

A. INTRODUCTION

This chapter of the Final Environmental Impact Statement (FEIS) summarizes and responds to substantive comments received during the public comment period for the Draft Environmental Impact Statement (DEIS), issued on April 16, 2021, for the proposed NYBC project.

City Environmental Quality Review (CEQR) requires a public scoping meeting as part of the environmental review process. A public scoping meeting was held on July 29, 2021, in person at 120 Broadway, New York, New York, and remotely due to COVID-19 via videoconference and phone. The comment period remained open until the close of business on August 9, 2021.

A list of organizations and individuals who commented can be found in Section B. Section C contains a summary of relevant comments on the DEIS and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the EIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. Commenters who expressed general support or general opposition but did not provide substantive comments on the DEIS are listed at the end of Section C. All written comments are included in Appendix F, “Written Comments Received on the Draft Environmental Impact Statement.” Where relevant, in response to comments on the DEIS, changes have been made and are shown with double underlines in the FEIS.

**B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO
COMMENTED ON THE DEIS¹****ELECTED OFFICIALS**

1. Gale A. Brewer, Manhattan Borough President, written comments received on July 28, 2021 and August 9, 2021, and oral comments received on July 29, 2021 (Brewer_527, Brewer_686, Brewer_746)
2. Rebecca A. Seawright, New York State Assembly, written comments received on July 29, 2021 (Seawright_555)
3. Liz Krueger, Senator, New York State Senate, written comments received on August 5, 2021 (Krueger_589)
4. Ben Kallos, City Council Member, District 5, oral comments received on July 29, 2021 (Kallos_684)
5. Carolyn Maloney, Congresswoman, U.S. House of Representatives, oral comments received on July 29, 2021 (Maloney_685)

¹ Citations in parentheses refer to internal comment tracking annotations.

COMMUNITY BOARDS

6. Russell Squire, Chair, Community Board 8, written comments received on June 28, 2021 and oral comments received on July 27, 2021 (Squire_CB8_004a, Squire_CB8_687)
7. 390 signatories:
Judith A. Berdy, Erica Moin, Anne Namm, Judith Toby, Howard M. Forman, Francine Banyon, Kathy O'Connor, James Giller, Erica Bersin, Barry Korn, Matthew Miller, Margaret Schwarz, Tyler Goldman, John Grunbeck, Corey Walker, Diane L. Cramer, Nancy Pilne, Chany Marcus, Neil Kilstein, Marydan Rothblum, Ellen Li, Virginia Montgomery, Katharine Houghton, Richard R. Furman, Lionel, Susan Crowley, Lena, Isaac Sagman, Satjit Bhusri, Stacey Simonelli, Amy Heon, Alan E. Salz, Barbara Sacks, Susan Broner, Judy Chervenak, Andrea Amiel, Lorraine Levey, Margery Flax, Martin Edelman, Lindsey P. Cormack, Tamir J. Bourla, Carol Kruse, Laurie Edelstein, Robin Beckett, Karen Wei, Agnes Barley, Michael Simon, Judith Rothstein, Mindy Anderson, Elke Martin, Lauren Glenn, Abigail Lash, Lisa Angerame, Jill Simon, Arlyne Zalaznick, Ronald Reisman, Lauren Buck, John Briscoe, Gail Benjamin, Meg Lyons, Dennis Heon, Lauren Stone, Susan Cooper, Payson Cooper, Kathryn Nagle, Evan Grossman, Daniel Anderson, Melodia Eloise Gurevich, Elaine Ellis, Matt H., Sara Schapiro, Chuan Cao, Susan Ferriere, Linda Stewart, Jon Salony, Steven N. Weiner, Marc Lamberg, Joan Goldfield, James Markel, Jenny Wong, Josephine Ng, Phil Seligger, Laura Gregor, Michael Walker, Shirley Liu, Robert Lo, Anne Purdy, Faith Fraser, Dan Green, Kristi Saylor, R. Potasznik, Alison, Matthew Cohn, Trev Jones, Yvonne Meyer, Andrea Kavanagh, Catherine Hwang, Laura Reyman, Cynthia Gale, Susan Hans, Arlene Sulkis, Joan Liebmann-Smith, Christine Hinsch, Ellen Anderson, Warren J. Karp, Lynne R. Cashman, Jane, Alan Koenke, Judy Kessler, Yvonne Greenbaun, Iris Palmer, Richard Vella, Gail Theresa Katz, Jane Lindberg, Charles Klemballa, Jason Harvey, Sheldon Silverman, Barbara Nelson, Diane Smykowski, John D. Chu, Carole Durso, Janet Nonamaker, Lynne Vera, Alice Purdue, Jeannine Dominy, Robert Santelli, A Grossman, Barbara R. Rauch, Edward Butler, Christine Kulisek, Mimi Lamia, Nancy Ploeger, Jos Prikazsky, Hilary Rosa, Stephen Lamia, Susan Elman, Sheila Kendrick, Andrew L. Brooks, Natalie Richstone, Robert S. Silberstein, Debbie Sanders, Adele DeSantis, Alyson Gindi, Alison Bell, Barbara Singer Zalkan, Gail Kraushar, Judith Squire, Dona Monker, Donna Abbaticcio, Chantal Wittman, Robert Wittman, Eileen Slater, Erica Moreno, Carmen Gregor, Katherine Post, Mark. C. Huggins, Linda Rizzuto, Ursula Eagly, Ben Weintraub, Olivia Prikazsky, Rebecca Weintraub, Harriet Bell, Charles Allenson, David Fortunoff, Irane Decosta, Monette Moradi, Sarah Rosenwald, Adam Kaye, Esther Frederiksen, Bruce and Janetta Lee, Daniel Goldhagen, Meghan Coyne, Ruth Kilstein, Kate Sheahan, Julie McMahon and John Sorensen, Kim H. Hurt, Orah Massarsky, Stacey Froelich, Katherine Posner, Polly Lagemann, Matthew David, Meg Walhimer, Michael Posner, Andrea Lee Diamond, Tom Blum, Graham Goodkin, Roberta Troilo, Gail Tavelman, Penelope Auchincloss, Rhonda Friedman, Jeffrey Friedman, Jenna Becker, Diana Murray, Brigitte Osborne, Jenna Fidellow, Ronald Osborne, Frances Stillman, Kim, Kathleen Sullivan, Jack Riordan, Denise Hoguet, Tova Itzkovitz, Steven and Jennifer Greenblatt, Gianna Mincone, Keith Gudhus, Virginia Gerst, Gary Gurst, Eileen Lyons, Cathy Wallach, Andrew Soussloff, Micheline Lakah, Lisa Bader, Victoria Adams, Deborah S. Newman, Paco Tolson, Elizabeth Shah, Rachel Karr, Steve O'Reilly, Steven Smith, Karen Maser, Neil H. Osborne, Mary Ann Callahan, Samuel Knowles, Sarah Lee Wilkins, Luis Moreno, Eugene Kim, Ellie Lee, Rick Bellusci, Evelyn Finster, Stephen Wessley, John West, Frances Wessley, Margaret Lehman, Stephen Wessley III, Barry B.

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Adler, David Hales, Stacie, Charles, Maryam Riazian, Dean Adler, Lauren Tillinghast, Floy Kaminski, Felicia and Omari Williams, Hayley Kaye, Amos Kaminski, Marcia Lowe, Emily Baller, Evan Lorch, Marga Valladares, Jonathan Korn, John Teng, Donna Sbriglia, CIVITAS, Soleil Nathwani, Claudia Novod, Malcolm Auchincloss, Judy Belle, Katie Kenigsberg, Marietta Meyers, Robert Blumenfeld, Barbara Dubin, Gordon Z. Novod, Cathy Donnelly, Steven, Elizabeth McAndrew, Dan Truman, Kathryn Podeszwa, Claudia Henderson, Evelyn D., Elizabeth M. Botvin, Kate D., Rose A. Haché, Zenaide Reiss, Cassandra Ritas, Scott Gurfein, Nicole Vartanian, Jacqueline Calderone, Kevin Kolack, Annie Lee, Craig Shemin, Stephanie D’Abruzzo Shemin, Elizabeth Keizner, Steven Gee, Jill Fastenberg, Rachel Levy, Nazmiye Gokcebay, Lorna Weiner, Janette Gautier, Sarah Gallagher, Linda Gail, Jennifer Oberstein, Amy Sklar, Jessica Youdim, Margarit M. Sharkey, Bernadette A. Nader, Laura Newman, Andrea Daquino, Helena Yu, Andrea Heaney, Riuchika Anand, Cecelia Dupire, Emily Sonnenblick, Nezh Antakli, John, Aradhana Dugar, Attorney, Donald Wood, Jane Lehman, Dave Daniels, Solell, Deborah Bennett, Victoria Masterchuk, E.A., Linda Lieberman, Elke Pratley, William Gagstetter, Carrie Alexander, Peter, Amanda Slater, April Gallo, Lydia Canizares, Gonzalo De Cesare, Beth Sopko, Ivy Bannister, Sharon R. Khan, James Hart, Peter Pfeffer, Lynn Perrone, Jacqueline Sferra Rada, Alisa Brussel, James Murtha, Ilana Ben Zvi, Nicholas Hansinger, Rhoda Eisenberg, Thema Brussel, Dale Cohen, Rick Cohen, Laura Ann Jackson, Bill Angelos, Debbie, Adam Reiner, Carole Mandel, Donna Kostulas, Rena Tobey, Ruth Lee Brodsky, William Markstein, Errol Bakal, Laurie S. Sanchez, Charlotte Markstein, Robin K. Adam, Martin Bell, Auroni Mamjumdar, Martin Fox, Ana Alzaga Fernandez, Elaine Linet, Mrinalini Broczuk, Kate Ward, Deborah Chielgis, Barbara J. Schoetzau, Brian Martin, Helaine Eisenberg, Zahida Subramanian, and Heather Martin, written comments received from May 4, 2021 through June 23, 2021 in CB8 Resolution Appendix C (CB8 Appendix C Contributors_004b)

Benjamin Gordon, Amanda Tappen, Jens Eriksen, John A. Wagner, Ram Bala Bala Chandran, D. Raum, Gertrude DiGiorgio, Jane Foss, Garrison Pease, Elizabeth Weisser, Leonard Genovese, Erik Antokal, Antoinette Gregg, Jennifer Ratner, Monica Malowney, Julie Samuels, Persanna, Jose Ortiz, Jr., Adriane Castillo, Steven Serling, Santos Rodriguez, Jessica Walker, Adam Baker, Charlie Samboy, Ryan, Stephanie Scinto, and Laura Morgan written comments received from May 4, 2021 through June 23, 2021 in CB8 Resolution Appendix C (CB8 Appendix C Contributors_004c)

8. Anthony Cohn, Co-Chair, Community Board 8, Zoning and Development Committee, written comments received on July 22, 2021 (Cohn_CB8_451)
9. Michele Birnbaum, Member, Community Board 8, written comments received on July 27, 2021 and July 29, 2021, and oral comments received on July 29, 2021 (Birnbaum_CB8_534, Birnbaum_CB8_573, Birnbaum_CB8_711)
10. Elizabeth Rose, Member, Community Board 8, oral comments received on July 29, 2021 (Rose_CB8_722)

ORGANIZATIONS AND BUSINESSES

11. Municipal Arts Society of New York, written comments received on July 26, 2021 (MASNYC_478)
12. Francine Banyon, 69th Street Block Association, written comments received on July 26, 2021 and August 6, 2021 (Banyon_69SBA_488, Banyon_CB8_617)
13. David Fortunoff, President, 333 Tenants Corporation, written comments received on July 28, 2021 (Fortunoff_538)

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14. William Gagstetter, Principal, Talent Unlimited High School (Julia Richman Educational Complex), written comments received on July 29, 2021 (Gagstetter_545)
15. Bill Angelos, Co-Founder, Eastsiders for Responsible Zoning, written comments received on July 29, 2021, and oral comments received on July 29, 2021 (Angelos_532, Angelos_725)
16. Sandra Lerner, member of East 72nd Street Neighborhood Association, written comments received on July 28, 2021 (Lerner_531)
17. Monica McKane-Sanchez, Boardmember, “The Grace” at 250 East 65th Street, written comments received on July 29, 2021 and oral comments received on July 29, 2021 (McKane-Sanchez_548, McKane-Sanchez_724)
18. The City Club of New York, written comments received on July 29, 2021 (CCNY_556)
19. New York Building Congress, written comments received on July 29, 2021 (NYBuildingCongress_557)
20. David Melton, Laborers-Employers Cooperation and Education Trust (LECET), written comments received on July 29, 2021 and oral comments received on July 29, 2021 (Melton_LECET_560, Melton_LECET_701)
21. Ari Espinal, Construction and General Building Laborer’s Local 79, written comments received on July 29, 2021 and oral comments received on July 29, 2021 (Espinal_561, Espinal_695)
22. Khalil Vasquez, Member, Construction and General Building Laborer’s Local 79, written comments received on July 29, 2021 and oral comments received on July 29, 2021 (Vasquez_562, Vasquez_705)
23. Irene Van Slyke, Sierra Club, written comments received on July 27, 2021 and oral comments received on July 29, 2021 (VanSlyke_574, VanSlyke_718)
24. Defenders of the Historic Upper East Side, written comments received on August 5, 2021 (DHUES_575)
25. Dr. Ellyn Berk, President, 333 East 66th Street, written comments received on August 1, 2021 (Berk_576)
26. Elaine M. Walsh, President, 86th Street Merchant Residents Association, written comments received on July 29, 2021 and oral comments received on July 29, 2021 (Walsh_86SA_590, Walsh_86SA_691)
27. Anthony Barrett, Board Member, 301 East 66th Condo Organization, written comments received on July 29, 2021 and oral comments received on July 29, 2021 (Barrett_591, Barrett_713)
28. Lo Van Der Valk, President, Carnegie Hill Neighbors, written comments received on August 8, 2021 and oral comments received on July 29, 2021 (VanDerValk_CHN_650, VanDerValk_CHN_726)
29. Gary LaBarbera (via Santos Rodriguez), President, Building and Construction Trades Council and Greater Facility, oral comments received on July 29, 2021 (LaBarbera_BCTCGF_692)
30. Erik Antokal, Assistant Vice President, Nontraditional Employment for Women, oral comments received on July 29, 2021 (Antokal_NEW_693)
31. Jessica Walker, Manhattan Chamber of Commerce, oral comments received on July 29, 2021 (Walker_694)
32. Karen Meara, Friends of the Upper East Side Historic Districts, oral comments received on July 29, 2021 and written comments received on August 9, 2021 (Meara_FUESHD_696, Meara_FUESHD_755)

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33. Nicholas Tapert, Friends of the Upper East Side Historic Districts, oral comments received on July 29, 2021 (Tapert_FUESHD_697)
34. Ronda Wist, Friends of the Upper East Side Historic Districts, oral comments received on July 29, 2021 (Wist_FUESHD_698)
35. George Janes, Friends of the Upper East Side Historic Districts, oral comments received on July 29, 2021 (Janes_FUESHD_699)
36. Rakhshanda Mirza, New York Blood Center Internship Program, oral comments received on July 29, 2021 (Mirza_702)
37. Derrick Stroman, The Knowledge House, oral comments received on July 29, 2021 (Stroman_TKH_703)
38. Bishop Taylor, Urban Upbound, oral comments received on July 29, 2021 (Taylor_UU_704)
39. Valerie S. Mason, President, East 72nd Street Neighborhood Association, oral comments received on July 29, 2021 and August 9, 2021 (Mason_706, Mason_744)
40. Paul Graziano, Urban Planner (Land Use and Zoning Consultant) for 301 East 66th Street, oral comments received on July 29, 2021 and written comments received on April 9, 2021 (Graziano_708, Graziano_748)
41. Kimberly Hardy, Senior Vice President for Diversity Inclusion and Compliance, McKissack and McKissack, oral comments received on July 29, 2021 (Hardy_710)
42. Elizabeth Ashby, Defenders of the Historic Upper East Side, oral comments received on July 29, 2021 (Ashby_DHUES_717)
43. Shannon Pope-Marshall, Executive Director, CIVITAS, oral comments received on July 29, 2021 (Pope-Marshall_CIVITAS_729)
44. Joshua Satin, Principal, Ella Baker School (Julia Richman Educational Complex), oral comments received on July 29, 2021 (Satin_730)

GENERAL PUBLIC

45. Amanda Yaggy, written comments received on April 24, 2021 (Yaggy_001)
46. Paul W. Lowry, written comments received on May 2, 2021 (Lowry_002)
47. Susan Cooper, written comments received on May 21, 2021, and two sets of written comments received on August 9, 2021, and oral comments received on July 29, 2021 (Cooper_003, Cooper_707, Cooper_749, Cooper_750)
48. Anne Namm, written comments received on July 26, 2021 and August 7, 2021 (Namm_493, Namm_622)
49. Howard M. Forman, written comments received on August 6, 2021 (Forman_597)
50. Kathy O'Connor, written comments received on July 26, 2021 (O'Connor_487)
51. James Giller, written comments received on July 26, 2021 and August 9, 2021 (Giller_485, Giller_664)
52. Erica Bersin, written comments received on July 26, 2021 (Bersin_474)
53. Barry Korn, written comments received on August 6, 2021 (Korn_607)
54. Margaret Schwarz, written comments received on August 6, 2021 (Schwarz_604)
55. Corey Walker, written comments received on August 1, 2021 (Walker_571)
56. Jens Eriksen, written comments received on July 28, 2021 (Eriksen_523)
57. Katharine Houghton, written comments received on July 28, 2021 and August 9, 2021 (Houghton_526, Houghton_674)
58. Susan Crowley, written comments received on July 27, 2021 (Crowley_504)
59. Amy Heon, written comments received on July 29, 2021 (Heon_543)

