, the Applicant would proceed with the conversion of the existing building to residential use as facilitated by the CPC Special Permit issued in July 2008 and renewed by the CPC on November 4, 2013.

Zoning and Public Policy

Based on a review of the DCP website, no changes are anticipated to the zoning districts and zoning regulations relating to the project site or the surrounding study area in the near future.

The project site and the surrounding 400-foot radius project study area are located within the proposed Amended Coastal Zone Boundary and therefore could be subject to the revisions to the New York City Waterfront Revitalization Program (WRP) in the future. On September 11, 2013, the City Planning Commission voted to approve the revisions to the WRP and on October 30, 2013, the City Council approved the revisions to the WRP. The WRP must be approved by the New York State Department of State and the U.S. Department of Commerce before it goes into effect.

THE FUTURE WITH THE PROJECT

Land Use

The With-Action RWCDs for the Project Build Year of 2015 would entail the conversion of the existing building on the project site to residential occupancy containing a total of 53 dwelling units within 257,702 gsf/215,860 zsf of floor area as in the Future No-Action Scenario. 15

parking spaces would be provided in the cellar of the building through the requested Authorization. The Future With-Action scenario would be identical to the proposed development plan.

The Applicant proposes to excavate and ramp the existing through-block driveway down to the cellar level where the 15 spaces would be located in an approximately 5,668.78 square-foot facility (area includes the parking spaces, circulation area, ramps, and the driveway). The ramp would extend down from the entrance to the garage within the building and up to the exit from the garage within the building. The Applicant is in the process of converting the building to residential use with 53 dwelling units, pursuant to the approved Special Permit (CEQR No. 08DCP040M). No hotel, office, retail, commercial physical culture establishment, or other non-residential uses will be included in the building. The cellar level of the building will contain an accessory swimming pool and fitness center for residents of the building.

The location of existing structural supports, mechanical rooms, and proposed building amenities limit the configuration of the parking facility. The parking would be provided in three groupings ranging from four to six parking spaces in size. Parking space numbers one through four (one of which would be an ADA space) would consist of two single loaded or individual stand alone spaces and two tandem (bumper-to-bumper or front-to-back) parking spaces such that the car in the front is blocking the car in the back. Parking space numbers five through ten would consist entirely of single loaded spaces. Parking space numbers eleven through fifteen would consist of one single loaded space and four tandem parking spaces with two cars in the front blocking the two cars in the rear. Attended parking would be provided for all the parking spaces and is primarily required in order to provide safe and efficient access to the rear parking space in the tandem parking groupings. See the attached diagram illustrating the parking layout. The site plan would be approved by the CPC.

LPC held a hearing on September 24, 2013 and voted to approve the excavation to create the driveway, as well as improvement of the existing gates. This approval is reflected in an amendment to the Certificate of Appropriateness dated May 15, 2014 that was issued for the restorative work and conversion as part of the 2008 CPC Special Permit. The Applicant noted that LPC, as part of their approval of the ramp, requested that a visual link be maintained between Vestry and Desbrosses Streets, and, as such, the Applicant would construct a circulation bridge on the ground floor with views from the street into the inner courtyard and to the other street. A further amendment to the Certificate of Appropriateness is being sought to reflect the stop sign and speed bump that would be installed in the exit ramp.

If the proposed parking is not approved by the CPC after the current excavation, the cellar area assigned to the parking would be used for storage as well as serving as a drop-off and pick-up area for building residents and for deliveries. The only substantive difference between the No-Action and With-Action scenarios if the parking is not approved would be that there would be additional area available for general storage purposes.

The proposed residential building occupancy would be compatible with the immediately surrounding buildings and uses. The residential occupancy would be very similar to that of the other buildings on the project site Block 222 which are developed with multi-family dwellings and, in one instance, retail uses. The proposed residential use would also be similar to the other multi-family residential uses on all the blocks across the streets from the project site as well as

the many multi-family residential uses located throughout the 400-foot radius area. The proposed project is representative of recent development trends in the area where existing buildings have been converted from former manufacturing or commercial use to residential or JLWQA occupancy.

The provision of 15 cellar level parking spaces in the subject building would be compatible with the immediately surrounding buildings and uses. The proposed parking facility would be within an existing building and would utilize two existing gates and corresponding openings on the ground floor of the building on the Vestry and Desbrosses Street sides of the site. The only construction related to the proposed parking facility that is proposed is the construction of ramps on either side of the building to allow vehicles to access the cellar from the street. Therefore, the proposed facility would have no impact on the character of the existing streetscape. See Applicant's Statement of Findings for ZR Section 13-442 included in the Appendix to this document.³

The proposed facility would provide building residents with a safe and convenient place to park and would not contribute to congestion on surrounding streets and sidewalks or interfere with their efficient functioning.

No adverse impact to land use patterns in the area is expected to arise as a result of the proposed project, and further assessment of land use is not warranted.

Zoning

The Applicant is seeking an Authorization pursuant to Section 13-442 of the Zoning Resolution to allow an off-street attended parking facility in the Manhattan Core with a maximum capacity of 15 spaces in the cellar of an existing building developed without the provision of parking, as none of these spaces are permitted as-of-right for an existing building.

The Applicant seeks to create a 15-space attended parking garage in the cellar of the existing building on the subject property as part of the conversion of this building to residential use with 53 dwelling units. The parking would be provided for residents of the building which the Applicant considers to be a necessary amenity for the development. These parking spaces would be accessed via ramps and driveway access onto Desbrosses Street and Vestry Street

³ As explained in detail in the Applicant's Statement of Findings for ZR Section 13-442, the parking garage would generate a very minimal number of vehicle trips into and out of the facility and entering and exiting vehicles would block the sidewalks along Vestry and Desbrosses Streets adjacent to the project site for a very minimal amount of time.

- Existing vehicular traffic on the Vestry and Desbrosses Streets sides of the site where the parking facility entrance and exit would be located is currently extremely low. These streets are operating at 8.0% or less of their rated capacity of 1,700 cars per hour. The additional traffic that would be added to the streets by the proposed facility is so minimal that it is barely a tenth of a percent of their rated capacity during any given period. The data reveals that there is no traffic congestion on the streets surrounding the project site, and that there is so little traffic that would be generated by the proposed facility that it would not interfere with the efficient functioning of streets, or contribute to serious traffic congestion, or unduly inhibit surface traffic and pedestrian flow.
- It is estimated that the Vestry and Desbrosses Street sidewalks would be disrupted by entering and exiting vehicles for between 1.2 and 8.9 seconds per hour at any hour during the day. In addition, the amount of pedestrian traffic on either sidewalk adjacent to the site is equally minimal, never exceeding one pedestrian per minute on average during any of the morning, midday, or evening peak hour time frames. In sum, when the minimal amount of trips generated by the proposed facility and the sidewalk disruption that would result from those trips is compared to the minimal pedestrian traffic on either side of the site, it is clear that the proposed parking facility would not unduly interrupt the flow of pedestrian traffic in any way. Similarly, there would be no impact to access points to mass transit created by the proposed parking facility.

constructed on an as-of-right basis per prior approvals and DOB plans. An Authorization is needed to modify requirements related to existing buildings and off-street parking facilities in the Manhattan core in order to provide up to 15 parking spaces in an existing building developed without the provision of parking.

The residential conversion of the building would result in the re-occupancy of the building which has been vacant for approximately 6 years. The inclusion of parking to serve a portion of the occupants of the building would minimize the burden on parking facilities remaining in the surrounding neighborhood.

As discussed in the Statement of Findings and Discussion of Conditions which accompany this application, the proposed 15-space attended parking facility in the building's cellar satisfies the requirements for the requested Authorization pursuant to ZR Section 13-442 and meets the conditions set forth in ZR Section 13-20. The facility would not unduly interrupt the flow of pedestrian or vehicular traffic or result in any undue conflict between pedestrian and vehicular movements, and therefore meets the standards for granting the Authorization.

The proposed development would not result in significant adverse zoning impacts. The proposed action would not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties.

Potentially significant adverse impacts related to zoning are not expected to occur as a result of the proposed action, and further assessment of zoning is not warranted.

Public Policy

No adverse impacts to public policies would occur as a result of the proposed action as further discussed below.

The proposed development of 15 cellar level parking spaces would have no effect on the current or proposed amended Coastal Zone Boundary located to the west of the project site or on the City's current or proposed amended Waterfront Revitalization Program. (See Waterfront Revitalization Program Appendix.)

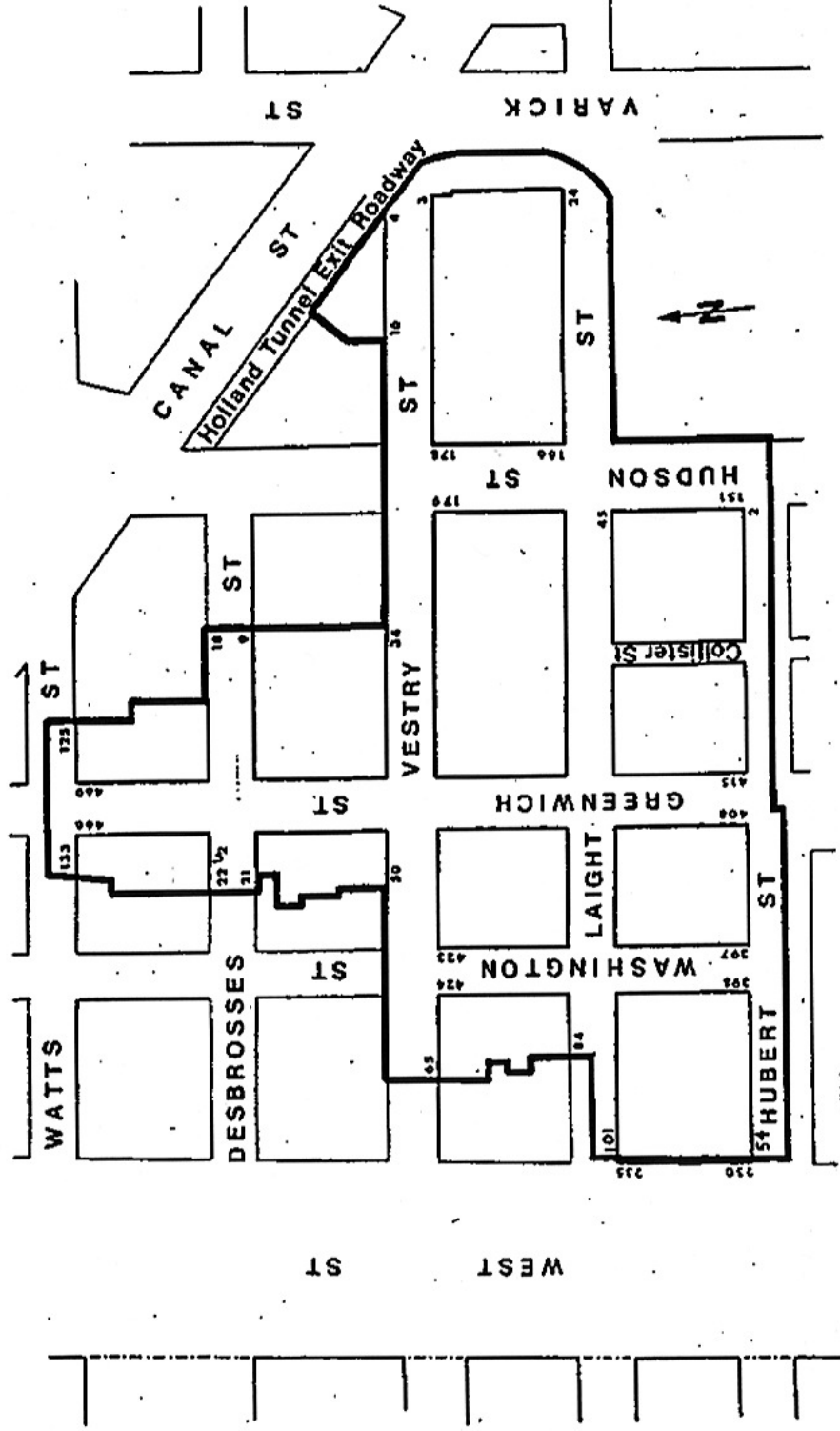
No potentially significant adverse impacts related to public policy are anticipated to occur as a result of the proposed action, and further assessment of public policy is not warranted.

9. HISTORIC AND CULTURAL RESOURCES

EXISTING CONDITIONS

Project Site

The subject property at 443 Greenwich Street is located at the northern end of the Tribeca North Historic District of Manhattan. The existing structure on the project site is not an individually designated historic structure but is a "contributing" building to the Tribeca North Historic District. LPC's Historic Designation Report for the Tribeca North Historic District describes the project site as follows.



TRIBECA NORTH HISTORIC DISTRICT

Designated December 8, 1992 Landmarks Preservation Commission

Numbers indicate buildings within boundaries of historic district.

443 Greenwich Street - This seven-story warehouse has a 175-foot facade on Greenwich Street and 125-foot facades on Vestry Street and Desbrosses Street; it is divided internally by two partition walls perpendicular to Greenwich Street. The warehouse was designed in 1883 by Charles C. Haight for the Trinity Church Corporation and expanded in the following year with the construction of the adjacent building, 34-38 Vestry (a/k/a 9-13 Desbrosses Street), also designed by Haight. The two buildings enclose a large interior courtyard to which arched passageways in the western bay of the other building provide access. Haight designed a number of buildings in the Tribeca area for the Trinity Church Corporation, including the warehouse at 12-16 Vestry Street (1882-83) in this district.

Haight's design for this large building of orange brick with sandstone elements is influenced by the interpretation of Romanesque elements found in the German round-arched style. The building has a monumentality reinforced by subtle variations in the facade planes, emphasized by multi-story pilasters with corbelled brick capitals which extend as a corbelled stringcourse. There is a corresponding variation in the placement of the round-arched window openings. The iron fireproof shutters have been removed; several variations of historic sash remain in place. The facades are crowned by an attic story with closely-set square-headed windows separated by pilasters and a corbelled brick parapet. At the one-story base, brick archivolt accents the round-arched openings. Secondary cast-iron piers (cast by the New York City Iron Works and Duclos Iron Works) and brick piers with sandstone capitals frame entrance bays from which cornices have been removed. Some bays have historic wood casement windows and pairs of paneled and glazed wood doors. The stepped vault has been removed and concrete steps provide access to entrances on Greenwich Street; there is a concrete loading platform on Desbrosses Street.

Long-term tenants in the building included the Semon Bache glass company and the American Steel Wool Manufacturing Company, which occupied the northern portion of the building as well as the adjacent building at 34-38 Vestry Street. Benjamin Griffen, a glass beveler and cutter, was located at 40 Vestry Street from around 1900 to 1920. The Parke, Davis & Company drug firm was a tenant in the 1910s. Later occupants of the building included several bookbinding and electronics firms. The building, which replaced several small wood-frame dwellings and outbuildings, remains in commercial use.

As described in the Land Use section above, the building is currently vacant, contains 252,030 gsf [215,863 zoning square feet (zsf)] of floor area, and occupies the entire zoning lot except for an approximately 4,000 square foot interior courtyard. The building currently has curb cuts on both Desbrosses and Vestry Streets, 141'-5 11/16" and 141'-5 1/2" from their respective intersections with Greenwich Street, serving a gated, through-block driveway on the ground floor that accesses the building's inner court. No parking exists on site today. The building is currently under construction and in the process of being converted to residential use with 53 dwelling units. New structural work in the building is approximately 10 percent complete.

Study Area

The Tribeca North Historic District in which the project site is located was designated a Historic District by the LPC in December 1992 and has also been certified as State and National Register eligible. A brief summary of the District from LPC's Historic Designation Report follows below.

Tribeca North Historic District - The Tribeca North Historic District, which includes sixty-seven buildings and three undeveloped lots, is located between Hubert and Watts Streets and west of the intersection of Canal and Varick Streets. The blockfronts along Greenwich and Hudson streets, long important commercial thoroughfares in the area, and those on the cross streets of Hubert, Laight, and Vestry Streets, are dominated by the warehouse buildings which give the district its distinctive character. The Tribeca North Historic District has a distinct and special character within the larger Tribeca area established by its many large warehouses developed, for the most part, during the late nineteenth century. The Tribeca North Historic District is comprised of buildings mostly erected between 1880 and 1910 for commercial use. The emergence of the warehouse as a building type is reflected in the district by the various structures built for storage and industrial operations. In their architectural treatment the warehouses range from modestly utilitarian to more decorative with references to contemporary Romanesque and Renaissance Revival styles.

Two individually designated historic properties are located within the 400-foot project study area around the site and are briefly discussed below.

Fleming Smith Warehouse - The Fleming Smith Warehouse at 451 Washington Street (Block 224, Lot 24) was designated by LPC on March 14, 1978. This building is located approximately 245 feet northwest of the project site and borders the northwestern corner of the Tribeca North Historic District. The LPC description of the building states that it was designed by Stephen Decatur Hatch and built in 1891-92. Crowned by eccentric gables and dormers, Hatch's brick warehouse is a skillful combination of Romanesque Revival and Flemish Renaissance design. The central gable contains the date of design and the owner's initials, all wrought in metal. The building was one of the first in Tribeca to be converted to residential use.

Holland Plaza Building - The Holland Plaza Building at 75 Varick Street (AKA 73-93 Varick Street, 73-99 Watts Street, and 431-475 Canal Street; Block 226, Lot 1) was designated by LPC on September 24, 2013. This building is located approximately 365 feet northeast of the project site at its closest point and occupies an entire block bounded by Varick, Watts, Canal, and Hudson Streets along the north side of Canal Street. The LPC description of the building states that the Holland Plaza Building is a large, modern-classical style manufacturing structure, constructed on an irregularly-shaped lot facing the entrance to the Holland Tunnel in 1929-30. The building location was chosen to take advantage of the new transportation hub then developing at the entrance to the newly-constructed tunnel linking New York and New Jersey. One of the most significant buildings by celebrated architect Ely Jacques Kahn, the Holland Plaza displays a modern, functional architectural vocabulary influenced by the contemporary expressionist brick buildings of Germany and Holland. Positioned on a prominent site, the Holland Plaza Building displays a dramatic style that emphasizes the structural grid without applied ornament. Its strong vertical piers are balanced by horizontal, textured spandrels and their meeting point is emphasized by projecting corner blocks and a layered plaque, creating a dynamic surface tension that is quite unusual in this district of utilitarian warehouse structures. The two main facades, on Canal and Varick Streets, feature pedestrian entrances that are emphasized by a central group of projecting, over-scaled rusticated piers while the center of the Watts Street facade has a series of vehicular loading bays, to serve the needs of the building's commercial tenants.

FUTURE NO-ACTION CONDITIONS

In the future without the proposed project in 2015, the existing vacant building on the project site would be converted to residential occupancy with a total of 53 dwelling units within 257,702 gsf/215,860 zsf of floor area. The No-Action scenario would not include any parking.

LPC held a hearing on September 24, 2013 and voted to approve the excavation to create a driveway, as well as improvement of the existing gates. The excavation to create the driveway would have a minimal effect on what can and cannot be built in the future No Action Scenario. If not used for parking, the cellar area assigned to the parking would be used for storage as well as serving as a drop-off and pick-up area for building residents and for deliveries. The driveway leading to the cellar would require that drop-offs and pick-ups take place in the cellar of the building rather than on its ground floor level as would occur without the construction of the driveway.

FUTURE WITH-ACTION CONDITIONS

In the future with the proposed project in 2015, the existing vacant building on the project site would be converted to residential occupancy with a total of 53 dwelling units within 257,702 gsf/215,860 zsf of floor area. In addition, 15 parking spaces would be provided in the cellar of the building through the requested Authorization. The proposal includes the excavation and ramping of the existing through-block driveway down to the cellar level where the 15 spaces would be located in an approximately 5,668.78 square-foot facility (including the parking spaces, circulation area, ramps, and the driveway). The Future With-Action scenario would be identical to the proposed development plan.

LPC held a hearing on September 24, 2013 and voted to approve the excavation to create the driveway, as well as improvement of the existing gates. This approval is reflected in an amendment to the Certificate of Appropriateness dated May 15, 2014 that was issued for the restorative work and conversion as part of the 2008 CPC Special Permit. The Applicant noted that LPC, as part of their approval of the ramp, requested that a visual link be maintained between Vestry and Desbrosses Streets, and, as such, the Applicant would construct a circulation bridge on the ground floor with views from the street into the inner courtyard and to the other street. A further amendment to the Certificate of Appropriateness is being sought to reflect the stop sign and speed bump that will be installed in the exit ramp. (See Certificates of Appropriateness, Renewal Letter, Status Update Letter, and LPC Miscellaneous/Amendments correspondence in Historic and Cultural Resources Appendix.)

If the proposed parking is not approved by the CPC after the current excavation, the cellar area assigned to the parking would be used for storage as well as serving as a drop-off and pick-up area for building residents and for deliveries. The only substantive difference between the No-Action and With-Action scenarios if the parking is not approved would be that there would be additional area available for general storage purposes.

The proposed development would be compatible with the New York City, New York State, and Federal landmarks preservation regulations applicable to the site and the immediately surrounding area. As discussed above, LPC held a hearing on September 24, 2013 and voted to approve the excavation to create the driveway, as well as improvement of the existing gates. This approval is reflected in an amendment to the Certificate of Appropriateness dated May 15, 2014 that was issued for the restorative work and conversion as part of the 2008 CPC Special

Permit. The Applicant noted that LPC, as part of their approval of the ramp, requested that a visual link be maintained between Vestry and Desbrosses Streets, and, as such, the Applicant would construct a circulation bridge on the ground floor with views from the street into the inner courtyard and to the other street. A further amendment to the Certificate of Appropriateness is being sought to reflect the stop sign and speed bump that will be installed in the exit ramp.

Potential Impacts to Archaeological and Historic Resources

The prior development project proposed for the project site was analyzed in an EAS which was issued a Negative Declaration on April 4, 2008 (CEQR No. 08DCP040M). The previous Special Permit sought to facilitate the conversion of the existing 7-story building on the property to a mixture of residential, hotel, retail, and physical culture establishment (PCE) uses and to allow penthouse additions to the building.

Archaeological Resources

The Historic Resources section of the 2008 EAS concluded that the project site has no archaeological significance based on a comment letter issued by the LPC dated November 16, 2006. In addition, LPC voted to approve the excavation to create the driveway at its September 24, 2013 hearing. Therefore, the excavation to create the driveway to the proposed parking facility would not result in any disturbance to potentially existing archaeological resources. No adverse impacts to archaeological resources would result from the proposed action.

Historic Resources

The Historic Resources section of the 2008 EAS concluded that the prior development project proposed for the project site would not have any adverse physical, contextual, or visual impacts on the project site building, the Tribeca North Historic District, or other architectural resources within the study area. The EAS concluded that since the project site is located within the Historic District, construction and design of the proposed project is subject to LPC review and approval. On July 30, 2007, LPC issued a Certificate of Appropriateness for the proposed penthouse addition and alterations to the building's facades, as well as a Certificate of No Effect for the restorative work on the building's facades.

The current proposed action, which is the development of 15 parking spaces in the cellar of the building on the project site, would have minimal effects on the exterior appearance and historic character of the building. LPC voted to approve the proposed improvements to the two existing gates at the driveway entrance to and exit from the building at its September 24, 2013 hearing. This approval is reflected in an amendment to the Certificate of Appropriateness dated May 15, 2014 that was issued for the restorative work and conversion as part of the 2008 CPC Special Permit. The LPC, as part of their approval of the ramp, requested that a visual link be maintained between Vestry and Desbrosses Streets, and, as such, a circulation bridge will be constructed on the ground floor with views from the street into the inner courtyard and to the other street. A further amendment to the Certificate of Appropriateness is being sought to reflect the stop sign and speed bump that will be installed in the exit ramp.

LPC-approved construction procedures would be followed for the excavation and construction of the proposed garage facility to protect other historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply

with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration.

Based on the above, it is concluded that the proposed action would be compatible with the project site building, the Tribeca North Historic District, and other architectural resources within the project study area. No adverse impacts to historic resources would result from the proposed action.

