



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** 19 East 70th Street**1. Reference Numbers**CEQR REFERENCE NUMBER (to be assigned by lead agency)
17DCP079M

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)
170040 ZSMOTHER REFERENCE NUMBER(S) (if applicable)
(e.g., legislative intro, CAPA)**2a. Lead Agency Information**NAME OF LEAD AGENCY
New York City Planning CommissionNAME OF LEAD AGENCY CONTACT PERSON
Robert Dobruskin, Director, Environmental Assessment
and Review Division, Department of City Planning

ADDRESS 120 Broadway, 31st Floor

CITY New York

STATE NY

ZIP 10271

TELEPHONE 212-720-4323

EMAIL
rdobrus@planning.nyc.gov**2b. Applicant Information**NAME OF APPLICANT
NY 70th St, LLCNAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
Valerie Campbell, Esq.
Kramer Levin Naftalis & Frankel LLP

ADDRESS 1177 Avenue of the Americas

CITY New York

STATE NY

ZIP 10036

TELEPHONE 212-715-9183

EMAIL
vcampbell@kramerlevin.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, NY 70th St, LLC, is seeking a City Planning Commission (CPC) special permit pursuant to Zoning Resolution (ZR) Section 74-711 to facilitate the renovation of an existing 6-story townhouse located at 19 East 70th Street in Manhattan and conversion of the building to residential use. The project site is a designated New York City Landmark, and is located within the Upper East Side Historic District. See page 1a for a full Project Description.

Project Location

BOROUGH Manhattan

COMMUNITY DISTRICT(S) 8

STREET ADDRESS 19 East 70th Street

TAX BLOCK(S) AND LOT(S) Block 1385, Lot 15

ZIP CODE 10021

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS North side of East 70th Street between Fifth and Madison Avenues

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C5-1;
Special Madison Avenue Preservation District

ZONING SECTIONAL MAP NUMBER 8c

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 74-711, to waive 23-851, 23-86, and 23-692

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

4. PROJECT DESCRIPTION

The applicant, NY 70th St, LLC, is seeking a City Planning Commission (CPC) special permit pursuant to Zoning Resolution (ZR) Section 74-711 to facilitate the renovation of an existing 6-story townhouse located at 19 East 70th Street in Manhattan (Block 1385, Lot 15) (the “project site”) and conversion to residential use (the “proposed project”). The proposed special permit would waive the regulations of the following sections of the Zoning Resolution (ZR): ZR 23-851 (Minimum dimensions of inner courts), ZR 23-86 (Minimum distance between legally required windows and any wall in an inner court), and ZR 23-692 (Height limitations for narrow buildings or enlargements). The project site is an approximately 3,012 square foot (sf) lot located on the north side of East 70th Street between Fifth and Madison Avenues in the Upper East Side neighborhood of Manhattan (see **Figure 6**).

The building was originally built in 1909-10 in the Italian Renaissance style. The building was converted to office use in 1952 and, starting in 1972, it was used as an art gallery, known as the Knoedler Gallery. The Knoedler Gallery vacated the building in 2011 when the building was acquired by a private party intending to convert the building back to its original residential use. The building was later acquired by the applicant in 2013, and is currently vacant and, as discussed below, is currently undergoing renovations pursuant to permits issued by the New York City Department of Buildings (DOB). The project site is located within a C5-1 zoning district and the Special Madison Avenue Preservation District. The building was designated as a New York City Landmark (NYCL) in 1974 and is located within the Upper East Side Historic District. The existing building has a total floor area of 19,694 gross square feet (gsf) and a zoning floor area of 15,325 zoning square feet (zsf) (5.09 FAR).

The applicant intends to convert the building back to its original use as a single-family residence. Pursuant to alteration permits obtained by a previous owner from DOB in December 2014 (DOB job no. 121944227), conversion of the building to a single-family residence is already in progress, including renovations to the interior of the building (which represents the No Action condition as described below). The interior renovations currently being conducted pursuant to the DOB permits include adjustments to create level floors, including the removal of a partial mezzanine level on the 6th floor. In addition, pursuant to subsequent alteration permits obtained by the applicant from DOB in February 2016 (post approval amendment for DOB job no. 121944227), the renovations to the building currently underway include below-grade excavation to expand sub-cellar level 1 and create a new subcellar level 2, which primarily contain storage and mechanical space.¹ The ongoing alterations performed under the approved plans, in particular the creation of new floor area on sub-cellar levels 1 and 2, will increase the total floor area of the building by approximately 1,600 gsf. However, as the building currently has features above-grade that do not conform to zoning requirements (discussed further below), the approved work includes extensive alterations to the rear of the building to eliminate non-complying conditions. The proposed special permit would allow for the completion of the conversion of the building to its original use as a single-family residence while modifying the design to better preserve the building’s architectural integrity and maintain the rear façade in its original profile.

In particular, the above-grade modifications to the alteration design that would be facilitated by the proposed special permit (the With Action condition) would include eliminating a non-complying air shaft (14 feet by 4.5 feet, and less than the minimum dimensions and area required for an inner court) located on the eastern side of the building between the second floor and the penthouse level. While the interior renovations would largely be similar to the approved design, the modified above-grade design with the special permit would largely maintain the rear façade profile of the building, which features non-complying elements. At present the rear windows of the building do not meet the minimum 30 foot distance from the lot line requirement per ZR 23-86. The open area at the rear of the building and the air shaft along the eastern side lot line beginning at the first story do not meet the required dimensions and minimum area for an inner court under ZR 23-851. Furthermore, while filling in the air shaft eliminates a non-complying court, it also locates new floor area above the maximum permitted building height of 60 feet under ZR 23-692. The proposed special permit would waive the requirements of ZR 23-86, 23-851, and 23-692.

¹ The below-grade excavation on sub-cellar levels 1 and 2 is being performed as-of-right pursuant to DOB-approved plans under the existing alteration permit; the below-grade work in the building is not subject to the proposed special permit.

With the modified design facilitated by the proposed special permit, the total floor area of the building would increase by an additional approximately 1,500 gsf due to the new above-grade floor space added by eliminating the air shaft between the second floor and the penthouse level, and mechanical equipment on the sixth floor through the penthouse level. Therefore, with the modified above-grade design under the proposed special permit, the total floor area of the building would be 22,834 gsf and the zoning floor area of the building would be 15,452 zsf (5.13 FAR). The proposed renovations would result in a smaller increase in zoning floor area due primarily to new mechanical deductions and removal of existing bulk on the fourth floor through the penthouse level. There is no proposed change in gross floor area or zoning floor area on the cellar floor or first floor; **Figures 7a and 7b** show the DOB-approved design (the No Action scenario) and the modified above-grade design (the With Action scenario), respectively.

The proposed conversion involves restoration and other modifications to the front façade, reconstruction of the rear façade, and reconstructing and reconfiguring portions of the penthouse. Reconstruction of the rear façade will include removing a projecting bay, new brickwork in stepped planes similar to the existing rear façade, reconstructing and reconfiguring portions of the penthouse, and modifying the existing elevator bulkhead (see **Figure 8**). The proposed exterior work would also replace windows, doors, fencing, and light fixtures on the building's front façade. The New York City Landmarks Preservation Commission (LPC) issued a design approval Certificate of Appropriateness (CofA no. 17-6483, September 11, 2015, and its associated Miscellaneous/Amendments 19-0659, July 18, 2016) and a ZR 74-711 report to the CPC (MOU no. 17-6491, September 11, 2015) for the proposed project. LPC has also issued a Certificate of No Effect (CNE no. 15-7831, May 16, 2014, and its associated Miscellaneous/Amendments 17-647, September 10, 2015).

Assuming all approvals are in place by the end of 2016, the proposed project would be completed by 2019.

PROPOSED ACTION

The applicant is seeking a special permit pursuant to ZR 74-711 to waive the regulations relating to (i) minimum inner court dimension and minimum inner court area (ZR 23-851), (ii) the minimum distance between legally required windows and walls or lot lines (ZR 23-86), and (iii) maximum permitted height for a narrow building (ZR 23-692) (the "special permit").

As the building is an individual NYCL and located within the Upper East Side Historic District, the proposed project is subject to the review and approval of LPC. As noted above, LPC issued a design approval Certificate of Appropriateness and a Certificate of No Effect for the proposed project in September 2015; as part of the project approvals, a Restrictive Declaration would be assigned to the project site to ensure development consistent with the LPC approvals and the implementation of the continuing maintenance plan.

PURPOSE AND NEED OF THE PROPOSED ACTION

The proposed project would complete the conversion of the building on the project site back to its original use as a single-family residence. Because the building predates the existing zoning regulations, it contains features that do not conform to the zoning requirements for residential uses. In particular, the building's rear windows are 10 feet from the rear lot line on the cellar and first floor and range from approximately 13 feet to 21 feet from the rear lot line on the upper floors, rather than the 30 feet required by ZR 23-86. In addition, the open area at the rear of the building, which is considered an inner court for zoning purposes, does not provide the minimum dimension of 30 feet or the minimum of 1,200 square feet of space required for inner courts under ZR 23-851 (a second non-complying inner court, the air shaft along the eastern side lot line, would be eliminated with the proposed project). Pursuant to ZR 23-692, the building, which is considered a narrow building for zoning purposes, is limited to a maximum building height of 60 feet; filling in the air shaft, which would eliminate a non-complying inner court, would locate new floor area above the maximum permitted building height. The special permit would waive the requirements for minimum inner court dimension, minimum inner court area, minimum distance to the lot line for legal windows, and maximum height for narrow buildings.

In the original condition as built, the rear façade and inner court would be permitted legally noncomplying conditions if the building had remained in use as a single-family residence. However, because the building was changed to

commercial office and gallery use, the conversion back to the historic residential use requires the special permit. The proposed project would largely retain the original condition as built, except for a slight increase in the distance from the rear façade of the building to the rear lot line on the upper floors.

Under the previous ownership of 19 East 70th Street, alteration permits were issued by DOB to convert the building to a single-family residence (additional permits were issued by DOB to the applicant for related below-grade excavation to expand the subcellar levels of the building). To eliminate the non-complying elements of the building, the DOB-approved alteration plans included more extensive alterations to the rear façade. Specifically, the DOB-approved work included removing a larger portion of the façade on the upper floors to create larger setbacks, thereby increasing the distance between the rear wall and the rear lot line, as well as creating a series of skylights along the rear of the building. These approved modifications satisfied the rear yard light and air requirements under zoning. However, the applicant has prepared design plans for the rear façade, reviewed and approved by LPC, that better preserve the building's architectural integrity and substantially maintains the rear façade in its original profile. The proposed design provides for sufficient natural light and will be fully climate controlled, therefore the non-complying inner court area will not compromise light and air for residential spaces at the rear of the building.

For these reasons, the applicant is seeking the special permit to facilitate conversion of the building back to a single-family residence.

NO ACTION SCENARIO

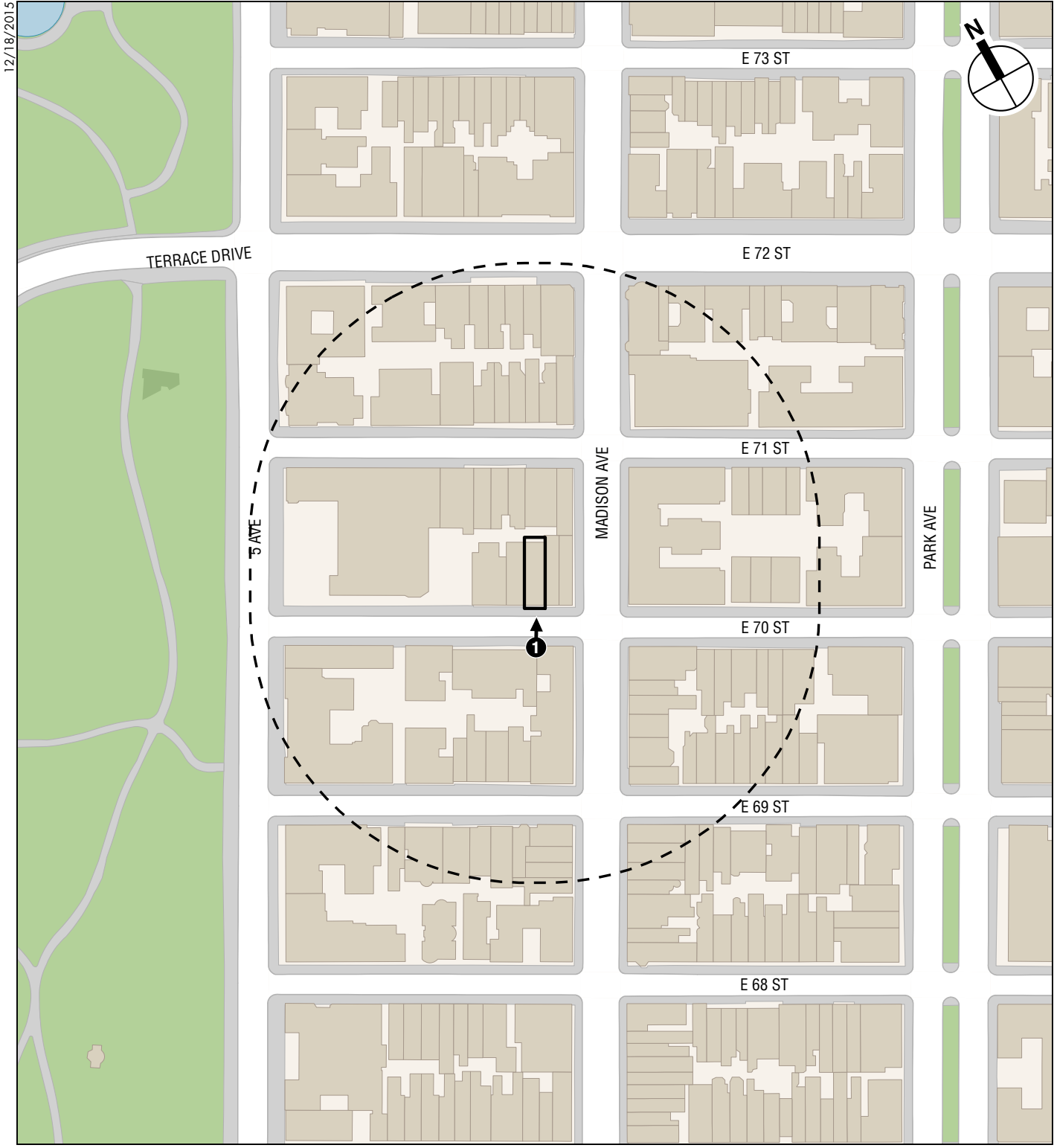
As noted above, DOB has approved a design for the conversion the building into a single-family residence. Absent the special permit, the applicant will complete the conversion pursuant to the previously approved plans. The No Action design requires more extensive alterations to the rear of the building, including a larger setback on the upper floors, sky lights, and larger windows. The No Action design will also remove the building's existing elevator bulkhead and construct a new mechanical bulkhead on the building's roof (see **Figure 9**).