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60. Marty Edelman, written comments received on July 27, 2021, and oral comments received on July 29, 2021 (Edelman_517, Edelman_712)
61. Agnes Barley, written comments received on August 6, 2021 (Barley_614)
62. Judith Rothstein, written comments received on July 23, 2021 (Rothstein_454)
63. Mindy Anderson, written comments received on July 23, 2021 (Anderson_453)
64. Lauren Glenn, written comments received on July 22, 2021 (Glenn_447)
65. Lisa Angerame, written comments received on August 6, 2021 (Angerame_594)
66. Gail Benjamin, written comments received on August 6, 2021 (Benjamin_611)
67. Daniel Anderson, written comments received on July 26, 2021 (Anderson_476)
68. Sara Schapiro, written comments received on July 26, 2021 (Schapiro_471)
69. Linda Stewart, written comments received on July 26, 2021 (Stewart_479)
70. Jon Salony, written comments received on July 29, 2021 (Salony_559)
71. Joan Goldfield, written comments received on August 6, 2021 (Goldfield, 616)
72. Anne Purdy, written comments received on August 8, 2021 (Purdy_632)
73. Faith Fraser, written comments received on July 29, 2021 (Fraser_552)
74. Rache Potasznik, written comments received on July 29, 2021 (Potasznik_569)
75. Andrea Kavanagh, written comments received on July 26, 2021 (Kavanagh_484)
76. Arlene Sulkis, two sets of written comments received on July 27, 2021 (Sulkis_510, Sulkis_512)
77. Lynne R. Cashman, written comments received on July 28, 2021 (Cashman_533)
78. Yvonne Greenbaun, written comments received on July 29, 2021 (Greenbaun_654)
79. Sheldon Silverman, written comments received on July 27, 2021 (Silverman_509)
80. Mimi Lamia, written comments received on July 25, 2021 (Lamia_464)
81. Jos Prikazsky, written comments received on July 28, 2021 (Prikazsky_518)
82. Susan Elman, written comments received on July 27, 2021 (Elman_505)
83. Andrew L. Brooks, written comments received on August 9, 2021 (Brooks_653)
84. Alyson Gindi, written comments received on July 29, 2021 (Gindi_583)
85. Alison Bell, written comments received on August 6, 2021 and August 9, 2021, and oral comments received on July 29, 2021 (Bell_603, Bell_689, Bell_747)
86. Donna Abbaticchio, written comments received on July 27, 2021 (Abbaticchio_500)
87. Elizabeth Weisser, written comments received on August 6, 2021 (Weisser_593)
88. Adam Kaye, written comments received on August 6, 2021 (Kaye_601)
89. Esther Frederiksen, two sets of written comments received on July 27, 2021 (Frederikson_511, Frederiksen_513)
90. Daniel Goldhagen, written comments received on August 9, 2021, and oral comments received on July 29, 2021 (Goldhagen_655, Goldhagen_709)
91. Ruth Kilstein, written comments received on July 22, 2021 and July 27, 2021 (Kilstein_448, Kilstein_507)
92. Kate Sheahan, written comments received on August 6, 2021 (Sheahan_599)
93. Kim H. Hurt, written comments received on July 22, 2021 and August 9, 2021 (Hurt_449, Hurt_682)
94. Gail Tavelman, written comments received on July 29, 2021 and August 9, 2021 (Tavelman_584, Tavelman_649)
95. Penelope Auchincloss, written comments received on August 6, 2021 (Auchincloss_602)
96. Diana Murray, written comments received on July 28, 2021 (Murray_530)
97. Denise Hoguet, two sets of written comments received on August 9, 2021 (Hoguet_651, Hoguet_652)
98. Steven and Jennifer Greenblatt, written comments received on July 29, 2021 (Greenblatt_550)

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99. Keith Gudhus, written comments received on July 27, 2021 (Gudhus_516)
100. Gary Gerst, written comments received on July 28, 2021 (Gerst_529)
101. Micheline Lakah, written comments received on July 25, 2021 (Lakah_463)
102. Deborah S. Newman, written comments received on August 7, 2021 (Newman_619)
103. Steven Smith, written comments received on July 29, 2021 (Smith_578)
104. Karen Maser, written comments received on July 26, 2021 (Maser_482)
105. Neil H. Osborne, written comments received on July 27, 2021 (Osborne_515)
106. Eugene Kim, written comments received on July 29, 2021 (Kim_554)
107. Rick Bellusci, written comments received on August 8, 2021 (Bellusci_647)
108. Stephen Wessley, written comments received on July 26, 2021 and August 6, 2021 (Wessley_486, Wessley_598)
109. Maggie Lehman, oral comments received on July 29, 2021 (Lehman_688)
110. Barry B. Adler, written comments received on July 29, 2021 (Adler_551)
111. Maryam Riazian, written comments received on July 23, 2021 (Riazian_456)
112. Floy Kaminski, written comments received on July 26, 2021 (Kaminski_473)
113. Hayley Kaye, written comments received on July 26, 2021 (Kaye_475)
114. Marcia Lowe, written comments received on August 9, 2021, and oral comments received on July 29, 2021 (Lowe_656, Lowe_716)
115. Emily Baller, written comments received on July 29, 2021 (Baller_580)
116. Donna Sbriglia, written comments received on August 9, 2021 (Sbriglia_666)
117. Dan Truman, written comments received on July 28, 2021 (Truman_536)
118. Kevin Kolack, written comments received on July 27, 2021 (Kolack_502)
119. Stephanie D'Abruzzo Shemin, written comments received on July 26, 2021 (D'Abruzzo-Shemin_470)
120. Craig Shemin, written comments received on July 29, 2021 (Shemin_567)
121. Nazmiye Gokcebay, written comments received on July 25, 2021 (Gokcebay_465)
122. Lorna Weiner, written comments received on July 26, 2021 (Weiner_498)
123. Amy Sklar, written comments received on July 27, 2021 (Sklar_506)
124. Andrea Dacquino, written comments received on August 9, 2021 (Dacquino_659)
125. Emily Sonnenblick, written comments received on July 26, 2021 (Sonnenblick_499)
126. Jane Lehman, written comments received on August 6, 2021 (Lehman_600)
127. J.G. Giller, written comments received on July 26, 2021 (Giller_480)
128. April Gallo, written comments received on July 26, 2021 (Gallo_483)
129. Lydia Canizares, written comments received on August 8, 2021 (Canizares_630)
130. Lynn Perrone, written comments received on July 26, 2021 (Perrone_489)
131. Alisa Brussel, written comments received on July 25, 2021 (Brussel_462)
132. Ruth Lee Brodsky, written comments received on July 26, 2021, and oral comments received on July 29, 2021 (Brodsky_490, Brodsky_721)
133. Robin K. Adam, written comments received on August 6, 2021 (Adam_609)
134. Diane Littwin, written comments received on July 22, 2021 (Littwin_446)
135. Kathleen Cordsen, written comments received on July 22, 2021 and August 9, 2021 (Cordsen_450, Cordsen_676)
136. Grace Cordsen, written comments received on July 22, 2021 (Cordsen_452)
137. Muriel Davis, written comments received on July 23, 2021 (Davis_455)
138. Jason Letchko, written comments received on July 23, 2021 (Letchko_457)
139. Stacey Valenza, written comments received on July 24, 2021 (Valenza_458)
140. Leslie Curtis, written comments received on July 24, 2021 (Curtis_459)
141. C.B. Capell, written comments received on July 21, 2021 (Capell_460)

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142. Richard Curtis, written comments received on July 25, 2021 (Curtis_461)
143. Jamie Chan, written comments received on July 26, 2021 (Chan_466)
144. Christopher Collins, written comments received on July 26, 2021 (Collins_467)
145. R.M. Parker, written comments received on July 26, 2021 (Parker_468)
146. Pauline and Frank Lagemann, written comments received on July 26, 2021 (Lagemann_469)
147. Susan Tunick, written comments received on July 26, 2021 (Tunick_472)
148. Miriam Segal, written comments received on July 26, 2021 (Segal_477)
149. Carole Spivack, written comments received on July 26, 2021 (Spivack_481)
150. Louise Schain, written comments received on July 26, 2021 (Schain_491)
151. Mark Beavers, written comments received on July 26, 2021 (Beavers_492)
152. Philip Seliger, written comments received on July 26, 2021 (Seliger_494)
153. Frances Stillman, written comments received on July 26, 2021 (Stillman_495)
154. Sarah Rose, written comments received on July 26, 2021 (Rose_496)
155. Barbara Pryor, written comments received on July 26, 2021 (Pryor_497)
156. Jada Carlson, written comments received on July 27, 2021 and August 7, 2021 (Carlson_501, Carlson_620)
157. Theodore Kolack, written comments received on July 27, 2021 (Kolack_503)
158. Carol Sokol, written comments received on July 27, 2021 (Sokol_508)
159. Unknown, written comments received on July 27, 2021 (Unknown_514)
160. Maria Andriano, written comments received on July 28, 2021 (Andriano_519)
161. Clyde Rousseau, written comments received on July 28, 2021 (Rousseau_520)
162. Julio D’Arcy, written comments received on July 28, 2021 (D’Arcy_521)
163. JoAnn Levine, written comments received on July 28, 2021 (Levine_522)
164. Matthew Levey, written comments received on July 28, 2021 (Levey_524)
165. Ken Jenkins, written comments received on July 28, 2021 (Jenkins_525)
166. Jenniene Leclercq, written comments received on July 28, 2021 (Leclercq_528)
167. Constance Padovano, written comments received on July 28, 2021 (Padovano_535)
168. Peter McGuinness, written comments received on July 28, 2021 (McGuinness_537)
169. Sharon Fass and Samuel Yates, written comments received on July 28, 2021 (Fass_Yates_539)
170. Sandra Arida, written comments received on July 28, 2021 (Arida_540)
171. Tricia Shimamura, written comments received on July 28, 2021 (Shimamura_541)
172. Prakesh Prasanna, written comments received on July 29, 2021 (Prasanna_542)
173. Sheila Baer, written comments received on July 29, 2021 (Baer_544)
174. Alex Devine, written comments received on July 29, 2021 (Devine_546)
175. Beata Moon, written comments received on July 29, 2021 (Moon_547)
176. Curt Chaplain, written comments received on July 29, 2021 (Chaplain_549)
177. Karen Meenaghan, written comments received on July 29, 2021 (Meegnaghan_553)
178. Greg Parr, written comments received on July 29, 2021 (Parr_558)
179. Philip Corradini, written comments received on July 29, 2021 (Corradini_563)
180. Patricia J. Lancaster, written comments received on July 29, 2021 (Lancaster_564)
181. Mary Smith, written comments received on July 29, 2021 and August 8, 2021 (Smith_565, Smith_633)
182. Christopher Balchin, written comments received on July 29, 2021 (Balchin_566)
183. Lola Bodansky, written comments received on July 29, 2021 (Bodansky_568)
184. Nancy Tamuccio, written comments received on August 1, 2021 (Tamuccio_570)
185. Thomas Sos, written comments received on August 1, 2021 (Sos_572)

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186. Sam Rhodes, written comments received on August 2, 2021 (Rhodes_577)
187. Arlene Goldberg, written comments received on July 29, 2021 (Goldberg_579)
188. Jennifer Kratish, written comments received on July 29, 2021 (Kratish_581)
189. Peter O'Reilly, written comments received on July 29, 2021 (O'Reilly_582)
190. Gail Tavelman, written comments received on July 29, 2021 (Tavelman_585)
191. Shelley Wertheim, written comments received on July 29, 2021 (Wertheim_586)
192. Mike Roberts, written comments received on August 5, 2021 (Roberts_587)
193. Tracey Altman, written comments received on August 5, 2021 (Altman_588)
194. Dan Kaplan, written comments received on July 29, 2021 (Kaplan_592)
195. Jack Sutton, written comments received on August 6, 2021 (Sutton_595)
196. Steve Flax, written comments received on August 6, 2021 (Flax_596)
197. Miriam Reines, written comments received on August 6, 2021 (Reines_605)
198. Raymond J. Heslin, written comments received on August 6, 2021 (Heslin_606)
199. Ann Arthur, written comments received on August 6, 2021 (Arthur_608)
200. Michael Mahoney, written comments received on August 6, 2021 (Mahoney_610)
201. Debra Messina, written comments received on August 6, 2021 (Messina_612)
202. Cesar Armenteros, written comments received on August 6, 2021 (Armenteros_613)
203. Michael Scott, written comments received on August 6, 2021 (Scott_615)
204. Leonard Sorcher, written comments received on August 7, 2021 (Sorcher_618)
205. Fern Tishman, written comments received on August 7, 2021 and August 9, 2021 (Tishman_621, Tishman_735)
206. Esther Fredriksen, written comments received on August 7, 2021 (Fredriksen_623)
207. Valerie Oula, written comments received on August 7, 2021 (Oula_624)
208. Barbara Mason, written comments received on August 7, 2021 (Mason_625)
209. Elizabeth Emmons, written comments received on August 7, 2021 (Emmons_626)
210. Frank Caccio, two sets of written comments received on August 7, 2021 (Caccio_627, Caccio_628)
211. Helga Sccliesser, written comments received on August 7, 2021 (Sccliesser_629)
212. Richard Friedland, written comments received on August 8, 2021 (Friedland_631)
213. Julie Menin, Democratic Nominee, City Council District 5, written comments received on August 8, 2021 (Menin_634)
214. Reed Wexman, written comments received on August 8, 2021 (Wexman_635)
215. Mary Pistolese-Mahoney, written comments received on August 8, 2021 (Pistolese-Mahoney_636)
216. Anonymous, written comments received on August 8, 2021 (Anonymous_637)
217. Ann Black, written comments received on August 8, 2021 (Black_638)
218. Anonymous, written comments received on August 8, 2021 (Anonymous_639)
219. Jenn Della Corte, written comments received on August 8, 2021 (DellaCorte_640)
220. Edward Kelman, written comments received on August 8, 2021 (Kelman_641)
221. Simone Barrett, written comments received on August 8, 2021 (Barrett_642)
222. Jared Barrett, written comments received on August 8, 2021 (Barrett_643)
223. Jack D'Agostino, written comments received on August 8, 2021 (D'Agostino_644)
224. Anonymous, written comments received on August 8, 2021 (Anonymous_645)
225. Sabrina Barrett, written comments received on August 8, 2021 (Barrett_646)
226. John Riordan, written comments received on August 8, 2021 (Riordan_648)
227. T.F., written comments received on August 9, 2021 (TF_657)
228. Robert Rafford, Jr., written comments received on August 9, 2021 (Rafford_658)

New York Blood Center—Center East

229. Erika Steinmann, two sets of written comments received on August 9, 2021 (Steinmann_660, Steinmann_743)
230. Andrea Gingold, written comments received on August 9, 2021 (Gingold_661)
231. Wendy Nolan, written comments received on August 9, 2021 (Nolan_662)
232. Rande Coleman, written comments received on August 9, 2021 (Colman_663)
233. Mary Flannery, written comments received on August 9, 2021 (Flannery_665)
234. Ellen Yamaguchi, written comments received on August 9, 2021 (Yamaguchi_667)
235. Nancy Pline, written comments received on August 9, 2021 (Pline_668)
236. Seth Shulman, written comments received on August 9, 2021 (Shulman_669)
237. Robert Raber, written comments received on August 9, 2021 (Raber_670)
238. Rita Chu, written comments received on August 9, 2021 (Chu_671)
239. Lyn Younes, written comments received on August 9, 2021 (Younes_672)
240. Nina Porzecanski, written comments received on August 9, 2021 (Porzecanski_673)
241. Sarah Brooks, written comments received on August 9, 2021 (Brooks_675)
242. Peter Williams, written comments received on August 9, 2021 (Williams_677)
243. Taffy Benjamin, written comments received on August 9, 2021 (Benjamin_678)
244. Alix-Marie Hall, written comments received on August 9, 2021 (Hall_679)
245. Gloria Winograd, written comments received on August 9, 2021 (Winograd_680)
246. Susan Evans, written comments received on August 9, 2021 (Evans_681)
247. Gary Griggs, written comments received on August 9, 2021 (Griggs_683)
248. Alida Camp, Boardmember, Community Board 8 (speaking for self), oral comments received on July 29, 2021 and written comments received on August 9, 2021 (Camp_690, Camp_745)
249. Martin Bell, oral comments received on July 29, 2021 (Bell_700)
250. Patrick Sullivan, Kramer Levin, oral comments received on July 29, 2021 (Sullivan_714)
251. Jamie Peschel, oral comments received on July 29, 2021 (Peschel_715)
252. Julie Menin (via Cameron Koffman), Democratic nominee, City Council District 5, oral comments received on July 29, 2021 (Koffman_719)
253. Craig Dibona, oral comments received on July 29, 2021 (Dibona_720)
254. Shannon Berkowsky, Co-President, P.S. 183 PTA, oral comments received on July 29, 2021 (Berkowsky_727)
255. Marco Tamayo, oral comments received on July 29, 2021 (Tamayo_728)
256. Melissa Mitchell, oral comments received on July 29, 2021 (Mitchell_731)
257. Anonymous, written comments received on August 9, 2021 (Anonymous_732)
258. Julie Moses, written comments received on August 9, 2021 (Moses_733)
259. Katherine Grant, written comments received on August 9, 2021 (Grant_734)
260. Kate Gill, written comments received on August 9, 2021 (Gill_736)
261. Barbara Austin, written comments received on August 9, 2021 (Austin_737)
262. Michael Richter, written comments received on August 9, 2021 (Richter_738)
263. Adrienne Siegel, written comments received on August 9, 2021 (Siegel_739)
264. Peter Stephens, written comments received on August 9, 2021 (Stephens_740)
265. Marian TheLibrarian, written comments received on August 9, 2021 (Marian_741)
266. Daiva Gasperetti, written comments received on August 9, 2021 (Gasperetti_742)
267. Billy Freeland, Secretary, Community Board 8 (speaking for self), written comments received on August 9, 2021 (Freeland_751)
268. Susan Rozensher, Shareholder, 333 East 66th Street, written comments received on August 9, 2021 (Rozensher_752)

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- 269. Wendy Machaver and Andrew Ravaschiere, written comments received on August 9, 2021 (Machaver_Ravaschiere_753)
- 270. Anonymous, written comments received on August 9, 2021 (Anonymous_754)