The proposed project would not result in any impacts to historic or archaeological resources.

12. HAZARDOUS MATERIALS

Introduction

A hazardous materials assessment is required for the proposed action per the *CEQR Technical Manual* as follows:

- Rezoning (or other discretionary approvals such as a variance) allowing commercial or residential uses in an area currently or previously zoned for manufacturing uses.
- Development within close proximity to a manufacturing zone.
- Renovation of interior existing space on a site with potential vapor intrusion from on-site or off-site sources; compromised indoor air quality; or the presence of asbestos, PCBs, mercury, or lead-based paint.
- Development where underground and/or aboveground storage tanks (USTs or ASTs) are (or were) located on or near the site.

Prior Development Proposal

The prior development project proposed for the project site was analyzed in an EAS which was issued a Negative Declaration on April 4, 2008 (CEQR No. 08DCP040M). The previous Special Permit sought to facilitate the conversion of the existing 7-story building on the property to a mixture of residential, hotel, retail, and physical culture establishment (PCE) uses and to allow penthouse additions to the building.

The Negative Declaration states that the proposed action includes a restrictive declaration to ensure that significant adverse impacts related to hazardous materials do not occur. The restrictive declaration binds the Applicant to prepare a hazardous materials sampling protocol including a health and safety plan, which would be submitted to the Department of Environmental Protection (DEP) for approval. The Applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocol and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plan.

The Supporting Statement for the Negative Declaration states that a Phase I Environmental Site Assessment (ESA) was prepared on April 16, 2006 for the property located at 443 Greenwich Street in Manhattan (Block 222, Lot 1). The Phase I ESA was reviewed by DEP's Office of Environmental Planning and Assessment, and Phase II testing was recommended by DEP, due to the presence of hazardous materials on the site as a result of past and present on and off-site land uses.

The declaration, binding on all successors and assigns of the Applicant, requires that additional Phase II testing be prepared, including a sampling protocol and a health and safety plan for DEP's review and approval. If hazardous materials impacts exist, the declaration requires that the Applicant submit a remediation plan for DEP's review and approval and provide for such remediation. The declaration serves as a mechanism to assure the potential for hazardous material contamination that may exist in the sub-surface soils and groundwater on the Applicant's property would be characterized prior to any site disturbance.

The restrictive declaration was executed on April 4, 2008. DEP confirmed, via written correspondence, that the Applicant filed a DEP-approved Restrictive Declaration with the New York City Department of Finance of the City Register.

A summary of the Final Hazardous Materials Remedial Action Plan and the Final Hazardous Materials Remediation Investigation Report is provided below.

(E) Designation

The project site contains an (E) designation (E-257) for hazardous materials which was mapped on the property as part of the North Tribeca Rezoning on September 15, 2010. The text of this (E) designation follows below.

The (E) designation would require that the fee owner of the sites conduct a testing and sampling protocol and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation will also include a mandatory construction-related health and safety plan which must be approved by NYCDEP. The text for the (E) designation is as follows:

Task 1-Sampling Protocol

A. Petroleum

Soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.

A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.

B. Non-Petroleum

The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground- water sampling protocols should be followed.

A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol (i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.

For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.

Task 2-Remediation Determination and Protocol

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtained, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

With the placement of the (E) designation on the above block and lots, no significant adverse impacts related to hazardous materials are anticipated.

A summary of the Final Hazardous Materials Remedial Action Plan and the Final Hazardous Materials Remediation Investigation Report is provided below.

Remediation Conducted On-Site

Final Hazardous Materials Remedial Action Plan

A Remedial Investigation (RI) was performed at the Site between December 2012 and November 2013 in accordance with the NYC Office of Environmental Remediation (OER)-approved December 2012 Remedial Investigation Work Plan (RIWP), and subsequent RIWP addendum letters and correspondence in consultation with OER and the New York State Department of Environmental Conservation to compile and evaluate data and information necessary to develop this Remedial Action Plan (RAP).

The proposed remedial action achieves all of the remedial action goals established for the project. The proposed remedial action is effective in both the short-term and long-term and reduces mobility, toxicity and volume of contaminants and uses standard methods that are well established in the industry. The proposed remedial action will consist of:

1. Perform a Community Air Monitoring Program (CAMP) for particulates and volatile organic compounds (VOCs).
2. Establish Restricted Residential Soil Cleanup Objectives (SCOs) for contaminants of concern. Excavation and removal of soil/fill exceeding SCOs.
3. Collection and analysis of nine post-ex samples to determine the performance of the remedy with respect to attainment of SCOs.
4. Collection and analysis of end-point samples if hot-spots are encountered during redevelopment activities to evaluate the performance of any soil removal remedies which are conducted to depths below the proposed general excavation cut of three feet below basement floor grade.
5. Closure and removal of the 7,000-gallon No. 6 fuel oil aboveground storage tank (AST), and removal of any potential underground storage tanks in compliance with applicable local, State and Federal laws and regulations.
6. Based upon NYSDEC direction, in addition to the above identified remedy, in-situ treatment using chemical oxidation reagents will be implemented and existing monitoring wells will be utilized to monitor long term contaminant reduction. Application of a chemical oxidation product to treat chlorinated VOC-contaminated groundwater will be performed and

subsequent monitoring to confirm contaminant reduction. An evaluation of the monitoring results and the performance of the groundwater treatment will be made by NYSDEC and may include additional groundwater treatment and monitoring requirements.

7. Construction and maintenance of an engineered composite cover consisting of the 12-inch concrete building slab and overlying exterior courtyard areas to prevent human exposure to residual soil/fill remaining under the Site.
8. Installation of a Grace Preprufe 300R (46 mil) and 160R (32 mil) vapor barrier system beneath the building slab and along foundation sidewalls.
9. Installation and operation of an active sub-slab depressurization system (SSDS).
10. Import of materials (estimate of approximately 100 tons of clean stone) to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
11. Transportation and off-site disposal of all soil/fill material at permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and this plan. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-site.
12. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a photoionization detector (PID).
13. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking and staking excavation areas.
14. Implementation of stormwater pollution prevention measures in compliance with applicable laws and regulations.
15. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
16. Submission of a Remedial Closure Report (RCR) that describes the remedial activities, certifies that the remedial requirements have been achieved, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAP.

Final Hazardous Materials Remedial Investigation Report

The Remedial Investigation Report (RIR) provides sufficient information for establishment of remedial action objectives, evaluation of remedial action alternatives, and selection of a remedy pursuant to RCNY§ 43-1407(f). The remedial investigation (RI) described in this document is consistent with applicable guidance which has been set forth by the New York City Mayor's Office of Environmental Remediation (OER). The initial phase of the RI was conducted in December 2012 in accordance with the scope of work outlined in AKRF, Inc.'s (AKRF's) December 2012 Remedial Investigation Work Plan (RIWP), which was approved with contingencies by OER in an email dated December 14, 2012. Following the review of the Draft RIR submitted in March 2013, OER, in consultation with the New York State Department of Environmental Conservation (NYSDEC), requested additional investigation activities. Supplemental RI activities were performed in accordance with OER- and NYSDEC-

approved scopes of work between April 2013 and November 2013. This final report submission summarizes all RI activities completed and utilized to select the appropriate remedial actions to be implemented during redevelopment.

Summary of Past Uses of Site and Areas of Concern

AKRF's April 2011 and December 2012 Phase I Environmental Site Assessments (ESAs) indicated that the Site building was constructed in 1883, with an addition in 1884. During most of its history, the building was occupied by various manufacturing and commercial uses including: a belt and bag factory; printers, publishers and silk printing; a jewelry business; a photography business; a hardware corporation; motor production; metal spinning; steel wool manufacturing; toy manufacturing; an electrical supply company; a die cutting service; a watch band company; metal stamping; an asbestos and rubber company; an engraving company; and art studios. By the early 1990s, the building was utilized as office space and was vacated circa 2007.

Based on the previous investigations, the areas of concern (AOCs) identified for the Site included:

1. The regulatory database search and historical review indicated that the Site and the surrounding neighborhood have a history of manufacturing/light industrial activities, auto maintenance and fueling operations, and reported spills. These on- and off-site uses may have affected subsurface conditions at the Site.
2. Two hazardous waste generator listings were recorded for the Site in regulatory databases. Digital Dirigible was listed with no waste information provided. Calderon Acquisition Corporation was listed as a generator of trichloroethene (TCE) in 1983, and spent halogenated solvents used in degreasing and ignitable solid waste in 1990. Two RCRA violations were reported for this listing in 1985 and 1990, which were returned to compliance within several months.
3. A 7,000-gallon No. 6 fuel oil aboveground storage tank (AST) Site No. 2-610249, registered with the New York State Department of Environmental Conservation (NYSDEC) supplied the former oil-burning boiler located in the basement adjacent to the former boiler room (central portion of the Site basement). The tank was located on concrete supports within a brick vault with a floor apparently made of concrete prior to its proper removal in June 2013. During waste classification soil sampling activities conducted in October 2013, evidence of a petroleum release was identified beneath the former location of the tank and a spill was reported to NYSDEC (Spill No. 1307537). Based on delineation sampling activities conducted during the observation of the spill, and data provided to the NYSDEC case manager, the spill was closed on December 9, 2013.
4. The Site was assigned an E-Designation for hazardous materials (as well as for air quality and noise) during the North Tribeca Rezoning in 2010, which requires environmental testing and, if necessary, remediation to the satisfaction of the OER.

Summary of the Work Performed under the Remedial Investigation

1. Conducted a Site inspection to identify AOCs and physical obstructions (i.e., structures, buildings, etc.);

2. Installed 34 soil borings across the entire project Site, and collected 36 soil samples (including sampling performed during waste classification activities) for chemical analysis from the soil borings to evaluate soil quality;
3. Installed ten temporary, one-inch overburden groundwater monitoring well points, six permanent, two-inch overburden groundwater monitoring wells, and one permanent, two-inch deep groundwater monitoring well (immediately above the bedrock interface) throughout the Site; installed three permanent, two-inch overburden groundwater monitoring wells at off-site locations to the south and west, and collected a total of 30 groundwater samples for chemical analysis to evaluate groundwater quality;
4. Surveyed elevations, collected groundwater measurements, and conducted a tidal and groundwater flow direction study utilizing each of the on- and off-site two-inch permanent groundwater monitor wells to further evaluate the potential effects of tidal fluctuations in the Hudson River, groundwater depressions associated with potential dewatering activities from the Holland Tunnel or nearby construction projects, and/or subsurface utility locations on groundwater elevations and flow direction near the Site;
5. Installed seven temporary soil vapor probes throughout the Site; two temporary soil vapor probes at exterior sidewalk locations, and collected nine soil vapor samples and two ambient air sample for chemical analysis;
6. Conducted a geophysical survey and a drain and piping investigation of the floor drains and sewer connections in the basement to determine discharge locations and confirm the integrity of the subsurface piping (also utilized to bias waste classification soil borings to further investigate potential source areas); and
7. Conducted additional historical research of former uses of the Site and properties immediately adjacent to the Site in an effort to identify additional information regarding the source of groundwater and soil vapor contamination identified during the investigation.

Summary of Topographical, Hydrogeological, and Geological Findings

1. Elevation of the Site at sidewalk and first floor grade is approximately 15 feet above the National Geodetic Vertical Datum of 1929 (an approximation of mean sea level). The existing basement floor grade is approximately 8 feet below the sidewalk and first floor grade.
2. Depth to groundwater is approximately 6 to 8 feet below the existing basement floor grade at the Site.
3. Based on topography, and local hydrogeology, groundwater would be expected to flow in a westerly direction toward the Hudson River, approximately 750 feet to the west. The tidal and groundwater flow direction survey did not identify a direct correlation between the depth to groundwater fluctuations and the changing of tides, and indicated that there was a groundwater divide between on and off-site monitoring wells. A localized groundwater flow direction, which appears to move toward the center of the Site from the perimeter, was documented in on-site wells.

4. Based on field observations performed during the installation of the deep boring/monitoring well in the central portion of the Site, bedrock is located at a depth of approximately 88 feet below the sidewalk and first floor grade (approximately 80 feet below basement floor grade).

5. Soil observed in the borings advanced during the RI consisted primarily of sand and silt with varying amounts of gravel to termination depths of approximately 15 feet below the basement floor grade. Sand with varying amounts of gravel, brick, tile, wood, and ash were observed at depths ranging from 1 foot to 7 feet below the basement floor grade (in borings advanced in the basement). Historic fill material of similar composition was also observed in the approximately 8-foot interval between the courtyard level and the basement that supports the access driveways. Organic silts were observed in one boring at approximately 5 to 6 feet below basement floor grade in the northwestern portion of the Site. Sand with varying amounts of silt and gravel were observed from depths greater than 15 feet below basement floor grade prior to encountering bedrock at 80 feet below basement floor grade in the deep boring advanced in the central portion of the Site (SMW-4D).

Summary of Environmental Contamination

1. The results of the soil sampling completed during the RI (including the waste classification soil sampling) showed no volatile organic compounds (VOCs) detected at concentrations exceeding NYSDEC Unrestricted Use Soil Cleanup Objectives (USCOs or Track 1 SCOs) or Restricted Residential Soil Cleanup Objectives (RSCOs or Track 2 SCOs). Trichloroethene (TCE) was detected in nine soil samples, tetrachloroethene (PCE) was detected in two soil samples, and cis-1,2-dichloroethene (cis-1,2-DCE) was detected in three soil samples; all of which were at trace, low-level concentrations. Up to 16 polycyclic aromatic hydrocarbons (PAHs) were detected in 16 soil samples with a maximum concentration of 22 parts per million (ppm) in a shallow soil sample collected within the first foot below the basement floor slab. All other PAH detections were identified in soil samples collected between three and four feet below the basement floor slab. A total of seven PAHs were detected in five to seven samples at concentrations exceeding the NYSDEC RSCOs. None of the metals detections exceeded the applicable NYSDEC RSCOs. Polychlorinated biphenyls (PCBs) were not detected in any of the soil samples and none of the low-level detections of pesticides exceeded applicable NYSDEC RSCOs. During the completion of the waste classification soil sampling activities, field evidence (including petroleum odors, visible staining, and elevated photoionization detector readings) of a release from operations associated with the former No. 6 fuel oil AST was identified in soil approximately four inches beneath the existing floor slab in the central portion of the Site basement (in the immediate vicinity of its former location). Based on the observations, a spill was reported to NYSDEC and assigned case No. 1307537. Delineation soil sampling confirmed a localized, shallow pocket of petroleum-contaminated soil in an approximately 10 by 10 square foot area, extending to approximately 2 feet below the basement floor grade. Based on delineation sampling activities conducted during the observation of the spill, and data provided to the NYSDEC case manager, the spill was closed on December 9, 2013. No other evidence of a release or spill, or a chlorinated VOC contamination source area was noted during any of the soil sampling activities. Relatively low level SVOC exceedences of Track 2 Restricted Residential SCOs are attributed to the presence of historic fill beneath the building.

2. The results of the groundwater sampling conducted during the RI showed the chlorinated VOCs TCE, PCE, cis-1,2-DCE, and 1,1-dichloroethane (1,1-DCA) at concentrations exceeding the

NYSDEC Class GA Groundwater Quality Standards (GQS) in on-site temporary and permanent monitor wells. The highest on-site chlorinated VOC concentrations were identified in groundwater samples collected from the central portion of the Site in the vicinity of the former boiler room, and were observed to dissipate toward the southern and western Site boundaries. TCE, PCE, and cis-1,2-DCE were detected at elevated concentrations exceeding the NYSDEC GQS in two off-site permanent wells located south of the Site beyond Vestry Street. Based on additional investigation activities including a compound specific isotopic analysis (CSIA) of the chlorinated VOCs detected in the central portion of the Site and the off-site monitor wells south of the Site beyond Vestry Street, the presence of two separate releases (one originating on-site and one originating off-site) of TCE was confirmed. No other VOCs were detected at concentrations exceeding applicable GQS. Two PAHs were detected at concentrations slightly exceeding the applicable NYSDEC GQS in two of the five groundwater samples collected and analyzed for SVOCs from temporary well points during the initial phase of the investigation. These detections can be attributed to entrained sediment associated with historic fill beneath the Site, which was observed in the samples collected from temporary well points and are not indicative of an on-site spill or release. Five metals were detected above applicable GQS in dissolved groundwater samples including antimony, iron, magnesium, manganese, and sodium. The detected metals are typical of groundwater quality in Manhattan and not attributed to an on-site spill or release. No pesticides or PCBs were detected in the groundwater samples analyzed. Based on the groundwater results, a confined source of chlorinated VOCs (likely attributable to historic operations at the Site) appears to be located in the central portion of the Site, but is not affecting off-site conditions.

3. The results of the soil vapor sampling conducted during the RI showed 33 VOCs detected in the 9 samples. VOCs associated with petroleum/gasoline (1,2,4-trimethylbenzene, benzene, ethylbenzene, heptane, xylenes, and toluene) were detected at concentrations up to 124 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). Chlorinated VOCs (1,1,1-trichloroethane, 1,1-dichloroethane, 1,1-DCE, cis-1,2-DCE, PCE, TCE, and vinyl chloride) were detected at concentrations ranging from 4.29 $\mu\text{g}/\text{m}^3$ to 7,520 $\mu\text{g}/\text{m}^3$. PCE was detected in each of the soil vapor samples, with the maximum concentration of 383 $\mu\text{g}/\text{m}^3$, which exceeds the New York State Department of Health (NYSDOH) Air Guideline Value (AGV) of 100 $\mu\text{g}/\text{m}^3$. TCE was detected in six of the seven soil vapor samples at concentrations ranging from 6.02 $\mu\text{g}/\text{m}^3$ to 7,520 $\mu\text{g}/\text{m}^3$, which exceed the NYSDOH AGV of 5 $\mu\text{g}/\text{m}^3$. Exterior soil vapor sampling completed at the northeastern and southeastern exterior of the Site showed a large reduction in contaminant concentrations compared to the detections beneath the Site building. The chlorinated VOCs detected in the soil vapor samples were also detected in groundwater samples at the Site.

Proposed Action

The building is currently vacant and is under construction and in the process of being converted to residential use with 53 dwelling units. New structural work in the building is approximately 10 percent complete. The conversion to residential use, including the addition of penthouses, was facilitated by a CPC Special Permit issued in July 2008 (C 080313 ZSM).

The proposed action entails the conversion of the existing building on the project site to residential occupancy containing a total of 53 dwelling units within 257,702 gsf/215,860 zsf of floor area. 15 parking spaces would be provided in the cellar of the building through the requested Authorization. The proposal includes the excavation and ramping of the existing

through-block driveway down to the cellar level where the 15 spaces would be located in an approximately 5,668.78 square-foot facility (area includes the parking spaces, circulation area, ramps, and the driveway).

The current proposed project would differ from the former project analyzed under CEQR No. 08DCP040M in that it would not include any hotel, retail, commercial physical culture establishment, or other non-residential uses in the building. It would also include only 53 dwelling units rather than the up to 166 dwelling units analyzed previously.

As detailed in the Final Hazardous Materials Remedial Action Plan and the Final Hazardous Materials Remediation Investigation Report summarized above, the subsurface work required for the driveway/garage excavation in the subject building would not result in any adverse hazardous materials impacts to on-site workers, residents, visitors, and other users of the property or to persons in the surrounding area.

Current Status of On-Site Remediation

The Applicant is currently in the process of complying with the terms of the (E) Designation. In March 2014, the NYC Office of Environmental Remediation (OER) approved the Remedial Action Plan (RAP) to address hazardous materials concerns on the property. On May 20, 2014, OER issued a Notice to Proceed with the remediation of hazardous materials on the property. In order to meet the hazardous materials remediation requirements contained in both the Restrictive Declaration and the (E) Designation noted above, the Applicant is required to properly remove materials excavated on the site, conduct a chemical clean up treatment process on the site (now completed), and install a sub-slab depressurization system (SSDS).

The building at the project site is currently undergoing construction/renovation in connection with the prior CPC approvals and filed plans at DOB. As stated above, the Applicant is in the process of complying with the requirements of the existing institutional controls. The proposed authorization would not modify or alter the existing institutional controls in any way.

Conclusion

Based on the above analysis there is no potential for the proposed action to result in significant adverse impacts related to hazardous materials.

17. AIR QUALITY

Introduction

Under CEQR, two potential types of air quality impacts are examined. These are mobile and stationary source impacts. Potential mobile source impacts are those which could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide (CO). Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as the heat and hot water boiler of a proposed development which could adversely affect other buildings in proximity to the proposed project. Odors resulting from the operation of a proposed development are also discussed in the assessment, if relevant.

Mobile Source

Under guidelines contained in the 2014 *CEQR Technical Manual*, and in this area of New York City, projects generating fewer than 170 additional vehicular trips in any given hour are considered as highly unlikely to result in significant mobile source impacts, and do not warrant detailed mobile source air quality studies. It would not be possible for the proposed parking lot to generate 170 or more additional vehicular trips in any given hour. Therefore, no mobile source air quality impacts would be generated by the project.

The project would not result in any significant adverse mobile source air quality impacts.

Stationary Source

The prior development project proposed for the project site was analyzed in an EAS which was issued a Negative Declaration on April 4, 2008 (CEQR No. 08DCP040M).

The 2008 EAS analysis of potential impacts of the proposed development on other nearby buildings was conducted assuming that natural gas would be the fuel type used. The current proposal similarly plans to utilize natural gas for heating and hot water generation as required under the provisions of the (E) designation mapped on the property as further discussed below. The 2008 EAS analysis found that the proposed HVAC system for the building would not result in any significant stationary source air quality impacts. It is therefore concluded that the current proposed project would similarly not result in any significant stationary source air quality impacts.

The project site contains an (E) designation (E-257) for air quality which was mapped on the property as part of the North Tribeca Rezoning on September 15, 2010. The text of this (E) designation follows below.

Block 222, Lot 1: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

The above noted (E) requirements would not change under the proposed action. Therefore, there would be no impacts from the proposed project.

Therefore, the potential for significant adverse stationary source impacts from and to the proposed project is unlikely, and a detailed analysis of stationary source impacts is not required.

Odors

The proposed development would not be expected to generate any odors. In addition, there are no uses in the vicinity of the site that would typically generate odors that would affect the project, and no odors were detected during field visits to the area.

Conclusion

The building at the project site is currently undergoing construction/renovation in connection with the prior CPC approvals and filed plans at DOB. As stated above, the Applicant is in the process of complying with the requirements of the existing institutional controls. The proposed authorization would not modify or alter the existing institutional controls in any way.

Based on the above analysis, the proposed project would not create any significant adverse mobile or stationary source air quality impacts relative to the surrounding area and would not experience any significant adverse mobile, stationary, or industrial source emissions impacts from the surrounding area.

19. NOISE

Introduction

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 project 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 the project would include unenclosed mechanical equipment for building ventilation purposes, or if the project would introduce receptors into an area with high ambient noise levels.

Mobile Source

Relative to mobile source impacts, a noise analysis would only be required if a proposed project would at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) is located. Residential uses are located along streets providing vehicular access to the proposed parking garage on Vestry and Desbrosses Streets, and these streets would therefore be of concern relative to mobile source noise impacts. In addition, the proposed residential dwelling units in the project would be a sensitive use relative to noise impacts.

Existing vehicular traffic on the Vestry and Desbrosses Streets sides of the site where the parking facility entrance and exit would be located is currently low. These streets are operating at 8.0% or less of their rated capacity of 1,700 cars per hour. However, the additional traffic that would be added to the streets by the proposed parking facility is a tenth of a percent of their rated capacity during any given period. Therefore, the data indicates that the proposed parking garage as well as the proposed residential building itself would not double PCE volumes along these streets.

No significant adverse mobile source noise impacts would be generated by the project and the project would not experience significant adverse noise impacts from mobile sources in the surrounding area.

Stationary Source

The proposed project would not include any unenclosed mechanical equipment for building ventilation purposes that could result in stationary source noise impacts to the surrounding area. All mechanical equipment would be located either inside the building or would be enclosed on the roof of the structure. Therefore, the proposed project would not result in potential stationary source noise impacts to any other buildings in the vicinity of the project site.