With the larger setback areas on the upper floors, the approved No Action design will result in a reduction of the existing building's zoning floor area by roughly 1,000 zsf. The No Action design also includes excavation on sub-cellar levels 1 and 2, which will increase the existing building's total floor area by approximately 1,600 gsf. Therefore, in the No Action condition the building on the project site will be an approximately 21,326 gsf, single-family residence.

WITH ACTION SCENARIO

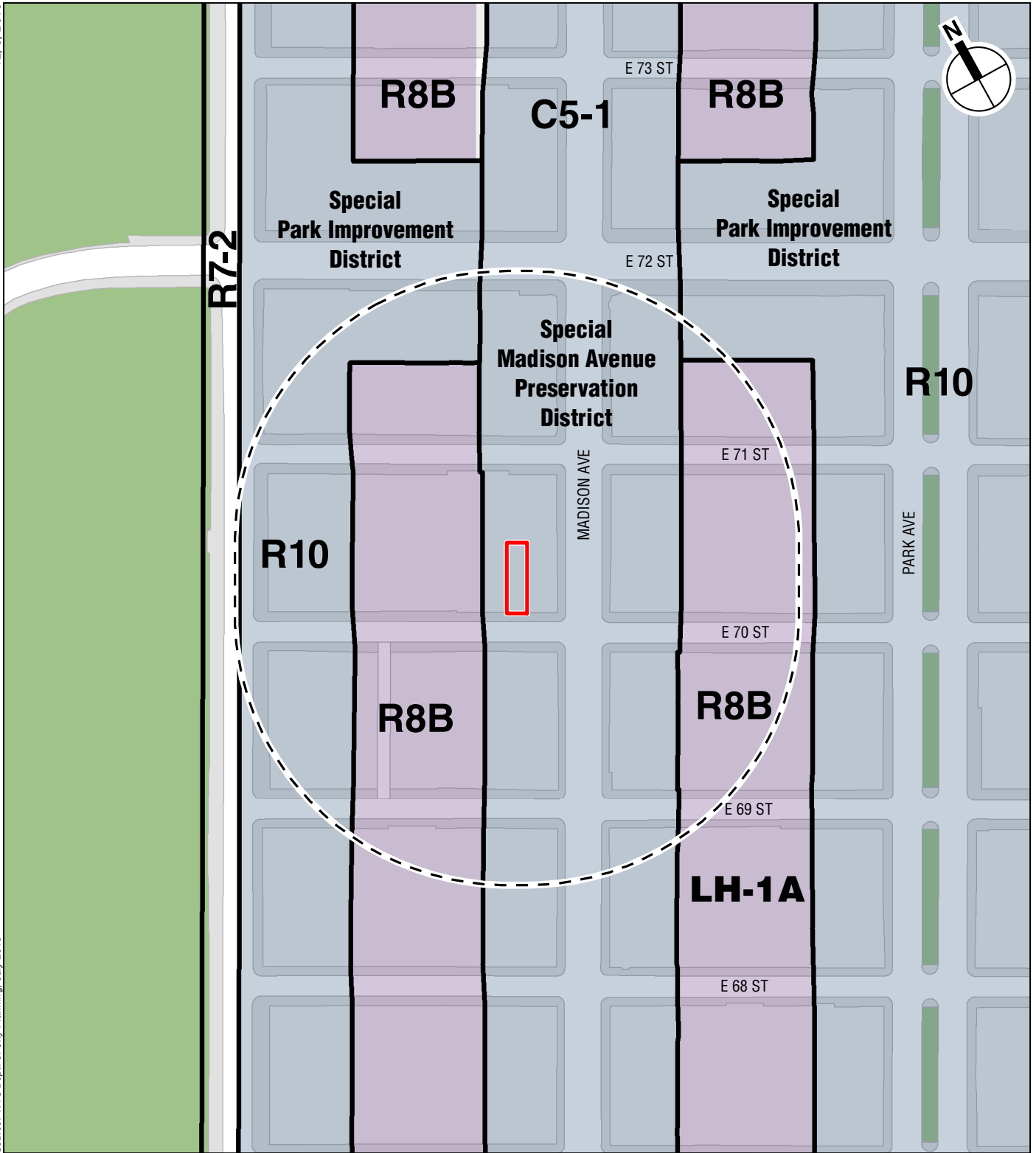
With the proposed special permit, the applicant would complete the conversion of the building with a modified above-grade design that better preserves the building's architectural integrity and substantially maintains the rear façade in its original profile. In particular, the With Action design would not include the removal of a larger portion of the façade on the upper floors to create larger setbacks, as required for the No Action design, because the proposed special permit would waive the zoning requirements that these modifications to the rear façade are intended to satisfy. However, the With Action design would include the same below-grade excavation of the sub-cellar levels as the No Action design. In addition, the With Action design would eliminate the air shaft between the second floor and the penthouse level, which is not included in the No Action design. Therefore, in the With Action scenario, the building would be a single-family residence with 22,834 gsf of space, approximately 1,500 gsf larger than the No Action design, although there would be no change in use from the No Action scenario.

Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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 checked="" type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input checked="" type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL	
	<input type="checkbox"/> OTHER, explain:	
State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		If "yes," specify:
6. Site Description: <i>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.</i>		
Graphics: <i>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.</i>		
<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.): 3,012	Waterbody area (sq. ft.) and type:	
Roads, buildings, and other paved surfaces (sq. ft.): 3,012	Other, describe (sq. ft.):	
7. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action)		
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 22,834 (approx. 1,500 gsf increase from No Action condition with the proposed special permit)		
NUMBER OF BUILDINGS: 1	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 22,839	
HEIGHT OF EACH BUILDING (ft.): 100	NUMBER OF STORIES OF EACH BUILDING: 6 (with penthouse)	
Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
If "yes," specify: The total square feet owned or controlled by the applicant:		
The total square feet not owned or controlled by the applicant:		
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):		
AREA OF TEMPORARY DISTURBANCE: 2,660 (equal to disturbance in the No Action condition) sq. ft. (width x length)	VOLUME OF DISTURBANCE: 27,800 (equal to disturbance in the No Action condition) cubic ft. (width x length x depth)	
AREA OF PERMANENT DISTURBANCE: 2,660 (equal to disturbance in the No Action condition) sq. ft. (width x length)		
8. Analysis Year CEQR Technical Manual Chapter 2		
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2019		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 36 (includes ongoing construction performed under approved DOB permits)		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF MULTIPLE PHASES, HOW MANY?		
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:		
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 checked="" type="checkbox"/> OTHER, specify: Institutional	




-  Project Site
-  Study Area (400-foot boundary)
-  Photograph View Direction and Reference Number (see Figure 5)

0 200 FEET



 Project Site

 Zoning Districts

 Study Area (400-foot boundary)

 Limited Height District

 Special Purpose District

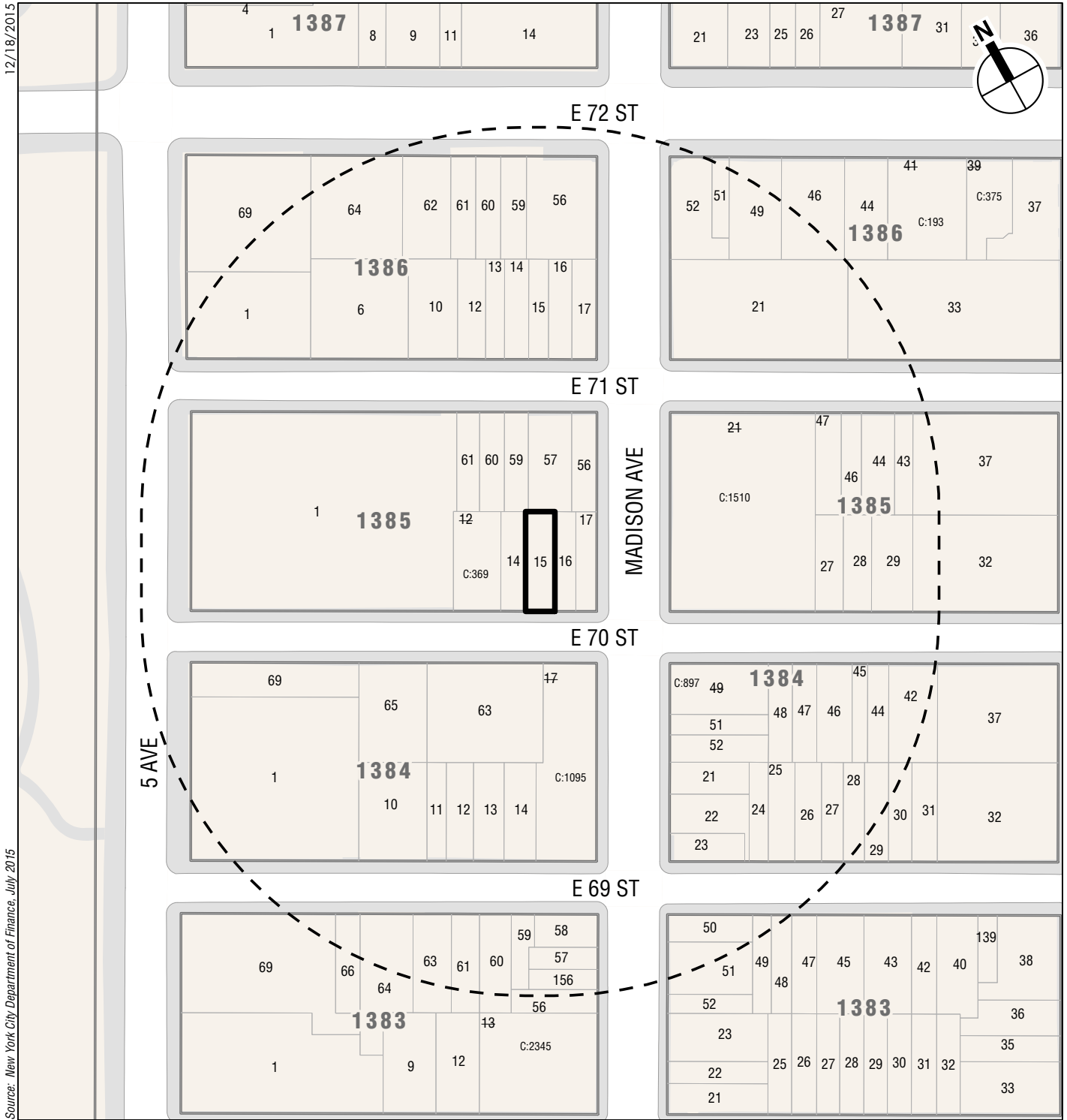
0 200 FEET





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

0 200 FEET



12/18/2015

Source: New York City Department of Finance, July 2015

- Project Site
- Study Area (400-foot boundary)
- Tax Block Boundary
- Tax Lot Boundary