C. COMMENTS AND RESPONSES

PROPOSED ACTIONS AND THE PROPOSED PROJECT

Comment 1: The proposed actions would result in spot zoning; the portions of Second Avenue that are included in the rezoning area are included in an effort to mask the spot zoning. The proposed rezoning would set a dangerous/bad precedent throughout the City. (CB8_004a, CB8 Appendix C Contributors_004b, Littwin_446, Glenn_447, Kilstein_448, Cohn_451, Anderson_453, Rothstein_454, Letchko_457, Lakah_463, Kaminski_473, Anderson_476, Wesley_486, Beavers_492, Kolack_502, Elman_505, Sklar_506, Kilstein_507, Frederiksen_511, Frederiksen_513, Osborne_515, Gudhus_516, Edelman_517, Andriano_519, Brewer_527, Gerst_529, Lerner_531, Angelos_532, Birnbaum_CB8_534, Padovano_535, Fass_Yates_539, Shimamura_541, Moon_547, Fraser_552, Seawright_555, Corradini_563, Balchin_566, Potaszniak_569, Walker_571, Sos_572, Birnbaum_573, VanSlyke_574, DHUES_575, Goldberg_579, Kratish_581, Edelman_585, Wertheim_586, Kreuger_589, Walsh_86SA_590, Barrett_591, Kaplan_592, Lehman_600, Kaye_601, Bell_603, Schwarz_604, Heslin_606, Korn_607, Benjamin_611, Barley_614, Scott_615, Banyon_CB8_617, Sorcher_618, Oula_624, Emmons_626, Canizares_630, Menin_634, Black_638, Kelman_641, Riordan_648, VanDerValk_CHN_650, Hoguet_651, Greenbaum_654, Goldhagen_655, TF_657, Rafford_658, Dacquino_659, Steinmann_660, Gingold_661, Nolan_662, Coleman_663, Giller_664, Flannery_665, Sbriglia_666, Yamaguchi_667, Pline_668, Shulman_669, Chu_671, Younes_672, Porzecanski_673, Houghton_674, Cordsen_676, Williams_677, Benjamin_678, Hall_679, Winograd_680, Evans_681, Hurt_682, Griggs_683, Kallos_684, Maloney_685, Brewer_686, Squire_CB8_687, Walsh_86SA_691, Tapert_FUESHD_697, Wist_FUESHD_698, Mason_706, Birnbaum_CB8_711, Koffman_719, Dibona_720, Angelos_725, VanDerValk_CHN_726, Anonymous_732, Moses_733, Grant_734, Gill_736, Austin_737, Richter_738, Siegel_739, Gasperetti_742, Steinmann_743, Mason_744, Brewer_746, Bell_747, Meara_FUESHD_696, Meara_FUESHD_755)

The proposed rezoning is illegal. The Proposed Project violates zoning. (Chan_466, Giller_480, Giller_485, O'Connor_487, Namm_493, Lancaster_564, Potaszniak_569, Tamuccio_570, Bell_603, Mahoney_610, Kallos_684, Maloney_685, Meara_FUESHD_696, Graziano_708, Meara_FUESHD_755)

The existing zoning should remain. The proposed zoning is inappropriate. (CB8 Appendix C Contributors_004b, Maser_482, Gallo_483, Prikazsky_518, Chaplain_549, Corradini_563, Lancaster_564, Rhodes_577, Kreuger_589, Walsh_86SA_590, Barrett_591, Lehman_600, Kaye_601, Bell_603, Goldfield_616, Sorcher_618, DellaCorte_640, Squire_CB8_687,

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Walsh_86SA_691, Ashby_DHUES_717, Pope-Marshall_CIVITAS_729, Cooper_750, Rozensher_752)

Response: The proposed rezoning is consistent with a well-considered plan, and the range of uses and bulk permitted by the proposed districts are consistent with others in the immediate area and on the Upper East Side more generally. The rezoning will also advance the City's long-standing policy of encouraging life sciences development in order to become a national leader in a critical 21st century industry, which in turn will diversify the City's economy and will generate substantial new economic activity, new tax revenue, and thousands of well-paying jobs. The NYBC site is a uniquely well-suited location for a life sciences "Hub", and neither the rezoning to facilitate the development nor the building itself will undermine the integrity of the Upper East Side's midblock zoning pattern. The preparation and consideration of the rezoning through pre-certification administrative review and public review pursuant to ULURP and CEQR have been thorough, thoughtful, and transparent.

Chapter 2, "Land Use, Zoning, and Public Policy," of the FEIS has been updated to note that the Development Site is located within a 10-minute walk of one of New York's largest and finest complexes of medical care, research, and educational institutions. Its unique size and shape are especially well-suited for the prototypic floorplate for laboratory uses; its historic non-residential character avoids displacing any existing neighborhood residents; and it is well served by mass transit. It is located on a block that is not representative of the rowhouse and tenement midblocks that the R8B envelope was designed to preserve. And, there are numerous midblock buildings in the surrounding area that are also inconsistent with the R8B envelope, with heights ranging as high as 350 feet. The combination of location, design, and program would create a vital life sciences hub that encourages collaboration and would be especially well-situated and organized to advance the City's economic development agenda and allow collaboration amongst research partners.

The Proposed Actions, including the proposed discretionary special permits, would modify the zoning regulations only on the Development Site and Rezoning Area and would not affect zoning regulations applicable to other sites in the study area. They could not serve as precedent for future changes to the R8B zoning because there is literally no other site in an R8B midblock which offers the combination of conditions and context comparable to those found here. The Proposed Project would not adversely affect zoning in the study area. It would be consistent with the predominantly residential and commercial zoning districts in the study area. Overall, the Proposed Project would not result in significant adverse zoning impacts in the study area.

As described in Chapter 2, "Land Use, Zoning, and Public Policy," of the EIS, the Proposed Actions would be consistent with public policies, including OneNYC, a plan for growth, sustainability, resiliency, and equity, by contributing

to OneNYC’s goal for growth in emerging fields; New York Works’ goals of supporting growing industries and employment opportunities through City investments and direct actions, including its focus on life sciences and healthcare, by providing new job opportunities with proposed medical office and laboratory floor area; and LifeSci NYC’s goals to help promote the biomedical industry in the City and to locate these research and development laboratories near existing medical institutions because of the similarity between these laboratory uses and those in medical education and hospitals, by creating a vital life sciences hub that encourages collaboration and would be especially well-situated and organized to advance the City’s economic development agenda and allow collaboration amongst research partners.

Chapter 2, “Land Use, Zoning, and Public Policy” of the FEIS has been updated to note that the proposed rezoning of the Second Avenue blockfront is consistent with the existing uses on this block, including the movie theaters on the western side of the Avenue that have operated pursuant to a special permit for nearly 40 years. The rezoning of the Avenue will allow, within the existing framework of bulk controls, the continued operation of redevelopment of the theaters on an as-of-right basis and a modest amount of additional flexibility in the use of ground floor space. It will not change the permitted FARs for residential, commercial, or community facility uses.

Comment 2: The owners of the 301 East 66th Street cooperative building were not informed of the rezoning, and have requested to not be rezoned. Why is 301 East 66th Street included in the rezoning? (CB8_004a, CB8 Appendix C Contributors_004b, Barrett_591, Kallos_684, Graziano_708, Barrett_713)

Response: The proposed rezoning would continue the existing C2-8 district currently mapped along Second Avenue south of East 66th Street and would bring it one block north to East 67th Street. The C2 zoning district is an overdue response to make the zoning compatible with the existing movie theater use in the building on the west side of Second Avenue, which would be permitted as-of-right under the C2-8 zoning and would no longer require a Board of Standards and Appeals special permit.

Comment 3: The City and CPC recognized the incompatibility of new midblock developments build under R7-2 or R8 regulations in 1985, and no development lot in an R8B zone in Manhattan CB8 has been rezoned to allow for more intensive development since. The zoning was intended to preserve the existing scale of development in residential neighborhoods. The proposed rezoning is inappropriate for the midblock of a residential neighborhood. It violates the principle that commercial uses in residential neighborhoods should be limited, cater to the needs of the community, and comply with residential bulk controls. (CB8_004a, CB8 Appendix C Contributors_004b, Unknown_514, Houghton_526, Brewer_527, Lerner_531, CCNY_556, Potasznik_569, Sos_572, Goldberg_579, Baller_580, Kratish_581, Barrett_591, Barley_614, Scott_615,

Goldfield_616, Newman_619, Menin_634, Maloney_685, Brewer_686, Squire_CB8_687, Brewer_746, Meara_FUESHD_696, Tapert_FUESHD_697, Wist_FUESHD_698, Janes_FUESHD_699, Edelman_712, Ashby_DHUES_717, Meara_FUESHD_755)

The Applicant did not seek a carve out in 1985, when they could have. (Collins_467)

Response: Zoning is not static. It is appropriate for zoning to evolve over time as the needs of the City change and the economy changes. The nature of life sciences research, as practiced today, is often conducted in proximity to academic and medical uses, and commercial life sciences laboratories are not meaningfully different from institutional life sciences laboratories, which are contained within many of the academic and medical buildings in the area. The project’s proposed uses, therefore, are consistent with the existing uses in the area.

The block in which NYBC is located is not a typical R8B block. It is atypical because the buildings on the block are not predominantly 5-story walk-ups or townhouses. Instead, the block contains a large institutional user (NYBC itself) as well as two 12- to 14-story buildings, as described in Chapter 7, “Urban Design and Visual Resources,” of the EIS. Only about a quarter of the block is occupied by traditional R8B buildings. Further, there are many tall midblock buildings in the vicinity. As described in Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS, the 400-foot study area is a primarily residential neighborhood, characterized by pre-war and post-war apartment buildings. Buildings vary from four to five-story multi-family apartment buildings and townhomes along the side streets to mid-rise (11- to 20-story) apartment buildings with ground floor retail shops and restaurants along the avenues. The 400-foot study area also contains notable institutional uses, such as the six-story Julia Richman Educational Complex (JREC), the Memorial Sloan-Kettering Breast and Imaging Center, the main campus of the Memorial Sloan-Kettering Cancer Center, and the Memorial Sloan-Kettering Center for Prostate and Urologic Cancer. The New York Public Library and St. Catherine’s Park are also located with the 400-foot study area. Within 1,000 feet of the project site there are six buildings more than 200 feet tall, two of which are more than 300 feet tall. Accordingly, the block does not represent the typical character that the R8B zoning seeks to preserve.

As noted in Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS, the Proposed Actions, would only modify the zoning regulations on the Development Site and Rezoning Area and would not affect zoning regulations applicable to other sites in the study area. The Proposed Project would not adversely affect zoning in the study area. It would be consistent with the predominantly residential and commercial zoning districts in the study area.

Comment 4: NYBC does not need to be proximate to the institutions it works with. Other life science labs in major hubs like Boston and San Francisco are not co-located near academic institutions and yet are thriving. The Proposed Project does not need to

be located here; the Proposed Project should be located elsewhere. (CB8 Appendix C Contributors_004b, Kaminski_473, Bersin_474, Stewart_479, Brodsky_490, Sonnenblick_499, Kolack_502, Elman_505, Sklar_506, Kilstein_507, Fraser_552, DHUES_575, Rhodes_577, Baller_580, O'Reilly_582, Altman_588, Kaplan_592, Bell_603, Reines_605, Adam_609, Goldfield_616, Carlson_620, Mason_625, Caccio_627, Caccio_628, Menin_634, Pistolese-Mahoney_636, Anonymous_637, Hoguet_651, Kallos_684, Bell_689, Meara_FUESHD_696, Birnbaum_CB8_711, Dibona_720, Camp_745, Graziano_748, Meara_FUESHD_755)

NYBC would need to relocate elsewhere for 4 years during construction, proving that it does not need expanded space in this area. (CB8 Appendix C Contributors_004b, Kaplan_592)

Response: Industry clusters are an important part of the life sciences economy as can be seen in the development of Boston-Cambridge and San Francisco. Locating NYBC elsewhere would not fulfill the City's goal of creating a life sciences hub in this area, where institutional research and commercial research can enjoy the benefits both of sharing space in the same building and of being within walking distance of each other. The resultant collaborations are important to advance medical research and speed the time to life-saving treatment, and their demonstrated advantages will facilitate expansion of the City's life sciences economy.

The extraordinary complex of medical institutions in the East 60s offers a powerful magnet with which to attract product research and development firms. The City has already recognized the importance of co-locating commercial life sciences laboratories with academic medical institutions: This approach was used successfully in the Alexandria Center project, which is adjacent to NYU, and in the Columbia Audubon project. The City is also following this approach in contributing funding to the Tri-Institutional Translational Center for Therapeutics at Rockefeller University, a life sciences incubator within the University.

Several of the researchers at NYBC have appointments at these nearby institutions. The proximity of the project site to those institutions allows those researchers to maintain a clinical practice while participating in research at NYBC. NYBC believes that it can preserve its relationships and collaborations with these other institutions during a temporary relocation during construction, but could not preserve them during a permanent relocation.

Comment 5: The City's omission of the project site from sites encouraged for development of life science clusters indicates that it is not an indispensable location for life science development. The City did not identify the project site or another R8B-zoned lot as a potential site for life sciences projects. (CB8_004a, Elman_505, Brewer_527, Kallos_684, Brewer_686, Brewer_746)

The Proposed Project is contrary to the City's land use planning around expansion of the life sciences sector. Historically, commercial scientific research labs have

been allowed as-of-right only in manufacturing zones, and since 1990, by special permit in C6 zones. In 2016 the City issued a memo suggesting that certain life science labs could be treated as Use Group 9A instead of Use Group 17, and therefore would be deemed permissible uses in certain commercial zones, including C2. (Meara_FUESHD_696, Meara_FUESHD_755)

NYBC claims to benefit students and minorities by providing jobs and learning opportunities, but it turned down a location at the edge of Harlem that would have brought jobs and economic development to this location while serving the same population they claim they want to teach. (CB8 Appendix C Contributors_004b)

Response: The New York City Economic Development Corporation (EDC) only offers for sale or lease sites that the City of New York owns. EDC would not offer a site owned by a private institution for sale.

Of the three sites offered by NYCEDC in its Life Sciences RFEI in 2018, two were in locations—East Harlem and Long Island City—that are not close to other academic or medical institutions, and the third site, at 455 First Avenue, although it is near NYU-Langone Medical Center and Bellevue Hospital, has considerable infrastructural challenges that would likely require demolishing the building and rebuilding it. The site is zoned R8 with a partial C2-5 overlay, so would also need to be rezoned. NYBC would also be challenged in that location to develop new relationships with new institutional partners, relationships that NYBC has developed with its neighboring institutions over many years.

The City’s 2016 Life Sciences Memo supports the finding that the proposed project is compatible with the existing uses in the area. The 2016 Memo confirms that commercial life sciences laboratories can be classified as Use Group 9A uses, and can be located in commercial zoning districts because of their lack of objectionable effects. These laboratories are similar to the institutional laboratories currently allowed as-of-right at all of the hospitals and universities in the area. They are also allowed as-of-right in the C2-8 district, only a block south of the Blood Center’s site. Extending this zoning one block to the north and allowing these laboratories at the Blood Center, where similar institutional laboratories are already allowed and already exist today, is consistent with current uses in the area.

Comment 6: The project is out of scale/out of context with the surrounding residential neighborhood. It would have a larger height/bulk ratio than any midblock building west of First Avenue in CB8. The project is too tall/big. (CB8_004a, CB8 Appendix C Contributors_004b, Kilstein_448, Collins_467, Parker_468, Lagemann_469, Shemin_470, Schapiro_471, Tunick_472, Bersin_474, Kaye_475, Segal_477, Gallo_483, Abbatichio_500, Kilstein_507, Sokol_508, Silverman_509, Sulkis_510, Sulkis_512, Osborne_515, Gudhus_516, Andriano_519, Rousseau_520, Levine_522, Levey_524, Brewer_527, Gerst_529, Angelos_532, Birnbaum_CB8_534, Fortunoff_538, Arida_540, Heon_543, Devine_546, McKane-Sanchez_548, Fraser_552, Meegnaghan_553, Seawright_555, Corradini_563, Shemin_567, Walker_571, Sos_572,

Birnbaum_573, DHUES_575, Berk_576, Rhodes_577, Baller_580, Kratish_581, Gindi_583, Kreuger_589, Walsh_86SA_590, Kaplan_592, Forman_597, Arthur_608, Barley_614, Scott_615, Sorcher_618, Fredricksen_623, Oula_624, Canizares_630, Menin_634, Pistolese-Mahoney_636, Black_638, DellaCorte_640, Bellusci_647, Riordan_648, Tavelman_649, Hoguet_651, Brooks_653, Goldhagen_655, Brooks_675, Brewer_686, Squire_CB8_687, Camp_690, Wist_FUESHD_698, Mason_706, Cooper_707, Graziano_708, Koffman_719, Rose_CB8_722, VanDerValk_CHN_726, Pope-Marshall_CIVITAS_729, Anonymous_732, Moses_733, Grant_734, Gill_736, Austin_737, Richter_738, Siegel_739, Stephens_740, Marian_741, Gasperetti_742, Steinmann_743, Mason_744, Brewer_746, Bell_747, Graziano_748, Cooper_750)

Response: The neighborhood surrounding the project site is not solely residential. As described in Chapter 2, “Land Use, Zoning, and Public Policy,” and Chapter 7, “Urban Design and Visual Resources,” of the EIS, it has a mix of residential, commercial, and institutional uses. As noted above in response to Comment 3, the block in which the development site is located is not a typical R8B block as it has two 12- to 14-story midblock buildings, and within 1,000 feet there are six buildings more than 200 feet tall, two of which are more than 300 feet tall. The proposed building would also be similar in height and bulk to other recent medical and academic buildings in the area, including MSK’s Zuckerman Building (424 feet in height), Weill Cornell’s Belfer Research Building (302 feet in height), and NY Presbyterian’s Koch Ambulatory Care Center (320 feet in height).

As described in Chapter 1, “Project Description,” of the EIS, the purpose and need for the proposed project is the creation not just of a new building for NYBC but rather a life sciences hub that encourages collaboration and would be well-situated to advance the City’s economic development agenda and allow collaboration among research partners amidst one of New York’s largest complexes of medical care, education, and research institutions. The existing NYBC facility has been at this location in this neighborhood since 1964. The medical care, education, and research institutions have been in this neighborhood much longer. The proposed project would support these existing research institutions and help them to advance their research.