The prior development project proposed for the project site was analyzed in an EAS which was issued a Negative Declaration on April 4, 2008 (CEQR No. 08DCP040M).

The project site contains an (E) designation (E-257) for noise which was mapped on the property as part of the North Tribeca Rezoning on September 15, 2010. This (E) designation requires a minimum of 28 dBA of window/wall attenuation for all new residential/commercial use on the project site Block 222, Lot 1. The text of the noise (E) designation 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 dBA window-wall attenuation in all facades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but are not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

The building at the project site is currently undergoing construction/renovation in connection with the prior CPC approvals and filed plans at DOB. The Applicant is in the process of complying with the requirements of the existing institutional controls. The proposed authorization would not modify or alter the existing institutional controls in any way.

Therefore, the proposed project would not experience significant adverse noise impacts from stationary sources (ambient noise) in the surrounding area.

Conclusion

Based on the above analysis, the proposed project would not create any significant adverse mobile or stationary source noise impacts relative to the surrounding area and it would not experience any significant adverse mobile or stationary source noise impacts from conditions in the surrounding area.

22. CONSTRUCTION

Based on *CEQR Technical Manual* guidelines, where the duration of construction is expected to be short-term (less than two years), any impacts resulting from construction generally do not require detailed assessment. Construction of the proposed parking garage facility is expected to be completed within 6 months. Nevertheless, some discussion of construction impacts resulting from the project is provided since construction activities on the site would be occurring within 400 feet of historic and cultural resources, as identified in the Historic and Cultural Resources section above. The project site is located within the Tribeca North Historic District and is also located within 400 feet of two individually designated historic resources including the Fleming Smith Warehouse at 451 Washington Street and the Holland Plaza Building at 75 Varick Street.

The *CEQR Technical Manual* indicates that construction impacts may occur to historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby resources. A construction assessment may be needed for historic and cultural resources if the project involves construction activities within 400 feet of a historic resource.

The proposed action involves excavation to create the proposed parking garage driveway. This

work would be internal to the existing structure, would be limited in scope and area, and would likely have no potential impact to other structures in the surrounding area.

LPC held a hearing on September 24, 2013 and voted to approve the excavation to create the driveway. This approval is reflected in an amendment to the Certificate of Appropriateness dated May 15, 2014 that was issued for the restorative work and conversion as part of the 2008 CPC Special Permit.

LPC-approved construction procedures would be followed to protect historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration. Therefore, no adverse construction impacts would occur to any historic resources within 400 feet of the project site.

On the basis of the above analysis, the proposed action would not have any potentially significant adverse construction impacts, and further analysis would not be warranted.

FIGURES & PHOTOGRAPHS

443 Greenwich Street Parking Authorization

List of Figures and Drawings

1. Tax Map
2. Site Location (w/photo view locations)
 - Photos 1-6
3. Land Use
4. Zoning
5. Parking Layout Drawings

Legend

- Ⓝ - Lot Numbers
- ### - Block Numbers
- - 400 Foot Radius

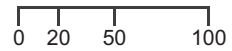


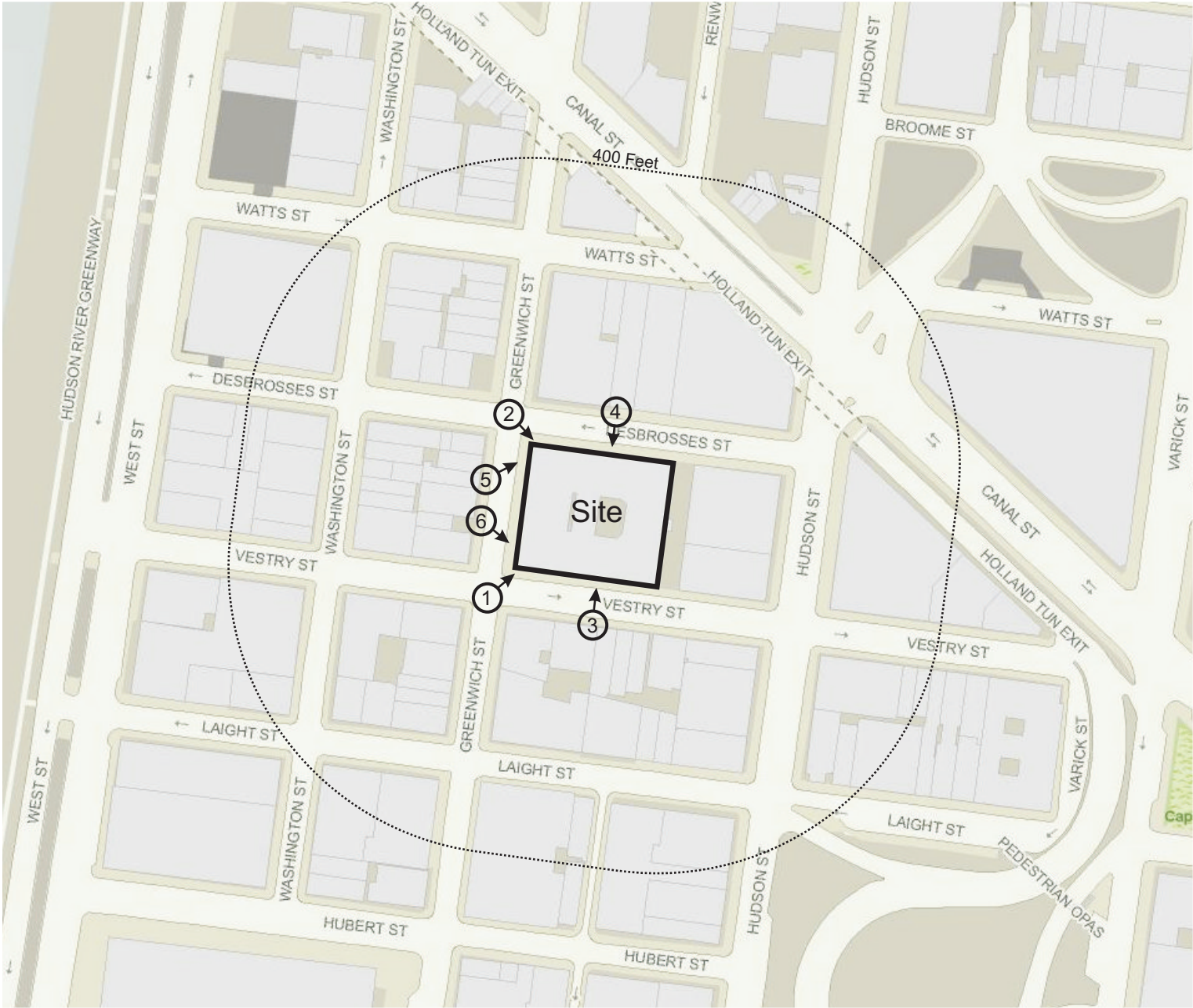
Legend

- Ⓝ - Lot Numbers (within radius)
- ### - Block Numbers
- I, II, III - Story Height



Scale: 1" = 100'





1



2



3



STREET



A TRIBECA LANDMARK
REIMAGINED.

ARSENAL
A PROJECT BY
95 JERSEY STREET
WEST BABYLON, NY 11704
631-274-3900
Exp. Date: 12/31/2015

4

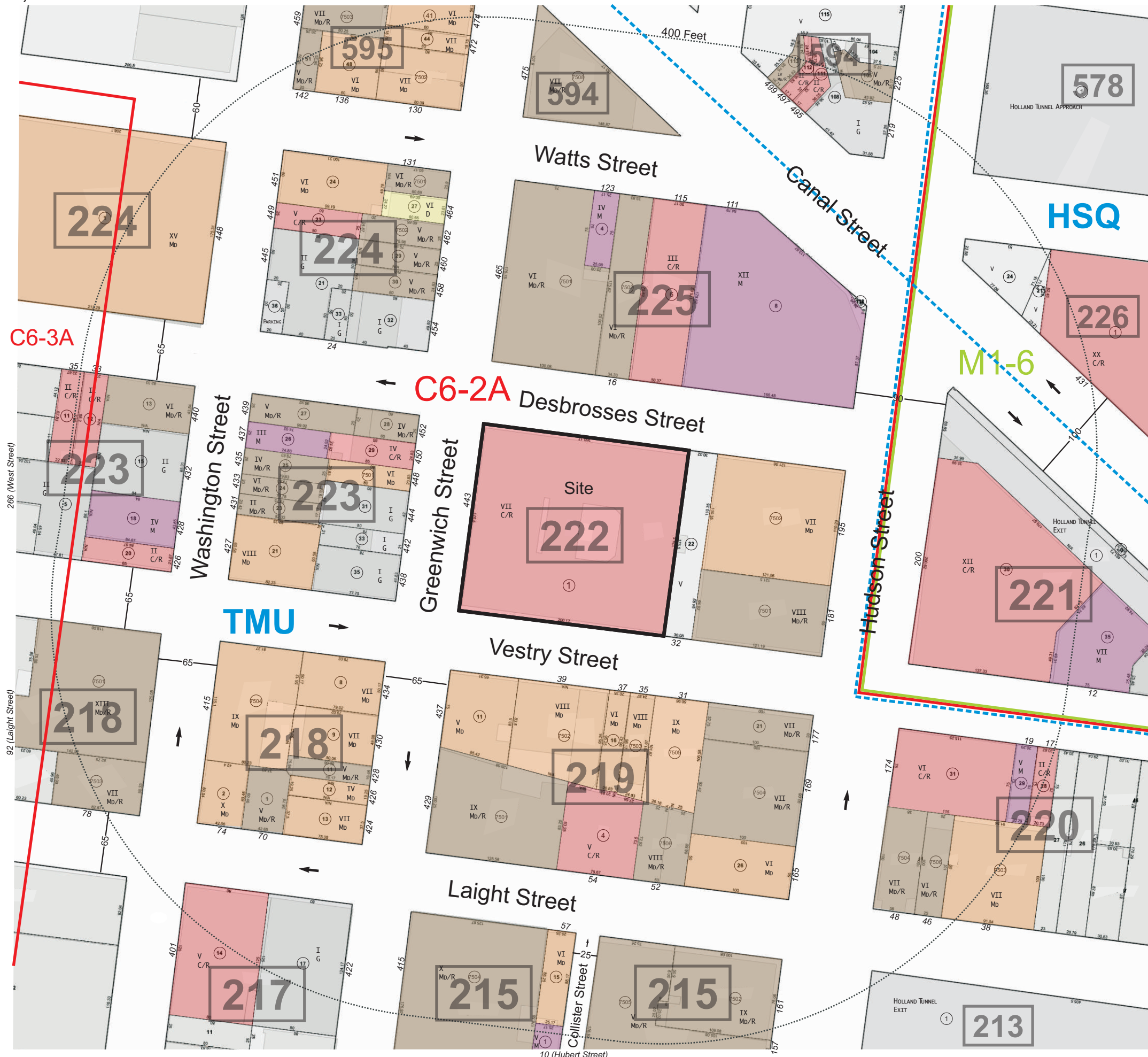


5



6





- Land Uses**
- One and Two-Family Homes
 - Multiple Dwelling
 - Commercial
 - Mixed Use (Residential-Commercial)
 - Manufacturing
 - Open Space / Park Land
 - Institutional / Community Facility
 - Parking / Automotive

- Legend**
- # - Lot Numbers (within radius)
 - ### - Block Numbers
 - I, II, III - Story Height
 - MD - Multiple Dwelling
 - D - Dwelling
 - R - Retail
 - G - Garage
 - C - Commercial
 - I - Industrial
 - M - Manufacturing
 - W - Warehouse
 - V - Vacant
 - GF - Community Facility

North

Scale: 1" = 100'



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows on 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:

03-20-2013 C 120380 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
	12a	12c
	12b	12d

© Copyrighted by the City of New York

ZONING MAP **12a**

Site

- 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.

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.

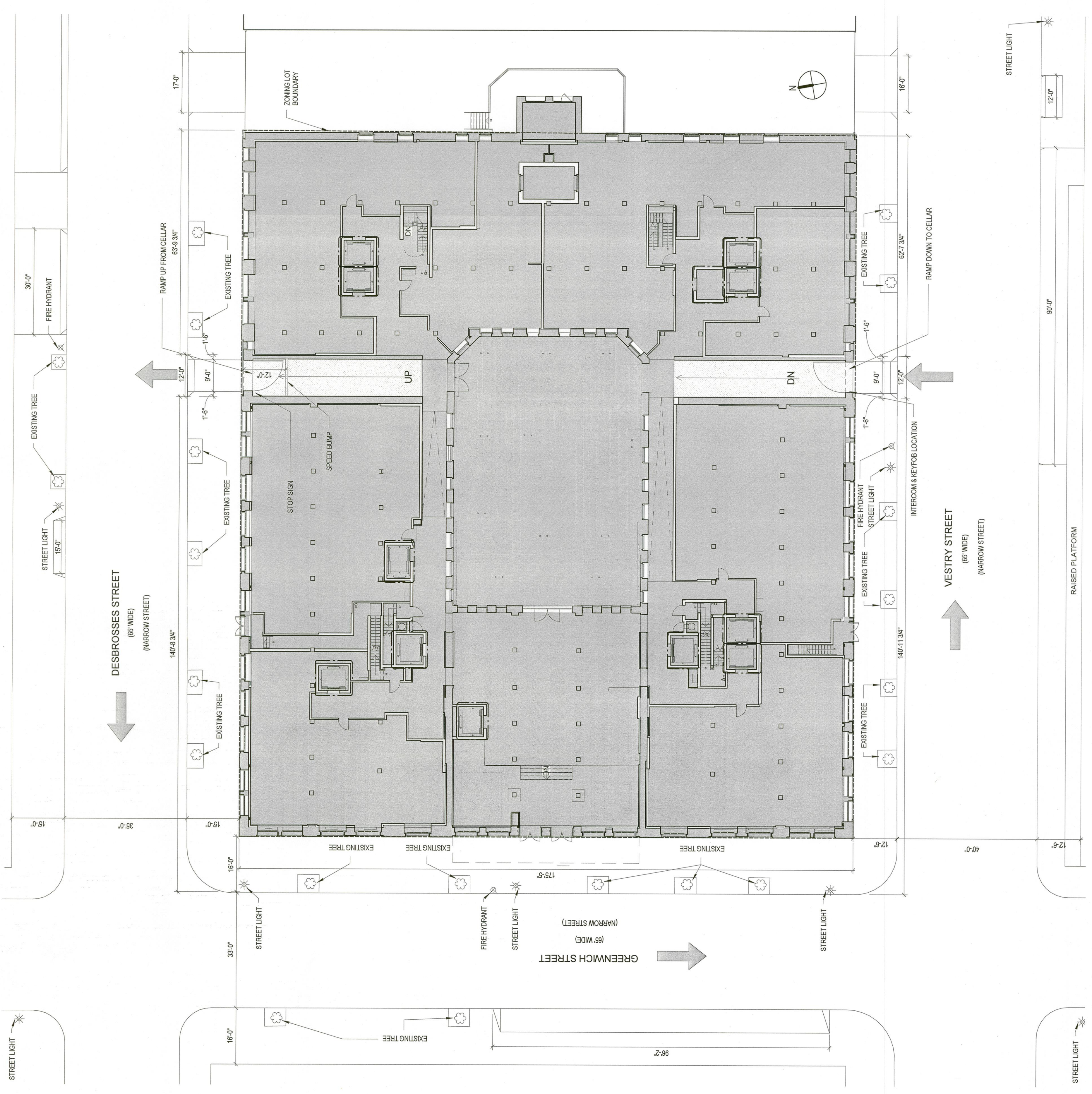


LEGEND:
 CORES MECHANICAL ELECTRICAL AND PLUMBING ARE NOT RELEVANT
 AUTHORITY PER 2.14-6
 ACCESS ZONE

03/13/2014
 1241.12
 CPC-01
 CETRARUDDY ARCHITECTURE P.C.
 594 BROADWAY NEW YORK NY 10012 T: 212 548 1800 F: 212 548 8440
 WWW.CETRARUDDY.COM

REVISIONS
 02.11.2014 REVISED PER COMMENTS
 02.12.2014 REVISED PER CPC COMMENTS
 03.03.2014 REVISED PER CPC COMMENTS

PROPOSED PARKING
 443 GREENWICH STREET



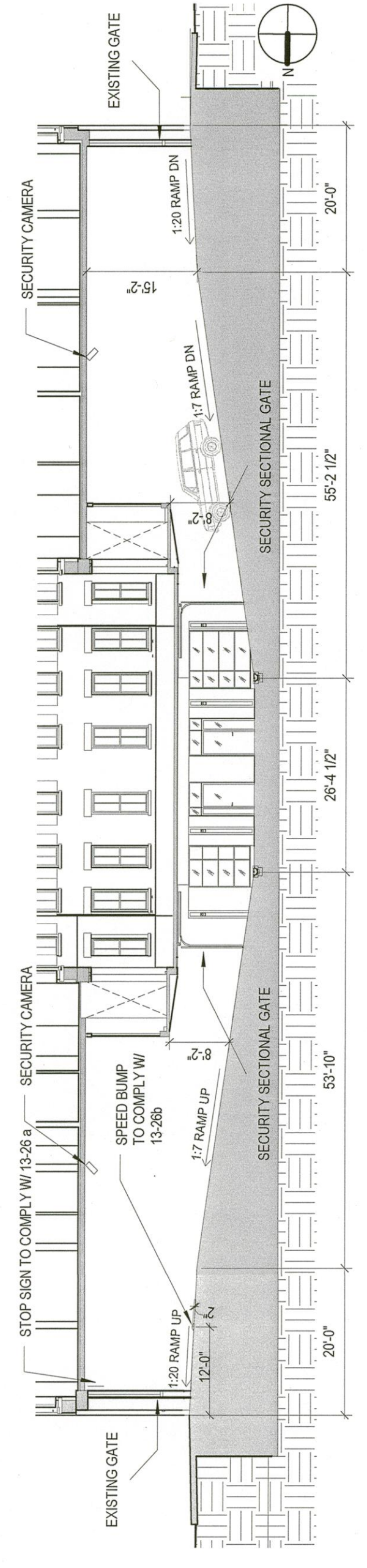
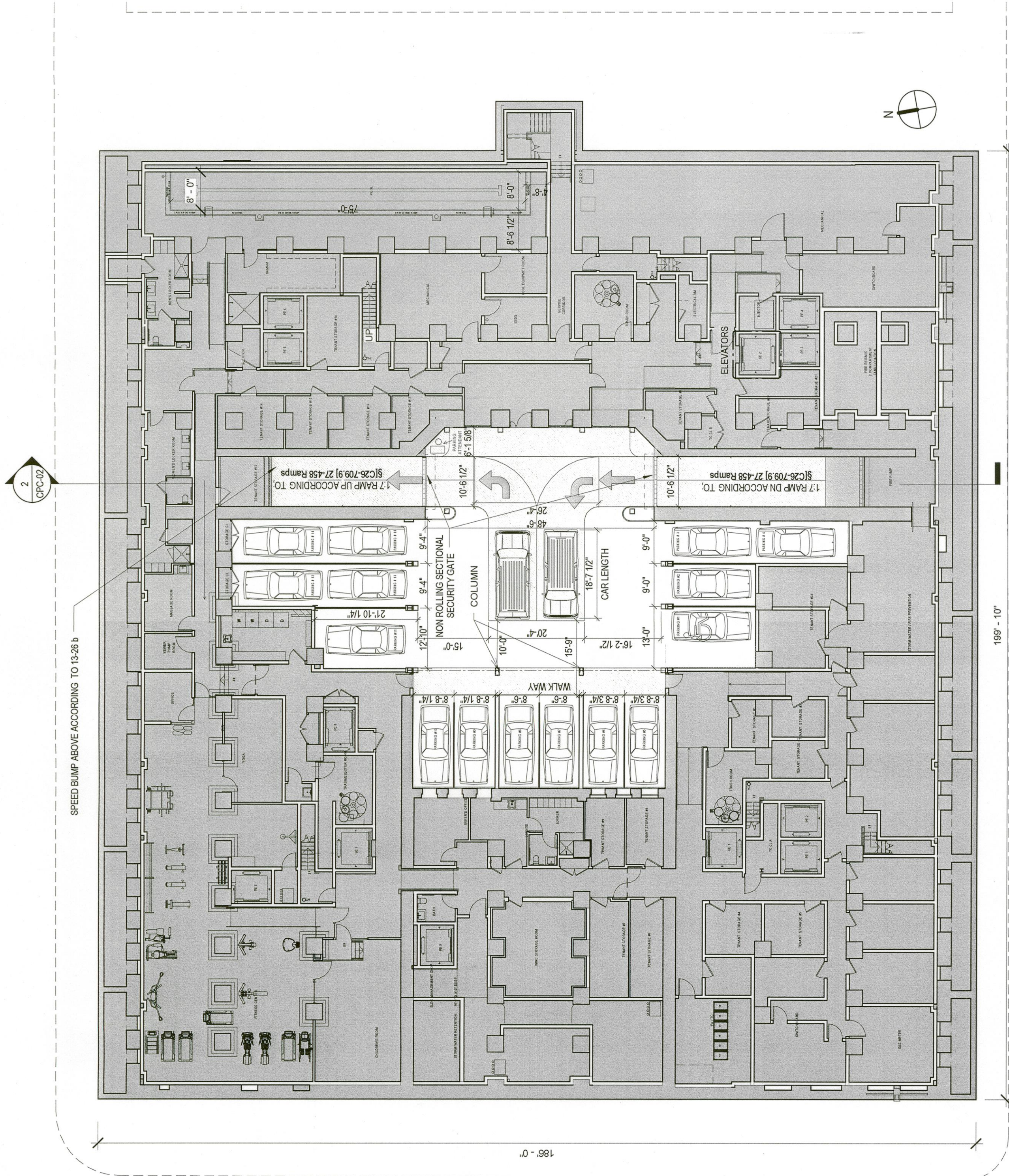
1 GROUND FLOOR KEY PLAN
 1/16" = 1'-0"

ACCESSORY PARKING GARAGE		GARAGE AREA (E.S.)	
LEVEL	Access Zone	Parking Zone	Total Garage Area
Ground Floor	412.03	0	0
Cellar Floor	2,054.05	2,752.1	2,752.1
TOTAL	2,466.08	2,752.1	5,218.18

ACCESS CAPACITY		Proposed	
20 Section	Permitted/Required	Permitted/Required	Permitted/Required
13-27	Max. No. of spaces permitted 2,752.1 sq. ft. / 180' x 17.24'	13	13
	Total Max. No. of spaces permitted = 28		
	Min. No. of spaces permitted 2,752.1 sq. ft. / 200' x 13'		
	Total Min. No. of spaces permitted = 13		

BIKE RACK SPACES		Proposed	
20 Section	Permitted/Required	Permitted/Required	Permitted/Required
13-25	0-25 spaces = 0	0	0

BIKE RACK SPACES		Proposed	
20 Section	Permitted/Required	Permitted/Required	Permitted/Required
25-411	Required number of bicycle parking spaces for the building floor or one for every 10 automobile parking spaces whichever is greater	44	44
36-711	Required for use = 1 per every 2 dwelling units = 50/2 = 27		



LEGEND:
 ○ CORES, MECHANICAL, ELECTRICAL, AND OTHER SPACE NOT SUBJECT TO REQUESTED AUTHORITY OVERSIGHT AT 13.42
 □ ACCESS ZONE

**443
GREENWICH STREET**
NEW YORK, NY 10013

John A. Cetra
Registered Architect
State of New York
No. 018601
CetraRuddy Architecture DPC
584 Broadway Suite 401
New York, NY 10012