- 33 Tax Lot Number
- 33 Condo Tax Lot Number
- C: 40 Condo Flag/Condo Number

0 200 FEET

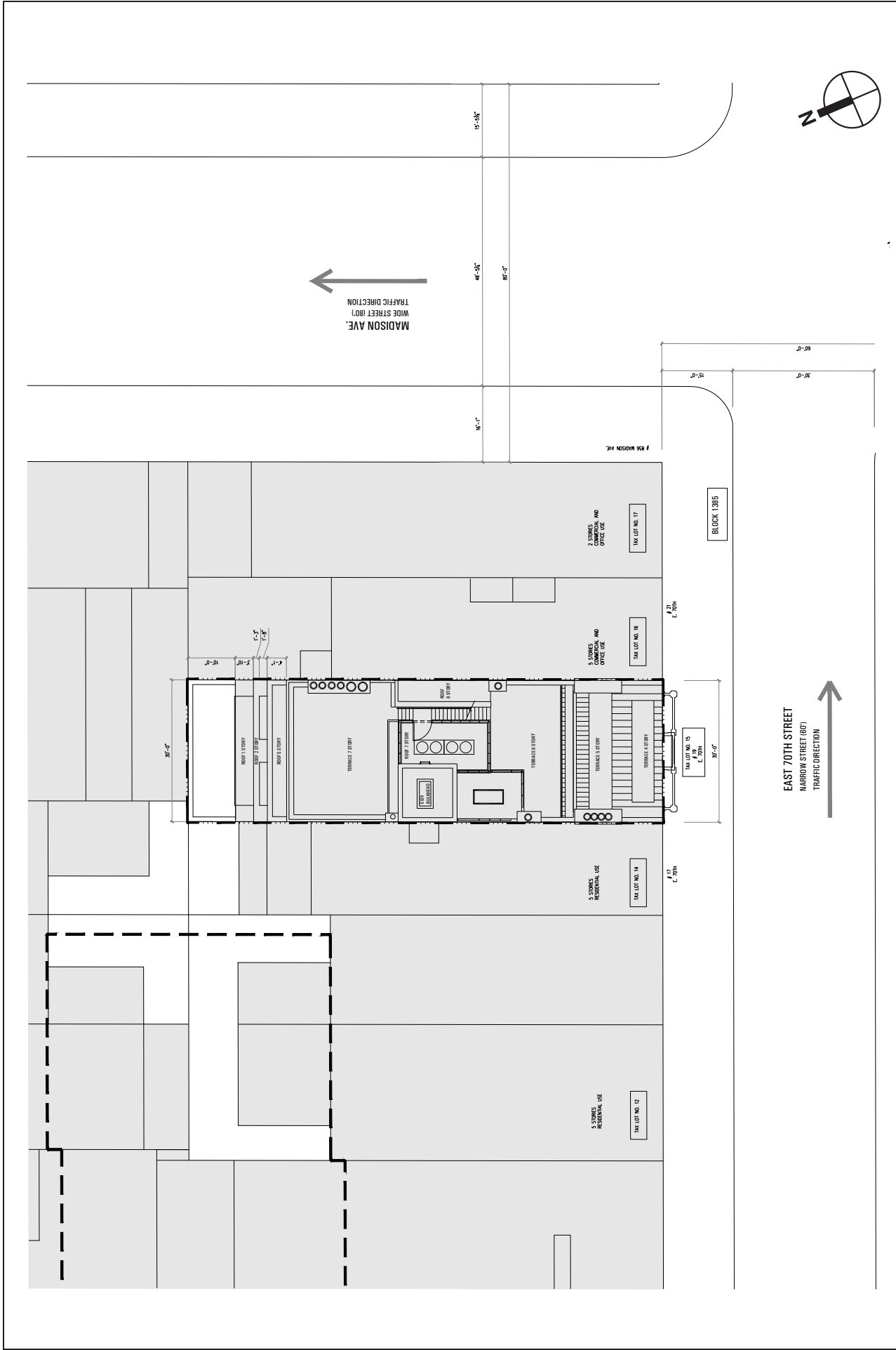


19 EAST 70TH STREET

Project Site Photographs
Figure 5a



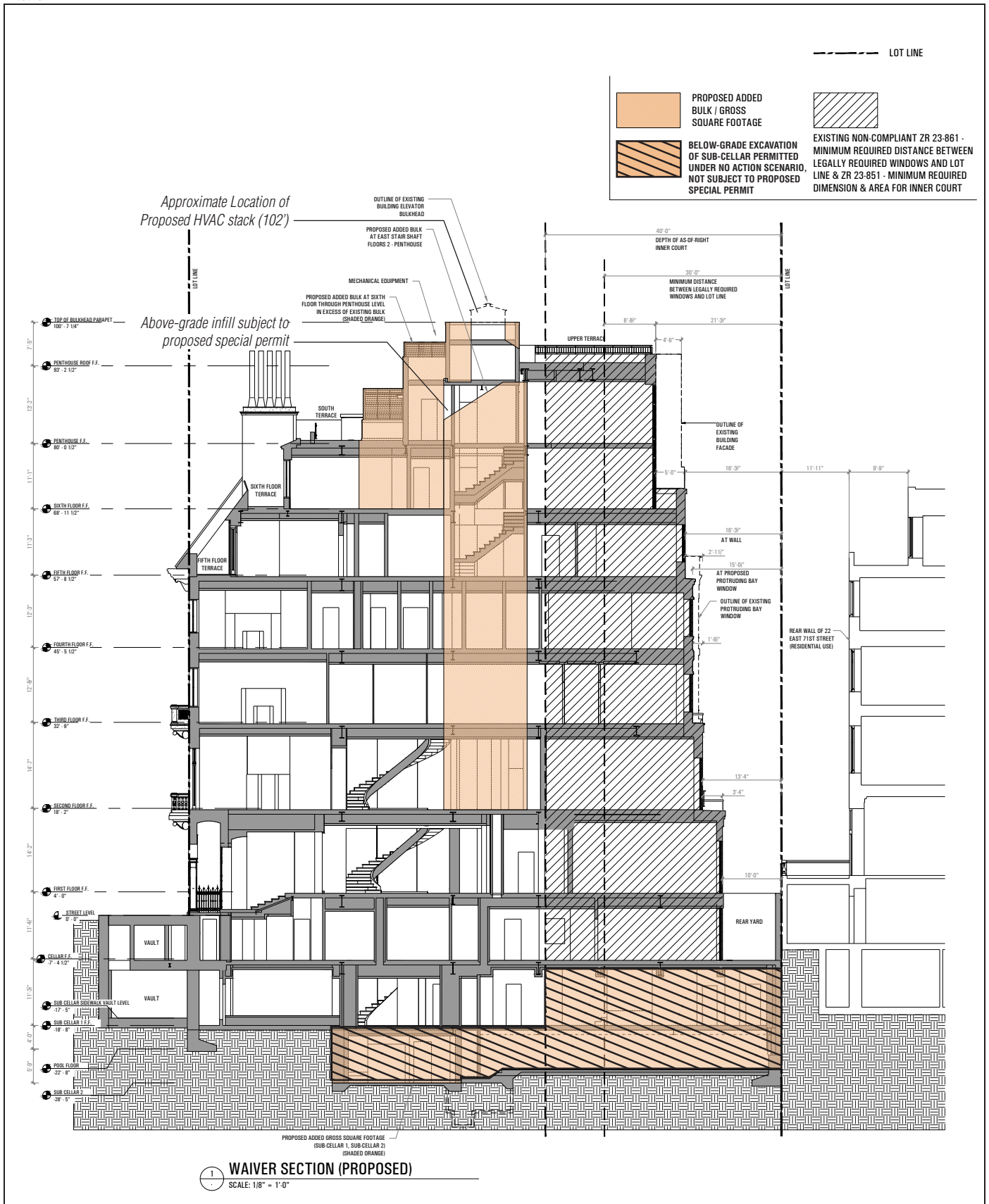
As of December 2016

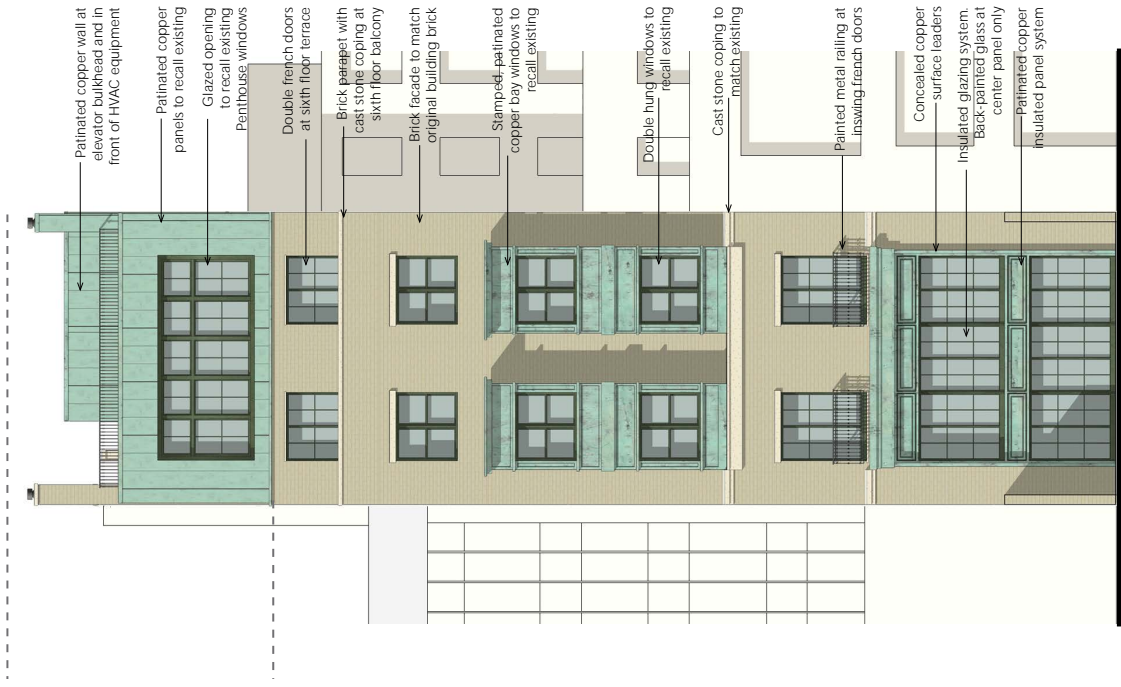


Proposed Site Plan
Figure 6

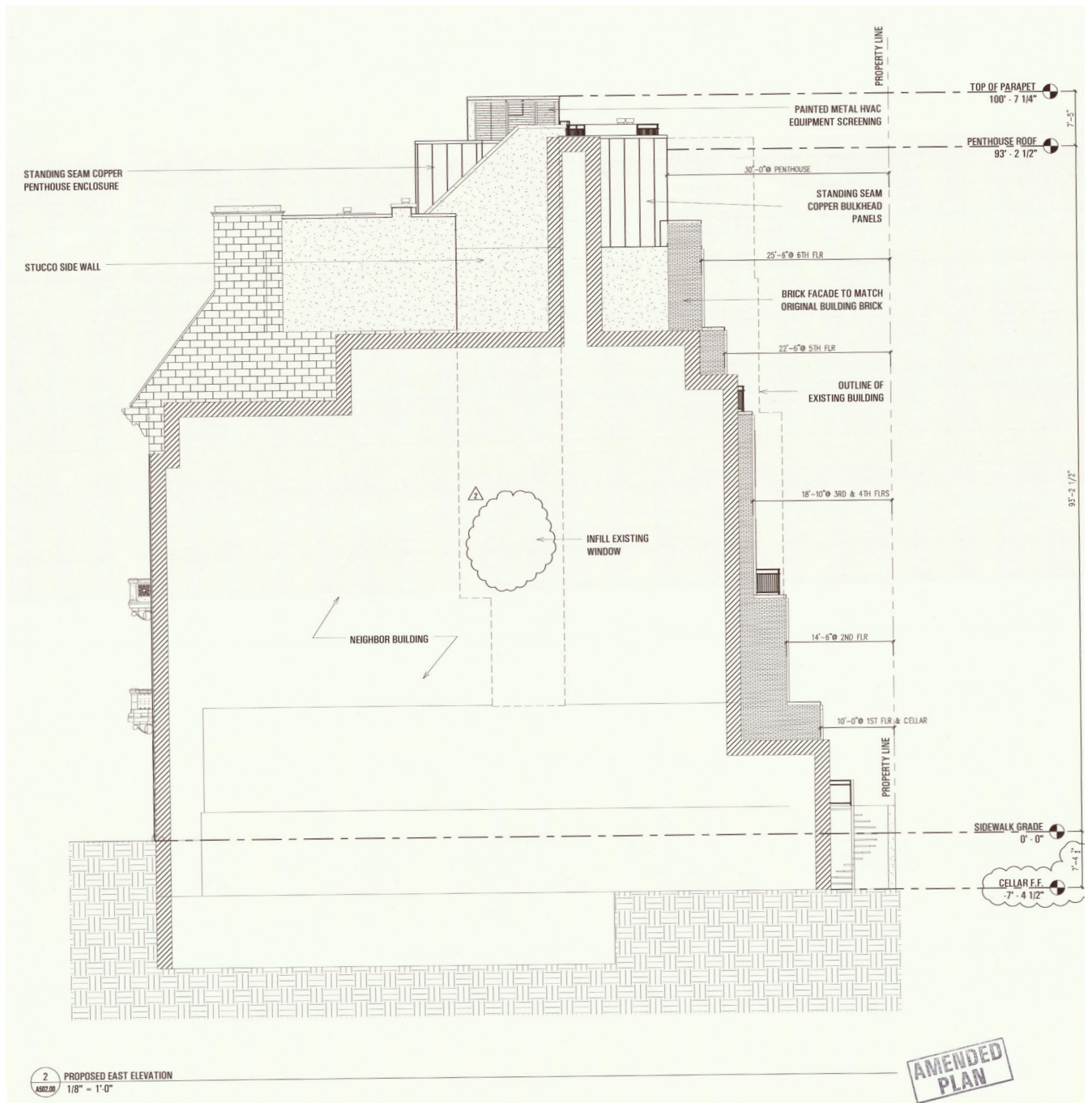


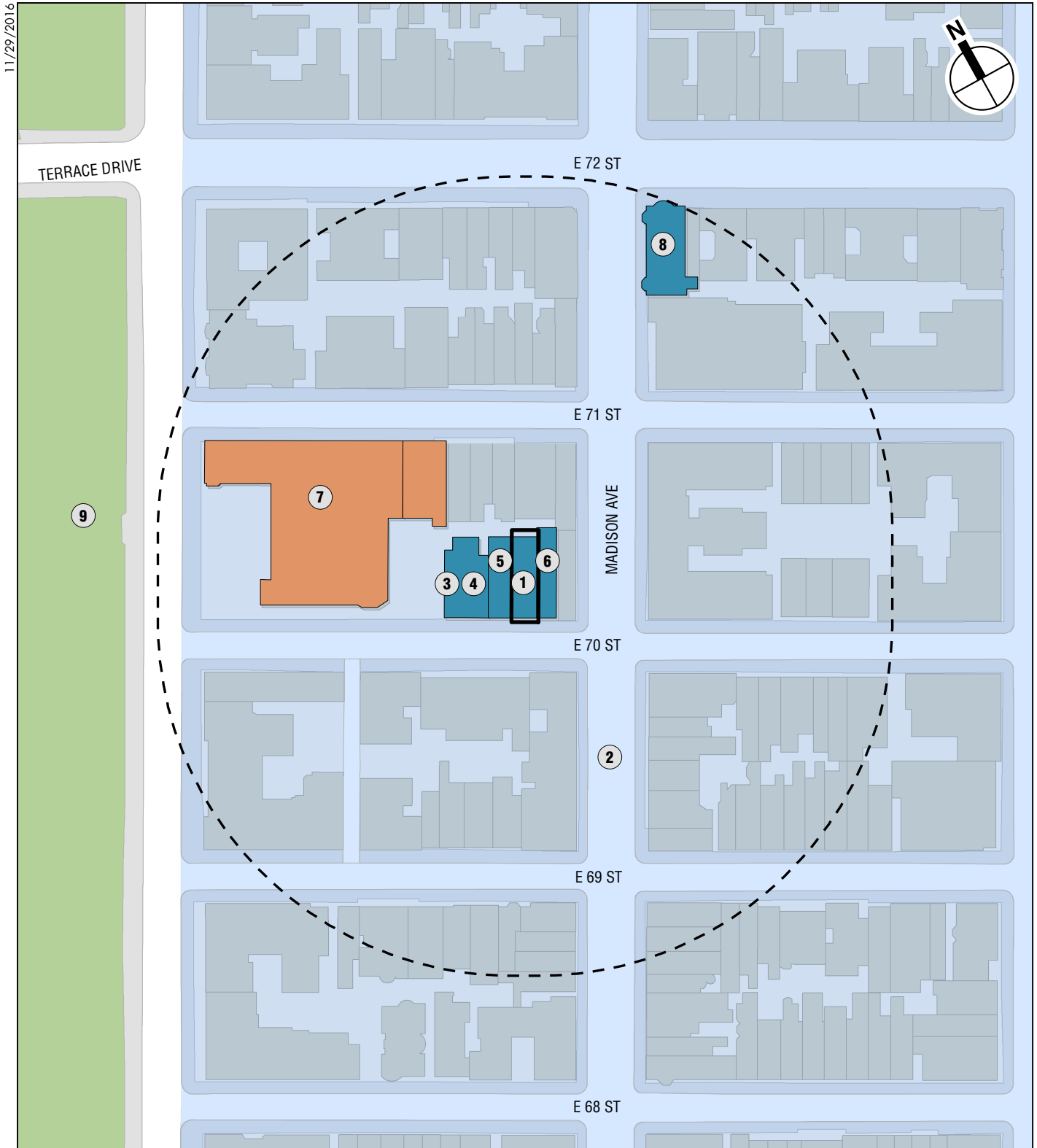
No Action Section
Figure 7a



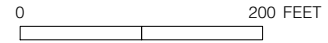


Rear Elevation
Figure 8





- Project Site
- Study Area (400-foot boundary)
- 2 Upper East Side Historic District (S/NR, NYCL), LP-1051
- 9 Central Park (NHL, S/NR, NYC Scenic Landmark), LP-0851
- 7 The Frick Collection (NHL, S/NR, NYCL), LP-00667
- 1 19 East 70th Street, LP-00849
- 3 11 East 70th Street, LP-00846
- 4 15 East 70th Street, LP-00847
- 5 17 East 70th Street, LP-00848
- 6 21 East 70th Street, LP-00850
- 8 Gertrude Rhinelanders Waldo Mansion, LP-00927



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			Single-family residence		Single-family residence		No change
No. of dwelling units			1		1		No change
No. of low- to moderate-income units			0		0		No change
Gross floor area (sq. ft.)			21,326		22,834		+1,508
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:	Vacant 19,964 gsf building (formerly office and commercial art gallery)						
PARKING							
Garages	<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							
Attended or non-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:		6	6	No change
Briefly explain how the number of residents was calculated:	The converted building would be a single-family residence with three bedrooms; the number of residents was estimated assuming two residents per bedroom			
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:				
Other (students, visitors, concert-goers, etc.)	<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 type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	C5-1; Special Madison Avenue Preservation District	C5-1; Special Madison Avenue Preservation District	C5-1; Special Madison Avenue Preservation District	No change
Maximum amount of floor area that can be developed	4.0 FAR commercial 10.0 FAR residential and community facility	4.0 FAR commercial 10.0 FAR residential and community facility	4.0 FAR commercial 10.0 FAR residential and community facility	No change
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential (R8B, R10); Special Park Improvement District; Limited Height District	Residential (R8B, R10); Special Park Improvement District; Limited Height District	Residential (R8B, R10); Special Park Improvement District; Limited Height District	No change
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<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. See Attachment A		
(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 type="checkbox"/>	<input checked="" 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 both questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?		
▪ If “yes,” answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?		
▪ If “yes,” answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?		
▪ If “yes,” answer question 2(b)(v) below.		
(b) If “yes” to any of the above, attach supporting information to answer the relevant questions below. If “no” was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?		
o If “yes,” is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?		
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?		
o If “yes:”		
▪ Would the population of the primary study area increase by more than 10 percent?		
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?		
o If “yes” to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?		
iii. Direct Business Displacement		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?		
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,		

	YES	NO
enhance, or otherwise protect it?		
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. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<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	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
percent?		
<ul style="list-style-type: none"> 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. See Page 9a: Screening Analyses		
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 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 Attachment B	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input checked="" 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 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) If the proposed project located in a separately sewerred 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 sewerred or currently unsewerred?	<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): 41		
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): 2,146,866		
(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? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.</i>	<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) See Figure C-1	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Attachment C		
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"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18 ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008 ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Attachment D		
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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 Page 9a: Screening Analyses

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 <i>Valerie Campbell - Kramer Levin</i>	SIGNATURE <i>[Signature]</i>	DATE <i>Dec 6, 2016</i>
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PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

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

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

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

Potentially Significant Adverse Impact

IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	<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?


YES NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

- Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).
- Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.
- Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see [template](#)) or using the embedded Negative Declaration on the next page.

4. LEAD AGENCY'S CERTIFICATION

TITLE Deputy Director, Environmental Assessment & Review Division	LEAD AGENCY New York City Department of City Planning
NAME Olga Abinader	DATE December 9, 2016
SIGNATURE 	

A. INTRODUCTION

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

As discussed under “Project Description” on page 1a of the Environmental Assessment Statement (EAS), the applicant is seeking a City Planning Commission (CPC) special permit pursuant to Zoning Resolution (ZR) section 74-711 to facilitate the renovation of an existing 6-story townhouse building located at 19 East 70th Street in Manhattan and conversion of the building back to its original use as a single-family residence (the “proposed project”).

The building was originally constructed as a residential townhouse but was more recently converted to commercial uses and is now vacant. Because the building predates the existing zoning regulations, it contains features that do not conform to the zoning requirements for residential uses. In particular, the rear windows of the building do not meet the 30 foot distance from the lot line required under ZR 23-86 (Minimum distance between legally required windows and any wall in an inner court). The open area at the rear of the building does not meet the required dimensions and minimum area for an inner court under ZR 23-851 (Minimum dimensions of inner courts). A second non-complying inner court, an air shaft along the eastern side lot line, would be eliminated with the proposed project; filling in the air shaft would locate new floor area above the maximum permitted building height of 60 feet under ZR 23-692 (Height limitations for narrow buildings or enlargements). The proposed special permit would waive the requirements of ZR 23-86, 23-851, and 23-692.

This attachment considers the proposed project’s potential impacts on land use, zoning, and public policies and provides an assessment of existing and future conditions with and without the proposed project for the project site and a study area surrounding the site.