Text has been added to Chapters 1 and 2 of the FEIS to include information provided in this response.

Comment 7: The proposed signage is too big. (Abbatichio_500, Barrett_591)

Response: The amount of signage proposed for the project—a total of 1,000 square feet, combined, on the two street frontages—is similar to what would be allowed at the site if there were multiple separate establishments at the ground-floor level. The site is a large, through-block site with two street frontages, such that the signage on one street has no visual relationship to the signage on the other. The proposed maximum height of 40 feet is similar to the 25 foot height that would be allowed

as-of-right in C2 districts. This proposed signage would allow for visibility of the signs from Second Avenue.

Comment 8: NYBC can satisfy its own mission and space needs with an as-of-right development that complies with existing zoning. The proposed building should be for NYBC only. (CB8_004a, CB8 Appendix C Contributors_004b, Brodsky_490, Sulkis_510, Sulkis_512, Unknown_514, Edelman_517, Andriano_519, D’Arcy_521, Brewer_527, Leclercq_528, Birnbaum_CB8_534, McGuinness_537, Devine_546, Greenblatt_550, Adler_551, Fraser_552, Shemin_567, Birnbaum_573, DHUES_575, Berk_576, Gindi_583, Edelman_585, Wertheim_586, Walsh_86SA_590, Kaplan_592, Flax_596, Bell_603, Carlson_620, Emmons_626, Canizares_630, Purdy_632, Pistolese-Mahoney_636, Tavelman_649, Hoguet_651, Brooks_653, Greenbaun_654, Kallos_684, Maloney_685, Brewer_686, Squire_CB8_687, Camp_690, Janes_FUESHD_699, Bell_700, Birnbaum_CB8_711, Edelman_712, Koffman_719, Tamayo_728, Anonymous_732, Mason_744, Brewer_746)

The proposed building should be for NYBC only and should not include residential or commercial use. (CB8 Appendix C Contributors_004b, Schain_491, Chaplain_549, Kratish_581)

The proposed project is a commercial venture disguised as a research facility. It would result in an air-rights grab/land grab at a major cost to the community. The development partner would get commercial FAR in a prime Manhattan location and NYBC would get a new space for free. (CB8 Appendix C Contributors_004b, Lamia_464, Beavers_492, Kolack_502, Kilstein_507, Sokol_508, Silverman_509, Sulkis_510, Sulkis_512, Gudhus_516, Levey_524, McGuinness_537, Fortunoff_538, Adler_551, Meegnaghan_553, CCNY_556, Shemin_567, Tamuccio_570, Berk_576, Smith_578, Baller_580, Tavelman_584, Barrett_591, Wesley_598, Auchincloss_602, VanDerValk_CHN_650, Goldhagen_655, Kallos_684, Maloney_685, Meara_FUESHD_696, Wist_FUESHD_698, Barrett_713, Dibona_720, Rose_CB8_722, VanDerValk_CHN_726, Mitchell_731, Anonymous_732, Moses_733, Grant_734, Gill_736, Austin_737, Richter_738, Siegel_739, Gasperetti_742, Steinmann_743, Mason_744, Bell_747, Freeland_751, Meara_FUESHD_755)

The project should be developed elsewhere. The City offered other sites. (CB8_004a, CB8 Appendix C Contributors_004b, Glenn_447, Kilstein_448, Cappell_460, Lamia_464, Schapiro_471, Giller_480, Giller_485, Seliger_494, Kilstein_507, Sulkis_510, Sulkis_512, Unknown_514, Fortunoff_538, Fass_Yates_539, Arida_540, Moon_547, McKane-Sanchez_548, Kim_554, Tamuccio_570, Sos_572, Berk_576, Smith_578, Edelman_585, Kreuger_589, Carlson_620, Brooks_653, Maloney_685, Lehman_688, Janes_FUESHD_699, Mason_706, Koffman_719)

The project is not needed. NYBC does not need more/so much space. (Hurt_449, Anderson_453, Brussel_462, Angelos_532, Truman_536, Fass_Yates_539,

Lehman_688, Benjamin_611, Black_638, Barrett_646, Anonymous_732, Graziano_748)

The application is not necessary; according to the DEIS regardless of whether the application is approved or not, NYBC would employ 580 people in the No Action and With Action conditions. Similarly, the DEIS does not assume that the project is necessary to the future expansion of the life science sector in New York City. Rather, it assumes that in the No Action, the City’s policy to support life science development and laboratory uses is expected to continue in other locations in the City. According to a recent CBRE report, the City is projected to have over 5 million square feet of lab space by 2025, one year before the NYBC project would be completed. (Meara_FUESHD_696, Meara_FUESHD_755)

Response: The proposed project has a larger goal than just a much-needed new building for the Applicant. It has been designed to promote life sciences in New York City. It would create a hub allowing life sciences companies to have laboratory space near the major medical institutions that characterize the East 60s and to collaborate with those institutions. Likewise, the commercial partners could help the institutions bring their discoveries and products to market.

Even though the life sciences sector is expected to continue to grow in the future, the proposed project creates a unique opportunity to locate a hub in proximity to the City’s largest cluster of medical institutions. The City has already recognized the importance of such “hub” development in its past efforts to support the life sciences industry, including its funding for incubator lab space at Rockefeller University and its support of two prior life sciences laboratory projects located adjacent to academic institutions (Alexandria Center and Columbia Audubon).

The City offered a site in East Harlem (Second Avenue between East 126th and 127th Streets) and a site in Long Island City (44-36 44th Drive). Moving to either of those would disrupt NYBC collaborations with the important medical and research institutions in the East 60s. Neither site is near any other clinical or research institutions. Therefore, neither site would have provided the opportunity for collaboration with any other clinical or research institutions for either NYBC or the commercial laboratories that may locate in the building. Moving to a third site at 455 First Avenue would similarly disrupt existing relationships with clinical and research institutions. That site has additional constraints: it would not be available for construction for some time, because the existing building on the site is currently occupied by the City’s Public Health Lab, which would need to vacate the building, and the building would need to be demolished, and the site would also require a rezoning and be subject to CEQR and ULURP.

Comment 9: If the EIS assessed the Proposed Project compared to a future condition in which the existing NYBC building remains as it is today, substantially more significant adverse incremental impacts (particularly for transportation, construction, and shadows) would be expected. The Applicant must retract its representation at the

DEIS hearing suggesting it would not pursue an as-of-right development or the DEIS must be revised. (Meara_FUESHD_696, Meara_FUESHD_755)

Response: As discussed in Chapter 1, “Project Description,” of the EIS, the Applicant is constrained by the existing NYBC building that was constructed as a trade school approximately 90 years ago. While improvements have been made over the years, the existing building does not satisfy the Applicant’s current needs. It is an antiquated structure that does not have the dimensions or mechanical systems necessary for modern life sciences laboratories, which are essential to enable the Applicant to advance its research mission. The usable floor area in the building is divided by an arrangement of corridors and mechanical, electrical, and plumbing (MEP) shafts that were designed to align with the classroom use of the original intended building use. This arrangement restricts the amount of space available to use for open laboratory space. The floor-to-floor heights (at approximately 13 feet) are insufficient to run the types of services required efficiently at the ceiling level. As a result, multiple MEP risers are required on each floor to distribute services, which further compartmentalizes the useable floor area. The existing heating, ventilation, and air conditioning (HVAC) and electrical systems are insufficient to support modern laboratory functions but significant upgrades are impossible due to current spatial constraints at the basement and at the rooftop where current HVAC equipment is located.

Therefore, absent the Proposed Actions, it is reasonable to expect that the Applicant would demolish the existing building and construct a new facility that, to the extent possible under the circumstances, provides it with a home meeting the demands of the 21st century. Outpatient medical facilities can (unlike residential uses) take advantage of the 5.1 community facility FAR available, are appropriate uses with which to share a building, and can generate income to help offset a small portion of the cost of the new facility.

The Applicant’s counsel stated at the DEIS hearing that the Blood Center does not consider the as-of-right development to be “viable from its point of view at this time.” This is because the Blood Center has been devoting its resources to pursuing the Proposed Project for the past three years and intends to continue to do so because of its programmatic advantages over an as-of-right development and because of its importance to the future of the life sciences sector in New York City.

The Proposed Project incorporates numerous features that are not as-of-right under current zoning in order to achieve its programmatic objectives. Some of these objectives are specific to the Blood Center—the provision of 21st century research space through, among other things, development of large floorplates and sufficient space for the critical mass of life sciences companies needed for a successful “Hub”. Others would benefit all New Yorkers through the germination of a life sciences cluster that includes life sciences companies engaged in product development and is anchored by the world-class academic and medical

institutions of the East 60s. Without the proposed land use actions, the redevelopment of the Blood Center site would not be viable—that is, capable of successfully achieving all of its goals.

However, the Blood Center would then be required to reconsider its priorities for a new home if the ULURP actions are not approved. In doing so, key considerations would be its ownership of a fully assembled site with no tenant relocation issues, the excellent availability of mass transit to its current location, and, perhaps most important of all, its desire to remain in close proximity to its neighbor institutions in order to protect long-standing scientific collaborations and to nurture additional collaborations in the future. Thus, where there are no avenues for approval of the Proposed Project other than those requiring discretionary land use and CEQR review, the most reasonable way to secure a new home for the Blood Center would be the redevelopment of the site with the as-of-right building illustrated in the EIS.

Text has been added to Chapter 1 of the FEIS to include information provided in this response.

Comment 10: The Proposed Project would “affect the essential character or impair the future use and development of the surrounding area” or would obstruct the access of light and air to adjoining properties or public streets; therefore, the special permit findings cannot be met, and the Proposed Actions should not be approved. (Meara_FUESHD_696, Meara_FUESHD_755)

The Proposed Building would affect light and air. (Kilstein_507, Andriano_519, McGuinness_537, Fortunoff_538, Potaszniak_569, Mason_625, D'Agostino_644, VanDerValk_CHN_650, Hall_679, VanDerValk_CHN_726, Pope-Marshall_CIVITAS_729)

Response: As discussed in Chapter 7, “Urban Design and Visual Resources,” of the EIS, there are tall buildings not only on the avenues, but also on midblock sites in the study area. One block to the east, MSK’s main hospital building, between East 67th and East 68th Streets, is 19 stories in height. MSK’s Zuckerman Research Building, located between East 68th and East 69th Streets, is 22 stories in height. MSK also has a 16-story building in the block to the south, between East 66th and East 67th Street. The area to the west of the Project Area also includes tall buildings located in the middle of a block: Manhattan House, located between East 65th and East 66th Streets, and between Second and Third Avenues is a 20-story building that occupies its entire block, and 215 East 68th Street is a 32-story apartment building located between East 68th and East 69th Streets, and between Second and Third Avenues, which occupies the majority of its block, and a substantial portion of the midblock.

In addition, the Proposed Development has been designed to respect its surroundings. It would have a base with an 85-foot street wall, similar to the street wall character of the lower-scaled buildings in the surrounding midblock area,

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and in compliance with the C2-7 street wall requirements. Its upper 12-story portion would be built 30 feet from the western lot line of the Development Site, which would allow an overall 60-foot distance between the Proposed Development and the building to the west, at 301 East 66th Street. The upper portion would also be set back 15 feet from East 67th Street but only four feet from East 66th Street, to push the building as far as possible away from St. Catherine's Park, while still maintaining the desired 30,000-square-foot floorplate.

Comment 11: The proposed project would create overwhelming demands on local services. The neighborhood is already too crowded. The additional population could result in unsafe conditions. (CB8_004a, CB8 Appendix C Contributors_004b, Parker_468, D'Arcy_521, Shemin_567, Bodansky_568, Wertheim_586, Sutton_595, Bellusci_647, Graziano_708, Edelman_712, Satin_730, Machaver_Ravaschiere_753)

Response: As presented in Chapter 1, "Project Description," of the EIS, the Proposed Project is anticipated to generate 2,630 workers as compared to the No Action project which is expected to generate only 670 workers. The difference in the two uses was analyzed and found not to generate open space (population) or traffic (trip generation) impacts. Further, it should be noted that the medical offices in the No Action building would also generate large numbers of visitors (non-workers), namely patients, who are conservatively not considered in the analysis of open space. As described in the Environmental Assessment Statement (EAS), the Proposed Project would not result in any significant adverse impacts to Community Facilities and Services, Solid Waste and Sanitation Services, or Energy, in accordance with CEQR. Furthermore, as noted in the EIS, no significant adverse impacts were identified for population-based CEQR analysis areas, including Socioeconomic Conditions, Open Space, Water and Sewer Infrastructure, and Transportation.

Comment 12: The EIS should be amended to describe the scope of the BSL-3 uses proposed and how those uses comply with the proposed rezoning; evaluate the potential impacts of the BSL-3 use in the relevant chapters, including a new chapter on catastrophic impacts; or if no such uses are proposed for the commercial use, explain the mechanism by which such uses would be prohibited without further public review. (Murray_530, Meara_FUESHD_696, Camp_745, Meara_FUESHD_755)

Are BSL-3 or BSL-4 labs permissible uses under Use Group 9?
(Meara_FUESHD_696, Meara_FUESHD_755)

Will the commercial tenants be allowed to use the BSL-3 labs? (Berk_576)

Response: As noted in Chapter 1, "Project Description," of the EIS, among the existing biomedical research laboratories at NYBC there is a Biosafety Level-3 (BSL-3) laboratory, and the proposed building would include a BSL-3 laboratory space

for NYBC that would replace and modernize NYBC’s existing BSL-3 laboratory. An analysis of the BSL-3 laboratories is presented in Chapter 8, “Hazardous Materials,” of the EIS.

NYBC’s commercial partner, Longfellow, does not currently operate any BSL3 labs in its portfolio of commercial life sciences laboratories around the country. Accordingly, the only BSL-3 laboratory in the building is expected would be in the Blood Center’s portion of the building.

Comment 13: Who will monitor/regulate the proposed laboratories? (CB8 Appendix C Contributors_004b, Sorcher_618)

There would be no oversight of the future commercial lab tenants. (Kreuger_589, Walsh_86SA_590)

Response: As stated in Chapter 8, “Hazardous Materials,” of the EIS (on pages 8-3 and 8-6 “Management of Hazardous Micro-organisms and Chemicals”) all aspects of the use of bio-hazardous materials, radioactive materials and other chemicals are subject to strict regulation. The regulations and the agencies responsible for their enforcement are further identified on these pages.

Comment 14: The illustration showing the proposed front of the Blood Bank is misleading. It shows a wide 67th Street when it is really a single lane most of the time with cars parked on both sides of 67th Street. The illustration also fails to show the entrance-exit plans for the building or the plans for waste management, garbage and fuel delivery, and does not show 67th Street’s linkage to the proposed Hunter College Medical School and its Nursing Building. (CB8 Appendix C Contributors_004b)

Response: Figure 1-7, “Activating the Street,” in Chapter 1, “Project Description,” of the EIS, is intended to show the East 67th Street façade as clearly as possible, and, therefore, some cars that might be parked along the curb are not illustrated. The primary entrance is clearly shown to the right (west end) of the facade. The service area on East 66th Street is shown on Figure 1-5, “Proposed Project – Elevations.” There is no known linkage of the Proposed Project to any proposed Hunter College Medical School and Nursing Building.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 15: The project is a commercial use that does not belong on a block with a New York Public Library Branch, the Julia Richman Educational Center, and St. Catherine’s Park. A life sciences building should not be located in a residential area. (CB8_004a, CB8 Appendix C Contributors_004b, Cappell_460, Shemin_470, Kaminski_473, Elman_505, Lerner_531, Shimamura_541, Moon_547, Shemin_567, Caccio_627, Caccio_628, Mason_744)

The commercial laboratory use is inappropriate for the residential neighborhood. The Proposed Project is inconsistent with the residential character of the

neighborhood. The proposed commercial use is not compatible with the school and park. (Cooper_003, CB8_004a, CB8 Appendix C Contributors_004b, Littwin_446, Davis_455, Gokcebay_465, Segal_477, Wessley_486, O'Connor_487, Abbaticchio_500, Unknown_514, Prikazsky_518, Leclercq_528, Truman_536, Arida_540, Baer_544, Kim_554, Seawright_555, Lancaster_564, Bodansky_568, Tavelman_584, Edelman_585, Barrett_591, Auchincloss_602, Oula_624, Mason_625, Emmons_626, Black_638, Kelman_641, Tavelman_649, Goldhagen_655, Brooks_675, Maloney_685, Camp_690, Meara_FUESHD_696, Mason_706, Cooper_707, Edelman_712, Dibona_720, Tamayo_728, Pope-Marshall_CIVITAS_729, Moses_733, Grant_734, Gill_736, Austin_737, Richter_738, Siegel_739, Gasperetti_742, Steinmann_743, Camp_745, Bell_747, Graziano_748, Meara_FUESHD_755)

Response:

As described in Chapter 2, “Land Use, Zoning, and Public Policy,” and as shown on Figure 2-1, “Existing Land Use” of the EIS, the 400-foot study area includes residential, public facility and institutional, open space, and commercial uses, including a midblock commercial building (the Fox Television Building) at 205 East 67th Street. Nearby institutional medical uses include the Memorial Sloan-Kettering Breast and Imaging Center, the main campus of the Memorial Sloan-Kettering Cancer Center, and the Memorial Sloan-Kettering Center for Prostate and Urologic Cancer. The Proposed Project would not result in a substantial change in the land use on the Development Site because it would replace an existing community facility building containing laboratories with a new community facility and commercial laboratory building. Life sciences laboratories comparable to those that would be operated in the Proposed Building are permitted as-of-right in the neighborhood’s residential and commercial zoning districts and area already present at the teaching hospitals and universities—including Rockefeller University, Memorial Sloan-Kettering Cancer Center, and New York Presbyterian Hospital, as well as at NYBC itself. Therefore, the commercial life sciences laboratories proposed for the project do not represent a new use but are merely extensions of uses already permitted as-of-right and present in the neighborhood. The analysis concludes that the Proposed Project would be compatible with existing land use in the surrounding area, and would not result in any significant adverse impacts to land use, zoning, or public policy.