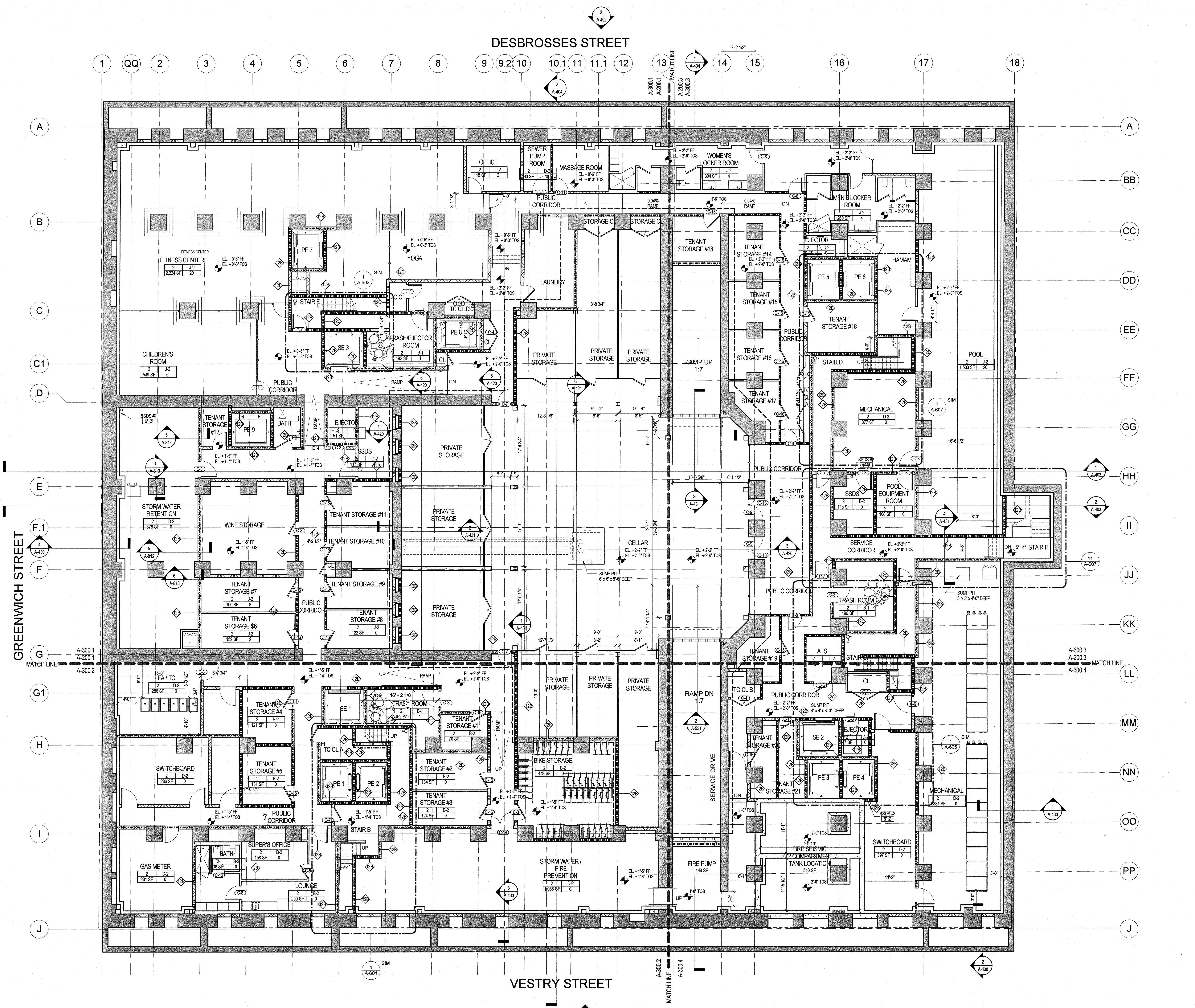
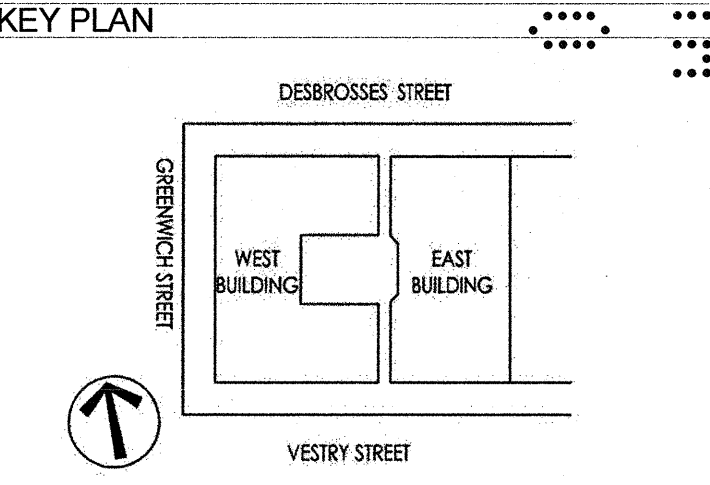
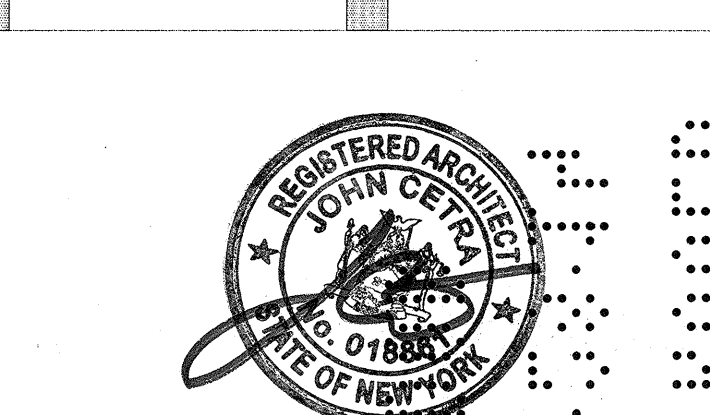
Trace Pool Design
401 S Water St
New Windsor, NY 12553
(845) 552-5611

Pfizer Associates, P.A.
2nd Fl. Suite 4
Secaucus, NJ 07096

KUGLER NING
Lighting Design
247 West 37th St. Suite 1502
New York, NY 10018
(212) 352-2100

AKRF, INC.
440 Park Ave South, 7th Fl
New York, NY 10018
(646) 386-9707

Trace Pool Design
401 S Water St
New Windsor, NY 12553
(845) 552-5611



- NOTES**
- 27-74 NATURAL LIGHT SERVED 10% OF FLOOR AREA
 - 27-750 NATURAL VENTILATION SERVED 5% OF FLOOR AREA

LEGEND

ZONING USE GROUP	OCCUPANCY GROUP
ROOM NAME	
AREA OF SPACE	TOTAL OCCUPANTS
NON-RATED PARTITION	
1 HR. RATED PARTITION	
2 HR. RATED PARTITION	
3 HR. RATED PARTITION AT TRASH ROOM	
TOILET EXHAUST 50CFM	
KITCHEN EXHAUST 100CFM	
SMOKE DETECTOR	
CARBON MONOXIDE DETECTOR	

TOTAL OCCUPANCY LOAD AT CELLAR = 73

DEPARTMENT OF BUILDINGS
Borough of Manhattan
APPLICATION FOR OFFICIAL
INSPECTION
MAY 27 2014
EXEMPTED FOR ZONING AND FIRE PREVENTION AS PER PARAGRAPH 207.05

STAIR EXIT CAPACITY AT CELLAR
STAIRS A-B: STAR WIDTH: 3'-0" = 2 UNITS @ 30; 45 PERSONS
DOOR WIDTH: 3'-0" = 1.5 UNITS @ 40; 60 PERSONS
STAIR H: STAR WIDTH: 4'-0" = 2 UNITS @ 30; 45 PERSONS
DOOR WIDTH: 3'-0" = 1.5 UNITS @ 40; 60 PERSONS
TOTAL STAIR CAPACITY AT CELLAR = 150 PERSONS

1 CELLAR KEY PLAN
1/8" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION



**WATERFRONT
REVITALIZATION PROGRAM
APPENDIX**

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP). The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: SGN 443 Greenwich Street Owner LLC c/o John J Strauss, Compliance Solutions Services, LLC
2. Address: 434 West 20th Street, Suite 8, New York, NY 10011
3. Telephone: 212-741-3432 Fax: 646-588-1918 E-mail: jstrauss-css@nyc.rr.com
4. Project site owner: SGN 443 Greenwich Street Owner LLC

B. PROPOSED ACTIVITY

1. Brief description of activity:

This application seeks an Authorization from the City Planning Commission pursuant to Section 13-442 of the NYC Zoning Resolution (ZR) to create a 15-space attended parking garage in the cellar of an existing building in the Manhattan core.

2. Purpose of activity:

The Applicant seeks to create a 15-space attended parking garage in the cellar of the existing building on the subject property as part of the conversion of this building to residential use with 53 dwelling units. The parking would be provided for residents of the building and is considered a necessary amenity.

3. Location of activity: (street address/borough or site description):

443-453 Greenwich Street, Manhattan (Block 222, Lot 1); corner lot bounded by Greenwich Street, Desbrosses Street, and Vestry Street

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

N/A

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

N/A

6. Will the proposed project require the preparation of an environmental impact statement?
 Yes _____ No If yes, identify Lead Agency:

7. Identify city discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

City Planning Commission Authorization pursuant to ZR Section 13-442
 ("Limited increase in parking spaces for existing buildings without parking").

C. COASTAL ASSESSMENT

Location Questions:

	Yes	No
1. Is the project site on the waterfront or at the water's edge?	_____	<input checked="" type="checkbox"/>
2. Does the proposed project require a waterfront site?	_____	<input checked="" type="checkbox"/>
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	_____	<input checked="" type="checkbox"/>

Policy Questions

Yes No

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)	_____	<input checked="" type="checkbox"/>
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	<input checked="" type="checkbox"/>	_____
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	_____	<input checked="" type="checkbox"/>

Policy Questions cont'd

	Yes	No
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal-area? (1.3)	_____	✓
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)	_____	✓
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)	_____	✓
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)	_____	✓
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	_____	✓
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)	_____	✓
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)	_____	✓
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)	_____	✓
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)	_____	✓
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)	_____	✓
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)	_____	✓
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)	_____	✓
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)	_____	✓
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1and 9.2)	_____	✓
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)	_____	✓
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)	_____	✓
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)	_____	✓
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)	_____	✓
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)	_____	✓
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)	_____	✓
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)	_____	✓
28. Would the action cause violations of the National or State air quality standards? (5.2)	_____	✓

	Yes	No
29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
33. Would the action result in any construction activities that would lead to erosion? (6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
37. Would the proposed project affect a non-renewable source of sand ? (6.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
39. Would the action affect any sites that have been used as landfills? (7.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Questions cont'd

Yes No

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

_____ ✓

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

✓ _____

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: John J Strauss, Compliance Solutions Services, LLC

Address: 434 West 20th Street, Suite 8

New York, NY 10011 Telephone 212-741-3432

Applicant/Agent Signature:  Date: Nov. 14, 2014

443 Greenwich Street – Parking Authorization
Explanation of Consistency with Waterfront Policies

Introduction

The attached New York City Waterfront Revitalization Program Consistency Assessment Form (CAF) and this narrative explanation of the project’s consistency with waterfront policies have been prepared for the proposed parking authorization at 443 Greenwich Street. The CAF and narrative have been prepared for the subject property which, although not currently located within the boundaries of the City’s Coastal Zone, falls within the boundaries of the amended Coastal Zone.

As the project site is located within the proposed amended Coastal Zone Boundary, it could be subject to the revisions to the New York City Waterfront Revitalization Program (WRP) in the future. On September 11, 2013, the City Planning Commission voted to approve the revisions to the WRP and on October 30, 2013, the City Council approved the revisions to the WRP. The WRP must be approved by the New York State Department of State and the U.S. Department of Commerce before it goes into effect. The Department of City Planning recommended that the EAS include a consistency assessment for any WRP policies that the project hinders or advances as the amended Coastal Zone Boundary and the revisions to the WRP may be in place by the time that this project is voted on by the City Planning Commission.

CAF questions that have been affirmatively responded to require further discussion in a narrative attachment to the CAF. Four questions (#s 5, 32, 40, and 52) have been affirmatively responded to which would require a discussion of Policies 1.1, 6, 7.2, and 10. The discussion below addresses the new Policies # 1.1, 6, 7.2, and 10.

1. Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The project site is an appropriate location for the proposed development and meets the criteria of Policy 1.1 as described below.

A. Criteria that should be considered to determine areas appropriate for reuse through public and private actions include: compatibility with the continued functioning of the designated Special Natural Waterfront Areas, the Arthur Kill Ecologically Sensitive Maritime and Industrial Area, or Significant Maritime and Industrial Areas, where applicable; the absence of unique or significant natural features or, if present, the potential for compatible development; the presence of substantial vacant or underused land; proximity to existing residential or commercial uses; the potential for strengthening upland residential or commercial areas and for opening up the waterfront to the public; transportation access; the maritime and industrial jobs potentially displaced or created; and the new opportunities created by redevelopment.

Public actions - such as property disposition, urban renewal plans, and infrastructure provision - should facilitate redevelopment of underused property to promote housing and economic development and enhance the city's tax base, subject to consideration of Policy 2, where applicable.

The project site is not designated either as a Special Natural Waterfront Area (SNWA) or as a

Significant Maritime and Industrial Area (SMIA) nor is it in close proximity to any areas so designated. The project site is located inland and does not border the shoreline. The project site does not contain any unique and significant natural features. The existing vacant 252,030 gross square foot (gsf) [215,863 zoning square foot (zsf)] building on the 35,111.84 square foot property is currently under construction for a new residential development. The project site is located in an area occupied by a mixture of commercial, residential, and light industrial development, and parking lots.

The proposed project would add to and strengthen the surrounding residential and commercial community. Development of the proposed project would have no impact upon public access to the waterfront as the project site is not located along or near the waterfront, and would have no impact on industrial or maritime jobs. The proposed project would result in the development of 53 dwelling units which are anticipated to result in the generation of several building operations and maintenance jobs.

The proposed project would not involve any of the public actions noted above and therefore this portion of Policy 1.1 does not apply to the proposed action.

2. Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

- Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.

Policy 6.1 is not relevant to the proposed action as this policy relates to shoreline protection measures. The subject property is not located along the shoreline.

- Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city's Coastal Zone.

A. In the planning and design of all projects – except for the maintenance or in-kind, in-place replacement of existing facilities – identify the potential vulnerabilities of the project to sea level rise, coastal flooding, and storm surge over its usable life and the general consequences to the project of these types of events. This analysis shall be conducted by an engineer, architect or other qualified professional. For projects with a usable life span beyond the timeframe of any available projections, the furthest projection by the NPCC or its successor shall be used. The scope of the analysis should take into account the nature of the action subject to consistency review, as well as the size and location of the project, and must examine, as applicable:

- *Current conditions and the projected conditions with sea level rise and climate change.*
- *Features of the project likely to be vulnerable to temporary flooding, frequent inundation, wave action, or erosion. Vulnerable features may include, for example, residential living areas, workplace areas, public access areas, plants and materials, critical electrical and mechanical systems, temporary and long-term waste storage areas, fuel storage tanks, energy generators, hazardous materials storage, or maritime infrastructure.*

- *The general consequences of temporary flooding, frequent inundation, wave action, or erosion with respect to such vulnerable features.*
- *The best available flood zones as established by FEMA, any associated base flood elevation, and the range of the projected future flood elevations based on sea level rise projections, as available.*

The response to Policies 6.2A and 6.2B has been prepared based on information provided by the engineer for the proposed project, AnnMarie Puzio, PE, Senior Project Manager at Langan Engineering; the project architect, Rudolph Laze, Associate, CetraRuddy Architecture D.P.C.; and the plumbing engineer for the project, Ron Pincott, Associate, Cosentini Associates.

The project site is currently located approximately 240 feet east of the western extent of the existing Coastal Zone Boundary. It will be located within the Coastal Zone Boundary when the new maps are adopted.

Based on the preliminary Flood Insurance Rate Map (FIRM) dated 5 December 2013, the northwest corner of the project site is within Special Flood Hazard Area Zone AE with a base flood elevation of el 11 (NAVD88). The remainder of the site is within Zone X.

The risk of temporary flooding extends to the cellar of the building, ranging in elevation from approximately el 0 to el 2.

According to the preliminary FIRM, the site is located outside of the limits of moderate wave action. The site's distance from the shoreline and intervening developments protect the site from wave action. Only temporary flooding is considered a risk.

The cellar will be occupied by vehicle parking and circulation areas; bicycle storage and general tenant storage; a laundry room; two small office areas; a tenant fitness center, pool, sauna, and locker rooms; various building mechanical, utility, and trash rooms including a storm water retention area and a storm water /fire prevention room; and elevator pits, stairwells, corridors, and ramps.

B. Identify and incorporate design techniques in projects that address the potential vulnerabilities and consequences identified and/or enhance the capacity to incorporate adaptive techniques in the future. Climate resilience techniques shall aim to protect health and well-being, minimize damage to systems and natural resources, prevent loss of property, and, to the extent practicable, promote economic growth and provide additional benefits such as the provision of public space or intertidal habitat. The appropriate techniques for a given project depend on case-by-case considerations, including such factors as the project's lifespan, the costs, benefits, and feasibility of incorporating a technique, and the potential adverse or positive effects of the techniques on ecological health, public health, urban design, economic activity, and public space. To the extent that potential techniques are identified but not incorporated, an explanation shall be provided as to why incorporating such techniques are not appropriate or practicable for the given project, or how the project may be adapted to incorporate such measures in the future. The following are examples of potential techniques to be considered and incorporated into the project design, as appropriate:

- *Features which increase the project's ability to withstand sea level rise, coastal flooding, and storm surge.*

- *Openings that allow the flood waters to enter and leave without causing disruption.*
- *Opportunities to elevate, encase, or design electrical and mechanical equipment to be submersible.*
- *Use of flood- and salt-water- resistant materials.*
- *Elevation of structures and usable space within a project to an appropriate design flood elevation that reduces risk with minimal impacts on public space and urban design. The selection of an appropriate design flood elevation shall consider projections of climate risks, the lifespan of the project, and specific risks associated with the project.*
- *The raising of land or the placement of fill to elevate projects above projected future flood levels.*
- *Selection of plantings suited to the current and projected future climate including selection of salt-water-tolerant species.*
- *Securing, elevating, or locating outside of the flood zones hazardous materials, temporary and long-term waste storage areas, and/or fuel storage tanks to protect against the impacts of flooding and wave action due to storm surge.*
- *Incorporation of structural and non-structural shoreline treatments to attenuate waves and protect inland areas from coastal flooding.*
- *Incorporation of design features that allow projects to be adapted on an on-going basis in response to changing climate projections and conditions.*

To address the risk of temporary flooding of the cellar the project includes the following:

- Membrane waterproofing below the cellar floor slabs and on the below-grade walls.
- No residential spaces below the first floor level.
- No fuel storage tanks in the cellar.
- Emergency generator located in the penthouse roof.
- An 8" curb provided at the entrance to the electrical service room.
- Submersible and salt-water resistance pumping facilities.
- Submersible gas service entrance equipment. The gas service metering piping and meters have no open ends where if submerged would destroy them or the piping system. The meters and piping would only need to be cleaned and wiped down and checked by Con Ed if they were submerged.
- Submersible water service equipment. The domestic and fire services are protected using double checks on the domestic service and double detector check valve assemblies on the fire service. No open outlets are provided on these backflow prevention devices. The meters are sealed units and if submerged would only need to be cleaned and any wiring connections checked.
- The building management will provide active flood proofing plans for such measures as the removal of automobiles from the parking garage and the removal of trash prior to a flood event.

C. Where opportunities exist, new structures directly on waterfront sites should incorporate site features to reduce the impacts of flooding, storm surge and wave action on inland structures and uses.

Policy 6.2C is not applicable to the proposed action as the project site is not located directly on the waterfront but rather is located approximately two city blocks inland.

- Policy 6.3: Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.

Policy 6.3 is not relevant to the proposed action as it relates to public funding for flood prevention or erosion control measures. The proposed project does not include any public funding.

- Policy 6.4: Protect and preserve non-renewable sources of sand for beach nourishment.

Policy 6.4 is not relevant to the proposed action as it does not include any use of sand for beach nourishment or other purposes.

7. Policy 7.2: Prevent and remediate discharge of petroleum products.

A. Minimize negative impacts from potential oil spills by appropriate siting of petroleum off-loading facilities and use of best practices.

B. Follow best practice for the prevention and control of petroleum discharges from any major petroleum-related facility. Clean up and remove any petroleum discharge in accordance with the guidelines contained in the New York State Water Quality Accident Contingency Plan and Handbook.

C. Follow approved methods for handling and storage and use approved design and maintenance principles for storage facilities to prevent discharges of petroleum products.

This policy primarily relates to major petroleum storage and off-loading facilities, none of which would be included in the proposed action. In addition, as the new residential uses would utilize natural gas and electricity for their heating and hot water generation needs, oil storage tanks would not be located in the structure, thereby eliminating a potential source of petroleum contamination.

To avoid any impacts associated with potentially existing hazardous materials concerns, including petroleum contamination, the project site contains an (E) designation (E-257) for hazardous materials which was mapped on the property as part of the North Tribeca Rezoning on September 15, 2010. The (E) designation requires that the fee owner of the property conduct a testing and sampling protocol and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation also includes a mandatory construction-related health and safety plan which must be approved by NYCDEP.

A final Remedial Investigation (RI) was performed at the Site between December 2012 and November 2013 in accordance with the NYC Office of Environmental Remediation (OER)-approved December 2012 Remedial Investigation Work Plan (RIWP), and subsequent RIWP addendum letters and correspondence in consultation with OER and the New York State Department of Environmental Conservation (NYSDEC) to compile and evaluate data and information necessary to develop this Remedial Action Plan (RAP). The remedial action achieves all of the remedial action goals established for the project. The remedial action is effective in both the short-term and long-term and reduces mobility, toxicity and volume of contaminants and uses standard methods that are well established in the industry.

A final Remedial Investigation Report (RIR) was prepared and provides sufficient information for establishment of remedial action objectives, evaluation of remedial action alternatives, and selection of a remedy pursuant to RCNY§ 43-1407(f). The remedial investigation (RI) described is consistent with applicable guidance which has been set forth by the OER. The initial phase of the RI was conducted in December 2012 in accordance with the scope of work outlined in AKRF, Inc.'s December 2012 RIWP, which was approved with contingencies by OER in an email dated December 14, 2012. Following the review of the Draft RIR submitted in March 2013, OER, in consultation with the NYSDEC, requested additional investigation activities. Supplemental RI activities were performed in accordance with OER- and NYSDEC-approved scopes of work between April 2013 and November 2013. The final report submission summarizes all RI activities completed and utilized to select the appropriate remedial actions to be implemented during redevelopment.

As detailed in the Final Hazardous Materials Remedial Action Plan and the Final Hazardous Materials Remediation Investigation Report, the subsurface work required for the driveway/garage excavation in the subject building would not result in any adverse hazardous materials impacts to on-site workers, residents, visitors, and other users of the property or to persons in the surrounding area.

Based on the above, no significant adverse impacts related to hazardous materials including petroleum products would occur.

8. Policy 10: Protect, preserve and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.

- Policy 10.1: Retain and preserve historic resources and enhance resources significant to the coastal culture of New York City.

A. Protect historic resources to the extent practicable, including those structures, landscapes, districts, areas, sites, vessels, or underwater structures that are listed or designated as follows:

- *Any historic resource in a federal, state, or city park established, solely or in part, to protect and preserve the resource;*
- *Any resource listed on, or formally determined eligible for inclusion on, the National and/or State Register of Historic Places, or contained within a district listed on, or formally determined eligible for listing on, the National and/or State Register of Historic Places;*

- Any resource designated as a New York City Landmark, Interior Landmark, Scenic Landmark or properties within a designated New York City Historic District;
- Resources calendared for consideration as one of the above by the Landmarks Preservation Commission;
- National Historic Landmarks; and
- Resources not identified by one of the programs listed above, but that meet their eligibility requirements (for eligibility requirements see Chapter 9 of the CEQR Technical Manual)

The subject property at 443 Greenwich Street is located at the northern end of the Tribeca North Historic District of Manhattan. The existing structure on the project site is not an individually designated historic structure but is a “contributing” building to the Tribeca North Historic District.