B. METHODOLOGY

According to the *CEQR Technical Manual*, a preliminary land use assessment, which includes a basic description of existing and future land uses and public policy, should be provided for all projects that would affect land use or public policy on a site, regardless of the project’s anticipated effects. Accordingly, a preliminary analysis has been prepared that describes existing and anticipated future conditions for the 2019 analysis year, assesses the nature of any changes on these conditions that would be created by the proposed project, and identifies those changes, if any, that could be significant or adverse.

The study area for this analysis of land use, zoning, and public policy encompasses the area within 400 feet of the project site, because this is the area in which the Proposed Action could

reasonably be expected to have the greatest effect. As shown on **Figure 3** of the EAS, the 400-foot study area roughly extends from East 72nd Street to the north, East 68th Street to the south, Park Avenue to the east, and Fifth Avenue to the west. Sources for this analysis include online resources of the New York City Department of City Planning (DCP) and the New York City Department of Buildings (DOB).

C. EXISTING CONDITIONS

LAND USE

PROJECT SITE

The project site is an approximately 3,012-square-foot lot located at 19 East 70th Street (Block 1385, Lot 15), on the north side of East 70th Street between Madison Avenue and Fifth Avenue in Manhattan. The site contains a 6-story (plus penthouse), approximately 19,694 gross-square-foot (gsf) townhouse building. The townhouse was originally built in 1909-1910 in the Italian Renaissance style. The building was converted to office use in 1952 and, starting in 1972, it was used as an art gallery, known as the Knoedler Gallery. The Knoedler Gallery vacated the building in 2011 when the building was acquired by a private party intending to convert the building back to its original residential use. The building was later acquired by the applicant in 2013, and is currently vacant.

STUDY AREA

The study area is located within the predominantly residential Lenox Hill portion of the Upper East Side, an affluent residential area in New York City. The area was largely developed in the late 19th century following the construction of Central Park. In particular, the area along Fifth Avenue attracted the city's wealthiest industrialists, who built residences near the park. The buildings adjacent to the project site along East 70th Street are five- or six-story townhouses that were generally built between the 1890s and the 1930s and reflect this period of high-end residential development.

While some of these townhouses have remained single-family residences, several, such as the building located at 16 East 71st Street, have been converted into multi-family apartments. The remainder of the study area contains a similar mix of historic single-family or multi-family townhouses in midblock areas along with larger apartment buildings located along the avenue frontages. The apartment buildings (from 12 to 20 stories) were largely developed later in the 20th century when apartment living became more popular among wealthy New Yorkers. The western end of the project block, facing Fifth Avenue, contains the Frick Collection; the building was formerly the mansion of industrialist Henry Clay Frick and is now a fine art museum.

In addition to residential uses, the study area contains a number of commercial uses, particularly along Madison Avenue. High-end fashion stores and boutiques are particularly prominent in the area, located on the lower floors of apartment buildings or in repurposed historic mansions, such as the former Gertrude Rhinelanders Waldo House located at 867 Madison Avenue (which, along with a recently built French Beaux Arts-style building across the street at 888 Madison Avenue, contains the flagship store of the Ralph Lauren fashion line). The study area also contains St. James' Church, located at East 71st Street and Madison Avenue, a Gothic Revival-style church originally built in the 1880s, and several historic townhouses located along East 69th Street that

are now foreign consulates. The headquarters of the Explorer’s Club is located at 46 East 70th Street and contains lodging facilities, exhibition spaces, and a library.

ZONING

The project site and the portion of the study area located along Madison Avenue are located within a C5-1 commercial zoning district. C5-1 districts permit a wide range of uses, including both commercial and residential uses, and are typically mapped in central commercial districts and along major shopping streets. In addition to large-scale commercial buildings that serve the entire city (such as department stores and large office buildings), C5-1 districts typically contain mixed buildings, such as large apartment buildings with retail on the lower floors. Commercial development is permitted up to a maximum Floor Area Ratio (FAR) of 4.0, while residential uses are permitted up to a maximum FAR of 10.0 (the equivalent of an R10 district, described below).

The remainder of the study area is located within residential zoning districts: R8B and R10. The R10 districts are located along the wide streets within the study area (Fifth and Park Avenues, with portions extending into the midblock areas along East 72nd Street) and primarily contain large apartment buildings. Residential buildings can be developed as tall towers that penetrate the sky exposure plane (under tower regulations along narrow streets and tower-on-a-base regulations along wide streets) or under the Quality Housing program, which produces buildings with high lot coverage set at the street line to maintain the traditional street wall. R8B districts, which are located in the midblock areas within the study area, are contextual zoning districts that permit a lower level of residential density (maximum FAR of 4.0) and apply the Quality Housing regulations as mandatory. These districts are typically mapped in historic “brownstone” neighborhoods that contain primarily rowhouse-style residential buildings.

Table A-1, below, summarizes the zoning districts within the study area, and **Figure 2** of the EAS shows their locations.

**Table A-1
Zoning Districts within the Study Area**

Zoning District	Maximum FAR ¹	Uses/Zone Type
Commercial Districts		
C5-1	4.0 commercial 10.0 residential 10.0 community facility	Central mixed-use district—office and retail uses that serve the entire metropolitan region and high-density residential uses
Residential Districts		
R8B	4.0 residential 4.0 community facility	Medium-density contextual residential district
R10	10.0 residential 10.0 community facility	High-density residential district
Notes:	1. Floor area ratio (FAR) is a measure of density establishing the amount of development allowed to the lot area. For example, a lot of 10,000 square feet with an FAR of 1 has an allowable building area of 10,000 square feet. The same lot with an FAR of 10 has an allowable building area of 100,000 square feet.	
Source:	New York City Zoning Resolution	

SPECIAL MADISON AVENUE PRESERVATION DISTRICT

The project site and the portion of the study area located along Madison Avenue are located within the Special Madison Avenue Preservation District (MP). The MP district is intended to preserve the unique character of the corridor by requiring the ground floor of all buildings along Madison Avenue to contain commercial space, limited to a selected group of retail uses. The MP

19 East 70th Street

district also applies special height and setback regulations to ensure that new buildings match the scale of the historic residential buildings in the area, with taller buildings located along the Madison Avenue frontage and a gradual transition to lower buildings in the midblock area.

SPECIAL PARK IMPROVEMENT SPECIAL DISTRICT

Portions of the study area located along Fifth Avenue, Park Avenue, and East 72nd Street are located within the Special Park Improvement Special District (PI). Similar to the MP district, the PI district applies special height and setback regulations to preserve the historic scale of the area, including mandatory street wall requirements and a maximum height limit of 210 feet (or 19 stories).