As described in Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS, the special permit would require that the laboratory uses in the project be commercial labs, not manufacturing labs. The City’s Life Sciences Memo in 2016 confirmed that commercial life sciences laboratories could be located in commercial zoning districts because they do not have objectionable effects. Moreover, the laboratories in the Proposed Building would, because they are a special permit use and subject to conditions imposed by the City Planning Commission and the City Council, be more restricted in their uses than the community facility laboratories that can be operated in residential zoning districts by hospitals or universities on an as-of-right basis and are not subject to the same restrictions.

Accordingly, there is no reason to expect that the commercial laboratories in the proposed project would have any greater impacts than the existing as-of-right community facility uses.

Comment 16: There is no guarantee that the tenants of the proposed project would be medical/community facility uses. (CB8 Appendix C Contributors_004b, Fraser_552, DHUES_575, Kaplan_592, Goldhagen_709, Dibona_720, Mitchell_731, Graziano_748)

The DEIS fails to analyze an as-of-right under the proposed C2-7 zoning, including for an R9 residential use or a 10 FAR community facility use. Absent an enforceable restriction on the Development Site preventing other as-of-right developments under the rezoning without further environmental review, the Commission has an obligation to take a hard look at the reasonably foreseeable potential consequences of its actions. The DEIS must be revised to take a hard look at the range of possible development scenarios. (Meara_FUESHD_696, Meara_FUESHD_755)

Response: As noted on page 2-8 in Chapter 2, “Establishing the Analysis Framework,” of the 2020 *CEQR Technical Manual*, “In some cases involving site-specific projects, the applicant’s proposed use or design for the proposed development may only constitute one potential scenario of many that would be permitted by the action. For instance, a proposed zoning change applicable to the site only may allow for commercial and/or residential use, whereas the applicant’s stated intention is to build a solely residential development...in these instances, a likely, reasonable scenario is chosen for analysis.”

As described in Chapter 1, “Project Description,” of this FEIS, the EIS analyzes the Reasonable Worst-Case Development Scenario (RWCDS), which was determined to be the Proposed Project based on the criteria in the *CEQR Technical Manual*, which says that this scenario must be both reasonable and likely. A lead agency is not obligated to study every conceivable use of the rezoned property, but only the reasonable worst case. In this case, an R9 residential use and a 10 FAR community facility use were not studied because they are not likely uses of the site.

One key assumption of the RWCDS is that the Blood Center will remain in current location, and will occupy a portion of the Proposed Project. The bases for this assumption are:

- The Applicant owns the project site and need not devote any further resources to obtaining site control. It also can immediately begin redevelopment, without having to assemble a new site or clear such a site of existing tenancies—residential or otherwise.
- The Applicant has occupied the site and current building and has been part of its neighborhood since 1964. This building is the Blood Center’s corporate headquarters and its principal blood donation site.

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- The site is ideally sized and shaped for redevelopment with the Proposed Project, because its 45,000-square-foot size and nearly square shape provide great flexibility for configuring large laboratory floorplates. It is also well located, with direct, mass transit connections to Midtown and Downtown Manhattan and every borough but Staten Island within a 10-minute walk.
- The Blood Center also has longstanding relationships and research partnerships with the other medical institutions in the neighborhood. Studies of life science clusters in other cities show that the full benefits of these relationships can only be achieved by locating in close proximity to these other neighborhood institutions, and the site of the Proposed Project has, through years of successful collaborations, demonstrated that it has the requisite proximity. Maintaining these relationships are key to the Blood Center's research mission. The Blood Center has not been willing to relocate because it would disrupt these relationships.

For the space not occupied by the Blood Center itself, commercial laboratories are the most valuable and most likely use of the site. The market for life sciences laboratory space is very strong. New York City has a deficiency of this space, compare to its competitor cities. Most of the new life sciences spaces coming on the market in the city are in converted buildings; the new Center East building would be one of the only ground-up, purpose-built life sciences developments in the City. This factor, combined with its proximity to the City's largest concentration of medical institutions, is expected to result in strong demand for the space. Laboratory use is also the most likely use of the site because it is so well-configured for this use, given its 45, 000-square-foot size and nearly square shape. The Blood Center is unlikely to build a residential or community facility building on the site in addition to its own space, because such space would not provide the benefits that the Blood Center is seeking from co-located commercial life sciences companies.

Absent the special permit, commercial uses would be limited to 2 FAR. Therefore, there would be a strong incentive to use the special permit and build the Proposed Project, in order to allow the greatest amount of commercial space on the property. The special permit would require that, in order to occupy the full amount of proposed commercial space, the commercial space must be occupied by scientific research and development facilities, not traditional office uses. Moreover, the building would be designed with floor-to-floor heights and robust mechanical systems that are unnecessary for traditional office use and are more expensive to build. It would be uneconomical to design and build the Proposed Building, only to use it for other than the proposed laboratory use.

Accordingly, the laboratory building, as proposed, is the reasonable and most likely use of the site, and is appropriate as the RWCDs.

Text has been added to Chapters 1 and 2 of the FEIS to include information provided in this response.

Comment 17: It is not necessary, reasonable, or in the public interest to override the City’s longstanding policy of maintaining low rise midblocks in order to facilitate and accomplish the City’s goal of being the premier life sciences hub in the United States. The City does not need this project to achieve this goal. (CB8_004a)

Response: This site provides a unique opportunity for allowing a deviation from the R8B midblock to promote an important Citywide economic development policy. The site is unique given its location near the City’s largest cluster of medical institutions, its large and square size, its proximity to mass transit, its history of nonresidential uses, and the absence of a typical R8B character on this block. There are no other sites on the Upper East Side with a similar set of characteristics. Changing any other R8B site would involve as the same procedures as this project does and be subject to both CEQR and ULURP.

NYCEDC has identified the lack of sufficient commercial laboratory space as an impediment to the growth of the life sciences industry in New York, and in particular, space that will enable commercial life sciences companies to connect with academic and institutional research activities. The Proposed Project will provide a unique opportunity to capitalize on the existing cluster of academic medical institutions in this neighborhood, to give them an opportunity for partnerships with commercial life science collaborators.

Comment 18: Existing zoning prohibits towers in residential areas that are within 100 feet of a public park on the streetwall opposite a public park in order to prevent the type of shadows the proposed project would cast on St. Catherine’s Park. (CB8_004a, Anonymous_645)

Response: Zoning Resolution Section 23-65(c), which prohibits towers in residential zoning districts within 100 feet of a public park of one acre or more, is not applicable to the Proposed Project because it is not a “tower,” as defined in the Zoning Resolution. Moreover, the special permit approval process provides the opportunity to address the impacts of the building on the surrounding area.

Comment 19: The Proposed Actions would result in significant and inconsistent changes to the existing land use and policy in the surrounding area and otherwise. The Land Use, Zoning, and Public Policy analysis presented in the EIS must objectively assess whether the proposed land use change would be compatible with the residential, park, library, and public school uses that surround the project site. The Proposed Project is inconsistent with nearby residential uses. The assessment also fails to evaluate the substantial changes in bulk, the inconsistency of the proposed bulk with decades of land use policy, and consider the principles articulated in the 1985 adoption of R8B zoning in this neighborhood. The assessment also fails to address the Project’s inconsistency with City policies that have led to the consistent mapping of contextual zones on low-mid-rise residential side streets and inconsistency with commercial zoning districts. The EIS also fails to address the Project’s inconsistency with the City’s life sciences policies regarding appropriate

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locations for life science labs. (Meara_FUESHD_696, Tapert_FUESHD_697, Meara_FUESHD_755)

Response: Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS assesses the potential impacts of the Proposed Project on land use, zoning, and public policy within 400 feet of the Rezoning Area, consistent with *CEQR Technical Manual* methodology. Based on the analyses presented in the chapter, the Proposed Project would not result in a substantial change in the land use on the Development Site because it would replace an existing community facility building containing laboratories with a new community facility and commercial laboratory building. The Proposed Project is not expected to result in significant adverse land use impacts on adjoining uses or be incompatible with existing uses in the study area, which already include several similar community facility uses (i.e., the two Memorial Sloan-Kettering Centers).

The site is well-suited for the Proposed Project because of its size (over 45,000 square feet), its nearly square shape, its history of nonresidential uses, its proximity to mass transit, and its proximity to the City’s largest cluster of medical institutions. It is also located on a block that is not typical of the R8B midblocks. Moreover, the proposed commercial laboratory uses are similar to the academic and medical laboratories that are already present throughout the area and on the project site, and that are permitted as-of-right.

Comment 20: CB8 has approved and is working with DCP towards limiting building height on First, Second, Third, and York Avenues to 210 feet; the proposed project would significantly exceed that height on a mid-block lot. (CB8_004a)

Response: Comment noted. This height limit has not yet been enacted, and its likelihood of adoption is unknown at this time. However, this site is unique in its size, configuration, location, and access to mass transit, and is uniquely well-situated to advance the City’s economic development policies. Moreover, the special permit provides a mechanism to address impacts of the project on the surrounding area.

As discussed in Chapter 7, “Urban Design and Visual Resources,” of the EIS, there are tall buildings not only on the avenues, but also on midblock sites in the study area. See also responses to Comments 3 and 10, above.

SOCIOECONOMIC CONDITIONS

Comment 21: The project is not needed; there is already too much vacant commercial space in the neighborhood and in the City. The project should relocate to existing vacant commercial space elsewhere. (CB8 Appendix C Contributors_004b, Kilstein_448, Schapiro_471, Kilstein_507, Sokol_508, Chaplain_549, Kim_554, Seawright_555, Salony_559, Shemin_567, Sos_572, Kallos_684, Maloney_685, Meara_FUESHD_696, Meara_FUESHD_755)

Response: This project is needed for the research performed and for the promotion of Life Sciences industry and employment in NYC. While some existing commercial sites can be converted to laboratory space, most have inadequate electrical, mechanical and structural infrastructure to support modern laboratory facilities. Other sites have been evaluated by NYBC, but have been rejected either because they do not offer the space NYBC needs or because they would force NYBC to relocate away from the cluster of other medical institutions in the neighborhood with which NYBC has developed research collaborations over many years, and would disrupt those relationships.

Comment 22: The proposed project should foster more local employment, provide more resources to support NYC's biotech industry, and promote start-ups. Employees for jobs in the proposed project will be from outside the community. (CB8 Appendix C Contributors_004b, Seliger_494)

Response: Comment noted.

Comment 23: The proposed project will lower property values in the neighborhood. (CB8 Appendix C Contributors_004b, D'Arcy_521, Meegnaghan_553, CCNY_556, Barrett_591, Lowe_656, Lowe_716)

Response: A project's effects on property values is outside the scope of CEQR analysis. As detailed in Chapter 3, "Socioeconomic Conditions," of the EIS, the Proposed Project would not introduce new economic activities to the study area, as the study area already has a well-established medical, research, and institutional presence. The study area is home to major medical centers such as the New York Presbyterian/Weill Cornell Medical Center and the Memorial Sloan-Kettering Cancer Center and major institutions such as the Rockefeller University. These medical and institutional uses are dispersed within the largely residential and mixed residential and commercial Upper East Side. The study area includes over 5 million gsf of medical and research space and 13.4 million gsf of commercial space. The commercial laboratory and community facility development resulting from the Proposed Project would not constitute new economic activities in the study area that could substantively alter existing economic patterns.

Comment 24: The conclusions presented in Chapter 3, "Socioeconomic Conditions," are demonstrably false. This area has a high number of currently rent-stabilized units and older tenants; the proposed project would attract a younger, wealthier skilled workforce to compete for those units and incentivize redevelopment. In addition, this area has a relatively high number of surviving small local businesses, characteristic of areas with stable older populations and naturally occurring retirement communities around New York City; this development will endanger all of them by creating a new transient workforce. (Yaggy_001)

The Proposed Project will affect affordability in the neighborhood. Middle-class housing must be preserved in Manhattan; the proposed project will drive out young families. (CB8 Appendix C Contributors_004b, Brussel_462)

The Proposed Project will displace residents. Residents will move out of the neighborhood. (Kallos_684, Goldhagen_709, Tamayo_728)

Response: Chapter 3, “Socioeconomic Conditions,” of the EIS assesses the introduction of new uses and development activity in the neighborhood in order to determine whether there could be significant adverse impacts due to indirect business displacement. With respect to the potential for indirect residential displacement, the *CEQR Technical Manual* requires that the impact of a residential population added to an area be analyzed, and thus it is standard and consistent City practice not to include analyses of indirect residential displacement for non-residential projects. Based on *CEQR Technical Manual* guidance, residential development of 200 dwelling units (DUs) or less would typically not result in significant socioeconomic impacts due to indirect residential displacement. The Proposed Project would not include any residential units, nor would it result in the direct displacement of any residential units on the Development Site.

The net increase in employment that would result from the Proposed Project is not expected to substantively affect residential market conditions in the surrounding neighborhood. New York City has a highly mobile worker population. Nearly 60 percent of New York City’s workers commute via public transit, compared with just 36 percent in Washington, D.C., 32 percent in Boston, and 23 percent in Philadelphia.² Over 67 percent of New York City’s workforce commute 30 minutes or more, compared with just 50 percent in Washington D.C., 52 percent in Boston, and 53 percent in Philadelphia.³ The far reach and flat-fare nature of the City’s mass transit system allows workers to commute from all corners of the metro area, and substantially reduces the need to live in close proximity to employment opportunities. The Development Site is well-served by existing mass transit, with over one million residential dwelling units within a 30-minute commuting distance via mass transit.⁴ Based on U.S. Census Longitudinal Employer-Household Dynamics data, in 2018 only 1.7 percent of workers in the socioeconomic study area also lived within the study area.⁵

COMMUNITY FACILITIES AND SERVICES

Comment 25: The proposed project would overcrowd and be detrimental to neighborhood schools. (CB8 Appendix C Contributors_004b)

Response: The proposed project would not add any residential units to the neighborhood. Therefore, because the Proposed Project would neither result in 50 or more

² 2016 American Community Survey, 1-Year Estimates.

³ 2014–2018 American Community Survey, 5-Year Estimates.

⁴ Mapnificent New York (<https://www.mapnificent.net/newyork/#12/40.7782/-73.9371/1800/40.7651/-73.9604>) and NYC Population FactFinder (<https://popfactfinder.planning.nyc.gov/>).

⁵ U.S. Census Longitudinal Employer-Household Dynamics (LEHD) data available through OnTheMap: <https://onthemap.ces.census.gov/>

elementary/middle school students or 150 or more high school students, nor result in direct displacement of a school (the *CEQR Technical Manual* thresholds requiring an assessment of Community Facilities and Services), no further analysis is warranted, and the Proposed Actions would not result in any significant adverse impacts to Community Facilities and Services.

OPEN SPACE

Comment 26: The population of the proposed building would result in excessive demand for open space in St. Catherine’s Park. There is already a lack of open space in the neighborhood. The project would result in impacts to open space. (CB8 Appendix C Contributors_004b, Cappell_460, Fraser_552, Schwarz_604, Korn_607, Menin_634, Bellusci_647, Brooks_653, Brooks_675, Graziano_708, Koffman_719, Berkowsky_727, Graziano_748)

The project should preserve and protect open space. (Frederiksen_511, Frederiksen_513, CCNY_556, Kelman_641)

Response: An assessment of the project’s demand for open space is presented in Chapter 4, “Open Space,” of the EIS. The passive open space ratio would decrease from 0.080 to 0.077 acres per 1,000 workers in the With Action Condition; while the open space ratio would remain below the City’s goal of 0.15 acres per 1,000 workers (as it is in existing and will be in the No Action condition), the Proposed Project would result in an approximately 3.75 percent decrease in the passive open space ratio, which would fall below the 5 percent impact threshold identified in the *CEQR Technical Manual*. Further, although the Proposed Project would not provide any publicly accessible open space, approximately 15,000 square feet of exterior open space would be created in a roof garden where the building is setback on the sixth floor. The open space would wrap around the entire building, but it would be widest on the west side. It would feature plantings as well as paved areas. The roof garden would be an important tenant amenity. Being more immediately accessible to tenants, it would likely reduce the tenants’ use of public open spaces in the neighborhood.

URBAN DESIGN AND VISUAL RESOURCES

Comment 27: The proposed project would block residential views and negatively affect the skyline. It would not be compatible with local architecture and would be an eyesore. (CB8 Appendix C Contributors_004b, Davis_455, Lancaster_564, Graziano_748)

Response: As per the *CEQR Technical Manual*, an urban design and visual resources analysis considers the pedestrian experience of “public” space from sidewalks and other publicly accessible locations. CEQR guidance does not consider views from private, residential vantage points. The analyses presented in Chapter 7, “Urban Design and Visual Resources” of the EIS considers publicly accessible views from several vantage points in the study area as shown in EIS Figures 7-12

to 7-20. These figures conservatively show the proposed building in views without trees or other vegetation to demonstrate the limited visibility of the proposed building from publicly accessible vantage points on East 66th and East 67th Streets from east of First Avenue and from west of Second Avenue. In consideration of the actual conditions on East 66th and East 67th Streets that include trees and vegetation, the visibility of the new building in views from east of First Avenue or from west of Second Avenue would be largely obscured. The urban design and visual resources analysis also considered the new building in views from East 68th Street from across St Catherine's Park. While the new building would be visible from some vantage points, these views would be partially obscured by the trees in St. Catherine's Park.

The Proposed Project would add a new tall building to the skyline that would be consistent with the variety of existing building heights, forms, massings, and development periods that are characteristic of the Upper East Side.

Comment 28: The Proposed Project would introduce a mid-block tower, unprecedented in scale, that would be even larger than the type of tower that CPC intended to block when, in 1985 it voted to map these blocks as R8B...thus, the DEIS's conclusion that the proposed commercial tower would not have any adverse impacts on the pedestrian experience is wishful thinking at best, contrary to the facts, and inconsistent with decades of planning principles. (Meara_FUESHD_696, Meara_FUESHD_755)

Response: The Urban Design and Visual Resources analysis presented in Chapter 7 of the EIS identifies and illustrates the changes to the project site that would occur with the proposed development and describes how these changes to the project site would affect the pedestrian experience of urban design. As stated in the *CEQR Technical Manual*, an urban design analysis "considers whether and how a project may change the experience of a pedestrian in the project area," in consideration of the "totality of elements that may affect a pedestrian's experience of public space." As described in the Urban Design and Visual Resources chapter, the new building would be taller than the existing building and would have a different massing than the no action development. However, a taller building does not constitute an adverse impact to the pedestrian experience of the urban design character of the project site or study area. Further, the new, taller building would not be inconsistent with existing taller institutional buildings in the study area.