In the future with the proposed project in 2015, the existing vacant building on the project site would be converted to residential occupancy with a total of 53 dwelling units within 257,702 gsf/215,860 zsf of floor area. 15 parking spaces would be provided in the cellar of the building through the requested Authorization. The proposal includes the excavation and ramping of the existing through-block driveway down to the cellar level where the 15 spaces would be located in an approximately 7,605 square-foot facility (area includes the parking spaces, circulation area, ramps, and the driveway). The Future With-Action scenario would be identical to the proposed development plan.

The prior development project proposed for the project site was analyzed in an EAS which was issued a Negative Declaration on April 4, 2008 (CEQR No. 08DCP040M). The previous Special Permit sought to facilitate the conversion of the existing 7-story building on the property to a mixture of residential, hotel, retail, and physical culture establishment (PCE) uses and to allow penthouse additions to the building.

Archaeological Resources

The Historic Resources section of the 2008 EAS concluded that the project site has no archaeological significance based on a comment letter issued by the LPC dated November 16, 2006. In addition, LPC voted to approve the excavation to create the driveway at its September 24, 2013 hearing. Therefore, the excavation to create the driveway to the proposed parking facility would not result in any disturbance to potentially existing archaeological resources. No adverse impacts to archaeological resources would result from the proposed action.

Historic Resources

The Historic Resources section of the 2008 EAS concluded that the prior development project proposed for the project site would not have any adverse physical, contextual, or visual impacts on the project site building, the Tribeca North Historic District, or other architectural resources within the study area. The EAS concluded that since the project site is located within the Historic District, construction and design of the proposed project is subject to LPC review and approval. On July 30, 2007, LPC issued a Certificate of Appropriateness for the proposed penthouse addition and alterations to the building’s facades, as well as a Certificate of No Effect for the restorative work on the building’s facades.

The current proposed action, which is the development of 15 parking spaces in the cellar of the building on the project site, would have minimal effects on the exterior appearance and historic character of the building. LPC voted to approve the proposed improvements to the two existing gates at the driveway entrance to and exit from the building at its September 24, 2013 hearing. This approval is reflected in an amendment to the Certificate of Appropriateness dated May 15, 2014 that was issued for the restorative work and conversion as part of the Special Permit. The LPC, as part of their approval of the ramp, requested that a visual link be maintained between Vestry and Desbrosses Streets, and, as such, a circulation bridge will be constructed on the ground floor with views from the street into the inner courtyard and to the other street. A further amendment to the Certificate of Appropriateness is being sought to reflect the stop sign and speed bump that will be installed in the exit ramp.

LPC-approved construction procedures would be followed for the excavation and construction of the proposed garage facility to protect other historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration.

Based on the above, it is concluded that the proposed action would be compatible with the project site building, the Tribeca North Historic District, other architectural resources within the project study area, and the coastal culture of New York City. No adverse impacts to historic resources would result from the proposed action.

The proposed project would not result in any impacts to historic or archaeological resources.

B. Protect resources, including those not listed or identified in 10.1 A, which are related to the historical use and development of the waterfront, including ships, shipwrecks, lighthouses and other aids to maritime navigation, points of entry and embarkation, and structures related to the defense of the Port of New York.

Policy 10.1B is not relevant to the proposed action as the subject property is not related to the historical use and development of the waterfront.

C. Foster efficient and compatible adaptive re-use of historic resources to maximize retention of their historic character and minimize their alteration.

As explained under Policy 10.1A above, the proposed action would result in the re-use of the existing building on the project site for residential occupancy. LPC has approved the proposed penthouse addition and alterations to the building's facades, as well as the restorative work on the building's facades. The current proposed action, which is the development of 15 parking spaces in the cellar of the building on the project site, would have minimal effects on the

exterior appearance and historic character of the building. LPC held a hearing on September 24, 2013 and voted to approve the excavation to create the driveway, as well as improvement of the existing gates. This approval is reflected in an amendment to the Certificate of Appropriateness dated May 15, 2014 that was issued for the restorative work and conversion as part of the 2008 CPC Special Permit. The applicant noted that LPC, as part of their approval of the ramp, requested that a visual link be maintained between Vestry and Desbrosses Streets, and, as such, the Applicant would construct a circulation bridge on the ground floor with views from the street into the inner courtyard and to the other street. A further amendment to the Certificate of Appropriateness is being sought to reflect the stop sign and speed bump that will be installed in the exit ramp.

The proposed action would therefore satisfy the provisions of Policy 10.1C by fostering the efficient and compatible adaptive re-use of the subject historic resource to maximize the retention of its historic character and minimize its alteration.

D. Promote public awareness of New York's waterfront through educational and cultural facilities, events, and programming.

Policy 10.1D is not relevant to the proposed action.

E. Facilitate public programming of historic resources through such measures as provision of tie-up space for historic vessels.

Policy 10.1E is not relevant to the proposed action.

- Policy 10.2: Protect and preserve archaeological resources and artifacts.

A. Minimize potential adverse impacts to significant archaeological resources by redesigning the project, reducing the direct impacts on the resource, or recovering data prior to construction.

B. Conduct a cultural resource investigation when an action is proposed on an archaeological site, fossil bed, or in an area identified as potentially sensitive for archaeological resources.

As explained under Policy 10.1A above, the project site has no archaeological significance based on a comment letter issued by the LPC dated November 16, 2006. In addition, LPC voted to approve the excavation to create the driveway at its September 24, 2013 hearing. Therefore, the excavation to create the driveway to the proposed parking facility would not result in any disturbance to potentially existing archaeological resources. No adverse impacts to archaeological resources would result from the proposed action.

**HISTORIC AND CULTURAL
RESOURCES APPENDIX**

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 15DCP050M
Project: 443 GREENWICH ST PARKING GARAGE
Address: 443 GREENWICH STREET, **BBL:** 1002220001
Date Received: 10/22/2014

No architectural significance

No archaeological significance

Designated New York City Landmark or Within Designated Historic District

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:

The LPC is in receipt of the EAS of September, 2014. The text is acceptable for historic and cultural resources.

Gina Santucci

10/24/2014

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 29999_FSO_GS_10242014.doc

Jay A. Segal
(212) 801-9265
segalj@gtlaw.com

March 14, 2013

VIA MESSENGER AND E-MAIL

Mark Silberman
General Counsel
New York City Landmarks Preservation Commission
1 Centre Street, 9th Floor
New York, New York 10007

Re: 443 Greenwich Street, Manhattan (the "Property")
Certificate of Appropriateness No. 08-1126, dated July 30, 2007, Amended
by (i) Misc. 08-8911, dated April 16, 2008, (ii) Misc 09-6619, dated January
12, 2009, (iii) Misc 09-7186, dated February 6, 2009, and (iv) Misc 09-8464,
dated March 31, 2009 (sometimes hereinafter referred to, collectively, as the
"C of A")

Dear Mr. Silberman:

This is an application to renew the C of A, which expires on May 15, 2013, for an additional three (3) year term, pursuant to (i) 63 RCNY Sec. 7-03(a) or, alternatively (ii) 63 RCNY Sec. 7-03(c)(1).

Background

A. Property Information

The Property is located within the Tribeca North Historic District and is improved with a 7-story warehouse building (the "Building"), designed by Charles C. Haight for the Trinity Church Corporation. The Building was constructed in two phases in the 1880's and is currently vacant.

B. Chronology

May 15, 2007: At a public meeting, the Commission voted to issue the C of A for work associated with the conversion of the Building to residential and hotel uses (the

“Development”). At that time, the Building was owned by the prior owner, 443 Greenwich LLC.

July 30, 2007: The Commission issued Certificate of Appropriateness No. 08-1126. The C of A approved work included modifications to the ground-floor openings and infill on the three street facades, installation of a canopy on Greenwich Street, demolition of a one-story mechanical room in the courtyard, construction of glass-enclosed stair towers in the courtyard, removal of fire-escapes and installation of windows within the courtyard, removal of bulkheads and water tanks on the roof and the construction of a visible one-story rooftop addition along with visible bulkheads and mechanical equipment, and modifications to the loading dock and window openings along the service alley.

April 16, 2008: The Commission issued an amendment to the C of A, Misc. 08-8911, which modified the rooftop work.

July 23, 2008: City Planning granted a special permit pursuant to ZR Section 74-711 (the “Special Permit”), allowing zoning relief (collectively, the “Waivers”) which permitted the Building, which was then in an M1-5 district¹ to have (1) residential use, (2) retail use, (3) transient hotel use, (4) health club use, (5) construction in required setback above front wall, (6) no rooftop recreation, (7) a raised street wall above the permitted height and (8) construction in the rear yard equivalent (“RYE”).

August 14, 2008: The Special Permit became effective.

September 15, 2008: Lehman Brothers filed for Chapter 11 bankruptcy protection, which is recognized as the commencement of the financial crisis of 2008-2009. As a result of the crisis, no proposals for construction financing of the Development materialized between 2008 and 2010.

January – March 2009: The Commission issued additional amendments to the C of A: Misc 09-6619, dated January 12, 2009, Misc 09-7186, dated February 6, 2009, and Misc 09-8464, dated March 31, 2009.

September 15, 2010: City Planning enacted the North Tribeca Rezoning that established the current zoning (the “Current Zoning”) of C6-2A for the Property.

Fall 2010: The inability to obtain construction financing and proceed with the Development resulted in litigation in the fall of 2010 among the members of 443 Greenwich LLC. At this time, the Property had not been renovated, remained vacant, and was not generating any income.

March 2011 – July 2012: 443 Greenwich LLC markets the Property.

¹ Under the prior zoning, the Property was treated as though it were located in an M2-4 district.

July 19, 2012: 443 Greenwich LLC sold the Property to its current owner, our client, SGN 443 Greenwich Street Owner LLC ("Owner"). When the Owner acquired the Building, the changes to the Building permitted by the Special Permit had not occurred, due to the changes in economic conditions and ensuing litigation.

July 25, 2012: In order to preserve the Owner's rights under the Waivers, an application to renew the Special Permit was submitted to City Planning (the "Renewal Application") three weeks before its scheduled expiration on August 13, 2012. The Special Permit is needed under the Current Zoning for many reasons, including to allow (i) portions of the Building's existing, pitched roof to be raised between 6 inches and 2 feet, (ii) the Building to contain residential use without the provision of rooftop recreation space and (iii) a portion of the Building to contain a transient hotel with 120 sleeping units; until the Special Permit is renewed, these changes cannot be effectuated. City Planning initially informed the Owner's representatives it was not sure how many of the Waivers remained effective under the Current Zoning.

December 31, 2012: Owner obtained financing for the Development.

January 24, 2013: City Planning provided confirmation that all of the Waivers either remain in effect or are no longer needed under the Current Zoning, except that the Waiver with respect to the RYE for the Eastern Penthouses (as defined in the Renewal Application), if used for residential use, would not survive the rezoning.

Renewal of the C of A

We seek renewal of the C of A pursuant to (i) 63 RCNY Sec. 7-03(a), or alternatively, (ii) 63 RCNY Sec. 7-03(c)(1).

Renewal of the C of A Pursuant to 63 RCNY Sec. 7-03(a).

The renewal conditions pursuant to 63 RCNY Sec. 7-03(a) are as follows:

- 1) an application requesting a renewal of a C of A must be submitted at least sixty (60) days prior to the expiration date shown on the certificate; and
- 2) such application must include the following items: (i) a signed, binding contract for the work approved by the C of A specifying that such work is to be commenced at least 60 days prior to the expiration date of the C of A; and (ii) a copy of a valid building permit; and
- 3) no "Notice of Violation" from the LPC shall be in effect against the property; provided, however, that if an escrow agreement has been established to

ensure that work approved to correct the notice of violation will be completed within a specified time period, then this subsection (3) shall not apply.

We believe that the requirements of 63 RCNY Sec. 7-03(a) are satisfied for the following reasons:

1. An application requesting a renewal of a C of A has been submitted at least sixty (60) days prior to the expiration date shown on the certificate.

The submission of this letter prior to March 16, 2013 (i.e. 60 days prior to the May 15, 2013 expiration of the C of A) satisfies this requirement.

2. This renewal application includes (i) a signed, binding contract for the work approved by the C of A specifying that such work is to be commenced at least 60 days prior to the expiration date of the C of A; and (ii) copies of valid building permits.

(i) Owner and 443 Developer LLC ("Contractor"), as contractor, have entered into a contract (Exhibit A) with Renotal Construction Corp. ("Construction Manager") dated March 4, 2013 to act as construction manager for all of the work associated with the C of A. Construction Manager will enter into contracts with subcontractors for work approved by the C of A. The contract states that such work is to be commenced by March 11, 2013, 65 days prior to the expiration date of the C of A. We understand that some of the work to be performed pursuant to the C of A has already commenced, including the removal of fire escapes in the courtyard. A contract in the amount of \$3.4 million has been awarded to Preserv for a comprehensive program of facade restoration, which includes work approved by the C of A concerning the interior courtyard windows and new masonry openings on the east facade, and work is expected to begin in March.

(ii) Permits have been obtained for all C of A work for the western part of the Building, including the roof, which constitutes approximately 75%-80% of all work included in the C of A. Such work is covered by an Alteration Type 1 Permit (the "Alt-1") issued by the New York City Department of Buildings ("DOB") on August 21, 2012; this permit is based on the scope of work illustrated in the perforated drawings that accompanied the C of A. Owner paid \$311,565 in fees for this permit, of which \$149,970 was for LPC fees. The scope of work included but was not limited to the construction of a one-story rooftop addition, new elevator and stair bulkheads, installation of new windows, and associated interior construction. A list of the C of A work authorized by the Alt-1 and a copy of the Alt-1 are attached hereto as Exhibit B. Additionally, a DOB Alteration Type 2 Permit ("Alt-2") is expected this week for work approved by the C of A not covered by the Alt-1, including demolishing three existing rooftop bulkheads and a water tower, and removing rooftop flues, at the east portion of the Building,

Furthermore, Owner's representatives understand from LPC staff that permits for the C of A work under the façade Certificate of No Effect, No. 08-1127, for the removal of fire escapes on the east façade over the alley, and creating new masonry openings in the east elevation, under a new Certificate of No Effect, may be obtained by March 16, 2013.²

3. 63 RCNY Sec. 7-03(a)(3) is satisfied because an escrow agreement has been established to ensure that work approved to correct a notice of violation against the Property will be completed within a specified time period.

LPC Notice of Violation 06/0009 was issued in 2005 for the installation of windows without a permit by the prior owner. On October 19, 2012, Owner entered into an escrow agreement with LPC to ensure that these windows would be replaced with appropriate windows. The replacement of the courtyard windows is authorized by the C of A.

Thus, in view of the foregoing, we believe all the requirements for renewal of the C of A pursuant to 63 RCNY Sec. 7-03(a) have been satisfied.

Renewal of the C of A Pursuant to 63 RCNY Sec. 7-03(c)(1)

63 RCNY Sec. 7-03(c)(1) provides that the Chair of the LPC may waive the application requirements discussed above "based on extraordinary circumstances." Extraordinary circumstances include, but are not limited to, (i) delays resulting from the inability to obtain other governmental approvals, licenses or permits or (ii) an inability to complete construction of a project for which work has begun and is continuing with diligence.

If you conclude, despite our arguments, that the requirements of 63 RCNY Sec. 7-03(a) have not been satisfied, we believe that the events detailed in the "Chronology" section of this letter constitute extraordinary circumstances which prevented such requirements from being met. The timing of the original grant of the Special Permit coincided with the onset of the financial crisis, resulting in an inability to obtain financing for the Development which ultimately led to litigation among the prior owners and the sale of the Property to Owner.

² As soon as LPC approval is issued for façade restoration work, Owner will be able to remove the remaining objection of DOB (the objection being that there was not LPC approval) and obtain an Alt-2 permit authorizing the façade restoration work to proceed. The LPC submission for approval was made by Owner in September 2012 and additional information in response to LPC requests made in early January 2013 was provided later that same month. As noted above, Owner is currently awaiting LPC approval of the façade restoration plan and issuance of the LPC permit. In anticipation of receipt of LPC approval and in an effort to expedite the process as much as possible, Owner has filed the restoration plan and specifications with DOB and worked through the DOB plan examination process to remove DOB objections to the plan, with the exception of the objection based on the absence of LPC approval. In further anticipation of imminent receipt of LPC approval, Owner has scheduled what it hopes to be the final plan examination with DOB for façade work. Provided that LPC approval has been received by that time, we anticipate that plan exam to result in final DOB approval and issuance of a permit for Owner to proceed with the façade restoration work.

Immediately upon acquiring title to the Property in July 2012, Owner submitted an application to renew the Special Permit. However, on August 14, 2012, just three weeks thereafter, the Special Permit expired and the work permitted to be performed pursuant thereto could not be carried out; for example, the Owner could not raise portions of the Building's existing, pitched roof, within 15 feet of the street wall, between 6 inches and 2 feet to allow for water runoff and to increase the height of the ceiling of the 7th floor; and, without raising the roof, the penthouses could not be constructed. Furthermore, during this time, the zoning changed which called into question the validity of some of the Waivers and it was not until the end of January 2013 that City Planning concluded the Waivers granted under the Special Permit remain in effect despite the rezoning.³ At this time, Owner and its representatives are diligently pursuing renewal of the Special Permit. These extraordinary events have delayed obtaining permits and commencing the C of A work.

Notwithstanding these difficulties, work has begun and is being diligently undertaken. Owner applied for and received the aforementioned Alt-1 on August 21, 2012. The Owner has paid to Renotal a \$100,000 non-refundable deposit against a total \$500,000 construction management fee. Renotal has established an on-site project office at the Building and assigned employees to manage the development process. Additionally, Preserv has commenced on-site operations, including setting up its on-site field office, assigning a project manager and field superintendent and delivering equipment to the Building, site preparation and working directly with the scaffolding subcontractor to put necessary scaffolding in place, and coordinating with consultants on all LPC mock-ups which require LPC approval prior to proceeding with work.

The Owner has also engaged David Abramson ("Abramson"), AIA of CTS Group, as restoration architect and Cas Stachelberg of Higgins Quasebarth & Partners, LLC as historical consultant. Abramson has prepared a shutter survey that was part of the C of A requirements so that LPC could determine what needed to be replaced or restored. This survey had not been completed by the prior owner. The survey was submitted to LPC along with the façade restoration drawings and specifications.

Furthermore, window drawings and specifications are being prepared by Cetra Ruddy architects in consultation with Owner's restoration architect, restoration consultant, acoustical consultant and building code consultant, as they plan to award the window contract by April 30, 2013 and commence installation by October 2013. This will include both windows authorized by the C of A (in the courtyard) and exterior façade windows which Owner expects to be authorized with the pending façade plan submissions to LPC.

³ The only Waiver that would not remain in effect is the Waiver with respect to the RYE for the Eastern Penthouses, if they are used for residential use.

Mr. Mark Silberman
March 14, 2013
Page 7

In addition to the above, Owner has committed significant capital to this project, with expenditures as of March 12, 2013 of \$8,389,624 in soft costs and \$1,308,145 in hard costs. With the facade work expected to start in March and construction expected to start in September of this year, total soft costs are expected to be \$38 million and total hard costs are anticipated to be \$104 million. Completion of the project is expected in the first quarter of 2015.

Therefore, should LPC find that the requirements for renewal of the C of A pursuant to 63 RCNY Sec. 7-03(a) are not satisfied, we request, alternatively, that a renewal be issued on grounds of the above "extraordinary circumstances."

In view of the above, I respectfully request that LPC issue a renewed C of A for the aforementioned reasons.

Very truly yours,



Jay A. Segal

Enclosures

cc: Marc Fried, Esq.

NY 242832071v7

Mr. Mark Silberman
March 14, 2013
Page 8

Exhibit A

Copy of Contract Regarding C of A Work

(Immediately Follows)

NY 242832071v7

CONSTRUCTION MANAGEMENT AGREEMENT

This Construction Management Agreement (this "Agreement") is made and entered into as of the 4th day of March 2013, by and between SGN 443 Greenwich Street Owner LLC ("Owner"), 443 Developer LLC ("Contractor") each with an office c/o Metro Loft Management, 20 Exchange Place, Suite 1100, New York, NY 10005 (collectively and individually referred to as "Owner/Contractor"), and Renotal Construction Corp., with an office at 37 East 28th Street, Suite 306, New York, NY 10016 ("Construction Manager").

WHEREAS, Owner intends to renovate, convert portions of the building and construct penthouse additions on certain property located at 443 Greenwich Street, New York, New York ("Project") and desires to commence work at the Project site pursuant to certain plans and specifications approved by Owner, and Owner has engaged Contractor to perform such work;

WHEREAS, the Project includes certain work specifically approved by the New York City Landmarks Preservation Commission ("LPC") and set forth in that certain Certificate of Appropriateness, issued July 30, 2007, as amended from time to time. A copy of the Certificate of Appropriateness, together with amendments and a schedule of amendments thereto, is annexed hereto as Exhibit A (the work described on said certificate as amended is hereinafter referred to collectively as the "LPC Work");

WHEREAS, Owner, Contractor and Construction Manager have agreed that Construction Manager shall be engaged in accordance with the terms of this Agreement to perform, supervise and arrange for the performance of the LPC Work and other work which is incidental and/or ancillary to the LPC Work (the LPC Work, together with all such incidental and/or ancillary work, hereinafter referred to collectively as the "Work"); and

NOW THEREFORE, for good and valuable consideration, receipt of which is acknowledged, the parties hereto agree as follows:

1. AGREEMENT

Owner/Contractor hereby appoints and engages Construction Manager to undertake to perform the work, duties, services and activities hereinafter described as Owner/Contractor's disclosed Agent.

2. CONSTRUCTION SERVICES TO BE PERFORMED BY CONSTRUCTION MANAGER

A. Owner/Contractor hereby authorizes Construction Manager to provide, and Construction Manager hereby agrees to provide, administration and supervisory activities in connection with the Work and to enter into trade contracts with subcontractors and

suppliers (collectively, "Subcontractors"), as agent for the Owner, to perform the Work; provided, however, that each such contract is reviewed in advance by Owner/Contractor and Owner/Contractor shall have a reasonable opportunity to provide comments on the same, and Construction Manager shall not agree to modify or supplement the standard form of subcontract provided by Owner/Contractor. In consideration of such services, Owner shall pay Construction Manager the CM Fee (defined below) and shall reimburse Construction Manager for all actual, reasonable and necessary costs incurred by Construction Manager with respect to the Work, including, but not limited to, all costs incurred under the trade contracts and the cost of Construction Manager's general conditions relating to the Work, all as set forth in a detailed budget reviewed and approved in advance by Owner/Contractor, such approval not being unreasonably withheld. Owner/Contractor shall not be responsible for any costs not so approved. Construction Manager shall cause all Subcontractors to procure and maintain insurance in accordance with the requirements any lender of Owner/Contractor and the reasonable requirements of Owner/Contractor.

B. The CM Fee shall be Five Hundred Thousand Dollars (\$500,000) payable as follows: (1) \$100,000 shall be payable upon execution of this Agreement, which amount shall be non-refundable; and (2) \$400,000 shall be payable in equal monthly installments over 21 months (\$19,047.62 per month) in accordance with the payment provisions of Section 3, below and commencing with the first month after the month in which this Agreement is executed and the payment referenced in clause (1) is made. If the Work is not completed prior to January 2015 through no fault of Construction Manager, then Owner and Construction Manager shall discuss additional compensation to extend the scope of this Agreement beyond said date. Any additional compensation mutually agreed upon shall be set forth in an amendment to this Agreement. It is understood and agreed that the provision of insurance by Owner/Contractor as set forth below is in addition to the CM Fee.

C. Construction Manager shall not under any circumstances be required to fund any payroll, general conditions or reimbursable expenses of any kind. Funds for all such requirements shall only be paid from an impress account funded and replenished around the fifteenth day of each month in advance by the Owner/Contractor (Minimum \$50,000).