LIMITED HEIGHT DISTRICT

The midblock portions of the study area (which align with the R8B zoning districts described above) are located within a Limited Height District (LH-1A). Through provisions in the ZR, Limited Height Districts are mapped within designated historic districts by the New York City Landmarks Preservation Commission (LPC) and apply maximum building height regulations to preserve the historic scale of the districts. In the LH-1A district, the maximum building height is 60 feet.

PUBLIC POLICY

NEW YORK CITY LANDMARKS

The project site and study area are located within the Upper East Side Historic District. All development projects within the boundaries of the historic district are subject to the review and approval of the LPC for consistency with the architectural and historic character of the district. In addition, several buildings within the study area, including the Frick Collection and the Gertrude Rhinelandter Waldo Mansion at 867 Madison Avenue, are individually designated as New York City Landmarks (NYCLs). A full discussion of LPC's review of the project can be found in the "Historic and Cultural Resources" discussion on page 9a of the EAS.

MADISON AVENUE BUSINESS IMPROVEMENT DISTRICT (BID)

The project site and the portion of the study area located along Madison Avenue are located within the Madison Avenue Business Improvement District (BID), a public-private partnership established in 1996 covering the area along the Madison Avenue retail corridor between East 57th and East 86th Streets. The Madison Avenue BID operates several programs that seek to enhance the pedestrian experience and the local business environment, including supplemental security and street cleaning services, streetscape improvements, and promotional activities.

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

PROJECT SITE

As discussed under "Project Description" on page 1a of the EAS, a previous owner of the building on the project site obtained alteration permits from DOB to convert the building into a single-family residence. In addition, pursuant to subsequent alteration permits obtained by the

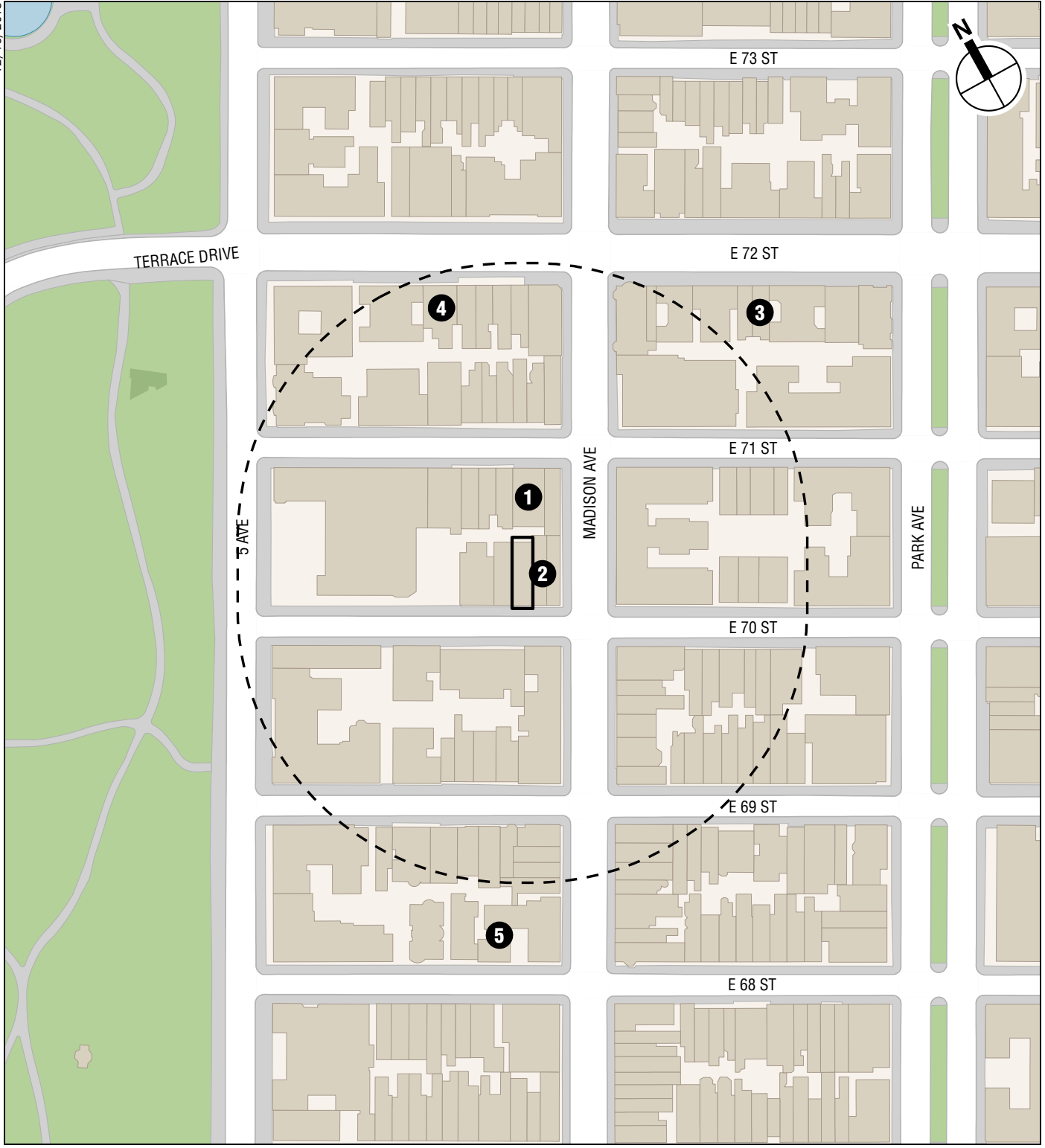
applicant from DOB in February 2016, the approved renovations to the building include below-grade excavation to expand sub-cellar level 1 and create a new subcellar level 2, which primarily contain storage and mechanical space. Absent the special permit, the applicant will complete the conversion pursuant to the previously approved plans. The No Action design requires extensive alterations to the rear of the building, including a larger setback on the upper floors, sky lights, and larger windows. The No Action design will also remove the building's existing elevator bulkhead and construct a new mechanical bulkhead on the building's roof.

Currently, the building contains features that do not conform to the zoning requirements for residential uses. In particular, the rear windows of the building do not meet the 30 foot distance from the lot line required under ZR 23-86. The open area at the rear of the building and the air shaft along the eastern side lot line beginning at the first story do not meet the required dimensions and minimum area for an inner court under ZR 23-851. In order to eliminate the non-complying elements of the building, the DOB-approved work includes removing a large portion of the façade on the upper floors to create larger setbacks, thereby increasing the distance between the rear wall and the rear lot line, as well as creating a series of skylights along the rear of the building. These approved modifications satisfy the rear yard light and air requirements under zoning.

With the larger setback areas on the upper floors, the approved No Action design will result in a reduction of the existing building's zoning floor area by roughly 1,000 zoning square feet (zsf). The No Action design also includes excavation on sub-cellar levels 1 and 2, which will increase the existing building's total floor area by approximately 1,600 gsf. Therefore, in the No Action condition the building on the project site will be an approximately 21,326 gsf, single-family residence.

STUDY AREA

Several of the historic buildings within the study area are planned for or currently undergoing renovation. As with the building on the project site, these buildings were all built in the early 20th century as single-family residences and later converted into multi-family apartment buildings or into commercial buildings. As shown in **Table A-2** below and **Figure A-1**, two renovation projects are adjacent to the project site. At 22 East 71st Street, a historic 5-story townhouse that had been in use as commercial space is undergoing restoration and conversion to its original use as a single-family residence. At 21 East 70th Street, renovation of the existing 5-story building is underway including renovation of existing office and art gallery space and conversion of the 5th floor into a single dwelling unit. With completion of these projects, the study area will remain a predominantly residential area with commercial uses largely located along the Madison Avenue retail corridor.



-  Project Site
-  Study Area (400-foot boundary)
-  No Build Project

0 200 FEET

Table A-2
Development Projects

Map Ref. No. ¹	Project Location/Address	Development Program	Build Year ²
1	22 East 71st Street	Conversion of existing 5-story commercial building into a single-family residence	2016
2	21 East 70th Street	Renovation of existing 5-story building; renovation of existing offices and art gallery in cellar through 4th floor and conversion of 5th floor office space into a dwelling unit	2019
3	40 East 72nd Street	Renovation of existing 5-story walkup apartment building (combining units) and addition of 3-story penthouse	2019
4	12 East 72nd Street	Conversion of existing 6-story walkup apartment building into single-family residence	2019
5	11 East 68th Street	Renovation of existing 12-story apartment building; expansion of upper floors and 1-story addition	2019

Notes:
 1. See **Figure A-1**.
 2. Projects currently under construction for which expected completion dates are unknown are assumed to be complete by 2019 for the purposes of analysis.
Sources: NYC Department of Buildings; 20 East 71st Street Environmental Assessment Statement; AKRF field visit, December 2015.

ZONING

No alterations to the zoning regulations on the project site or within the study area are expected to be enacted by 2019. Zoning within the study area will remain a mix of medium- and high-density residential districts, including contextual residential districts, with a commercial district located along Madison Avenue and special zoning districts (MP, PI, and LH-1A) that largely limit the scale of new development to match the historic scale of the area.

PUBLIC POLICY

No changes affecting public policy on the project site or study area are anticipated in the future without the proposed project.

E. THE FUTURE WITH THE PROPOSED PROJECT

LAND USE

PROJECT SITE

As described under “Project Description” on page 1a of the EAS, the proposed project would allow the townhouse on the project site to be converted to its original use as a single-family residence. Similar to the No Action design, the proposed project includes renovations to the building’s interior as well as restorative work on the building’s exterior. The proposed conversion involves restoration and other modifications to the front façade, reconstruction of the rear façade, and reconstructing and reconfiguring portions of the penthouse. Reconstruction of the rear façade will include removing a projecting bay, new brickwork in stepped planes similar to the existing rear façade, reconstructing and reconfiguring portions of the penthouse, and modifying the existing elevator bulkhead. The proposed exterior work would also replace windows, doors, fencing, and light fixtures on the building’s front façade. When completed, the building will contain three bedrooms; assuming two residents per bedroom, the building is expected to have space for up to six residents.

The proposed project would be largely similar to the restoration and conversion of the building that will be completed in the No Action condition, described above. The modified design that would be approved by the proposed special permit would only affect the building's above-grade form, and would not alter the below-grade excavation on sub-cellar levels 1 and 2. However, the No Action alteration plans include more extensive alterations to the rear façade in order to eliminate the building's non-complying features. The proposed design plans, which have been reviewed and approved by LPC, better preserve the building's architectural integrity and substantially maintain the rear façade in its original profile. The proposed design provides for sufficient natural light and would be fully climate controlled. In addition, the proposed design would eliminate the air shaft between the second floor and the penthouse level, which is not included in the No Action design.

The proposed conversion would increase the total floor area of the building to 22,834 gsf and increase the zoning floor area of the building to 15,452 zsf (5.13 FAR). The proposed renovations would result in a smaller increase in zoning floor area due primarily to new mechanical deductions and removal of existing bulk on the fourth floor through the penthouse level. As noted above, the approved design for the building in the No Action condition, which includes the excavation on sub-cellar levels 1 and 2, would increase the building's total floor area to approximately 21,326 gsf. With the proposed project, the building would contain approximately 1,500 gsf more than the No Action design, but would remain a single-family residence.

STUDY AREA

The proposed special permit would apply to the project site only and would not affect land uses on any other site located within the study area. The single-family residential use on the project site facilitated by the proposed project would match the predominantly residential uses in the study area, including other single-family residences in similar historic townhouses. Therefore, the proposed project would be consistent with existing land uses in the study area and would not result in any significant adverse land use impacts.

ZONING

The proposed project would not affect the zoning regulations on the project site or the study area. With the exception of the non-complying rear windows, the minimum inner court requirement, and the maximum permitted building height for narrow buildings, the single-family residence on the project site would comply with the underlying zoning regulations, including the regulations of the MP special district. Therefore, the proposed project would not result in any significant adverse impacts related to zoning.

PUBLIC POLICY

The building on the project site is a New York City Landmark and is a contributing building within the Upper East Side Historic District. In connection with the proposed special permit pursuant to ZR 74-711, the proposed building renovations are subject to review by the LPC. As described in the "Historic and Cultural Resources" discussion on page 9a of the EAS, the LPC has issued a design approval Certificate of Appropriateness (CofA no. 17-6483, September 11, 2015, and its associated Miscellaneous/Amendments 19-0659, July 18, 2016) and a ZR 74-711 report to the CPC (MOU no. 17-6491, September 11, 2015) for the proposed project. LPC has also issued a Certificate of No Effect (CNE no. 15-7831, May 16, 2014, and its associated

19 East 70th Street

Miscellaneous/Amendments 17-647, September 10, 2015). The proposed project would not affect any other public policy applicable to the project site or study area.

Overall, the proposed project would not result in any significant adverse impacts to land use, zoning, or public policy. *

A. INTRODUCTION

This attachment presents the findings of the hazardous materials assessment and identifies potential issues of concern that could pose a hazard to workers, the community, and/or the environment during or after the renovation and conversion of 19 East 70th Street to its original residential use. The project site includes a vacant six-story building (with a penthouse and two below-grade levels) that is currently undergoing renovation, pursuant to alteration permits obtained by the applicant from the New York City Department of Buildings (DOB) (DOB job no. 121944227). This renovation work includes limited subsurface disturbance (e.g., for installation of new footings, shallow trenching for new plumbing, and limited excavation on sub-cellar levels 1 and 2) which is being performed as-of-right under the approved DOB permits and is not subject to the proposed special permit. Thus, soil disturbance on the project site would occur under both No Action and With Action conditions. There would be no incremental increase in excavation during construction as a result of the proposed project.

A *Phase I Environmental Site Assessment* (ESA) of the project site was performed by AKRF Inc. in October 2015 in accordance with ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. The ESA included a visual inspection; a review of historical land use maps, prior reports and local records; and a review of State and federal regulatory databases relating to use, generation, storage, treatment and/or disposal of hazardous materials.