As per the *CEQR Technical Manual*, the urban design analysis considers the totality of the elements that are part of the pedestrian experience, which is not limited to the height of a building, but also includes the street wall, the building's size, shape, orientation, setbacks, lot coverage, density and placement, orientation of active uses, and pedestrian and vehicular entrances. The new building would have a base similar in massing and height to existing buildings on both East 66th and East 67th Streets. It would be built to the sidewalk, would have pedestrian entrances, with vehicular entrances on East 66th Street (consistent with the

existing building). The new building would enhance the pedestrian experience by maintaining a consistent streetwall on these streets and the building would contain active uses that would contribute to the pedestrian experience.

Comment 29: This chapter must be revised to accurately reflect the built context, acknowledge the adverse impacts to the pedestrian experience that any rational person would recognize must flow from replacement of a 33-story building with a 334-foot building that is 180 feet wide, and identify alternatives to mitigate those adverse impacts. (Meara_FUESHD_696, Tapert_FUESHD_697, Janes_FUESHD_699, Meara_FUESHD_755)

The Proposed Project has been described as 16 stories, which is misleading because it is more than 30 stories. (O'Reilly_582, Schwarz_604, Korn_607)

Response: As described in Chapter 1, "Project Description," of the EIS, the Proposed Building would have 16 floors and rise to a height of approximately 334 feet to the top of the screen wall. Chapter 7, "Urban Design and Visual Resources," of the EIS describes the built context of the study area in consideration of replacing the existing three-story through-block building with a new taller building. While the replacement of the low-rise building with a taller building changes the pedestrian experience, it does not constitute an adverse impact to the pedestrian experience of urban design. The analysis concludes that the pedestrian would continue to experience a continuous streetwall on both street frontages and new active uses in the building would enliven the nearby sidewalks and would contribute to the pedestrian experience of urban design. Further, the new building has been designed with a low-rise base similar to the height and streetwall of nearby buildings on both street frontages. While the proposed project would change the project site, these changes would not be significantly adverse to the pedestrian.

SHADOWS

Comment 30: The proposed project would cast new shadows over up to 70 percent of St. Catherine's Park during peak afternoon hours in the spring, summer, and fall months, placing 95 to 100 percent of the park in shadow when it is most used by neighborhood children. The proposed building would cast unmitigable shadows on St. Catherine's Park. (CB8_004a, CB8 Appendix C Contributors_004b, Glenn_447, Riazian_456, Letchko_457, Valenza_458, Curtis_459, Lamia_464, Gokcebay_465, Kaminski_473, Segal_477, MASNYC_478, Stewart_479, Giller_480, Kavanagh_484, Giller_485, O'Connor_487, Banyon_488, Seliger_494, Kolack_502, Sulkis_510, Frederiksen_511, Frederiksen_513, Sulkis_512, Levey_524, Brewer_527, Leclercq_528, Murray_530, Lerner_531, Fass_Yates_539, Arida_540, Shimamura_541, Moon_547, Greenblatt_550, Fraser_552, Meegnaghan_553, Seawright_555, CCNY_556, Salony_559, Corradini_563, Shemin_567, Bodansky_568, Walker_571, VanSlyke_574, DHUES_575, Berk_576, Baller_580, Edelman_585, Kreuger_589,

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Walsh_86SA_590, Kaplan_592, Sutton_595, Forman_597, Lehman_600, Kaye_601, Auchincloss_602, Schwarz_604, Korn_607, Benjamin_611, Messina_612, Barley_614, Goldfield_616, Oula_624, Emmons_626, Canizares_630, Purdy_632, Menin_634, DellaCorte_640, Barrett_642, Barrett_643, Anonymous_645, Riordan_648, Tavelman_649, VanDerValk_CHN_650, Hoguet_651, Brooks_653, Goldhagen_655, Lowe_656, Raber_670, Kallos_684, Brewer_686, Squire_CB8_687, Bell_700, Edelman_712, Mason_706, Lowe_716, Koffman_719, McKane-Sanchez_724, Berkowsky_727, Moses_733, Grant_734, Gill_736, Austin_737, Richter_738, Siegel_739, Stephens_740, Marian_741, Gasperetti_742, Steinmann_743, Mason_744, Brewer_746, Bell_747, Graziano_748, Rozensher_752)

Response: As described in Chapter 5, “Shadows,” of the EIS, the western half of St. Catherine’s Park, containing the basketball courts, running track, and other active uses, would continue to be in sun from mid-morning until approximately 2:00 PM Eastern Standard Time (EST) (or 3:00 PM Eastern Daylight Time [EDT])⁶ in the spring, summer, and fall, and partially in sun for another hour at minimum after that. The eastern half of the park, containing children’s playground structures, water sprinkler, and many seating areas, would continue to be mostly or entirely in sun from mid-morning until approximately 3:00 PM EST (or 4:00 PM EDT) in these seasons. As described in Chapter 5, “Shadows,” Chapter 17, “Mitigation,” and Chapter 19, “Unavoidable Adverse Impacts,” of the EIS, the Proposed Project would result in a significant adverse shadow impact to the use of the St. Catherine’s Park in the late afternoons in the spring, summer, and fall.

Comment 31: The proposed project would cast significant shadows on JREC. It would eliminate over 50 percent of natural sunlight to the classrooms facing East 67th Street, placing the P226 (middle school program for students with autism) in darkness. The lack of natural light would affect the health, well-being, and education outcome of the students in JREC. (CB8_004a, CB8 Appendix C Contributors_004b, Riazian_456, Letchko_457, Lamia_464, Gokcebay_465, Kaye_475, O’Connor_487, Kolack_502, Brewer_527, Leclercq_528, Murray_530, Shimamura_541, Gagstetter_545, Moon_547, Fraser_552, Seawright_555, CCNY_556, Salony_559, Corradini_563, Shemin_567, Bodansky_568, Walker_571, DHUES_575, Berk_576, Baller_580, Kreuger_589, Walsh_86SA_590, Kaye_601, Auchincloss_602, Messina_612, Goldfield_616, Sorcher_618, Oula_624, Emmons_626, Canizares_630, Purdy_632, DellaCorte_640, Anonymous_645, Riordan_648, Tavelman_649, VanDerValk_CHN_650, Hoguet_651, Brooks_653, Lowe_656, Kallos_684,

⁶ Per *CEQR Technical Manual* guidelines, shadows analysis times are Eastern Standard Time. However, as Eastern Daylight Time is in effect for the March/September, May/August, and June analysis periods, one hour should be added to EDT to the given times to determine actual clock time.

Brewer_686, Squire_CB8_687, Edelman_712, Berkowsky_727, Satin_730, Stephens_740, Marian_741, Mason_744, Brewer_746, Graziano_748)

Response: CEQR does not treat school buildings as “sunlight-sensitive resources of concern” and therefore, a shadow on a school does not constitute a significant adverse impact. However, the Applicant did consider this issue; the Proposed Building’s shadows would still permit a significant quantity of indirect daylight to enter the classrooms and that the lighting levels and quality would be comparable to those experienced in classrooms on JREC’s north façade.

Comment 32: The District Manager of Parks has expressed concerns to DCP regarding the shadows cast by the project, stating that they would negatively affect plantings and activities in the park, and concluded that the proposed project would lead to adverse shadow impact on St. Catherine’s Park. The proposed project would negatively affect vegetation in St. Catherine’s Park. Parks must review the analysis and proposed mitigation measures. (CB8_004a, CB8 Appendix C Contributors_004b, Frederiksen_511, Frederiksen_513, DHUES_575, Walsh_86SA_590, Anonymous_645)

Response: As shown on Figure 5-27 in Chapter 5, “Shadows,” of the EIS, the tree species and their distribution in St. Catherine’s Park was considered in the shadows analysis. As discussed in Chapter 5, “Shadows,” of the EIS (pages 5-10 to 5-12): The existing tree canopy is mostly mature London Plane trees, as well as one Pin Oak, one Japanese Zelkova, and two Elm Species; all of these species require a minimum of six hours of direct sunlight to thrive. There are also several Kousa Dogwood and Chinese fringetrees throughout the park, which require two to four hours of direct sunlight to thrive. The combination of these trees provides shady conditions at much of the park’s ground level, from the perspective of users (see Figure 5-28 showing sunny days in the park during the “leaf-on” months). The existing plantings beds are English Ivy, other groundcovers, and shrubs which thrive in lower light conditions provided by the mature tree canopy.

CEQR methodology defines shadow as resulting from a built structure blocking the sun, and any tree canopy is considered a sunlight-sensitive resource rather than a source of shadow. Therefore, in the analysis, the effects of incremental shadows that fall during the growing or “leaf-on” season onto areas occupied by the park’s dense tree canopy are primarily assessed in terms of how they might affect the health of the trees. Beneath the canopy, from the perspective of the park’s users during the “leaf-on” months, the effects of the proposed building’s new shadow would likely be limited, although not undetectable as small areas of sunlight do typically shine through small gaps in the leafy canopy. The photos in Figure 5-28 of the EIS show examples of sun and shading conditions on sunny days in St. Catherine’s Park during the leaf-on months.

All vegetation would continue to receive a minimum of approximately six hours of sun on the three analysis days representing the growing season, compared with seven to nine hours of sun in the No Action condition. Six hours of sunlight is

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adequate for the health of the species of vegetation located in the park. The Proposed Project would therefore not significantly affect the health of the vegetation in St. Catherine's Park.

As part of the CEQR process, Parks has reviewed the shadows analyses and mitigation measures described in the EIS.

Comment 33: The effects of the proposed project on the courts in St. Catherine's Park should be considered when evaluating the project's effects on neighborhood recreational space. (CB8 Appendix C Contributors_004b)

Response: The analyses presented in Chapter 5, "Shadows," of the EIS considers the entirety of St. Catherine's Park. As noted in the chapter, the west side of the park includes basketball and handball courts, tennis walls, a running track, and a workout station. Generally speaking, the active uses accommodated in the western half of the park would be less sensitive to shadows.

Comment 34: The proposed project would cast shadows that would have negative effects on neighboring buildings and on the neighborhood. Lack of natural sunlight would result in Vitamin D deficiencies leading to negative health effects. The project would deprive the neighborhood of light and air. (Lowry_002, CB8 Appendix C Contributors_004b, Glenn_447, Anderson_453, Lakah_463, Kaye_475, Schain_491, Stillman_495, Abbaticchio_500, Crowley_504, Elman_505, Unknown_514, Gudhus_516, Cashman_533, Fortunoff_538, Heon_543, Gagstetter_545, McKane-Sanchez_548, Seawright_555, CCNY_556, Corradini_563, Sos_572, Wertheim_583, Barrett_591, Adam_609, Sorcher_618, Black_638, Barrett_642, Barrett_643, Hoguet_651, Meara_FUESHD_696, Cooper_707, Graziano_708, Goldhagen_709, Barrett_713, Lowe_716, Mitchell_731, Graziano_748, Cooper_750, Meara_FUESHD_755)

Response: *CEQR Technical Manual* methodology specifies that the shadows analysis focuses on sunlight-sensitive resources, including publicly accessible parks, plazas, and other open spaces, sunlight-dependent architectural or landscape features of historic resources, and sunlight-dependent natural resources such as rivers and wetlands. City streets and sidewalks, non-historic buildings, and private yards or stoops are explicitly excluded from the analysis. However, it should be noted that shadows move over the course of the day, falling generally west in the morning, north in the middle of the day, and east in the afternoon, shading different locations at different times of day. With the incremental shadow from the project, shadows in the project area would continue to be typical for densely developed urban areas. As noted in the responses to comments above, the EIS identifies the potential for a significant adverse shadows impact in Chapter 5, "Shadows," of the EIS, considers mitigation measures in Chapter 17, "Mitigation," and discloses the potential for unavoidable adverse impacts in Chapter 19, "Unavoidable Adverse Impacts." See also response to Comment 30.

HAZARDOUS MATERIALS

Comment 35: The DEIS does not address the risk of catastrophic consequences by allowing a potentially large expansion of the number of biosafety level 3 (BSL-3) laboratories on the Development Site. The project would bring biohazards to the neighborhood. (Shemin_470, Segal_477, Stewart_479, Schain_491, Sonnenblick_499, Sklar_506, Gudhus_516, Leclercq_528, Baer_544, Salony_559, Corradini_563, Shemin_567, Bodansky_568, Tamuccio_570, Berk_576, Edelman_585, Walsh_86SA_590, Kaplan_592, Forman_597, Auchincloss_602, Oula_624, Mason_625, Anonymous_639, DellaCorte_640, Camp_690, Meara_FUESHD_696, Goldhagen_709, Edelman_712, Barrett_713, Dibona_720, Camp_745, Meara_FUESHD_755)

The CDC notes that BSL-3 laboratories should exhaust air away from occupied areas. How can that happen when the proposed building is immediately adjacent to 301 East 66th Street and immediately south of JREC? The project exhaust would pollute the air; an analysis must be performed. (CB8 Appendix C Contributors_004b, Unknown_514, Lerner_531, Fass_Yates_539, Corradini_563, Barrett_591, Barrett_713, Dibona_720, Camp_745, Graziano_748)

Response: The Proposed Project would not result in the expansion of the number of BSL-3 laboratories on the Development Site, nor would it bring new biohazards to the neighborhood. As described in Chapter 1, “Project Description,” of the EIS, among the existing biomedical research laboratories at NYBC there is a Biosafety Level-3 (BSL-3) laboratory, and the proposed building would include a BSL-3 laboratory space for NYBC that would replace and modernize NYBC’s existing BSL-3 laboratory. An analysis of the BSL-3 laboratories is presented in Chapter 8, “Hazardous Materials,” of the EIS, and concludes that as with the BSL-3 laboratory in the existing building (and the similar laboratory that would be in the No Action building), impacts would be avoided through strict compliance with the applicable regulatory requirements and guidelines.

The BSL-3 laboratory would have a dedicated exhaust system that includes HEPA filtration rated for 99.99 percent efficiency at 0.3 microns. The BSL-3 laboratory exhaust would be ducted directly to the roof of the building, where (after filtration), it is diluted with fresh outdoor air and expelled at high velocities above the roof in compliance with all regulations for air quality and safety.

The National Institute of Health requires certification of all BSL-3 laboratories prior to initiating use and annual recertification. Certification includes systematic review of all safety features and processes associated with the laboratory including the exhaust system.

Comment 36: The proposed project would result in odiferous and dangerous waste disposal. (CB8 Appendix C Contributors_004b, Sklar_506, Fass_Yates_539, Bodansky_568, Barrett_713, Dibona_720)

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Response: The proposed project would contain loading berths for incoming materials and deliveries and for outgoing waste. Regulated chemical and medical waste would be secured for pick-up and disposal according to all requirements and standards. This process is similar to other medical and research institutions in the immediate vicinity.

Comment 37: Dangerous chemicals that would be used in the building would create a health and safety risk for the neighborhood. (CB8 Appendix C Contributors_004b, Anderson_453, Shemin_470, Schain_491, Seliger_494, Sklar_506, Sulkis_510, Sulkis_512, Unknown_514, Lerner_531, DHUES_575, Berk_576, Kaye_601, Sorcher_618, Oula_624, Cooper_707, Camp_745, Cooper_750, Rozensher_752) Environmental safety cannot be guaranteed. (Kolack_502, Tamayo_728)

Response: An assessment of chemicals expected to be used in the proposed building were provided in Chapter 8, “Hazardous Materials,” and Chapter 11, “Air Quality,” of the EIS. As summarized in Chapter 8, “Hazardous Materials,” the facility would include a variety of laboratories and associated equipment/operations (e.g., liquid nitrogen storage), which would be subject to the same requirements as for existing uses and would in this way avoid the potential for adverse impacts associated with facility operations. As with the existing building and would be the case with the No Action building, impacts would be avoided through strict compliance with the applicable regulatory requirements and guidelines. As noted in Chapter 11, “Air Quality,” an analysis of the laboratory exhaust system for the Proposed Project determined there would be no significant impacts in the proposed building or on the surrounding community in the event of a chemical spill in a laboratory.

WATER AND SEWER INFRASTRUCTURE

Comment 38: The Proposed Project would stress the existing water systems in the immediate area. (CB8 Appendix C Contributors_004b, Levey_524)

Response: As discussed in Chapter 9, “Water and Sewer Infrastructure,” of the EIS, the Proposed Project would not generate an incremental water demand of 1 million gallons per day (gpd) and is not located in an area that experiences low water pressure; therefore, an analysis of water supply is not warranted since it is expected that there would be adequate water service to meet the incremental demand, and there would be no significant adverse impacts on the City’s water supply.

Since the Proposed Project is located in a combined sewer area and would exceed the *CEQR Technical Manual* threshold of 250,000 sf of commercial, public facility, and institution and/or community facility space in Manhattan, an analysis of wastewater and stormwater conveyance and treatment was performed. The analysis concluded that the incremental increase in sewage generation resulting from the Proposed Project, as compared to the No Action condition, would be approximately 0.02 percent of the average daily flow at the Newtown Creek

Wastewater Water Treatment Plant (WWTP) and would not result in an exceedance of the plant's permitted capacity. In addition, because the Development Site is almost entirely covered with rooftop in existing conditions, the Proposed Project would not result in a substantial increase in impervious surface and there would be a minimal increase in stormwater runoff; furthermore, a reduction in stormwater peak flows to the combined sewer system would be achieved with the incorporation of stormwater source control best management practices (BMPs), specifically on-site detention, in accordance with the City's site connection requirements. Therefore, the analysis concluded that the Proposed Project would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

ENERGY

Comment 39: The Proposed Project would stress the existing electrical systems in the immediate area. (CB8 Appendix C Contributors_004b, Unknown_514, Levey_524, Shemin_567)

Response: As discussed on page 10f of the EAS, energy consumption for the proposed building is estimated to be 136,058 million British thermal units (BTUs) per year. Compared with the approximately 388 trillion BTUs of energy consumed annually within Con Edison's New York City and Westchester County service area, this increase would be considered a negligible change (approximately 0.035 percent of Con Edison's annual consumption). Therefore, the proposed project would not have any significant adverse impacts to energy, and no further analysis is required.