D. Construction Manager shall arrange for, supervise and cause to be performed the Work timely by all Subcontractors and in accordance with plans, specifications and schedule agreed to between Construction Manager and Owner/Contractor. All staffing must be approved, in advance, by Owner/Contractor, and any proposed additions or reductions in staffing, or performance of Work on an overtime basis is subject to the advance approval of Owner/Contractor which shall not be unreasonably withheld. In performing the Work, Construction Manager shall utilize and make available to Owner/Contractor the full breadth of its knowledge, skills, ideas, experience and abilities with respect to all matters related to construction practices generally, and shall furnish a competent staff for the administration, coordination and supervision of the Work. All personnel furnished by Construction Manager are subject to the advance approval Owner/Contractor. Construction Manager shall remove and replace any personnel within thirty (30) days following notice by Owner/Contractor that such personnel are no longer acceptable to Owner/Contractor. Owner/Contractor may give

such notice in its sole discretion, with or without cause. Construction Manager withholds its right to remove and replace any personnel it deems appropriate given thirty (30) days advance notice provided the removal or replacement of any personnel does not cause material damages to the Project.

E. It is understood by and between the parties hereto that the Architect and all Owner/Contractor's consultants shall be responsible for providing Construction Documents on a timely basis which comply with all legal requirements of the municipal & regulatory authorities having jurisdiction over the property.

F. Construction Manager shall cause the Work to be performed in accordance with plans and specifications provided by the Owner which shall comply with all federal, state and local laws, ordinances, rules or regulations that bear on or are applicable to the performance of the Work; it being understood and agreed that Construction Manager: (i) shall not be liable or responsible to Owner/Contractor for the delays, defaults or deficiencies of the Subcontractors engaged unless such delays, defaults or deficiencies are caused solely by Construction Manager's failure in the administration, coordination and supervision of the Work; (ii) shall not, under any circumstance be liable or responsible for providing or performing licensed professional services or for the acts or omissions of the Architect or consulting engineers retained by Owner; and (iii) does not warrant or represent that the budgets, estimates or schedules provided are guaranteed.

G. Nothing herein shall prohibit Owner/Contractor from awarding and signing directly any contracts, provided that Construction Manager consents in advance to such award and signing, and for purposes of Construction Manager's duties under this Agreement, such direct contracts shall be treated as though Construction Manager awarded and signed such contracts as the agent of Owner/Contractor. Owner/Contractor shall include in all contract documents a requirement that Contractor's indemnify Construction Manager and Owner/Contractor to the same extent that contractors are indemnifying Owner/Contractor, and that contractors name Construction Manager and Owner/Contractor as additional insured parties on all insurance coverages provided by contractors for the Project. Such provisions shall be in a form reasonably satisfactory to Construction Manager and Owner/Contractor.

H. Construction Manager shall at all times cause the Subcontractors to take reasonable precautions against the risk of injuries to persons or damage to property and for the safety of persons engaged in the performance of the Work. Periodic site safety inspections to be performed by a third-party consultant provided by the Owner/Contractor. Construction Manager shall be responsible for cooperating with such consultant and implementing, at Owner's sole cost, such consultant's recommendations (except to the extent such consultant recommends precautions to be taken by Subcontractors, in which case Construction Manager shall cause the subject Subcontractor to implement such recommendations at Subcontractor's sole cost and expense). Owner/Contractor's agreement to engage a third-party consultant to conduct inspections shall in no way limit or reduce the obligations of Construction Manager to maintain the work site in a safe condition and take the reasonable precautions referenced above.

I. As Owner/Contractor's agent, Construction Manager shall take all such actions as are appropriate and reasonably necessary to cause the Work to be completed in accordance with this Agreement, including without limitation and in addition to the responsibilities set forth elsewhere in this Agreement, *inter alia*, (i) develop scopes of work in consultation with Owner/Contractor; (ii) recommend contractors; (iii) negotiate contracts to the reasonable satisfaction of Owner/Contractor; (iv) cause the subcontractors to obtain all necessary construction permits (but Owner/Contractor shall secure the building permit); (v) oversee, coordinate and administer the Work; (vi) coordinate activities with Owner/Contractor's architect and engineer; (vii) direct, coordinate, monitor and supervise the correction of any defects and deficiencies in the Work; (viii) establish procedures for processing and payment of the Applications for Payment; (ix) inspect the Work on a regular basis, and prepare and maintain the schedule for completion in consultation with Owner/Contractor; (x) schedule and attend regular meetings with Subcontractors (with Owner/Contractor attending at the discretion of Owner/Contractor); the frequency of such meetings to be as reasonably specified and approved by Owner/Contractor; (xi) supervise the completion and closeout of the Work to the reasonable satisfaction of Owner/Contractor and in accordance with all regulations and codes so as to qualify for issuance of certificates or temporary certificates of occupancy; (xii) coordinate with Owner/Contractor's expeditor on all matters, including obtaining certificates or temporary certificates of occupancy; (xiii) make best efforts to cause the subcontractors to obtain and maintain all necessary insurance; (xiv) maintain for the benefit of Owner/Contractor records of all contract documents and other information regarding the Work and provide originals and/or copies of the same to Owner/Contractor on request by Owner/Contractor; (xv) monitor and actively work to avoid, resolve and/or mediate any labor disputes; (xvi) prepare incident reports relating to the Work; liaise with insurance carriers regarding the Work (xvii) maintain the site in which Work is being performed in a clean, orderly and safe condition. All of the foregoing to be done to the reasonable satisfaction of Owner/Contractor, whether or not so specified above; provided, however, that it shall in no event be the responsibility of Owner/Contractor to ensure that Construction Manager is performing satisfactorily and such responsibility shall be solely that of Construction Manager. Construction Manager to keep Owner/Contractor informed of the status of the Work, generally on a daily basis via field report or with such other frequency as Owner/Contractor may reasonably specify from time to time. Construction Manager to provide Owner/Contractor, on request, with the current Work schedule and any other documents maintained by Construction Manager relating to the Work.

J. Construction Manager shall cause the Work to commence on or before March 11, 2013.

3. APPLICATIONS FOR PAYMENT

A. Construction Manager shall submit a monthly application for payment to Owner/Contractor, who shall review, within 3 business days, and to the extent approved, such approvals not being unreasonably withheld, pay Construction Manager within thirty (30) calendar days thereafter the sums due under Paragraph 2(A) above. The application for payment shall be made on AIA form G702, and shall include all customary backup and partial waivers of lien reasonably satisfactory to Owner/Contractor. Owner/Contractor's payments hereunder shall conform to the terms of the various trade

contracts and there shall be no retainage withheld from Construction Manager's fee, bonding, insurance, or general conditions costs. Retainage against each Subcontractor shall be set at 10% until that Subcontractor has completed 50% of its scope of work; then 5% out of all subsequent earnings by the Subcontractor, subject to the approval of Owner/Contractor and/or Owner/Contractor's lender.

B. Provided Construction Manager prepares a Project Application for Payment and cooperates in the submission of same to Owner/Contractor's lender, and is not otherwise in material default of this Agreement, Construction Manager shall be timely paid all sums due to it, notwithstanding the failure of lender to disburse funds to Owner/Contractor or for any other reason.

4. **TERMINATION**

A. This Agreement may be terminated by either party for cause.

B. If either party shall claim a default of the other's obligations under this Agreement, the non-breaching party shall notify the breaching party ("Default Notice"), and such breaching party shall have ten (10) business days from receipt of the Default Notice, to cure such default. If such default complained of by the non-breaching party is of such a nature that it cannot be cured within ten (10) business days, the breaching party shall not be in default under the terms of this Agreement if it has commenced curing such a default and is diligently proceeding to remedy said default. If such default is capable of being cured within ten (10) business day period and the breaching party does not cure such default within ten (10) business days after receipt of the Default Notice, then the non-breaching party may terminate this Agreement upon the giving of ten (10) business days notice.

5. **INSURANCE AND INDEMNIFICATION**

A. Owner shall defend, indemnify and hold Construction Manager harmless, from and against any action, claims, suit judgment, damages and costs and expenses, including attorneys' fees, court costs and disbursements arising from and in connection with Owner's negligence. Construction Manager shall defend, indemnify and hold Owner/Contractor harmless, from and against any action, claims, suit judgment, damages and costs and expenses, including attorneys' fees, court costs and disbursements arising from and in connection with Construction Manager's negligence.

B. To the fullest extent permitted by law, Owner/Contractor shall defend, indemnify and hold Construction Manager (and its members) harmless from and against any and all liability, loss, damage, claim, cause of action, or expense (including attorneys' fees and disbursements) arising directly or indirectly from the performance of the Work and during the term of this Agreement, provided at all relevant times Construction Manager acted in good faith consistent with the authority granted herein. Owner/Contractor shall maintain at its sole cost and expense, insurance coverage as specified in both the attached Owner/Contractor Insurance Requirements and Construction Managers Insurance Requirements. Insurance coverage maintained by Owner/Contractor for the benefit of Construction Manager shall be limited to the Project and the scope of services being provided under this Agreement by Construction Manager.

The Construction Manager shall maintain at its sole cost and expense (1) worker's compensation insurance as required by the State of New York and Employer's Liability Insurance in the amount of \$1,000,000 per accident for bodily injury or disease; such insurance shall include coverage for injuries and work in other states as called for by the operations encompassed under this Agreement; and (2) professional liability coverage, with \$1,000,000 each wrongful act and \$1,000,000 in the annual aggregate.

C. It is understood and agreed that Owner has provided Construction Manager with Named Insured status on all relevant GL and Excess liability policies with the express intent that it provide first dollar defense in all claims and against any loss, damage, cause of action, and/or expense associated with this Project.

6. MISCELLANEOUS

(a) This Agreement represents the entire agreement between the parties hereto and supersedes all prior negotiations, representations or agreements, whether written or oral.

(b) This Agreement may be amended only by a written instrument signed by both Owner/Contractor and Construction Manager.

(c) Nothing contained herein shall be construed as creating a joint venture partnership or employer/employee relationship between Owner/Contractor and Construction Manager.

(d) This Agreement shall be governed in all respects in accordance with the laws of New York.

(e) This Agreement may not be transferred, assigned or pledged by Construction Manager without the prior written consent of Owner/Contractor.

(f) This Agreement is made for the sole benefit of Owner/Contractor and Construction Manager, and no other person or entity shall have any right of action of a kind based on this Agreement or be deemed to be a third party beneficiary hereof or of the services to be provided hereunder.

(g) All notices, demands, requests and other communications required or permitted herein will be in writing and addressed to the party to whom intended at their addresses as hereinafter set forth. Notices may be sent by the attorneys for the parties. Such notice or other communication shall be given by United States registered or certified mail, return receipt requested or United States postage prepaid, or by hand, or by Federal Express or other overnight courier service, or by facsimile with a copy by regular mail or in the manner as specifically provided under the provisions of this Agreement. If mailed, then such notice or other communication will be deemed to have been received by the addressee on the date of delivery or first attempted delivery as shown on the U.S. Postal Service receipt. If served other than by mail, as aforesaid, such notices so delivered will be effective upon receipt.

If to Owner:

SGN 443 Greenwich Street Owner LLC
c/o Metro Loft Management, LLC
20 Exchange Place, 11th Floor
New York, NY 10005
Attn: Marc Fried

If to Contractor:

443 Developer LLC
c/o Metro Loft Management LLC
20 Exchange Place, 11th Floor
New York, NY 10005
Attn: Marc Fried

If to Construction Manager:

Renotal Construction Corp.
37 East 28th Street, Suite 306
New York, New York 10016
Attn: Ronnie Tal

[Signatures appear on the following page]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

OWNER:

SGN 443 Greenwich Street Owner LLC

By: _____

Print Name & Title

CONSTRUCTION MANAGER:

Renotal Construction Corp.

By: _____

Print Name & Title

CONTRACTOR:

443 Developer LLC

By: _____

Print Name & Title

1. Certificate of Appropriateness, as amended
2. Exhibit B - Construction Managers Insurance Requirements dated [January 1, 2011]
3. Exhibit C - Owner/Contractor Insurance Requirements dated [January 1, 2011]

Are attached and made part of this agreement.

EXHIBIT A
CERTIFICATE OF APPROPRIATENESS



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 APPROPRIATENESS

ISSUE DATE: 07/30/2007	EXPIRATION DATE: 05/15/2013	DOCKET #: 07-9152	COFA #: COFA 08-1126
ADDRESS 443 GREENWICH STREET HISTORIC DISTRICT TRIBECA NORTH		BOROUGH: MANHATTAN	BLOCK/LOT: 222/1

Display This Permit While Work is In Progress

ISSUED TO:
Shahab Karmely
 443 Greenwich LLC
 c/o Kar Properties
 232 Madison Avenue
 New York, NY 10016

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of May 15, 2007, following the Public Hearing and Public Meeting of April 24, 2007, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forward in your application completed March 29, 2007, and as you were informed in Status Update Letter 07-8464 (LPC 07-5068), issued May 22, 2007.

The proposed work, as approved, consists of demolishing existing rooftop bulkheads and a courtyard mechanical room; constructing metal and glass rooftop additions, bulkheads and courtyard stair-towers; installing rooftop HVAC equipment, acoustical screens, fencing and railings; removing rooftop water towers, a loading platform at the Debrosses Street facade, fire escapes at the courtyard and alley facades, and selective window fire shutters at the first floor and basement levels of the courtyard facades and the new stair towers; replacing ground floor infill at selective bays with new wood and cast iron infill; enlarging selective ground floor bays by lowering sills and creating at-grade entrances; removing entrance steps; installing one sidewalk canopy at the Greenwich Street facade, light fixtures throughout the street facades and metal and glass vault covers at the Debrosses Street and Vestry Street sidewalks; modifying existing masonry openings, creating new masonry openings, installing doors and louvers, and enlarging a platform at the eastern service alley facade; enlarging existing masonry openings and creating new masonry openings at the courtyard facades; replacing windows at the courtyard facades, fencing at the service alley, and paving at the courtyard, passageways and service alley; and installing a canopy and fencing at the courtyard. The proposal, as initially presented, included the removal of fire shutters at the upper floors of the courtyard and eastern alley facades; the lowering of masonry sills and installation of balconies at the courtyard facades; the installation of single pane windows at the alley and courtyard facades; the installation of canopies at the Debrosses and Vestry Street facades; the installation of taller rooftop bulkheads, near the Greenwich Street facade; and the installation of rooftop acoustical screens that were both taller and closer to the eastern facade of the building. The work was shown on presentation boards, labeled L-000, A-002 (site map),

A-002 (site map enlargement), A-002a, A-002b, A-002c, A-002d, A-002e, A-002f, L-006, L-100, L-101, L-102, L-103, L-104, L-105, L-106, L-401, L-402, L-403, L-404, L-405, L-406, L-407, L-408, L-502B, L-503A, L-511, L-512, L-513, L-515, L-518, L-519, L-520, L-521, A-600, A-621, A-622, E-623, E-624, B-625, and E-626, dated revised April 13, 2007; A-003, A-004, A-005, A-007, A-008, A-010, A-011, A-012, A-013, A-301, A-302, A-303, A-304, A-305, A-306, A-501A, A-501B, A-505, A-506, A-507, A-508, A-509, and A-510, dated revised March 8, 2007; L-502A, L-503B, A-504, A-516, A-522, A-523, A-601, A-602, A-603, A-604, A-605, A-606, A-607, HP-01, HP-02, HP-03, HP-04, HP-05, and HP-06, dated revised March 28, 2007; L-000, L-105, L-106, L-401, L-402, L-403, L-404, L-405, L-406, L-407, L-408, L-511A, L-518, and A-600, dated revised May 8, 2007; A-601, A-602, A-603, A-604, A-605, A-606, and A-607, dated revised March 28, 2007 and (presented) by staff of the Commission May 15, 2007, and consisting of drawings, photographs, and photo montages, all prepared by Costas Kondylis & Partners, LLP, and presented at the Public Hearing and Public Meetings.

In reviewing this proposal, the Commission noted that the Tribeca North Historic District Designation Report describes 441-453 Greenwich Street (aka 34-48 Vestry Street, 9-17 Desbrosses Street) as a Romanesque Revival style warehouse, designed by Charles C. Haight and built in 1883-1884; and that the building's style, scale, materials and details are among the features that contribute to the special architectural and historic character of the Tribeca North Historic District. The Commission also noted that Warning Letters 06-0008 and 06-0009 were issued July 11, 2005 for the "installation of awnings at Vestry and Greenwich Street facades without permit(s)" and the "installation of windows at Vestry and Greenwich Street facades without permit(s)" respectively and advanced to Notices of Violation on September 16, 2005.

With regard to this proposal, the Commission found that the presence of one-story rooftop additions will not significantly alter the overall scale of the building; that the building historically featured rooftop accretions, including bulkheads and water towers, visible from public thoroughfares, therefore the presence of rooftop structures will be in keeping with the character of the building; that the simple design and details and dark colored finish of the proposed additions and bulkheads will be in keeping with the utilitarian character of the existing rooftop structures, thereby helping to integrate these structure into the existing roovescape and not drawing attention away from the significant features of the building and streetscapes; that the four existing water towers are not a significant feature of the building's design, therefore, the removal of two of the water towers will not detract from the building; that although the building features a variety of historic first floor infill configuration, the proposed infill will replicate selective historic infill types and establish a more consistent ground floor configuration; thereby helping to unify the building while remaining in keeping with the Romanesque Revival style of the building; that removing the steps and lowering the entrance sills will facilitate access to the building, without significantly altering the character and scale of the first floor; that although no evidence has been found that metal and glass vault covers and canopies historically existed at this building, the presence of metal and glass vault covers at the Vestry and Desbrosses Street sidewalks and one canopy on Greenwich Street is in keeping with the industrial character of this building and will harmonize with the larger masonry warehouse buildings within the Tribeca North Historic District, which historically featured these elements; that the scale, materials, design and finishes of the vault covers and canopy will be well related the building and streetscapes; that the proposed light fixtures will be small in scale, simple in design and discreet in placement; that the removal of the existing masonry infill panels at the Greenwich Street facade, the concrete loading dock at the Desbrosses Street sidewalk, and the gates at the service alley will not eliminate any original or later significant historic fabric; that the proposed gates at the alley will be simple in design and typical in placement, material, scale and finish for gates at service alleys of buildings of this type, style and age; that the enlarged loading dock at the service alley will remain well scaled to the facade and alley; that the modification and replacement of masonry openings at the eastern facade will regularize the pattern of masonry openings and maintain the scale of the historic masonry openings at this secondary facade; that the louvers at the eastern facade will be installed within existing masonry openings, flush-mounted and finished to match the fenestration pattern; that the existing fire escapes at the eastern alley and courtyard facades do not have architectural merit in themselves and are not an integral part of a significant facade or streetscape composition, therefore their removal will not eliminate a significant feature; that the removal of the one-story mechanical room from the courtyard will restore the perceptible volume of the courtyard at grade level without removing any significant historic features; that the courtyard stair towers will be well scaled to the courtyard and constructed with only a limited removal of historic masonry, and will feature primarily clear glass cladding and simple detailing, thereby serving as

unobtrusive elements and not obscuring the overall volume of the courtyard; that the limited removal and relocation of historic shutters from masonry openings at the first floor and basement levels of the courtyard facades and from the openings to be concealed by the new courtyard stair towers, in conjunction with the replacement of missing shutters throughout the courtyard and alley facades, will not reduce the overall number of shutters or detract from the character of the building and will preserve these significant features; that the limited enlargement of the masonry openings at the ground floor level of the courtyard facades will be in keeping with the scale of masonry openings at buildings of this type, style and age; that the replacement of the existing courtyard windows will not eliminate any special windows; that the proposed glass pavers, fencing, and canopy at the courtyard will not eliminate or conceal any significant features; and that the Belgian block pavers at the courtyard and driveways will be in keeping with traditional paving throughout the historic district. Based on these findings, the Commission determined the work to be appropriate to the building and the historic district and voted to approve the application. However, in voting to approve this proposal, the Commission required that the enlargement of the masonry openings at the upper floors of the courtyard facades and the installation of glass guard rails at the courtyard facades and canopies at the Vestry Street and Debrossess Street facades be eliminated; that smaller HVAC installations, as an alternative for the 18' high equipment at the eastern section of the roof, be investigated; and that based on this investigation, the HVAC equipment and related acoustical screens be reduced in scale if possible.

Subsequently, on May 24, 2007; May 29, 2007; and July 5, 2007, the Commission received written specifications and drawings L-101, L-102, L-103, L-104, L-105, L-106, L-401, L-402, L-403, L-404, L-405, L-406, L-407 and L-408, dated revised May 8, 2007 and received May 24, 2007; and drawing 102&3 and dated revised May 8, 2007 and prepared by Costas, Kondylis and Partners, LLP. Additionally, staff received written specifications, dated May 23, 2007 and provided by Steven J. DiFloria, PE, documenting that alternatives to the rooftop HVAC equipment installations have been investigated and that an alternative smaller HVAC installation has not been found.

Accordingly, staff reviewed these materials and noted that they include additional work, consisting of changing the single pair of gates at each of the alley entrances to a pair of center gates with two smaller side gates at each of the alley entrances. With regard to this work, staff found that the configuration and scale of the proposed gates will be harmonious with the scale and organization of the building and in keeping with service alley entrances at buildings of this type, style and age. Additionally, staff found that the design approved by the Commission has been maintained and the changes required by the Commission have been included. Based on these and the above findings, Certificate of Appropriateness 08-1126 is being issued.

PLEASE NOTE: This permit is being issued for work subject to the review and approval of the Department of City Planning for a modification of the use, pursuant to Section 74-711; and that this approval is contingent upon the approval of two sets of final filing drawings and any related specifications and material samples, prior to the commencement of construction. No work may begin until the final drawings have been marked approved by the Landmarks Preservation Commission. Once the final drawings have been received and approved, they will be marked as approved with a perforated seal.

Please also note that, as the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Buildings that the TPPN applies.

Additionally, this permit is issued contingent upon the correction of drafting errors relating to the inconsistent placement of windows at the eastern alley facade, as shown on elevations and plans; and the Commission's review and approval of a revised elevation drawing of the proposed alley gates.

Notices of Violation 06-0008 and 06-0009 remain in force and are not addressed by this permit. Failure to resolve these Notices of Violation in compliance with Certificate of No Effect 08-1127 (LPC 08-0017), issued July 30, 2007, may result in the issuance of additional Notices of Violation originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). Second

Notices of Violation would require a court appearance and a civil fine may be imposed.

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 Bernadette Artus.

Robert B. Tierney
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Jay A. Segal, Greenberg Traurig, LLP**

cc: Caroline Kane Levy, Deputy Director of Preservation/LPC; Diane Simonson, Compliance Officer/LPC; David West, Costas Kondylis and Partners LLP; Meloney McMurray, Greenberg Traurig

443 Greenwich Street LPC C of A Amendments

Misc 08-8911-04/16/08

Misc 09-7186- 02/06/09

Misc 09-6619-01/12/09

Misc 09-8464-03/31/09



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
 1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007
 TEL: 212 609-7700 FAX: 212 309-7780



April 16, 2008

ISSUED TO:

Shahab Karmaly
 443 Greenwich LLC
 c/o Kar Properties
 292 Madison Avenue
 New York, NY 10016

Re: MISCELLANEOUS/AMENDMENTS
 LPC - 086575
 MISC 08-8911
 443 GREENWICH STREET
 HISTORIC DISTRICT
 TRIBECA NORTH
 Borough of Manhattan
 Block/Lot: 222 / 1

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission issued Certificate of Appropriateness 08-1126 (LPC 07-9152) on July 30, 2007 approving a proposal to demolish bulkheads and a mechanical room; construct rooftop additions, bulkheads and courtyard stilt towers; install rooftop HVAC equipment, acoustical screens, fencing and railings; remove rooftop water towers, a loading platform, fire escapes, and selective window fire shutters; replace ground floor infill; modify ground floor bays, creating at-grade entrances; remove entrance steps; install a sidewalk canopy, exterior light fixtures, and sidewalk vault covers; modify existing masonry openings and create new masonry openings at the courtyard and eastern service alley facades; replace courtyard windows, service alley gates and paving at the courtyard, passageways and service alley; install doors and louvers at the service alley facade and a canopy and fencing at the courtyard; and enlarge the service alley loading platform, all at the subject premises.