B. EXISTING CONDITIONS

SUBSURFACE CONDITIONS

The project site is approximately 80 feet above sea level, sloping down to the east. Bedrock is anticipated to be approximately 25 feet below grade.

Based on surface topography and information provided in regulatory database records, groundwater would be anticipated to be encountered approximately deeper than 45 feet below grade and to flow east toward the East River. However, the actual groundwater depth and flow direction can be affected by many factors including subsurface openings such as subway tunnels and other factors beyond the scope of this assessment. Groundwater in Manhattan is not used as a source of potable water (the municipal water supply uses upstate reservoirs).

HAZARDOUS MATERIALS ASSESSMENT

The Phase I ESA did not identify any “Recognized Environmental Conditions” (RECs), i.e., the presence or likely presence of hazardous substances or petroleum in the ground or groundwater, at the project site. However, other potential environmental concerns were identified, including historical nearby land uses (a dry cleaner, petroleum storage tanks, a hospital, and a welding

accessories and machine company) and the potential presence (typical of older buildings) of asbestos-containing materials (ACM), lead-based paint (LBP), and fluorescent lighting fixtures and other electrical equipment that could include polychlorinated biphenyls (PCBs).

C. THE FUTURE WITHOUT THE PROPOSED PROJECT

In the future without the proposed project, the existing building on the project site would be renovated pursuant to approved alteration plans issued by DOB (the No Action condition). The renovation in the No Action condition would be substantially similar to the proposed project; as noted above, the No Action project includes below-grade excavation that is being performed as-of-right, and which is not subject to the proposed special permit. These activities have the potential to increase pathways for human exposure to any contaminants that may be present in the building materials or in the subsurface. Impacts would be avoided by performing the project in accordance with the following, all of which are regulatory requirements:

- During subsurface disturbance, excavated soil and any debris would be handled and, if needed, disposed of in accordance with applicable regulatory requirements. If a petroleum underground storage tank were to be encountered, it would be closed and removed, along with any contaminated soil, in accordance with applicable requirements including New York State Department of Environmental Conservation (DEC) requirements relating to petroleum spill reporting and tank registration.
- If dewatering is necessary for the proposed construction, water would be discharged to sewers in accordance with New York City Department of Environmental Protection (DEP) requirements.
- Any suspect ACM that would be disturbed by the proposed project would be surveyed for asbestos by a NYC-certified asbestos investigator. All such ACM would be removed and disposed of prior to the disturbance in accordance with local, state and federal requirements. Some or all of the asbestos abatement has already been performed.
- Any activities with the potential to disturb lead-based paint would be performed in accordance with applicable requirements (including federal Occupational Safety and Health Administration regulation 29 CFR 1926.62 - Lead Exposure in Construction).
- Unless there is labeling or test data indicating that any suspect PCB-containing electrical equipment and fluorescent lighting fixtures do not contain PCBs, and that any fluorescent lighting bulbs do not contain mercury, if disposal is required, it would be conducted in accordance with applicable federal, state and local requirements.

D. THE FUTURE WITH THE PROPOSED PROJECT

The proposed project would entail interior renovation of the existing structure and limited excavation for structural and utility elements, similar to that associated with the No Action design of the building. There would be no additional below-grade excavation as a result of the proposed project, and the below-grade design of the building with the proposed project would be the same as in the No Action condition. As outlined in the complying building scenario, off-site disposal, dewatering, and ACM/LBP/PCB disturbance would be subject to applicable regulations.

Because the project would be conducted in conformance with the above-mentioned regulatory requirements, and the below-grade excavation is being conducted as-of-right in accordance with

applicable regulations and will not result in incremental excavation or soil disturbance, the proposed project would not result in any significant adverse impacts related to hazardous materials. *

A. INTRODUCTION

This analysis examines the potential for air quality impacts associated with the proposed project at 19 East 70th Street, located between Madison and Fifth Avenues in Manhattan. Air quality impacts can be either direct or indirect. Direct impacts stem from emissions generated by stationary sources at a projected development site, such as emissions from fuel burned on-site for heating and hot water systems. Indirect impacts include emissions from motor vehicles (“mobile sources”) traveling to and from a project, or from existing pollutant emission sources impacting air quality on the proposed project.

The maximum predicted number of vehicle trips due to the proposed project would be below the 2014 *City Environmental Quality Review (CEQR) Technical Manual* threshold (170 per peak hour). In addition, the proposed project would not exceed the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Since the proposed project will not significantly alter traffic conditions, a quantified assessment of on-street mobile source emissions is not warranted.

A stationary source analysis was conducted to evaluate potential future pollutant concentrations from the proposed project. In order to provide a conservative analysis, the analysis was performed using No. 2 fuel oil to estimate the worst-case impacts.

As described below, the proposed project would not result in significant adverse air quality impacts.

B. METHODOLOGY FOR PREDICTING POLLUTANT CONCENTRATIONS

A screening analysis was performed using the methodology described in Chapter 17 of the *CEQR Technical Manual* to assess air quality impacts associated with emissions from the proposed project’s fossil fuel-fired heating and hot water systems. The *CEQR* screening methodology for heating, ventilation and air conditioning (HVAC) systems determines the threshold of development size below which there is no potential for significant adverse impact. The screening procedure uses information regarding the type of fuel used, the maximum development size or estimated emissions, the exhaust stack height, and the distance to the nearest building of similar or greater height to evaluate whether a significant adverse impact is likely. Based on the distance to the nearest building of a similar or greater height, if the maximum development size is greater than the threshold size in the *CEQR Technical Manual*, then there is the potential for significant air quality impacts and a refined dispersion modeling analysis would be required. Otherwise, the source passes the screening analysis and no further study is required.

Based on design information, the proposed project would use natural gas as fuel for heating and hot water systems. However, to provide a conservative analysis, the screening analysis was

performed using No. 2 fuel oil to estimate the worse-case impacts. Figure 17-5 in the *CEQR Technical Manual Air Quality Appendix* was used to determine if there would be the potential for significant air quality impacts due to emissions of sulfur dioxide (SO₂), which is the primary pollutant of concern when burning fuel oil.

C. THE FUTURE WITH THE PROPOSED PROJECT

As described under “Project Description” on Page 1a of the EAS, with the proposed project, the existing townhouse building on the project site would be converted its original use as a single-family residence. The proposed conversion involves restoration and other modifications to the front façade, reconstruction of the rear façade, and reconstructing and reconfiguring portions of the penthouse. The proposed conversion would increase the total floor area of the building to 22,834 gross square feet (gsf).

The proposed building’s floor area totaling 22,834 gsf was used in the screening analysis. The exhaust stack(s) for the building’s heating and hot water systems would be located adjacent to a new chimney structure on the south terrace with a height of approximately 102 feet above grade (i.e., at the height of the bulkhead parapet, and approximately 9 feet above the height of the north terrace).

The nearest building of a similar or greater height is at 10 East 70th Street. The minimum distance between the proposed project and the receptor was measured to be approximately 60 feet. Therefore, this distance was chosen for the analysis in accordance with the guidance provided in the *CEQR Technical Manual*. As noted above, to provide a conservative analysis, the screening analysis was performed using No. 2 fuel oil to estimate the worst-case impacts. Burning No. 2 fuel oil would not result in any significant stationary source air quality impacts because at this distance the proposed project would be below the maximum development size shown in Figure 17-5 of the *CEQR Technical Manual Air Quality Appendix* (see **Figure C-1**). Therefore, the proposed project would not result in any significant adverse stationary source air quality impacts. *

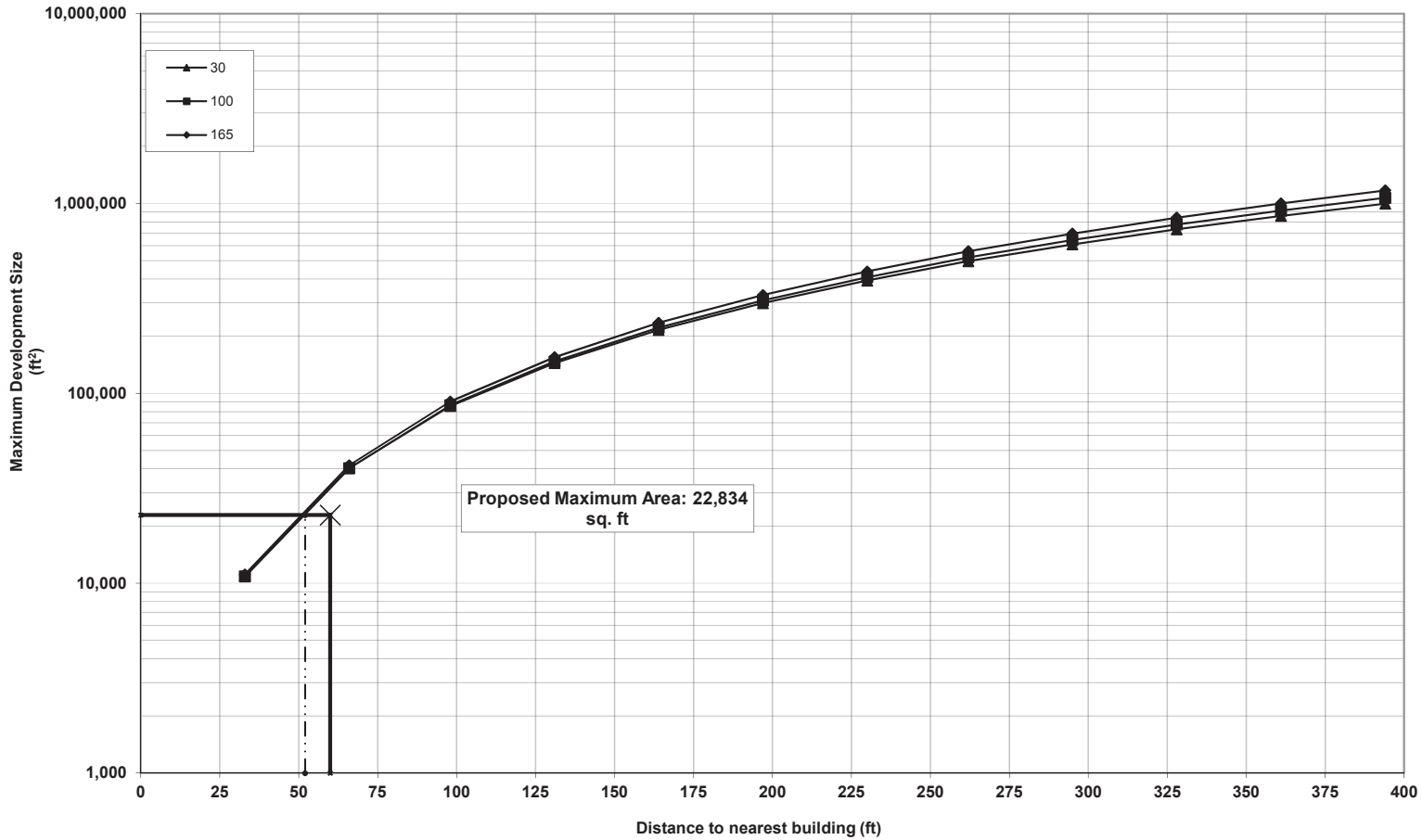
FIG App 17-5
SO₂ BOILER SCREEN
RESIDENTIAL DEVELOPMENT - FUEL OIL #2

HVAC Screening Analysis

Site: 19 East 70th Street

Date: 12/8/2016

Pass



Proposed Maximum Area: 22,834 sq. ft

Stack Height: 102 ft
Distance to Nearest Building of Similar or Greater Height: 60 ft
Proposed Maximum SQFA: 22,834 sq. ft
Minimum Allowable Distance to Nearest Building: 52 ft

A. INTRODUCTION

The proposed project at 19 East 70th Street would not generate sufficient traffic to require a detailed analysis of trip generation. Consequently, it would not have the potential to cause a significant noise impact (i.e., it would not result in a doubling of noise passenger car equivalents [Noise PCEs] which would be necessary to cause a 3 dBA increase in noise levels). However, ambient noise levels adjacent to the project site (including noise from vehicular traffic) are addressed in the following attachment and an analysis is presented that determines the level of building attenuation necessary to ensure that the proposed building's interior noise levels satisfy applicable City Environmental Quality Review (CEQR) interior noise criteria.

B. ACOUSTICS FUNDAMENTALS

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

"A"-WEIGHTED SOUND LEVEL (DBA)

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

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

**Table D-1
Common Noise Levels**

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

SOUND LEVEL DESCRIPTORS

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

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

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

C. NOISE STANDARDS AND CRITERIA

NEW YORK CEQR NOISE CRITERIA

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

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

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

D. EXISTING NOISE LEVELS

Existing noise levels at the project site were measured at one location. Site 1 was located at 19 East 70th Street between Madison and Fifth Avenues (see **Figure D-1**).