TRANSPORTATION

Comment 40: The proposed project would exacerbate traffic congestion in the area. The added congestion would threaten the ability of emergency vehicles to access the neighborhood, and would result in more crashes, bicycle lane and school bus conflicts, and pedestrian injuries. (CB8_004a, CB8 Appendix C Contributors_004b, Littwin_446, Glenn_447, Anderson_453, Rothstein_454, Riazian_456, Letchko_457, Cappell_460, Lamia_464, Gokcebay_465, Lagemann_469, Shemin_470, Kaye_475, Segal_477, Giller_480, Giller_485, O'Connor_487, Spivack_481, Schain_491, Namm_493, Seliger_494, Rose_496, Abbaticchio_500, Crowley_504, Elman_505, Sklar_506, Silverman_509, Sulkis_510, Frederiksen_511, Sulkis_512, Frederiksen_513, Unknown_514, Osborne_515, Gudhus_516, Levey_524, Leclercq_528, Gerst_529, Lerner_531, Angelos_532, Cashman_533, McGuinness_537, Fass_Yates_539, Shimamura_541, Heon_543, Moon_547, Fraser_552, Meegnaghan_553, Seawright_555, Parr_558, Corradini_563, Shemin_567, Bodansky_568, Walker_571, Sos_572, DHUES_575, Berk_576, Edelman_585, Wertheim_586, Altman_588, Walsh_86SA_590, Barrett_591, Kaplan_592, Forman_597, Lehman_600, Kaye_601, Adam_609, Benjamin_611, Messina_612,

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Banyon_CB8_617, Sorcher_618, Carlson_620, Oula_624, Mason_625, Sccliesser_629, Canizares_630, Friedland_631, Purdy_632, DellaCorte_640, Anonymous_645, Bellusci_647, Riordan_648, Brooks_653, Greenbaun_654, Hall_679, Maloney_685, Camp_690, Graziano_708, Edelman_712, Barrett_713, Tamayo_728, Stephens_740, Camp_745, Graziano_748, Cooper_750, Rozensher_752)

Response: Chapter 10, “Transportation,” of the EIS includes estimates of project-generated trips during the peak hours of activity for the proposed project, separated into vehicle, subway, bus, pedestrian, and other travel modes. The estimated numbers of peak hour trips by mode were compared to accepted thresholds in the *CEQR Technical Manual* to determine if detailed transportation studies were warranted to assess the Proposed Project’s potential significant adverse transportation impacts. The areas that were assessed encompassed five distinct transportation topics—traffic, transit, pedestrians, vehicular and pedestrian safety, and parking. According to the conclusions of the assessment, which were reviewed and approved by the lead agency, the proposed project does not warrant detailed transportation studies, nor would the proposed project have the potential for significant adverse transportation impacts.

Comment 41: The proposed project would result in a large number of pedestrians, further exacerbating already overcrowded sidewalks in the area. (CB8_004a, CB8 Appendix C Contributors_004b, Cappell_460, Segal_477, Giller_480, Giller_485, O’Connor_487, Namm_493, Rose_496, Silverman_509, Sulkis_510, Sulkis_512, Osborne_515, Levey_524, Lerner_531, Fass_Yates_539, Parr_558, Shemin_567, DHUES_575, Wertheim_586, Altman_588, Walsh_86SA_590, Barrett_591, Kaplan_592, Canizares_630, Greenbaun_654, Hall_679, Stephens_740)

Response: As described in Chapter 10, “Transportation,” of the EIS, the incremental numbers of pedestrians generated by the Proposed Project during peak hours would fall below accepted thresholds in the *CEQR Technical Manual* that warrant detailed pedestrian studies. As shown in Table 10-3 of the chapter, the incremental volumes of total person trips generated by the proposed project would be 21, -124, and -3 during the weekday AM, midday, and PM peak hours, respectively, which falls well below the accepted threshold of 200 pedestrians per hour. The EIS concludes the Proposed Project would not result in any significant adverse pedestrian impacts.

Comment 42: The proposed project would place additional demand on the already overburdened transit systems. (CB8 Appendix C Contributors_004b, Cappell_460, Shemin_470, Namm_493, Sokol_508, Osborne_515, Arida_540, Fraser_552, Barrett_591, Benjamin_611, Canizares_630, Purdy_632, Brooks_653, Greenbaun_654, Hall_679, Maloney_685)

Response: As presented in Chapter 10, “Transportation,” of the EIS, the incremental numbers of transit riders to be generated by the proposed project during peak

hours would fall below accepted thresholds in the *CEQR Technical Manual* that warrant detailed transit studies. As shown in Table 10-3 of the chapter, the incremental volumes of total transit trips (subway, commuter rail, and bus) generated by the proposed project would be 13, -81, and -2 during the weekday AM, midday, and PM peak hours, respectively, which falls well below the respective thresholds of 200 passengers per hour for subway or rail, and 50 bus riders per hour per route in one direction. The EIS concludes the Proposed Project would not result in any significant adverse transit impacts.

Comment 43: The proposed project would not include adequate parking. It is already difficult to find parking in the area; the Proposed Project would exacerbate the parking shortage. (CB8 Appendix C Contributors_004b, Littwin_446, Shemin_470, Sokol_508, Shemin_567, Sutton_595, Carlson_620)

Response: According to the *CEQR Technical Manual*, if a proposed project is not warranted to undertake detailed traffic studies, a parking assessment similarly may not be warranted. There are approximately 50 off-street parking facilities within ¼-mile of the project site with a combined licensed capacity of over 5,800 spaces, which should adequately accommodate the anticipated parking demand. Therefore, a detailed parking assessment was not warranted in the EIS. The Proposed Project also includes off-street parking within the building along East 66th Street to accommodate six NYBC fleet vehicles and loading facilities which have been sized to accommodate the envisioned loading and unloading needs of the project, to avoid on-street loading and unloading of large deliveries or use of on-street parking by NYBC fleet vehicles. On East 67th Street, there would be a modest number of peak hour taxi trips for drop-offs and pick-ups of person trips generated by the proposed project which would not necessitate a change in on-street parking regulations. Given these activities, it is not envisioned that the Applicant will require additional use of on-street parking resources.

Comment 44: The transportation chapter is deeply flawed due to a material inconsistency between the employee estimates and the trip generation rates used. The DEIS assumes a trip generation rate of 6.98 daily person trips per 1,000 gsf, for the proposed 389,000 gsf of biomedical lab space, which rate was sourced from the 2019 FEIS of the *Bronx Psychiatric Center Land Use Improvement Project*. Using this rate would mean that the Project could be expected to generate approximately 2,783 daily person trips. This number cannot be reconciled with the DEIS's projected employee count. Table 1-1 of the DEIS projects that the biomedical lab space would employ 2,630 workers (580 of these would be for the Blood Center and the remaining 2,050 workers would be for the biomedical lab space). Thus, under these projections, the number of trips per worker in the biomedical lab spaces would be approximately 1.36, which cannot be accurate as it assumes certain employees do not return home at the end of the day, and not to make any trips to and from the premises during the middle of the day. Based on the assumptions used for studies that analyzed similar lab or research uses, it is

typically assumed that a lab employee makes 3.5 trips a day (this assumes around 75 percent of workers would leave the lab midday for lunch, errands, etc.). This was the assumption used in the analysis of the 2007 *Proposed Manhattanville in West Harlem Rezoning and Academic Mixed-Use Development FEIS* and the 2013 *Cornell NYC Tech FEIS*. Another more recent study, the 2020 *Public Health Lab EAS* assumed, after NYC DOT consultation, that approximately 2/3 of workers would leave the lab in the midday, which equates to 3.33 worker trips a day. If the projected daily trip generation rate was based on projected employee count, and a reasonable expectation of daily trips per person (e.g., 3.5 versus 1.36) the number of trips generated would be over 2.5 times greater than what was analyzed in the DEIS. A Level 2 screening analysis may be needed for traffic, subway, and pedestrian trips and detailed transportation analyses may be warranted. The DEIS must be revised so that its transportation analysis is based on sound estimate of how many daily person trips the proposed project is likely to generate. Also, as noted in subsection (b) above, if the reasonable future no action condition is a no-build condition, the transportation chapter's assumptions would be even further off-base. (Meara_FUESHD_696, Tapert_FUESHD_697, Meara_FUESHD_755)

Response:

The above comment conflates the basic units of measure assigned to the respective socioeconomic and transportation numbers and assumes that the full-time equivalent jobs that would be realized by the commercial biomedical research laboratory component of the proposed project is analogous to the number of daily trips generated by it on a typical weekday. As shown in Table 1-1 in Chapter 1, "Project Description," of the EIS, there would be 2,630 jobs associated with the Proposed Project in the With Action condition, a 1,960-job increment compared to conditions in the future without the Proposed Project. The workers employed by these jobs would not all visit the facility on a typical weekday. Although the total jobs per square foot are comparable to other commercial workplace land uses such as general office space, biomedical research laboratories generate zero outside visitors per square foot and are not as densely populated with workers at any single moment, and therefore generate only a fraction of the daily person trips per square foot compared to general office space. This is because there are fewer average daily employees in the building per square foot per weekday, since most of the researchers do not follow typical 9-to-5, 40-hours-per-week schedules in these facilities and may work in more than one facility over the course of a typical week, as needed. Therefore, the daily person trip generation rate for the commercial biomedical research laboratory, which was reviewed and approved by the lead agency, is appropriate and used correctly for its purposes in determining that the proposed project would fall below *CEQR Technical Manual* thresholds requiring detailed transportation studies.

AIR QUALITY

Comment 45: The proposed project would have significant adverse effects on air quality. The proposed project would contribute to pollution. (CB8_004a, CB8 Appendix C Contributors_004b, Shemin_470, Sklar_506, Unknown_514, Osborne_515, Fortunoff_538, Moon_547, Parr_558, Corradini_563, Banyon_CB8_617, Bellusci_647, Hall_679, Camp_690, Graziano_708, Goldhagen_709, Camp_745, Cooper_750)

Response: The analyses presented in Chapter 11, “Air Quality,” of the EIS concluded that the Proposed Actions would not result in significant adverse impacts related to mobile source or stationary source air quality. As described in that chapter, the maximum pollutant concentrations and concentration increments from mobile sources with the Proposed Actions are projected to be lower than the corresponding CEQR *de minimis* criteria, and therefore did not warrant further analysis.

In terms of industrial sources, no businesses were found to have a New York State Department of Environmental Conservation (NYSDEC) air permit or New York City Department of Environmental Protection (DEP) certificate of operation within the study area, and no other potential sources of concern were identified. Therefore, no potential significant adverse air quality impacts would occur on the Proposed Project from industrial sources.

The analysis of the existing large source of emissions determined there would be no significant adverse air quality impact on the Proposed Project.

Based on a detailed dispersion modeling analysis, no potential significant adverse air quality impacts would result from the Proposed Project’s heating and hot water systems. An (E) Designation (E-612) would be applied to ensure that the Proposed Project would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions.

An analysis of the laboratory exhaust system for the Proposed Project determined there would be no significant impacts in the proposed building or on the surrounding community in the event of a chemical spill in a laboratory.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Comment 46: Tall buildings trap greenhouse gases. The project would increase temperatures in the neighborhood. Therefore, the proposed project is harmful to the environment. (CB8 Appendix C Contributors_004b, Sulkis_510, Sulkis_512, Machaver_Ravaschiere_753)

Response: As described in Chapter 12, “Greenhouse Gas Emissions and Climate Change,” of the EIS, the Proposed Project would not result in significant adverse impacts to greenhouse gas emissions or climate change. In order to determine the potential for significant impacts, the *CEQR Technical Manual* considers an individual project’s consistency with the City’s emission reduction goals. Based on the

Proposed Project's focus on implementing an energy efficient design, its location, and the nature of construction in New York City, the Proposed Project would align with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

The design of the Proposed Project would target energy efficiency measures, the inclusion of renewable energy, and carbon emission reductions, and would at a minimum achieve the energy efficiency requirements of the New York City Building Code. The Proposed Project would also align with other GHG goals by virtue of its proximity to public transportation, commitment to construction air quality controls and recycling construction materials, and the fact that, as a matter of course, construction in New York City uses recycled steel and includes cement replacements.

NOISE

Comment 47: The proposed project would result in noise impacts in the area. The additional workers would create noise. Noise from ambulances stuck in traffic would add to noise pollution. The proposed building's high velocity exhaust fans and mechanical equipment would operate 24 hours a day, 7 days a week. (CB8 Appendix C Contributors_004b, Anderson_453, O'Connor_487, Elman_505, Sklar_506, Unknown_514, Osborne_515, Lerner_531, Cashman_533, Moon_547, Berk_576, Barrett_591, Forman_597, Kaye_601, Messina_612, Mason_625, Lowe_656, Hall_679, Camp_690, Goldhagen_709, Barrett_713, Lowe_716, Camp_745)

Response: As described in Chapter 13, "Noise," of the EIS, the Proposed Actions would not generate traffic volumes that have the potential to cause a significant adverse noise impact (i.e., they would not result in a doubling of noise passenger car equivalents [Noise PCEs], which is necessary to cause a perceptible increase in noise levels). Additionally, Chapter 13, "Noise," of the EIS states that mechanical equipment, including heating, ventilation, and air conditioning (HVAC) equipment, would be designed to meet applicable regulations including the New York City Noise Control Code and New York City Department of Buildings Mechanical Code, which are more stringent than *CEQR Technical Manual* noise impact criteria.

Comment 48: Noise generated by project traffic would drown out the sound of children. (Curtis_461)

Response: Comment noted. As shown in Chapter 13, "Noise," of the EIS, noise levels on roadways leading directly to and from the Project Site in the With Action condition would increase by no more than 1 dBA over existing condition noise levels as a result of increases in vehicular traffic. Noise levels increases less than 1 dBA are considered imperceptible and not significant according to *CEQR Technical Manual* guidance.

CONSTRUCTION

Comment 49: Construction of the proposed project would result in significant traffic, air quality, and/or noise impacts. (Cooper_003, CB8 Appendix C Contributors_004b, Lamia_464, Kaye_475, Stewart_479, Elman_505, Murray_530, Lerner_531, Cashman_533, Fass_Yates_539, Heon_543, Shemin_567, Goldberg_579, Sutton_595, Schwarz_604, Korn_607, Oula_624, Brooks_653, Greenbaun_654, Camp_690, Camp_745, Graziano_748)

Response: Chapter 16, “Construction,” of the EIS provides a comprehensive analysis of construction-period impacts in the areas of traffic air quality, and noise. The analysis concluded that construction of the Proposed Project would not result in any significant adverse traffic and air quality impacts. Coordination with the New York City Department of Transportation (DOT)’s Office of Construction Mitigation and Coordination (OCMC) would be undertaken to ensure proper implementation of Maintenance and Protection of Traffic (MPT) plans and requirements. With respect to air quality, an emissions reduction program would be implemented for the Proposed Project to minimize the effects of construction activities on the surrounding community. Measures would include, to the extent practicable, dust suppression measures, use of ultra-low sulfur diesel (ULSD) fuel, idling restrictions, diesel equipment reduction, the utilization of newer equipment (i.e., equipment meeting the U.S. Environmental Protection Agency’s [EPA] Tier 3 emission standard), and best available tailpipe reduction technologies.

The detailed analysis of construction noise concluded that construction pursuant to the Proposed Actions has the potential to result in construction noise levels that exceed *CEQR Technical Manual* construction noise screening threshold for an extended period of time and/or the additional construction noise impact criteria defined therein at multiple noise-sensitive locations (e.g., residences, schools) surrounding the proposed construction work areas. While the greatest levels of construction noise would not persist throughout construction, and the noise levels would fluctuate resulting in noise increases that would be intermittent, these locations would experience construction noise levels whose magnitude and duration could constitute significant adverse impacts. The EIS also describes measures that would be undertaken by the project sponsor to partially mitigate the predicted construction noise impacts, including measures to control construction noise that go beyond those required by Code and offers of storm windows and/or alternate means of ventilation at locations predicted to experience impacts if they do not already have them. Such measures would allow for additional façade noise attenuation and/or the maintenance of a closed-window condition during the period, resulting in lower levels of construction noise inside these buildings.

Comment 50: Construction of the proposed building would affect schools, students’ ability to learn and students’ health. (CB8 Appendix C Contributors_004b, Pryor_497, Sulkis_510, Sulkis_512, Levine_522, Jenkins_525, Houghton_526, Murray_530,

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Lerner_531, Cashman_533, Fass_Yates_539, Greenblatt_550, Shemin_567, Walker_571, Emmons_626, Satin_730, Cooper_749, Cooper_750)

Construction noise would be a significant issue for students in JREC. (Lamia_464, Kaminski_473, Stillman_495, Silverman_509, Levine_522, Houghton_526, Brewer_527, Murray_530, Lerner_531, Schwarz_604, Korn_607, Goldfield_616, Sorcher_618, Emmons_626 Brewer_686, Satin_730, Brewer_746)

Response: As described in Chapter 16, “Construction,” of the EIS, the detailed analysis of construction noise concluded that construction pursuant to the Proposed Actions would have the potential to result in construction noise levels that would exceed the construction noise impact criteria defined therein at receptors surrounding the proposed construction work areas, including JREC. Potential mitigation measures are explored in Chapter 17, “Mitigation,” of the EIS, and unavoidable adverse impacts are identified in Chapter 19, “Unavoidable Adverse Impacts,” of the EIS.