Subsequently, on March 4, 2008, the Commission received a request to amend the approved work. The proposed amendment consists of modifying the new rooftop bulkheads by enlarging their footprints and adding flues; constructing two freestanding rooftop flue boxes with related flues; constructing a rooftop terrace area and installing related rooftop railings; and reversing the placement of the proposed ground floor entrances and the proposed windows, bulkheads, and louvers at two bays at the Desbrosses Street facade and two bays at the Vestry Street facade, as described in written specifications, dated February 26, 2008, and shown on drawings L-001, L-002, L-003, L-004, L-005, L-006, L-007, L-101, L-102, L-103, L-104, and L-106, dated revised February 20, 2008; drawings L-105 and L-107, dated revised February 2008 and prepared by David Charles West, P.A.S. and drawings L-302B and L-303A, dated revised May 8, 2008 and prepared by Costas Kondylis and Partners, LLP.

Accordingly, the Commission reviewed the request and drawings and finds that the work will not alter, eliminate or conceal any significant features of the building or detract from such protected features due to proximity to them; that the work at the bulkheads and roof will only be minimally visible at a distance from public thoroughfares; that reversing the placement of the ground floor infill at these matching bays will not disrupt the organization or hierarchy of the ground floor elements; and that the revised scope of work is in keeping with the

intent of the original approval. Based on these findings, Certificate of Appropriateness 08-1126 is hereby amended.

PLEASE NOTE: This permit is being issued for work subject to the review and approval of the Department of City Planning for a modification of the use, pursuant to Section 74-711, and that this approval is contingent upon the approval of two sets of final filing drawings and any related specifications and material samples, prior to the commencement of construction. No work may begin until the final drawings have been marked approved by the Landmarks Preservation Commission. Once the final drawings have been received and approved, they will be marked as approved with a perforated seal.

Please also note that Notices of Violation 06-0008 and 06-1099 were issued July 11, 2005 for the "installation of awnings at Vestry and Greenwich Street facades without permit(s)" and the "installation of windows at Vestry and Greenwich Street facades without permit(s)" respectively and advanced to Notices of Violation on September 16, 2005, and that Warning Letters 06-0008 and 06-0009 will remain in effect until the work approved under Certificate of No Effect 08-1127 (LPC 08-0107), issued July 30, 2007, has been completed and inspected for compliance. Failure to resolve these matters may result in the issuance of second Notices of Violation (NOV) originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). These Notices would require a court appearance and a civil fine may be imposed.

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.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The approved work is limited to what is contained in the perforated documents. Other work 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 amendment; a copy must be prominently displayed at the site while work is in progress. Any additional work or further amendments must be reviewed and approved separately. Please direct inquiries regarding this property to Bernadette Artus, Landmarks Preservationist.


Bernadette Artus

cc: Caroline Kane-Lewy, Deputy Director of Preservation/LPC; Diane Simonson, Compliance Officer/LPC; David West, Costas-Kondylis and Partners LLP; Melony McMurray, Greenberg Traurig

WEST BLDG (RESIDENTIAL)
ART. TYPE 1



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007
TEL: 212 609-7700 FAX: 212 669-7780



February 6, 2009

ISSUED TO:

Shahab Karimly
443 Greenwich LLC
c/o Kar Properties
282 Madison Avenue
New York, NY 10016

Re: MISCELLANEOUS/AMENDMENTS
LPC 09-092211
MISC 09-7186
443 GREENWICH STREET
HISTORIC DISTRICT
TRIBECA NORTH
Borough of Manhattan
Block/Lot: 222/11

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission issued Certificate of Appropriateness 08-1126 (LPC 07-0152) on July 30, 2007, approving a proposal to construct rooftop additions, slab towers, bulkheads and HVAC equipment; remove existing rooftop installations; a courtyard mechanical room, fire escapes, entrance steps and a loading platform; modify and create masonry openings; install canopies, light fixtures, fencing and vault covers; replace windows, doors, and other masonry, as well as paving and gates; and create a loading platform, all at the subject premises. The Commission also issued Certificate of No Effect 08-1127 (LPC 08-0107) on July 30, 2007, approving restorative work throughout the street, alley and courtyard facades of the building; and the Commission issued Miscellaneous/Amendments 08-8911 (LPC 08-6375) on April 16, 2008, approving changes to the rooftop bulkheads; the addition of rooftop fire, millage and a terrace area; and changes to the placement of ground floor masonry. Certificates of Appropriateness 08-1126, Certificate of No Effect 08-1127, and Miscellaneous/Amendments 08-8911 were issued contingent upon the submission of filing drawings, specifications and material samples for review and approval by the Commission prior to the commencement of work. Subsequently, the Commission also issued Miscellaneous/Amendments 09-6619 (LPC 09-3647) on January 12, 2009, approving the final filing drawings for foundation, underpinning and a limited amount of excavation work, as well as approving the commencement of the specified foundation, underpinning and excavation work at the interior of the building.

On July 25, 2008, the Commission received a request to amend the approved work. The proposed amendment consists of installing three-light fixed windows above three-light opening windows. Instead of installing fixed six-light windows to match the historic configuration, a selective round-headed bays of the ground floor facade, including three bays at the Vestry Street facade and three bays at the Debrosses Street facade; installing straight-topped single doors and side lights, replicating the appearance of paired doors, and transoms; instead of installing arch-headed paired doors, at four of the six ground floor arched entrance bays; reversing the door swing direction from outward to inward at the two central Greenwich Street arched entrance bays; lowering the placement of the proposed Greenwich Street canopy from above the stone band course to immediately beneath the corbelled brick band courses at the ground floor; and eliminating the installation of towers at the ground

floor infill bulkheads; installing hose bibb enclosures and flush air inlets at the base of the street facades; installing a flush-mounted cover at the western side of the southern covered driveway; repainting existing paired doors at the western side of the southern covered driveway to match the color of the shutters, as determined by a paint analysis; selectively replacing shutters at the courtyard facades found to be in a state beyond repair, only after the submission of documentation of the existing conditions of the shutters to the Commission staff for review and approval prior to any replacement; selectively combusting ground floor masonry openings at the courtyard facades by removing masonry above entrances and beneath the small windows above them; enlarging selective ground floor masonry openings at the courtyard facades by removing masonry beneath window openings and lowering sills; eliminating two proposed ground floor masonry openings at the northern and southern courtyard facades; changing the design of the proposed ground floor infill at the courtyard facades, including installing wood and glass windows and doors, wood paneled bulkheads, and metal-framed, fixed glass panels in selective bays; changing the design of the entrance surround at the western courtyard facade to feature a metal tube, instead of an entrance surround with framing at the sides of the entrance; installing paving and grates at the western end of the courtyard, instead of open air and light wells with railings; modifying the overall paving plan in the courtyard to include additional tree pits; eliminating two gate entrances at a proposed fence in the courtyard; widening the existing historic brickwork parapets by constructing a new concrete wall, abutting the interior side of the existing parapet, and replacing the existing bluestone coping stones with new wider cast stone coping stones to cover the widened parapets, instead of rebuilding the parapets; installing HVAC equipment, skylights, planters and plumbing equipment at the roof; installing lightning prevention air terminals and masts at the water tower and at a bulkhead; installing ladders at the elevator bulkheads; changing the placement, operation and design of doors and windows in the penthouses; and eliminating rooftop reflecting pools, as well as interior alterations throughout the western portion of the building, including structural work, the demolition and construction of partitions and finishes, and mechanical, HVAC, plumbing and electrical work.

The proposed amendment also includes incorporating specifications for penthouse cladding materials, specifications for masonry and shutter repair work, existing condition window drawings, and existing condition drawings for selective portions of the ground floor infill at the street facades, as well as incorporating the demolition and construction drawings for exterior and interior work at the western portion of the building and the installation of a lightning prevention air terminal and mast at the eastern portion of the building, as approved under Certificate of Appropriateness 08-1126, Certificate of No Effect 08-1127, Miscellaneous Amendments 08-891 I, Miscellaneous Amendments 09-6519, and this Miscellaneous Amendment to allow for the commencement of this work, as described in written specifications, dated September 24, 2008; December 16, 2008; January 12, 2009; January 15, 2009; January 25, 2009; and February 4, 2009 and prepared by Costas Kondylis & Partners, LLP, and shown in a submitted photograph; HVAC equipment illustrations, dated received December 18, 2008; G-Sky green wall panel illustrations, dated received December 18, 2008; flush air inlet and hose bibb enclosure illustrations, dated received September 30, 2008 and January 15, 2009; drawings T-0, T-1, D-00, D-10, D-11, D-12, D-13, D-14, D-15, D-16, D-18, A-01, A-03, A-04, A-05, A-06, A-10, A-11, A-19, A-20, A-21, A-22, A-101, A-103, A-104, A-105, A-106, A-107, A-108, A-201, A-202, A-203, A-204, A-205, A-206, A-207, A-305, A-401, A-402, A-403, A-502, A-510, A-511, A-521, A-521a, A-522, A-523, A-524, A-530, A-531, A-532, A-533, A-601, A-602, A-603, A-604, A-605, A-701, A-702, A-703, A-704, A-705, A-706, A-707, A-708, A-709, A-710, A-712, A-713, A-714, A-801, A-802, A-803, A-804, A-805, A-806, A-807, A-808, and A-809, dated revised December 16, 2008; drawings A-02, A-15, A-18, A-18a, A-102, A-301, A-302, A-303, and A-320, dated revised January 15, 2009 and prepared by Alan L. Goldstein, RA; drawings SK-A13-1, and SK-A13-2, dated revised January 15, 2009 and prepared by Costas Kondylis and Partners, LLP; drawings SPR-1 and SPR-2, dated revised December 16, 2008 and prepared by Joel Trice, RA; drawings AR-301, AR-302, AR-303, AR-401, AR-402, SK-0, SK-1, SK-2, SK-3, SK-4, SK-5, SK-6, SK-7, SK-8, SK-9, dated revised December 16, 2008 and prepared by David V. Abramson, RA; drawings S-001, S-002, S-003, S-004, S-005, S-006, S-101, S-101A, S-102, S-102A, S-103, S-104, S-105, S-106, S-106A, S-106B, S-106C, S-106E, S-107, S-107A, S-201, S-202, S-203, S-204, S-205, S-206, S-207, S-301, dated revised December 16, 2008 and prepared by Stanley H. Goldstein, PE; M-001, M-101R, M-103R, M-104R, M-105R, M-106R, M-107R, M-201R, M-301R, M-302R, M-303R, M-304R, M-

401, M-402, M-403, P-001R, P-100R, P-102R, P-103R, P-104R, P-105R, P-106R, P-107R, P-200R, P-201R, P-202R, P-203R, P-300R, P-400R, P-401R, P-402R, P-500R, S-20-501R, P-600R, FP-001R, FP-100R, FP-102R, FP-103R, FP-104R, FP-105R, FP-106R, FP-200R, E-001, E-101R, E-102R, E-104R, E-105R, E-106R, E-107R, E-108R, E-201R, E-301, E-302, E-303, E-401, E-402, and E-403, dated revised December 16, 2008; and drawings M-102R, E-102R, P-101R, and FP-101R, dated revised December 16, 2008 and prepared by Steven J. DiToro, PE.

Accordingly, the Commission reviewed the request and drawings and finds that the change in operation at the selective windows at the street facades will not alter the configuration, proportions or overall character of the windows; that the windows to be changed in operation will be installed in deeply recessed bays at the ground floor level of large facades, therefore the change in operation will be a discreet presence within the context of the overall building facades; that the proposed single doors, with side panels and transoms, will allow the entrances to function with outward swinging doors for safety egress requirements, without altering the character of the building; that the proposed single doors, side panels and transoms will replicate the details and proportions of the historic doors and will be consistent with the configuration of entrances typically found at buildings of this type, style and age; that reversing the door swing at the two Greenwich Street entrances will allow the doors to be functional and match the historic door swing direction; that the placement of the canopy will be in keeping with canopies historically found at buildings of this type, style and age and will not detract from significant features of the facade; that the hose bibb enclosures and fresh air intakes will be small in scale, simple in design, typical in placement and only installed at flat masonry, thereby not drawing undue attention to themselves; that the louver at the driveway will be simple in design, flush-mounted, painted to match the surrounding masonry and only seen at a distance through the driveway entrance gates; that the proposed finish for the doors will be in keeping with the historic color palette of the building; that only shutters found to be in a state beyond reasonable repair will be replaced; that any and all replacement shutters will match the existing historic shutters in materials, dimensions, profiles, details and finish; that the changes to the masonry openings at the ground floor level of the courtyard facades will be consistent with the scale of masonry openings at buildings of this type, style and age; that the changes to the ground floor masonry openings, infill and entrance surround and the changes to the courtyard paving will not detract from the composition of masonry openings and shutters at the upper floor levels; that the alterations to the courtyard facades and paving will not eliminate any significant features of the building; that the widening of the parapots will not be seen from any public thoroughfares; that the replacement coping stones will match the existing coping stones in placement, color, texture, profiles, and overall appearance as seen from public thoroughfares; that the rooftop skylights, planters and plumbing equipment will not be seen from any public thoroughfares; that the ladders and HVAC equipment, if visible at all from a public thoroughfare, will be minimally visible; that the lightning preventor air terminals and masts will help protect the building from damage and will be simple in design and typical

in placement thereby not drawing attention to themselves; that the alterations to the penthouse windows and doors will be consistent with the design of the addition and barely perceptible from public thoroughfares, and that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, Certificate of Appropriateness 08-1126 and Certificate of No Effect 08-1127 are hereby amended.

PLEASE NOTE: THIS MISCELLANEOUS/AMENDMENTS LIMITS THE WORK APPROVED TO COMMENCEMENT TO THE WORK SHOWN ON THE PERFORATED DRAWINGS. Separate filings for the sidewalk work (LPC 09-2831) and demolition and construction work at the proposed hotel portion of the building (LPC 09-6329) are currently under review by the Commission. Once the completed submissions for this demolition and construction work have been received and approved, they will be marked as approved with a perforated seal.

PLEASE ALSO NOTE: This permit is contingent on the masonry work being performed when the temperature remains a constant 45 degrees Fahrenheit or above for a 72 hour period from the commencement of the work; detail drawings of T-covers and patching repairs; paint and mortar analyses reports; shop drawings for the installation of the ground floor mull at the street facades; identification and documentation of any shutters to be replaced due to disrepair prior to their removal; documentation of the visibility of the rooftop partitions and railings; and field samples for the paint stripping, cleaning, patching, polishing, brick replacement, cast stone and finishes, all prior to the commencement of work. Additionally, approval of the column capitals, new shutters and parapet coping are conditional upon the submission of documentation of the existing historic conditions to the Commission for review and, if the proposed conditions are found by staff to be inconsistent with the historic conditions, the submission of proposed revisions to the Commission for review and approval, all prior to the commencement of this work. Once the drawings and reports become available, promptly forward them to the Commission staff and contact the Commission staff when the field samples are ready in order to schedule a site visit.

Additionally, as specified in written confirmation, dated February 4, 2009 and prepared by Andrew Zehner, notation 15 on drawing AR-301, for the replacement of shutters, in the section labeled as Scope of Restoration Work, is not included in work proposed under this application and is not approved by this Miscellaneous/Amendments.

Also, as the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Buildings that the TPPN applies.

In addition, please be advised that Notice of Violation 06-0009, issued on September 16, 2005, for the installation of windows at Vestry and Greenwich Street facades without

permit(s)," remains in force and that THIS PERMIT CONTAINS A COMPLIANCE DATE OF AUGUST 6, 2009. Failure to resolve this Notice of Violation, in compliance with Certificate of No Effect 08-137 and this Miscellaneous Amendment, may result in the issuance of a second Notice of Violation originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02(c). A second Notice of Violation would require a court appearance and a civil fine may be imposed.

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.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The approved work is limited to what is contained in the perforated documents. Other work 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 amendment; a copy must be prominently displayed at the site while work is in progress. Any additional work or further amendments must be reviewed and approved separately. Please direct inquiries regarding this property to Bernadette Artus, Landmarks Preservationist.


Bernadette Artus

cc: Caroline Kane Levy, Deputy Director of Preservation/LPC; Diane Simonson, Compliance Officer/LPC; Gabrielle Khan, Costas Kondylis and Partners LLP; David West, Costas Kondylis and Partners LLP



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



January 12, 2009

ISSUED TO:

Shahab Karmely
443 Greenwich LLC
c/o Kar Properties
232 Madison Avenue
New York, NY 10016

Re: **MISCELLANEOUS/AMENDMENTS**
LPC - 095647
MISC 09-6619
443 GREENWICH STREET
HISTORIC DISTRICT
TRIBECA NORTH
Borough of Manhattan
Block/Lot: 222 / 1

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission issued Certificate of Appropriateness 08-1126 (LPC 07-9152) on July 30, 2007 approving a proposal to demolish bulkheads and a mechanical room; construct rooftop additions, bulkheads and courtyard stair towers; install rooftop HVAC equipment, acoustical screens, fencing and railings; remove rooftop water towers, a loading platform, fire escapes, and selective window fire shutters; replace ground floor infill; modify ground floor bays, create at-grade entrances; remove entrance steps; install a sidewalk canopy, exterior light fixtures, and sidewalk vault covers; modify existing masonry openings and create new masonry openings at the courtyard and eastern service alley facades; replace courtyard windows, service alley gates and paving at the courtyard, passageways and service alley; install doors and louvers at the service alley façade and a canopy and fencing at the courtyard; and enlarge the service alley loading platform, all at the subject premises. The Commission also issued Miscellaneous/Amendments 08-8911 (LPC 08-6575) on April 16, 2008, approving changes to the rooftop bulkheads, the construction of new flues and rooftop terrace area, installing rooftop railings and changing the placement of ground floor infill.

Subsequently, on December 5, 2008, the Commission received a request to amend the approved work. The proposed amendment consists of providing signed and sealed filing drawings for interior alterations only, including the construction of footings and underpinnings, and related excavation, to allow for the commencement of this portion of the work, as described in written specifications, dated December 29, 2008, and shown on drawings 1 and 2, dated August 11, 2008 and prepared by Gregory Pillori, PE, all submitted as components of the application.

Accordingly, the Commission reviewed the request and drawings and finds that the commencement of work at this time will be limited to interior alterations only; and that the work is in keeping with the original approval. Based on these findings, Certificate of Appropriateness 08-1126 is hereby amended.

PLEASE NOTE: THE ONLY WORK APPROVED BY THIS MISCELLANEOUS/AMENDMENTS TO BE

FILED AT THE DEPARTMENT OF BUILDINGS AND TO COMMENCE IS THE FOUNDATION AND UNDERPINNING WORK SHOWN ON THE PERFORATED DRAWINGS. This permit is being issued for work subject to the review and approval of the Department of City Planning for a modification of the use, pursuant to Section 74-711; and this approval is contingent upon the approval of final construction drawings and any related specifications and material samples, prior to the commencement of work beyond the work specified in this amendment. No demolition and/or construction work, included in Certificate of Appropriateness 08-1126 and Miscellaneous/Amendments 08-8911, beyond that specified in this amendment may begin until the final drawings have been marked approved by the Landmarks Preservation Commission. Separate filings for the demolition and construction work at the proposed residential portion of the building (LPC 09-2211) and sidewalk work (LPC 09-2831) are currently under review by the Commission. A separate filing for demolition and construction work at the proposed hotel portion of the building has not yet been received by the Commission. Once the completed submissions for this demolition and construction work have been received and approved, they will be marked as approved with a perforated seal.

PLEASE ALSO NOTE: As the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Buildings that the TPPN applies.

Additionally, please be advised that Notice of Violation 06-0009 remains in force and is not addressed by this permit. Failure to resolve this Notice of Violation, in compliance with Certificate of No Effect 08-1127 (LPC 08-0017), issued July 30, 2007, may result in the issuance of additional Notices of Violation originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). A second Notice of Violation would require a court appearance and a civil fine may be imposed.

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 of 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.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The approved work is limited to what is contained in the perforated documents. Other work 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 amendment; a copy must be prominently displayed at the site while work is in progress. Any additional work or further amendments must be reviewed and approved separately. Please direct inquiries regarding this property to Bernadette Artus, Landmarks Preservationist.

Bernadette Artus

cc: Caroline Kane Levy, Deputy Director of Preservation/LPC; Diane Simonson, Compliance Officer/LPC; Garvey Thelemaque, Metropolis Group Inc.

existing rooftop bulkheads and a water tower; installing coping stones at the top of the parapets, exposed by the removal of the bulkheads; removing rooftop flues; widening the existing historic brickwork parapets by constructing a new concrete wall, abutting the interior side of the existing parapets at the facades facing Greenwich, DeBrosses and Vestry Streets and at the courtyard and alley facades; and replacing the existing bluestone coping stones with new wider cast stone coping stones to cover the widened parapets; instead of rebuilding the parapets. The proposed amendment also includes providing signed and sealed filing drawings for parapet and roof work at the eastern portion of the building, including the removal of the existing flat bitumen roofing; demolition of existing bulkheads; removal of a water tower, the related tower base, and flues; removal of portions of existing parapets separating the eastern and western portions of the building; construction of a new concrete roof slab; and widening of the parapets at the facades facing the street, courtyard and alley; and replacement of coping stones, as well as interior alterations at the cellar through the seventh floor levels of the western portion of the building, including the demolition of non-bearing partitions, floor slabs, stairs and finishes; the construction of floor framing; the creation of elevator shafts and pits; and structural work to allow for the work to be filed and the Department of Buildings and to commence, as described in written specifications, dated March 25, 2009, and shown on drawings D-00, D-10, D-11, D-12, D-13, D-14, D-15, D-16, and D-17, dated revised March 24, 2009 and prepared by Alan L. Goldstein, RA; and drawings S-001, S-002, S-003, S-004, S-005, S-101, S-101A, S-102, S-102A, S-103, S-104, S-105, S-106A, S-106B, S-106T, S-201, S-202 and S-301, dated revised March 24, 2009 and prepared by Stanley H. Goldstein, PE.

Accordingly, the Commission reviewed the request and drawings and finds that the existing bulkheads, water tower and flues to be removed are not significant features of the overall design of the building; that the existing bulkheads and water tower to be removed are not prominent features of the building's profile when seen at a distance and therefore, the work will not disrupt a significant silhouette of the building, as seen from a distance; that the historic massing and silhouette of the building, as seen in close proximity, is perceived as a regular, rectangular form and, therefore, the removal of the bulkheads and water tower, which project above the parapet level at the secondary alley facade in an irregular pattern, will not disrupt a significant silhouette of the building, as seen in close proximity to the building; that the removal of the parapets at the interior portion of the roof and the widening of the parapets at the street, alley and courtyard facades will not be seen from any public thoroughfares or from the courtyard; that the replacement coping stones will match the existing coping stones in placement, color, texture, profiles, and overall appearance as seen from public thoroughfares; and that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, Certificate of Appropriateness 08-1126 and Certificate of No Effect 08-1127 are hereby amended.

PLEASE NOTE: Not all of the filing drawings for segments of the work approved by Certificate of Appropriateness 08-1126, Certificate of No Effect 08-1127, and the related Miscellaneous/Amendments have been submitted to the Commission yet. **THIS MISCELLANEOUS/AMENDMENTS LIMITS THE WORK APPROVED BY THE COMMISSION TO BE FILED AT THE DEPARTMENT OF BUILDINGS AND TO COMMENCE TO THE WORK SHOWN ON THE DRAWINGS PERFORATED BY THE LANDMARKS PRESERVATION COMMISSION.**

PLEASE ALSO NOTE: The issuance of this Miscellaneous/Amendments is contingent upon the masonry work being performed when the temperature remains a constant 45 degrees Fahrenheit or above for a 72 hour period from the commencement of the work; upon limiting the construction of any and all new floors and ceilings within 18" of the windows and doors to be entirely above or below the level of the glazing of the nearby windows and doors; and upon the Commission's review and approval of field samples for the cast stone coping prior to the commencement of the parapet work. Once field samples are ready, contact the Commission staff in order to schedule a site visit.