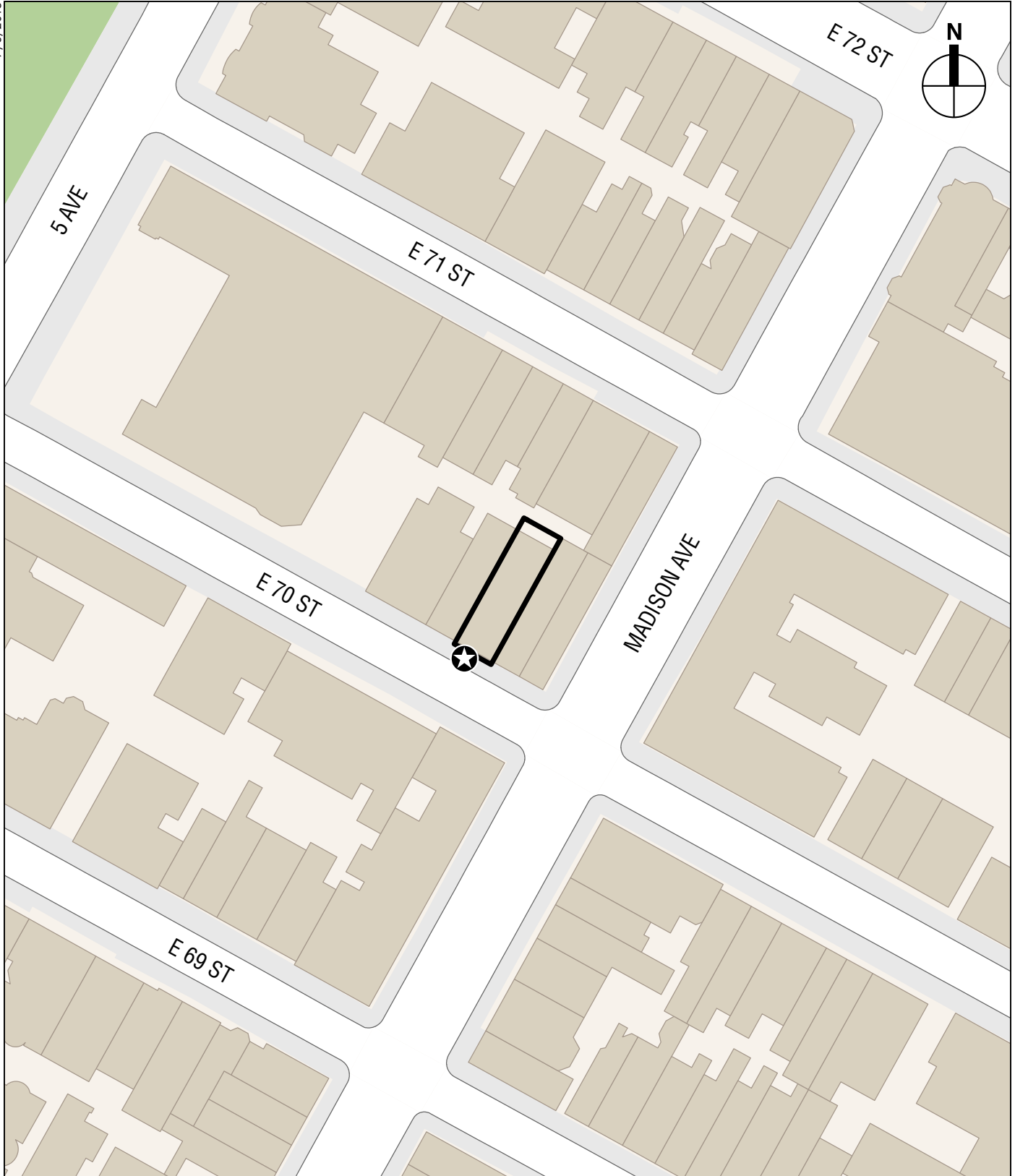
At the receptor site, the existing noise levels were measured for a 20-minute period during the three weekday peak periods—AM (8:00 AM to 9:30 AM), midday (MD) (12:00 PM to 1:30 PM), and PM (5:00 PM to 6:30 PM). Measurements were taken on June 23, 2015.

EQUIPMENT USED DURING NOISE MONITORING

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

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

At the receptor site, vehicular traffic was the dominant noise source. Measured levels are relatively low to moderate and reflect the level of vehicular activity on the adjacent roadways. In terms of the CEQR criteria, the existing noise levels at Site 1 are in the “marginally acceptable” category.



-  Project Site
-  Noise Survey Location

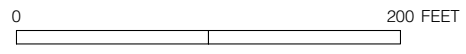


Table D-3
Existing Noise Levels in dBA

Site	Location	Time Period	L _{eq}	L ₁	L ₁₀	L ₅₀	L ₉₀
1	In front of 19 East 70th Street between Madison and Fifth Avenues	AM	68.4	77.2	69.6	65.5	63.2
		MD	65.1	73.3	67.7	63.4	60.8
		PM	70.4	79.0	70.1	64.8	61.1
Notes: Noise measurements were performed on June 23, 2015.							

E. NOISE ATTENUATION MEASURES

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

Table D-4
CEQR Building Attenuation Requirements

Receptor Site	Façade	Maximum Measured L ₁₀ (in dBA)	Attenuation Required ¹ (in dBA)
1	All	70.1	28
Notes: ¹ The CEQR attenuation requirements shown are for residential use; commercial uses would require 5 dBA less attenuation.			

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Normally, a building façade consists of wall, glazing, and any vents or louvers associated with the building mechanical systems in various ratios of area. Currently, the proposed design for the building includes acoustically-rated windows and central air conditioning as an alternate means of ventilation. The proposed building's façades, including these elements, would be designed to provide a composite Outdoor-Indoor Transmission Class (OITC) rating¹ greater than or equal to those listed in above in **Table D-4**, along with an alternative means of ventilation in all habitable rooms of the residential units. By adhering to these design specifications, the proposed building will provide sufficient attenuation to achieve the CEQR interior noise level guideline of 45 dBA or lower for residential uses and 50 dBA or lower for commercial uses, which would be considered acceptable according to CEQR interior noise level guidelines.

F. MECHANICAL EQUIPMENT

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

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

APPENDIX A
HISTORIC AND CULTURAL RESOURCES

ENVIRONMENTAL REVIEW

Final Sign-Off (Single Site)

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-M

Project:

Address: 19 EAST 70 STREET, **BBL:** 1013850015

Date Received: 12/16/2015

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:

Gina Santucci

12/18/2015

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 31069_FSO_DNP_12182015.doc



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



PERMIT CERTIFICATE OF NO EFFECT

ISSUE DATE: 05/16/14	EXPIRATION DATE: 5/16/2018	DOCKET #: 155575	CNE #: CNE 15-7831
ADDRESS: 19 EAST 70TH STREET <u>19 East 70th Street House</u> UPPER EAST SIDE		BOROUGH: MANHATTAN	BLOCK/LOT: 1385 / 15

Display This Permit While Work Is In Progress

ISSUED TO:

Alexander Tuttle
Christian Candy, c/o Tuttle Yick LLP
220 East 42nd Street, 29th floor
New York, NY 10017

Pursuant to Section 25-306 of the Administrative Code of the City of New York, the Landmarks Preservation Commission hereby approves certain alterations to the subject premises as proposed in your application completed on May 16, 2014.

The approved work consists of exterior work at the southern (East 70th Street) facade, including replacing wood windows throughout the southern facade, in-kind, including nine (9) six-over-six, double-hung windows at the basement, third, fourth, and sixth floor levels; two (2) pairs of four-light casement windows at the first floor level; and four (4) pairs of three-light casement and four (4) two-light fixed transom windows at the second and third floor levels; replacing one multi-light wood door at the sixth floor level, in-kind; replacing one (1) wood, six-over-six, double-hung window and a solid metal panel at the top of the lowered upper sash at the basement floor level window with one (1) wood, six-over-six, double-hung window with the upper sash lowered and installing one (1) louver, mounted flush with the window sash and finished to match the surrounding window frame; and cleaning the masonry throughout the southern facade with low pressure water rinses and chemical cleaners, as well as patching limestone at selective locations at the second floor level, as well as at the eastern and western lot line facades and chimneys, with a patching compound ("Jahn M70"); replacing roofing membrane and paving at the second and third floor balconies and fifth and sixth floor terraces with new flashing, roofing, and paving; and installing eight (8) new drains at the balconies and terraces, as described in written and product specifications, dated March 2014 and prepared by Janet S. Perusini, Walter B. Melvin Architects, LLC and shown on existing conditions photographs and drawings T-001.00, A501.00, A1000.00, A1002.00, A1003.00, A1010.00, A1011.00, A1012.00, A1013.00, A1014.00, and A1100.00, dated (revised) May 15, 2014 and prepared by Paul S. Alter, RA, all submitted as components of the application.

In reviewing this proposal, the Commission notes that the 19 East 70th Street House Designation Report describes 19 East 70th Street as an Italian Renaissance style residence, designed by Thornton Chard and built in 1909-1910; 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 Upper East Side Historic District.

With regard to this proposal, the Commission finds, in accordance with the provisions set forth by the Rules of the City of New York (R.C.N.Y.), Title 63, Section 3-04, that the replacement windows will match the historic windows in terms of configuration, operation, details, material, and finish; that the proposed louver will be mounted within an existing opening and attached to existing HVAC ductwork; that the louver will be mounted flush with the upper sash and finished to match the surrounding window frame, helping it remain a discreet presence; that the cleaning of the masonry will be done with the gentlest effective methods and without causing damage to the masonry; that the water pressure will not exceed 500 psi; that the patching of limestone will help return the masonry closer to its historic appearance; that the proposed patching compound will be compatible with the masonry in terms of composition and will match the historic limestone in terms of color, texture, finish and details; that replacing the roofing and installing drains at the balconies and terraces will help protect the building from damage due to water; that none of the work at the balconies and terraces will be visible from any public thoroughfare; that no significant architectural feature of the building will be affected by the proposed work; and that the cumulative effect of the work will support the long term preservation of the building. Based on these findings, the Commission determined the work to be appropriate to the building and the historic district. The work, therefore, is approved.

PLEASE NOTE: This permit is contingent upon the Commission's review and approval of a windows paint analysis report and samples of the finishes and limestone patching prior to the commencement of work. Please contact Abbie Hurlbut once the report is ready and samples are available for review. This permit is also contingent on the understanding that the work will be performed by hand and when the temperature remains a constant 45 degrees Fahrenheit or above for a 72 hour period from the commencement of the work.

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

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

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of 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:
Adam Matty, KM Associates of NY, Inc.

cc: Bernadette Artus, Deputy Director of Preservation/LPC

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Issued: 05/16/14

DOCKET #: 155575



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: 09/11/15	EXPIRATION DATE: 9/8/2021	DOCKET #: 172847	COFA #: COFA 17-6483
ADDRESS: 19 EAST 70TH STREET 19 East 70th Street House UPPER EAST SIDE		BOROUGH: MANHATTAN	BLOCK/LOT: 1385 / 15

Display This Permit While Work Is In Progress

ISSUED TO:

John J. Hannan, Manager
NY 70th Street LLC
c/o Elysium Management
445 Park Avenue, Suite 1401
New York, NY 10022

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 8, 2015, following the Public Hearing and Public Meeting of July 21, 2015, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forward in your application completed on June 25, 2015.

The proposed work, as approved, consists of exterior work throughout the northern (rear) facade, the roof, the southern (East 70th Street) facade, and the portico at the southern facade, including reconstructing the entire rear facade, including removing a projecting copper sheet metal clad bay and brickwork and reconstructing the rear of the building in similar stepped planes of the existing rear facade, featuring beige brickwork; cast stone copings at the first, second, and fifth floor set backs; punched openings at the second through sixth floor levels, featuring dark green painted double-hung windows and multi-light doors; and installing two (2) metal balconies at the second floor level and copper spandrel panels and bays at the basement, first, third, and fourth floor levels, all at the new rear facade; reconstructing and reconfiguring portions of the penthouse, including removing the rear section, constructing a new rear facade, clad in copper and set in the same plane as the existing historic facade and featuring enlarged punched openings with multi-light windows; modifying the existing elevator bulkhead by increasing the footprint and reducing the height; constructing a new exterior stair with a sloping sidewall; installing mechanical equipment, metal screens, and metal railings at the main roof and the roof of the penthouse; modifying two (2) masonry openings at the fifth floor level of the southern facade by removing two (2) wood, three-over-three, double-hung windows, lowering the sills and installing two (2) pairs of dark green painted metal multi-light doors;

replacing the existing modern bronze and glass storm door with a metal gate at the ground floor entrance at the southern facade; replacing three existing light fixtures at the ceiling of the portico with new light fixtures; and replacing the modern metal fencing between the columns at the portico with new taller metal fencing. The proposal, as initially presented, included larger rooftop bulkheads; a different design for the areaway fence, which included finials; and a different fenestration pattern at the rear facade, with a tripartite assembly of casement windows instead at the third through fifth floor levels; dark painted metal cladding at the bays; and a taller opening and associated windows, spanning the sixth floor and penthouse.

The approved work was shown on a digital presentation of 32 slides, labeled "19 East 70th Street" and dated September 8, 2015, and the initial proposal was shown in a computer slide presentation of 30 slides, labeled "19 East 70th Street" and dated July 7, 2015, both consisting of drawings, photographs, and computer renderings, all prepared by Lee H. Skolnick Architecture + Design Partnership and presented at the Public Hearing and Public Meetings.

In reviewing this proposal, the Commission noted that the 19 East 70th Street House Designation Report describes 19 East 70th Street as an Italian Renaissance style residence, designed by Thornton Chard and built in 1909-1910; 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 Upper East Side Historic District. The Commission further noted that Certificate of Appropriateness (CofA) 16-0813 was issued on July 30, 2014, approving a proposal to reconstruct the rear facade; install balconies, railings, stairs, mechanical equipment and metal screens; reconstruct and reconfigure portions of the penthouse and existing elevator bulkhead; replace rooftop cladding; modify masonry openings; replace the front storm doors and historic wood doors with a gate and new doors and a transom; and replace light fixtures and areaway fencing, and Miscellaneous/Amendment 16-8887 was issued on March 12, 2015, approving a proposal to excavate at the cellar and sub cellar level at the rear of the building. The Commission finally noted that a special application for a modification of use, pursuant to Section 74-711 of the Zoning Resolution, is currently being pursued at the City Planning Commission; and that this Certificate of Appropriateness supersedes CofA 16-0813.


With regard to this proposal, the Commission found that the proposed modifications to the massing and profiles of the rear and side facades and the rear portion of the roof will maintain the character of the simply designed stacked massing of these secondary portions of the building, without altering or eliminating any significant architectural features; that the reconfiguration of the existing modern penthouse, bulkheads and other rooftop accretions and cladding changes will cluster the rooftop constructions, utilizing simple forms, typical of rooftop accretions, and will unify the appearance of these elements, helping them to remain subordinate background elements when seen from public thoroughfares; that the redesign of the rear facade will be unified in composition and feature materials, proportions, level of articulation, and fenestration pattern consistent with such aspects of the historic rear facades of high style residences of this style and age; that the replacement of the simply designed sheet metal bay, which is not a significant architectural feature in itself, with the proposed copper bays will be compatible with the stepped massing at the rear of the building; that the large windows at the lower floors and the bay windows at the upper floors at the rear of the building will recall historic aspects of the building design, which included a shallow rear extension for the dining room, with a band of large multi-light windows and a curved skylight at the lower floors and a historic bay window at the upper floors; that the replacement of the existing modern fencing, storm doors, transoms, and light fixtures will not eliminate any historic fabric or significant architectural features; that the proposed fence, matching the historic fence, except in terms of its height and related adjustment to its proportions and ornamentation, will comply with safety regulations and be well-scaled to the portico and building; and that the dimensions, materials, designs, finishes and details of the proposed entrance gate and light fixtures will be in keeping with such aspects of installations of these types at residences of this age and style. 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. Therefore, Certificate of Appropriateness 17-6483 is being issued.

Please note that 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, incorporating the modification required by the Commission, and any related specifications and material samples, prior to the commencement of construction. **NO WORK MAY BEGIN UNTIL THE FINAL DEPARTMENT OF BUILDINGS FILING DRAWINGS HAVE BEEN APPROVED BY THE COMMISSION.** Once the final drawings have been received and approved, they will be marked as approved with a perforated seal.

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.


Meenakshi Srinivasan
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Valerie Campbell, Esq., Kramer Levin

cc: Bernadette Artus, Deputy Director, Preservation/LPC



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



September 11, 2015

ISSUED TO:

Carl Weisbrod
City Planning Commission
22 Reade Street, 2nd floor East
New York, NY 10007

Re: LPC - 172849
MOU 17-6491
19 EAST 70TH STREET
19 East 70th Street House
UPPER EAST SIDE
Borough of Manhattan
Block/Lot: 1385 / 15

At the Public Meeting of September 8, 2015, following the Public Meeting and the Public Hearing of July 21, 2015, the Landmarks Preservation Commission ("LPC") voted to issue a report to the City Planning Commission ("CPC") in support of 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 at the building located at 19 East 70th Street, Block 1385, Lot 15, as put forward in your application completed on June 25, 2015. The Designated Building is an Italianate style residential building, designed by Thornton Chard and built in 1909-1910; and the building's style, scale, and materials are among the features which contribute to the special architectural and historic character of the Upper East Side Historic District.

In voting to issue the report, the LPC found that the applicant has agreed to undertake work to restore the Designated Building and bring it up to a sound, first class condition; that the applicant has agreed to establish and maintain a program for continuing maintenance to ensure that the Designated Building is maintained in a sound, first-class condition; and that a restrictive Declaration ("Declaration") will be filed against the property which will bind the applicants and all heirs, successors and assigns to maintain the continuing maintenance program in perpetuity.

Specifically, at the Public Meeting of September 8, 2015, following the Public Meeting and the Public Hearing of July 21, 2015, the Commission approved a proposal for exterior work throughout the northern (rear) facade, the roof, the southern (East 70th Street) facade, and the portico at the southern facade, including reconstructing the entire rear facade, including removing a projecting copper sheet metal clad bay and brickwork and reconstructing the rear of the building in similar stepped planes of the existing rear facade,

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Issued: 09/11/15

DOCKET #: 172849

featuring beige brickwork; cast stone copings at the first, second, and fifth floor set backs; punched openings at the second through sixth floor levels, featuring dark green painted double-hung windows and multi-light doors; and installing two (2) metal balconies at the second floor level and copper spandrel panels and bays at the basement, first, third, and fourth floor levels, all at the new rear facade; reconstructing and reconfiguring portions of the penthouse, including removing the rear section, constructing a new rear facade, clad in copper and set in the same plane as the existing historic facade and featuring enlarged punched openings with multi-light windows; modifying the existing elevator bulkhead by increasing the footprint and reducing the height; constructing a new exterior stair with a sloping sidewall; installing mechanical equipment, metal screens, and metal railings at the main roof and the roof of the penthouse; modifying two (2) masonry openings at the fifth floor level of the southern facade by removing two (2) wood, three-over-three, double-hung windows, lowering the sills and installing two (2) pairs of dark green painted metal multi-light doors; replacing the existing modern bronze and glass storm door with a metal gate at the ground floor entrance at the southern facade; replacing three existing light fixtures at the ceiling of the portico with new light fixtures; and replacing the modern metal fencing between the columns at the portico with new taller metal fencing.

The applicant also agreed to perform restorative work throughout the building, as described in Certificate of No Effect 15-7831 (LPC 15-5575), issued May 16, 2014, and its associated Miscellaneous/Amendment 17-6471 (LPC 17-3922), issued September 10, 2015, including replacing wood windows throughout the southern facade, in-kind, including nine (9) six-over-six, double-hung windows at the basement, third, fourth, and sixth floor levels; two (2) pairs of four-light casement windows at the first floor level; and four (4) pairs of three-light casement and four (4) two-light fixed transom windows at the second and third floor levels; replacing one multi-light wood door at the sixth floor level, in-kind; replacing one (1) wood, six-over-six, double-hung window and a solid metal panel at the top of the lowered upper sash at the basement floor level window with one (1) wood, six-over-six, double-hung window with the upper sash lowered and installing one (1) louver, mounted flush with the window sash and finished to match the surrounding window frame; and cleaning the masonry throughout the southern facade with low pressure water rinses and chemical cleaners, as well as patching limestone at selective locations at the second floor level and at the eastern and western lot line facades and chimneys, with a patching compound ("Jahn M70"); replacing roofing membrane and paving at the second and third floor balconies and fifth and sixth floor terraces with new flashing, roofing, and paving; installing eight (8) new drains at the balconies and terraces; repairing the existing historic wood doors at the primary entrance at the southern (East 70th Street) facade by removing modern hardware and filling large exposed holes with small Dutchman units, and filling cracks with a wood filler, finished to match the surrounding woodwork; replacing deteriorated copper roofing panels and the underlying framing throughout the fifth and sixth floor levels with new copper panels and framing; temporarily removing and reinstalling decorative copper elements, in conjunction with repairing them by removing modern caulk and asphalt, and soldering small holes, sanded and finished to match the surrounding copper; replacing damaged decorative copper elements that are beyond repair, as needed, with new elements, matching the historic conditions; and proposing to paint the proposed windows at the first through fourth floor levels of the southern facade an off-white color ("BM HC-32") and the windows and door at the fifth through sixth floor levels a dark green color, matching the surrounding copper patina.

In reaching a decision to grant a Certificate of Appropriateness, the Commission reviewed the proposed work and found that the proposed modifications to the massing and profiles of the rear and side facades and the rear portion of the roof will maintain the character of the simply designed stacked massing of these secondary portions of the building, without altering or eliminating any significant architectural features; that the reconfiguration of the existing modern penthouse, bulkheads and other rooftop accretions and cladding changes will cluster the rooftop constructions, utilizing simple forms, typical of rooftop accretions, and will unify the appearance of these elements, helping them to remain subordinate background elements when seen from public thoroughfares; that the redesign of the rear facade will be unified in composition and feature

materials, proportions, level of articulation, and fenestration pattern consistent with such aspects of the historic rear façades of high style residences of this style and age; that the replacement of the simply designed sheet metal bay, which is not a significant architectural feature in itself, with the proposed copper bays will be compatible with the stepped massing at the rear of the building; that the large windows at the lower floors and the bay windows at the upper floors at the rear of the building will recall historic aspects of the building design, which included a shallow rear extension for the dining room, with a band of large multi-light windows and a curved skylight at the lower floors and a historic bay window at the upper floors; that the replacement of the existing modern fencing, storm doors, transoms, and light fixtures will not eliminate any historic fabric or significant architectural features; that the proposed fence, matching the historic fence, except in terms of its height and related adjustment to its proportions and ornamentation, will comply with safety regulations and be well-scaled to the portico and building; and that the dimensions, materials, designs, finishes and details of the proposed entrance gate and light fixtures will be in keeping with such aspects of installations of these types at residences of this age and style. 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.

In reaching a decision to issue a favorable report to the CPC, the LPC found that the restorative work approved pursuant to LPC 15-5575 and its associated amendments will restore missing architectural details and return the building closer to its historic appearance; that the exterior façade work will reinforce the architectural and historic character of the building and the historic district; that the restorative work will bring the building up to sound first class condition and aid in its long term preservation; that the implementation of a cyclical maintenance plan will ensure the continued maintenance of the building, in a sound, first-class condition; and that the owners of the designated building, have committed themselves to establishing a cyclical maintenance plan that will be legally enforceable by the Landmarks Preservation Commission under the provisions of a Restrictive Declaration, which will bind all heirs, successors and assigns, and which will be recorded at the New York County Registrar's Office.

The Declaration requires the Declarant to hire a qualified preservation professional, whose credentials are to be approved by LPC, to undertake comprehensive inspections every five years of the Designated Building's exterior and such portions of the interior which, if not properly maintained, would cause the Designated Building to deteriorate. The Declarant is required to perform all work identified in the resulting professional reports as being necessary to maintain the Designated Building in sound, first-class condition within stated time periods.

The staff of the Commission is available to assist you with these matters. Please direct inquiries to Abbie Hurlbut.



Meenakshi Srinivasan
Chair

cc: Bernadette Artus, Deputy Director, Preservation/LPC; John Weiss, Deputy Counsel/LPC



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



July 18, 2016

ISSUED TO:

John J. Hannan, Manager
 NY 70th Street LLC
 c/o Elysium Management
 445 Park Avenue, Suite 1401
 New York, NY 10022

Re: **MISCELLANEOUS/AMENDMENTS**
 LPC - 184411
 MISC 19-0659
 19 EAST 70TH STREET
19 East 70th Street House
 UPPER EAST SIDE
 Borough of Manhattan
 Block/Lot: 1385 / 15

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission issued Certificate of Appropriateness (CofA) 17-6483 (LPC 17-2847) on September 11, 2015, approving a proposal to reconstruct and redesign the rear facade; reconstruct and reconfigure portions of the penthouse; modify the elevator bulkhead by increasing its footprint and increasing its height and replacing cladding; construct an exterior stair at the roof; install mechanical equipment, metal screens, and railings; modify masonry openings and replace windows, a storm door, light fixtures and areaway fencing.

Subsequently, on April 7, 2016, the Commission received a request to amend the approved work. The proposed amendment consists of expanding to the scope of work to include enclosing the existing air and light well adjacent to the eastern lot line facade by constructing a stucco clad wall at the lot line and eliminating the gap between the existing eastern lot line facades; replacing four (4) chimney flues at the southeast corner of the roof with four (4) shorter metal vent caps; raising two (2) brick chimneys and flues to extend 3' above the bulkhead, including one (1) at the western end of the building and one (1) at the eastern end of the building and widening two (2) chimneys at the northwest and northeast ends of the roof, as well as changing the proposed cladding at a select portion of the modified bulkhead from metal louvers to copper panels, as described in a letter, dated April 6, 2016 and prepared by Paul Alter, and shown in a presentation of 19 sheets, labeled "19 East 70th Street," dated June 22, 2016 and consisting of photographs, renderings, and drawings, all prepared by Paul S. Alter, RA, and submitted as components of the application.

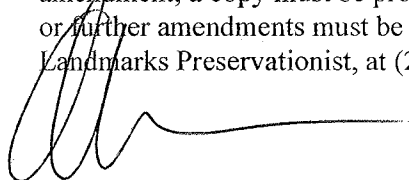
Accordingly, the Commission reviewed the request and finds that none of the work will result in the loss of,

or demolition to, a significant architectural feature of the roof or adjacent improvements; the proposed stucco-clad wall at the eastern lot line will match the conditions at the existing eastern lot line facades in terms of materials, details, and finish, thereby helping this new wall section to blend with the surrounding conditions and maintain a unified treatment of this facade, that eliminating the gap between the existing lot line walls and the construction of a new section, creating a single lot line facade will not eliminate a significant silhouette or facade profile; that the replacement vents will be small in size, typical in terms of placement and material, and barely perceptible from a public thoroughfare when seen from a distance and at oblique angles; that the proposed chimneys will match the historic chimneys in terms of material and finish; that, based on historic photographic documentation, this building featured tall chimneys, therefore, the raising and widening of select chimneys will support the historically varied roof scape and profiles of such elements at the roof; that the change from louvers to solid panels at the bulkhead will not be a perceptible change when seen from a public thoroughfare; and that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, CofA 17-6483 is hereby amended.

Please note that 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, incorporating the modification required by the Commission, and any related specifications and material samples, prior to the commencement of construction. **NO WORK MAY BEGIN UNTIL THE FINAL DEPARTMENT OF BUILDINGS FILING DRAWINGS HAVE BEEN APPROVED BY THE COMMISSION.** Once the final drawings have been received and approved, they will be marked as approved with a perforated seal.

This permit amendment 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 amendment, the applicant agrees to notify the Commission if actual building or site conditions vary or if the original or historic fabric is discovered. The Commission reserves the right to amend or revoke this permit amendment, 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 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 amendment 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 to Abbie Hurlbut, Landmarks Preservationist, at (212) 669-4717.



Abbie Hurlbut

cc: Bernadette Artus, Deputy Director of Preservation/LPC; Paul Alter, Lee H. Skolnick Architecture

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP341M

Project:

Address: 19 EAST 70 STREET, **BBL:** 1013850015

Date Received: 11/23/2016

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 dated 11/2/16. The text is acceptable for historic and cultural resources.

Gina Santucci

12/2/2016

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 31069_FSO_GS_12022016.doc