Also, as the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings **TPPN 10/88** governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Buildings that the **TPPN** applies.

In addition, please be advised that Notice of Violation 01-0009, issued on September 16, 2005 for the "Installation of windows at Vesey and Greenwich Street facades without permit(s)." Failure to resolve this Notice of Violation, in compliance with Certificate of No Effect 08-1127 and Miscellaneous Amendments 07-7186, may result in the issuance of a Notice of Violation originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). A second Notice of Violation would require a court appearance and a civil fine may be imposed.

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.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The approved work is limited to what is contained in the perforated documents. Other work 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 amendment; a copy must be prominently displayed at the site while work is in progress. Any additional work or further amendments must be reviewed and approved separately. Please direct inquiries regarding this property to Bernadette Artus, Landmarks Preservationist.


Bernadette Artus

cc: Caroline Kane Levy, Deputy Director of Preservation/LPC; Andrew Zelmer;
Costas Kondylis and Partners LLP; Aleksandra Slowinska, Costas Kondylis and
Partners LLP

EXHIBIT B – [January 1, 2011]

Construction Managers Insurance Requirements

1. The following policies and coverages shall be furnished by Owner for the benefit of Construction Manager solely with respect to the Project and the scope of services being provided by Construction Manager under this Agreement:

A. **Commercial General and Umbrella Liability Insurance:** Commercial general liability (CGL) coverage, with \$1,000,000 combined single limit per occurrence, and \$2,000,000 in the annual aggregate.

B. **Business Auto and Umbrella Liability Insurance:** Business auto liability with \$1,000,000 combined single limit per accident for bodily injury and property damage, without annual aggregate. Defense costs shall be in addition to the limit of liability. Coverage shall apply to any automobile owned, hired and non-owned. Coverage shall be written on Insurance Services Office form CA 00 01, CA 00 05, CA 00 12, CA 00 20, or a substitute form providing equivalent liability coverage. The policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 2004 and later editions of the CA 00 01. Limits may be provided in a "layered" program, by means of primary and umbrella policies. Excess/umbrella liability coverage, with \$5,000,000 combined single limit per occurrence, and \$5,000,000 in the annual aggregate

C.

2. The General Liability and Automobile Liability policies shall contain, or be endorsed to contain the following provisions:

A. The following parties shall be named as Additional Insured(s):

443 Developer, LLC
SGN 443 Greenwich Street Owner LLC
Metro Loft Management LLC

Certificate holder's interest and all affiliated entities named above is protected as additional insureds on general liability and excess liability policies. Further, the policy does not contain any exclusions for injuries to employees of subcontractor.

Any individual, any partnership or corporation, whether now existing or constituted or acquired, who or which is a subsidiary or part of, or is in common ownership with the additional insured listed as certificate holder and/or within the description outlined in this certificate, is insured as to all general liability exposures to the limits indicated in this certificate.

EXHIBIT C- [January 1, 2011]

Owner/Contractor Insurance Requirements

1. The following policies and coverages shall be furnished by Owner/Contractor for the benefit of Owner/Contractor:

A. **Commercial General and Umbrella Liability Insurance:** Owner/Contractor shall maintain commercial general liability (CGL) coverage, with \$1,000,000 combined single limit per occurrence, and \$2,000,000 in the annual aggregate.

B. **Business Auto and Umbrella Liability Insurance:** Owner/Contractor shall maintain business auto liability with \$1,000,000 combined single limit per accident for bodily injury and property damage, without annual aggregate. Defense costs shall be in addition to the limit of liability. Coverage shall apply to any automobile owned, hired and non-owned. Coverage shall be written on Insurance Services Office form CA 00 01, CA 00 05, CA 00 12, CA 00 20, or a substitute form providing equivalent liability coverage. The policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 2004 and later editions of the CA 00 01. Limits may be provided in a "layered" program, by means of primary and umbrella policies. Owner/Contractor shall maintain excess/umbrella liability coverage, with \$5,000,000 combined single limit per occurrence, and \$5,000,000 in the annual aggregate

C. **Workers' Compensation and Employees Liability Insurance:** Owner/Contractor shall maintain worker's compensation insurance as required by the State of New York and Employer's Liability Insurance in the amount of \$1,000,000 per accident for bodily injury or disease. Such insurance shall include coverage for injuries and work in other states as called for by the operations encompassed under the Contract.

2. The General Liability and Automobile Liability policies shall contain, or be endorsed to contain the following provisions:

A. The following parties shall be named as Additional Insured(s):

443 Developer, LLC
Metro Loft Management LLC
SGN 443 Greenwich Street Owner LLC
Renotal Construction Corp.

Certificate holder's interest and all affiliated entities named above is protected as additional insureds on general liability and excess liability policies. Further, the policy does not contain any exclusions for injuries to employees of subcontractor.

Any individual, any partnership or corporation, whether now existing or constituted or acquired, who or which is a subsidiary or part of, or is in common ownership with the additional insured listed as certificate holder and/or within the description outlined in this certificate, is insured as to all general liability exposures to the limits indicated in this certificate.

Mr. Mark Silberman
March 14, 2013
Page 9

Exhibit B

Copy of Permit and List of C of A Work

(Immediately Follows)

NYC

Buildings



Work Permit Department of Buildings

Permit Number: 110360341-01-AL

Issued: 08/21/2012

Expires: 07/19/2013

Address: MANHATTAN 443 GREENWICH STREET

Issued to: ROBERT TRAVIS
Business: 443 DEVELOPER LLC

Contractor No: GC-609430

Description of Work: CONCRETE WORK NOT AUTHORIZED - CONCRETE PLACEMENT, FORMWORK, STEEL REINFORCING NOT PERMITTED.

ALTERATION TYPE 1 - PROPOSE TO CONVERT THE EXISTING BUILDING INTO LOFTS WITH RETAIL AND HEALTH SPA. INSTALLING NEW PARTITIONS, CEILINGS, DOORS, NEW WINDOWS, NEW EXIT STAIRS, NEW 8TH FLOOR. INSTALLATION OF TEMPORARY CONSTRUCTION FENCE AS SHOWN ON DRAWINGS FILED HEREWITH.

Review is requested under Building Code: 1968

SITE FILL: NOT APPLICABLE

To see a Zoning Diagram (ZD1) or to challenge a zoning approval filed as part of a New Building application or Alteration application filed after 7/13/2009, please use "My Community" on the Buildings Department web site at www.nyc.gov/buildings.

Emergency Telephone Day or Night: 311

Borough Commissioner:

Commissioner of Buildings:

Tampering with or knowingly making a false entry in or falsely altering this permit is a crime that is punishable by a fine, imprisonment or both.

C of A Work Authorized by the Alt-1

1. Demolishing existing rooftop bulkheads and a courtyard mechanical room.
2. Constructing metal and glass rooftop additions, bulkheads on west portion of building and courtyard stair towers.
3. Installing rooftop HVAC equipment ,acoustical screens, fencing and railings on west portion of building.
4. Removing rooftop water towers, a loading platform at the Debrosses Street façade, fire escapes at the courtyard and alley facades, and selective window fire shutters at the first floor and basement levels of the courtyard facades and new stair tower.
5. Replacing ground floor infill at selective bays with new wood and cast iron infill on west portion of building.
6. Enlarging selective ground floor bays by lowering sills and creating at-grade entrances on west portion of building.
7. Removing entrance steps.
8. Installing one sidewalk canopy at the Greenwich Street façade, light fixtures throughout the west portion of building street facades and metal and glass vault covers at the Debrosses Street and Vestry Street sidewalks.
9. Enlarging existing masonry openings and creating new masonry openings at the courtyard facades.
10. Replacing windows at the courtyard facades, and paving at the courtyard, passageways.
11. Installing fencing at the courtyard.
12. Modifying new rooftop bulkheads by enlarging their footprints and adding flues.
13. Constructing two freestanding rooftop flue boxes, with related flues; constructing new rooftop terrace area and installing related rooftop railings.
14. Installing three light fixed windows above three light awning windows instead of installing six light windows at selective round headed bays of the

ground floor façade including three bays at Vestry Street façade and three bays at Debrosses Street façade.

15. Installing straight headed single doors and side lights, replicating the appearance of paired doors , and transoms, instead of installing arch-headed paired doors, at the four of the six ground floor arched entrance bays, reversing the door swing direction from outward to inward at the two central Greenwich Street entrances.
16. Lowering the placement of the proposed Greenwich Street canopy.
17. Eliminating the installation of louvers at the floor infill, installing hose bib enclosures and fresh intake at the base of the street façade installing a flush mounted louver at the western side of the southern covered driveway; repainting existing paired doors at western side of the southern covered driveway to match the color of the shutters as determined by a paint analysis.
18. Selectively combining ground floor masonry openings at the courtyard facades; enlarging selective ground floor openings; eliminating 2 proposed ground floor masonry openings; changing the design of the ground floor infill at the courtyard facades; changing the design of the entrance.
19. Installing HVAC equipment, skylights, planters.
20. Installing ladders at elevator bulkheads; changing the placement and operation of doors and windows at the penthouses; eliminating rooftop reflecting pools.
21. Performing interior alterations throughout the western portion of the building, including structural work, the demolition and construction of partitions and finishes , and mechanical, HVAC, plumbing and electrical work.



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



May 14, 2013

ISSUED TO:

Marc Fried
SGN 443 Greenwich Street Owner LLC
c/o Metro Loft Management, LLC
20 Exchange Place, 11th floor
New York, NY 10005

Re: **MISCELLANEOUS/AMENDMENTS**
LPC - 144221
MISC 14-4018
443 GREENWICH STREET
HISTORIC DISTRICT
TRIBECA NORTH
Borough of Manhattan
Block/Lot: 222 / 1

On March 14, 2013, the Landmarks Preservation Commission ("LPC") received a request to extend Certificate of Appropriateness 08-1126, LPC Docket 07-9152, as amended by MISC 08-8911, LPC Docket 08-6575, MISC 09-6619, LPC Docket 09-5647, MISC 09-7186, LPC Docket 09-2211, and MISC 09-8464, LPC Docket 09-6329 (hereafter collectively referred to as the "CofA"), issued for work at the property known as 443 Greenwich Street in the Borough of Manhattan. The CofA, initially approved on May 15, 2007, has an expiration date of May 15, 2013. After reviewing the facts set forth in the applicant's submission, the Chair agrees to extend the CofA for three years, until May 15, 2016, pursuant to section 7-03(c) of the Commission's Rules.

The Chair has determined that the facts and evidence before him demonstrate cause to extend the CofA based on extraordinary circumstances, finding that that the project also involved a section 74-711 special permit from the Department of City Planning (hereafter the "Special Permit"); that the LPC approved Modification of Use and Bulk 08-1125, LPC Docket 07-8721 in connection with the request for a Special Permit; that the Special Permit was approved by the City Planning Commission on July 23, 2008, and became effective on August 14, 2008; that although the original developers proceeded with due diligence to obtain all necessary approvals for the project they were unable to secure financing for the project due to the economic upheaval resulting from the collapse in the financial markets beginning in the Fall of 2008; that the original developers continued to change the project in order to make it viable and obtained amendments from the LPC to the original CofA in early 2009; that the inability to obtain financing resulted in litigation among the ownership in the Fall of 2010; that the original owners began to market the project in March 2011; that the current owners, 443 Greenwich Street Owner LLC (hereinafter the "Owner") purchased the building on July 19, 2012; that the Owner applied to the City Planning Commission on July 25, 2012, to renew the Special Permit; that the Owner has entered into a binding contract for construction management services with Renotal Construction Corp.; that a \$3.4 million dollar contract has been awarded for façade restoration; that Department of Building Permits have been issued for approximately 75-80% of the work approved by the CofA; and that the owner has already spent approximately \$14.5 million dollars on the project in soft and hard costs; that interior and exterior demolition and abatement work is ongoing, fire escapes have been removed, paint removal from the façade is on-going; that the window contract is out for bid to

six contractors; that extending the CofA for an additional three years will make it consistent with the renewed Special Permit; and that for all of these reasons the Chair has determined that the owner has demonstrated the existence of extraordinary circumstances and will extend the CofA until May 15, 2016.

*** * * * *


Bernadette Artus

cc: Caroline Kane Levy, Deputy Director of Preservation/IPC, Jav A.
Segal/Greenberg Traurig, LLP



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



September 24, 2013

ISSUED TO:

Nathan Berman
SGN Greenwich Street Owner LLC
c/o Metro Loft Management
20 Exchange Place, 11th floor
New York, NY 10005

Re: **STATUS UPDATE LETTER**
LPC - 147959
SUL 14-8806
443 GREENWICH STREET
HISTORIC DISTRICT
TRIBECA NORTH
Borough of Manhattan
Block/Lot: 222 / 1

This letter is to inform you that at the Public Meeting of September 24, 2013, following the Public Hearing of the same date, the Landmarks Preservation Commission voted to approve a proposal to amend Certificate of Appropriateness 08-1126, for the construction of rooftop additions, the installation of windows, doors, and other infill; modifications to the vehicular driveways and related excavation; and the installation of a railing and sealing of a service entrance at the subject premises, as put forward in your application completed August 29, 2013. The approval will expire on September 24, 2019.

However, in voting to approve this proposal, the Commission required that the applicants, in consultation with the Commission staff, revise the proposal to reduce the height of the proposed rooftop addition and to change the proposed canopy roofing material to metal, instead of glass. No work can begin until a Certificate of Appropriateness is issued. Upon receipt, review and approval of two signed and sealed sets of the final Department of Buildings filing drawings for the approved work, incorporating the required modifications, a Certificate of Appropriateness will be issued.

Please note that all drawings, including amendments which are to be filed at the Department of Buildings, must be approved by the Landmarks Preservation Commission. Thank you for your cooperation.

Abbie Hurlbut

Please Note: THIS IS NOT A PERMIT

cc: Bernadette Artus, Deputy Director of Preservation/LPC; Cas Stachelberg, Higgins, Quasebarth, & Partners, LLC



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 APPROPRIATENESS

ISSUE DATE: 05/15/14	EXPIRATION DATE: 9/24/2019	DOCKET #: 155877	COFA #: COFA 15-7760
ADDRESS: 443 GREENWICH STREET <u>HISTORIC DISTRICT</u> TRIBECA NORTH		BOROUGH: MANHATTAN	BLOCK/LOT: 222 / 1

Display This Permit While Work Is In Progress

ISSUED TO:

Nathan Berman
SGN Greenwich Street Owner LLC
c/o Metro Loft Management
20 Exchange Place, 11th floor
New York, NY 10005

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of September 24, 2013, following the Public Hearing of the same date, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forward in your application completed on August 29, 2013, and as you were informed in Status Update Letter 14-8806 (LPC 14-7959), issued on September 24, 2013.

The proposed work, as approved, consists of modifying the design of rooftop additions, infill on street and alley facades and within the central courtyard, which were previously approved by Certificate of Appropriateness 08-1126 (LPC 07-07-9152) on July 30, 2007 and its associated Miscellaneous/Amendments. The proposed modifications, as approved, consists of modifying the footprint and locations of the proposed rooftop addition and bulkheads; changing the material of the proposed rooftop work from metal and glass to a dark red brick masonry and glass; installing a glass railing at the perimeter of the roof along the street and alley facades; replacing the existing mix of single-hung, double-hung, fixed and casement windows throughout the second through the seventh floors of the Greenwich Street (western) facade and the western portion of the Desbrosses Street (northern) and Vestry Street (southern) facades, installed without Landmarks Preservation Commission permits, with wood, six-over-six window assemblies, including, at the round-headed openings, installing a fixed upper sash and a tilt-and-turn lower sash; and at the square-headed openings, installing a double-hung window; replacing wood, two-over-two, double-hung windows at the eastern portion of the Desbrosses and Vestry Street facades, the eastern alley facade, and the eastern courtyard facade, in-kind; replacing wood, multi-light single and double-hung windows at the first

through sixth floor levels of the north, south, and west courtyard facades with wood multi-light window assemblies featuring a fixed upper sash and a tilt-and-turn lower sash at the single-hung window openings and a double-hung window assembly at the historic double-hung window openings; replacing ground floor infill at selective bays throughout the Desbrosses Street, Greenwich Street, and Vestry Street facades with single and multi-light wood and glass windows with hopper transoms and wood as well as glass paneled doors and transoms; installing wood paneled bulkheads at the Greenwich Street facade and the western portion of the Desbrosses Street and Vestry Street facades, and glazed paneled bulkheads at the eastern portion of the Desbrosses and Vestry Street facades; installing a metal canopy above the Greenwich Street entrance; excavating at the central driveway into the courtyard, creating a sloped driveway leading below the existing courtyard; installing glazed panels at the northern and southern interior perimeter of the courtyard at the driveway; modifying existing masonry openings and creating new masonry openings at the ground floor level of the northern and southern (courtyard) facades; removing an entrance at the eastern facade and installing brick masonry, matching the surrounding condition, instead of creating additional masonry openings; and installing a black painted metal railing at the existing loading dock at the eastern facade, instead of enlarging the loading dock. The work was shown on 40 presentation boards, labeled LPC-1 through LPC-40, dated September 24, 2013 and consisted of drawings, photographs, and photomontages, all prepared by Cetra Ruddy, and presented at the Public Hearing and Public Meeting. Additionally, material samples were also presented.

In reviewing this proposal, the Commission noted that the Tribeca North Historic District describes 443 Greenwich Street as a Romanesque Revival style warehouse building, designed by Charles C. Haight and built in 1883-1884; and that the building's style, scale, materials and details are among the features that contribute to the special architectural and historic character of the historic district. The Commission also notes that Notice of Violation 06-0009 was issued on September 16, 2005 for the "installation of windows at Vestry and Greenwich Street facades without permit(s)." The Commission further notes that Certificate of Appropriateness 08-1126 was issued on July 30, 2007, approving a proposal to demolish bulkheads and a mechanical room; remove water towers, a loading platform, fire escapes, selective fire shutters, and entrance steps; construct additions, bulkheads and stair towers; install HVAC equipment, acoustical screens, fencing, railings, canopies, doors, louvers, light fixtures, and vault covers; modify existing masonry openings; create new masonry openings; replace ground floor infill, windows, gates and paving; and enlarge a loading platform; that Modification of Use 08-1125 was issued July 30, 2007, supporting an application for the issuance of a Special Permit, pursuant to Section 74-711 of the Zoning Resolution to permit the Modification of Use and Bulk; and that Miscellaneous/Amendment 14-4018 was issued on May 14, 2013, approving extending the permit expiration date of Certificate of Appropriateness 08-1126 to May 16, 2016.

With regard to this proposal, the Commission found that the presence of a one-story rooftop addition will not significantly alter the overall scale of the building; that the building historically featured rooftop accretions, including bulkheads and water towers, visible from public thoroughfares, therefore the presence of rooftop structures will be in keeping with the character of the building; that the proposed windows at the street facades will match the historic windows in terms of configuration and material; that the change in operation at a portion of the deeply set windows at the upper floors of these primarily masonry facades will be a discreet change, which will help facilitate the adaptive reuse of the building; that the proposed finish for the replacement windows will closely match the historic finish with only a slight variation of shade, which will be consistent with the historic color palette of buildings of this type, style, and age; that the placement of the ground floor entrances and windows with bulkheads at the street facades will remain harmonious with the organization of the these facades; that the configuration of the entrance infill, featuring paired doors, with a transom, will be based on historic infill at the building; that the sloping lowered roadway and glazing at the courtyard will be in keeping with the character of service entrances and maintain views through these passageways and the courtyard, while also remaining a discreet change, only visible from limited vantage

points through gated entrances; that the proposed alterations to masonry openings and the courtyard facades and replacement of infill will maintain a unified fenestration pattern and will not be visible from any public thoroughfares; that the sealing of an existing service entrance at the eastern façade with brickwork will not eliminate any significant features or detract from the façade composition; and that the proposed installation of a simply designed railing at the existing loading dock at the eastern façade will be well-related to service entrances at secondary facades. Based on these findings, the Commission determined the work to be appropriate and voted to approve it with the stipulation that the rooftop work be reduced in visibility and that the material of the proposed canopies be metal instead of the proposed glass.

The Commission authorized the issuance of a Certificate of Appropriateness upon receipt, review and approval of two sets of final filing drawings showing the approved design.

Subsequently, on April 14, 2014, the Landmarks Preservation Commission received final drawings T-000.00, G-001, G-002, G-003, G-004, G-005, G-006, G-007, G-008, G-009, G-010, G-011, A-100, A-101, A-102, A-103, A-104, A-105, A-106, A-107, A-108, A-109, A-301.3, A-301.4, A-411, A-412, A-413, A-440, A-441, A-442, A-500, A-502, A-504, A-506, A-511, A-512, A-531, A-591, A-601, A-602, A-603, A-604, A-605, A-606, A-607, and A-608, dated (revised) April 7, 2014; A-401, A-403, A-404, A-501, and A-505, dated (revised) April 17, 2014; and A-402, A-503, and A-511, dated (revised) May 9, 2014 and prepared by John Cetra, RA.

Accordingly, staff reviewed the drawings and found that they include additional work, consisting of installing a metal pergola at the rooftop along the northern, western, and southern perimeter of the interior courtyard; installing windows at the first floor level with operable hopper transoms, matching the configuration of the historic windows; installing siamese connectors at the center bay at the ground floor level on the northern and southern facades; installing a louver mounted flush with the bulkhead panel at the ground floor level on the western facade and finished to match the surrounding bulkhead; and interior alterations at the cellar through 7th floors. Staff found that the proposed metal pergola will not be visible from any public thoroughfare; that the installation of the pergola will not result in damage to, or demolition of, a significant architectural feature of the roof; that the pergola will not adversely affect significant architectural features of adjacent improvements; that the windows at the first floor level will match the historic windows in terms of configuration, details, material, and finish; that the operable transoms of the proposed windows are a typical feature for windows at buildings of this type, style, and age in this historic district; that the louver will be installed through a non-historic bulkhead and will be integrated into the design of the bulkhead, and the unit will be concealed by a grille mounted flush with the exterior of the bulkhead and finished to match the surrounding bulkhead; and that the proposal approved by the Commission has been maintained and that the changes required by the Commission has been included. Based on this and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 15-7760 is being issued.

PLEASE NOTE: This permit is issued contingent upon the submission of an engineer's report and final filing drawings for the excavation work at the driveway and courtyard and a paint analysis report prior to the commencement of the related work. Promptly alert the Commission staff as soon as these become available.

PLEASE ALSO NOTE: Notice of Violation 06-0009 will remain in effect until the related work approved under this permit has been completed and inspected for compliance. NOTE THAT THIS PERMIT CONTAINS A COMPLIANCE DATE OF MAY 8, 2015. Failure to complete the corrective work by this date may result in the issuance of a Notice of Violation (NOV) originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). Second NOV's require a court appearance and a civil fine may be imposed. Once the corrective work is completed,

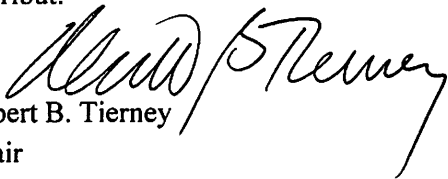
promptly submit a written request for a Notice of Compliance from the building owner, along with a photograph documenting the finished work, to the Commission. This permit is being issued in reliance upon the owner's demonstrated intention to perform work to correct the violation by December 31, 2014, as evidenced by the escrow agreement dated October 19, 2012, between SGN 445 Greenwich St, owner, and Kucker & Bruh LLP as escrow agent. Failure to address this violation may result in the issuance of a Notice of Violation originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02(c). This NOV would require a court appearance, and a civil penalty may be imposed.

As the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings' TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their DOB permit to inform DOB that the TPPN applies.

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 the approval. The work is limited to what is contained in the perforated document. 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 fine. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Abbie Hurlbut.

Robert B. Tierney
Chair



PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Cas Stachelberg, Higgins, Quasebarth, & Partners, LLC

cc: Bernadette Artus, Deputy Director of Preservation/LPC