Construction of the Proposed Project would include noise control measures as required by the *New York City Noise Control Code* as well as additional measures that go beyond code requirements. These measures would include commitments to noise emissions lower than permitted by Code for certain pieces of construction equipment as well as site-perimeter noise barriers during concrete operations least 12 feet tall with a cantilever towards the work area that are consistent with the noise barrier performance requirements set forth in the DEP’s “Rules for Citywide Construction Noise Mitigation” and locating concrete trucks inside these barriers while pouring or being washed out. Such measures would serve to decrease the level of noise at nearby receptors resulting from construction of the Proposed Project. With these measures, interior noise levels along the southern façade of JREC would exceed an $L_{10(1)}$ of 45 dBA at times during the demolition, foundation construction, superstructure construction, and site work for the Proposed Project when noise-intensive equipment (e.g., excavators, hoe rams, concrete trucks) would be operating proximate and with direct line of sight to the school. The 45 dBA $L_{10(1)}$ threshold is considered acceptable according to *CEQR Technical Manual* criteria and is slightly less than the NC-45 for the L_{10} condition, which is the level considered acceptable according to the New York City School Construction Authority (NYCSCA) design guidelines in Section 1.3.1.9(B)2. Existing noise levels at some portions of the JREC complex exceed the 45 dBA $L_{10(1)}$ threshold as a result of vehicular traffic on Second Avenue and East 67th Street. The predicted levels of noise exposure inside the JREC complex (i.e., between 43 and 59 dBA $L_{10(1)}$) would not rise to the level of a potential Public Health impact as they would not represent chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels.

Comment 51: The proposed project would result in construction dust and debris. (Lakah_463, Padovano_535, Arida_540, Brewer_686)

Response: As detailed in EIS Chapter 16, “Construction,” all measures required by the DEP’s *Construction Dust Rules* regulating construction-related dust emissions would be implemented. The rules require implementation of a dust control plan including a robust watering program. For example, all trucks hauling loose material would be equipped with tight-fitting tailgates and their loads securely covered prior to leaving the Development Site; and water sprays would be used for all demolition, excavation, and transfer of soils so that materials would be dampened as necessary to avoid the suspension of dust into the air. Stockpiled soils or debris would be watered, stabilized with a chemical suppressing agent, or covered.

Comment 52: Construction of the project could impact the structural foundation of the library. Construction impacts would affect the library. (CB8 Appendix C Contributors_004b, Stillman_495, Shemin_567, Marian_741)

Response: The EIS includes a detailed analysis of the potential for construction-period impacts from the Proposed Project, including the potential for vibration-related impacts on nearby structures. As described in EIS Chapter 16, “Construction,” given the distance for the 67th Street Library (the “Library Building”) from the areas of rock excavation (at least 10 feet), vibration levels at these buildings and structures would not be expected to exceed 0.50 in/sec peak particle velocity (PPV), including during pile driving, which would be the most vibration-intensive activity associated with construction of the Proposed Project. In addition, the Applicant would prepare a Construction Protection Plan that would include measures to protect the Library Building from inadvertent construction-related damage including ground-borne vibration, falling debris, and accidental damage from heavy machinery during project construction. Therefore, the Proposed Project would not result in any significant adverse vibration impacts during construction.

Comment 53: Construction of the project could bring vermin to the neighborhood. (CB8 Appendix C Contributors_004b)

Response: As discussed in EIS Chapter 16, “Construction,” construction contracts would include provisions for a rodent control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation. During construction, the contractor would carry out a maintenance program, as necessary. Signage would be posted, and coordination would be conducted with appropriate agencies.

Comment 54: Construction of the project will be too lengthy. Construction effects could last for six years or more. Construction will be disruptive to the community. The scope of construction should be limited in order to minimize disruption to the neighborhood. (CB8 Appendix C Contributors_004b, Sulkis_510, Sulkis_512, Levey_524, Murray_530, Fass_Yates_539, Shemin_567, Walker_571, Berk_576, Rhodes_577, Goldberg_579, Altman_588, Kaplan_592, Brooks_653, Greenbaun_654, Brewer_686, Satin_730)

Response: The construction schedule and information presented in the DEIS was developed by a construction manager with considerable experience on construction projects in New York City that are comparable in size and type as the Proposed Project. The applicant has committed to implementing a variety of measures (e.g., communication with community and environmental performance measures) during construction to minimize impacts to the nearby community. With the implementation of these measures, the construction effects of the Proposed Project on the surrounding area would be substantially reduced.

Comment 55: Safety during construction cannot be guaranteed. I am concerned about safety during construction. (Kolack_502, Arida_540, Benjamin_611, Oula_624, Camp_690)

Response: As discussed in Chapter 16, “Construction,” of the EIS, a variety of measures would be employed to ensure public safety during construction, including sidewalk bridges to provide overhead protection; rooftop protections on adjacent building(s); safety signs to alert the public about active construction work; safety barriers to ensure the safety of the public passing by construction areas; flag persons to control trucks entering and exiting the construction areas and/or to provide guidance for pedestrians and bicyclists safety; and safety nettings as the superstructure work advances upward to prevent debris from falling to the ground. All DOB safety requirements would be followed to ensure the safety of the community and the construction workers themselves. In addition, as detailed on Table 16-1, “Construction Oversight in New York City” of the chapter, construction oversight involves several city, state, and federal agencies, including DOB, FDNY, DEP, DEC, and OSHA, among others.

NEIGHBORHOOD CHARACTER

Comment 56: The analysis of Neighborhood Character in the EIS is flawed because it fails to: recognize the built R8B context as a defining feature of the study area; make clear that the high density institutional uses are east of First Avenue and not on R8B midblocks; consider the additional commercial floor area on a block where none exists and would result in unparalleled bulk on the midblock. It builds on prior erroneous conclusions and avoids acknowledging and having to mitigate adverse impacts. (Meara_FUESHD_696, Tapert_FUESHD_697, Meara_FUESHD_755)

The proposed project would destroy the neighborhood’s character and affect quality of life. The work culture and environmental for future employees in the Proposed Project would be compromised due to the sacrifices endured by the community and opposition to the project. (CB8 Appendix C Contributors_004b, Brussel_462, Lakah_463, Segal_477, Spivack_481, Banyon_488, Crowley_504, Sklar_506, Sokol_508, Silverman_509, Fortunoff_538, Arida_540, Heon_543, Meegnaghan_553, Parr_558, Corradini_563, Walker_571, VanSlyke_574, Goldberg_579, Gindi_583, Kreuger_589, Angerame_594, Flax_596, Forman_597, Auchincloss_602, Arthur_608, Canizares_630, Purdy_632,

Kelman_641, Greenbaun_654, Brooks_675, Wist_FUESHD_698, Graziano_708, Goldhagen_709, Edelman_712, Ashby_DHUES_717, Lowe_716, Pope-Marshall_CIVITAS_729, Mitchell_731, Marian_741, Graziano_748)

Response: Chapter 15, “Neighborhood Character,” of the EIS was undertaken based on the methodology of the *CEQR Technical Manual*. The analysis relies on the analyses of the components of neighborhood character (i.e., land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and noise) as analyzed in the EIS. To determine the effects of a proposed project on neighborhood character, the defining features of neighborhood character are considered together. According to the *CEQR Technical Manual*, neighborhood character impacts are rare, and it would be unusual that—in the absence of a significant adverse impact in any of the relevant technical areas—a combination of moderate effects to the neighborhood would result in an impact to neighborhood character. Moreover, a significant adverse impact identified in one of the technical areas that contributes to a neighborhood’s character does not necessarily constitute a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

The study area is ¼-mile; it does not end at First Avenue. The locations of numerous institutional uses in the area are provided on page 15-3 of the chapter. These hospitals and medical schools that characterize the area east of Second Avenue include the Memorial Sloan-Kettering (MSK) Breast and Imagine Center on Second Avenue and East 66th Street just south of the Development Site across East 66th Street, and the MSK Center for Prostate and Urologic Cancer on East 68th Street north of the Development Site across from St. Catherine’s Park. The many distinguished medical institutions are a primary aspect of this neighborhood’s character. As stated in Chapter 1, “Project Description,” of the EIS, NYBC itself has been on the Development Site since 1964.

A large portion of the bulk of the Proposed Project would be occupied by NYBC, not commercial laboratories. While tenants for the commercial portion of the Proposed Project have not yet been identified, it is likely that they will be attracted to and related to the work being done at the nearby medical institutions as well as NYBC. As discussed in responses to Comments 4 and 5, the commercial life sciences laboratories that would be located in the proposed project would be similar in activities and character to the institutional laboratories that are already present, and permitted as-of-right, at the hospitals and universities in the area. Further, tenants may include laboratories from some of the institutions themselves seeking additional space or collaboration opportunities. So, the work being carried out in the commercial portion of the Proposed Project is likely to be similar to the medical research work that characterizes this neighborhood.

As can be seen in many of the figures in Chapter 7, “Urban Design and Visual Resources,” of the EIS, as well as described in that chapter and on pages 15-3 through 15-4 of Chapter 15, “Neighborhood Character,” of the EIS, this is an area of tall, imposing buildings, some of which are institutional and some of which are residential.

As noted above in response to Comment 3, the block in which the Development Site is located is not a typical R8B block as it has two 12- to 14-story midblock buildings, and within 1,000 feet there are six buildings more than 200 feet tall, two of which are more than 300 feet tall. The proposed building would also be similar in height and bulk to other recent medical and academic buildings in the area, including MSK’s Zuckerman Building (424 feet in height), Weill Cornell’s Belfer Research Building (302 feet in height), and NY Presbyterian’s Koch Ambulatory Care Center (320 feet in height).

The shadow impact on St. Catherine’s Park is acknowledged as significant and adverse in Chapter 15. However, the Park’s trees and plantings would continue to receive adequate sunlight over the course of each day throughout New York City’s growing season and therefore, their health would not be significantly affected by the project-generated shadows. Although there would be a shadow impact on St. Catherine’s Park, it would not result in a significant adverse impact on neighborhood character within the study area.

Comment 57: To relieve the strain on the neighborhood created by the proposed project, the Applicants should guarantee that they will build additional public open space that will absorb the increased demand on such resources. (CB8 Appendix C Contributors_004b, Seliger_494, Crowley_504

Response: Chapter 4, “Open Space,” contained a quantified analysis of open space impacts and did not identify a significant adverse impact due to additional users associated with the proposed project. Further, approximately 15,000 square feet of exterior open space to be created in a roof garden where the upper portion of the building is setback from the base was not counted in the quantified analysis because it is not open to the public. The open space would wrap around the entire building, but it would be widest on the west side. It would feature plantings as well as paved areas. The roof garden would be an important tenant amenity and would serve to reduce the demand on publicly accessible open spaces in the study area. However, the significant adverse shadow impact on St. Catherine’s Park would be partially mitigated by means of a financial contribution by the Applicant to NYC Parks towards improvements to St. Catherine’s Park that would enhance user experience and enjoyment of the Park, as described in Chapter 17, “Mitigation,” of the FEIS.

MITIGATION

Comment 58: The Proposed Project does not avoid or minimize adverse environmental impacts to the maximum extent practicable as required under SEQRA (6 NYCRR 617.11(d)). (Elman_505, Meara_FUESHD_696, Meara_FUESHD_755)

There are no mitigation measures that can replace the loss of light on St. Catherine’s Park. The unmitigated shadows impacts on the neighborhood would be unacceptable. (CB8_004a, Baller_580, Anonymous_645, Graziano_748)

Response: The Applicant is proposing improvements to St. Catherine’s Park that would partially mitigate the reduction in direct sunlight on the park. This was discussed in the DEIS and is further detailed in Chapter 17, “Mitigation,” and Chapter 19, “Unavoidable Adverse Impacts,” of the FEIS.

ALTERNATIVES

Comment 59: The EIS only considers two alternatives. A dimensioned rendering of the No Significant Adverse Shadow Impact Alternative is not provided. Given that the EIS concludes that this alternative is “not feasible” and there are doubts as to the feasibility of an as-of-right building in the No Action, the DEIS does not meet the requirement that it consider a “range of reasonable alternatives.” (Meara_FUESHD_696, Tapert_FUESHD_697, Graziano_748, Meara_FUESHD_755)

Response: As noted on page 23-1 of Chapter 23, “Alternatives,” in the *CEQR Technical Manual*, SEQRA requires that an EIS include a description and evaluation of the range of reasonable alternatives to the proposed action that are feasible, considering the objectives and capabilities of the project sponsor. The range of alternatives must include the No Action alternative. However, while the *CEQR Technical Manual* suggests other types of alternatives that may be considered (e.g., alternative sites, design, use, scale), none are required under SEQRA or CEQR. In addition to analyzing a No Action Alternative, Chapter 18 “Alternatives,” of the EIS also considers a No Significant Adverse Shadow Alternative to assess the height reduction that would be needed to avoid the identified Shadow impact on St. Catherine’s Park—in this case, a reduction in the height of the Proposed Project by 50 percent. A reduction of that scale in the height of the Proposed Project would not allow the Applicant to meet its programmatic needs and would effectively eliminate the viability of the Proposed Project—both in terms of the Applicant’s programmatic goals and in terms of the Proposed Project’s contribution to the development of New York City’s life sciences economy. Given the compelling reasons for the Applicant to develop the Proposed Project discussed in the response to Comment 16 above—including the Applicant’s stated intention to remain in its current location, its proximity to the medical and other neighborhood institutions with which it has longstanding relationships, and the programmatic and economic advantages of developing commercial laboratories—alternate sites or uses were not considered to be reasonable.

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As noted above, the Applicant does not consider the as-of-right building in the No Action to be viable at this time. For now, the Applicant's attention and resources are focused on the Proposed Project. Should there be no options for redevelopment of the site pursuant to a discretionary public action requiring CEQR review, the most reasonable action of the Applicant would be to pursue redevelopment of the site with the as-of-right/no action alternative illustrated in the EIS.

Comment 60: The EIS should adequately identify the full range of adverse impacts, including adverse impacts to Land Use, Zoning, and Public Policy, and provide alternatives to mitigate such impacts. (Meara_FUESHD_696, Meara_FUESHD_755)

Response: The EIS assesses the potential for the proposed building to result in significant adverse environmental impacts; the *CEQR Technical Manual* served as a guide on the methodologies and impact criteria for evaluating the Proposed Actions' effects on the various areas of environmental analysis. DCP, acting on behalf of CPC, as the lead agency for environmental review issued a Notice of Completion for the DEIS on April 16, 2021. The DEIS provides an assessment of the full range of impacts in accordance with CEQR. The results of this analysis demonstrated that there would be significant adverse Shadows and Construction Noise impacts. No significant adverse impacts were identified in any other technical areas. As described in Chapter 17 "Mitigation," mitigation measures to partially mitigate these impacts have identified by the applicant. The DEIS also analyses alternatives to the proposed project, including analysis of a No Significant Adverse Shadows Impacts Alternative.

Comment 61: A "full coverage" alternative that waives rear yard requirements but otherwise respects the R8B envelope should be considered. (Meara_FUESHD_696, Meara_FUESHD_755)

Response: As noted on page 23-1 in Chapter 23, "Alternatives," of the *CEQR Technical Manual*, SEQRA requires that an EIS include a description and evaluation of the range of reasonable alternatives to the proposed action that are feasible, considering the objectives and capabilities of the project sponsor. The range of alternatives must include the No Action alternative.

The suggested alternative is not a reasonable alternative because it would require a discretionary land use approval but would not yield one of the primary benefits of the Proposed Project, which is to create a life sciences "hub" where commercial laboratories will be located in proximity to institutional laboratories.

Comment 62: The building should be shorter to reduce the shadows on St. Catherine's Park. A different design should be considered. (CB8 Appendix C Contributors_004b, Weisser_593)

Response: The building height is a function of two driving factors: 1) a laboratory building has taller floor-to-floor height requirements when compared to an office or a residential building, to support the specific mechanical ventilation requirements

of a laboratory and to accommodate more stringent vibration control; therefore, fewer floors fit within the same building envelope; and 2) to fulfill the project mission of a Life Sciences Hub, a critical mass of commercial life science laboratory is required to provide space for partners at varying stages of development to grown into mature companies on-site and to address a shortfall of life sciences square footage in NYC.

MISCELLANEOUS

Comment 63: The Proposed Project should be subject to an assessment of environmental justice because the racially and economically diverse schoolchildren that come from all over New York City to JREC would be subjected to construction during an ongoing pandemic that requires windows to be open. (CB8 Appendix C Contributors_004b)

Response: In accordance with Chapter 1, “Procedures and Documentation,” of the *CEQR Technical Manual*, an assessment of Environmental Justice is required when a project requires a permit from the New York State Department of Environmental Conservation (DEC), and such an analysis would address the disproportionate adverse environmental impacts that may exist in minority and low-income communities, in accordance with DEC’s Commissioner Policy 29 (CP29; https://www.dec.ny.gov/docs/permits_ej_operations_pdf/cp29a.pdf). In addition, if a project would involve a permit, funding, or direct action by a federal agency, CEQR may require an assessment of Environmental Justice in accordance with Executive Order 12898, “*Federal Actions to Address Environmental Justice in Minority Population sand Low-Income Populations.*” The Proposed Project does not meet the *CEQR Technical Manual* criteria warranting an assessment of Environmental Justice. In addition, an assessment of the potential for significant adverse impacts during the construction of the Proposed Project is presented in Chapter 16, “Construction,” of the EIS, mitigation measures are considered in Chapter 17, “Mitigation,” of the EIS, and unavoidable adverse impacts are identified in Chapter 19, “Unavoidable Adverse Impacts,” of the EIS.

Comment 64: The commercial building and its signage will contribute to light pollution for residents at night. Why is such a large sign necessary? (CB8_004a, CB8 Appendix C Contributors_004b, Stewart_479, O’Connor_487, Seliger_494, Fass_Yates_539, Korn_607, Barley_614, Scott_615, Emmons_626, Camp_690, Tapert_FUESHD_697, Graziano_708, Graziano_748)

Response: The effects of light from a building is not an area of CEQR analysis. The proposed signage would allow for visibility of the signs from Second Avenue, which is appropriate here because a non-residential use has long occupied this site and because properties directly opposite the site are not residential.

Comment 65: The expansion of the NYBC is highly important, but if it cannot be funded through a private-public partnership between philanthropic individuals/foundations and bonds/tax dollars, then the plan needs to be modified further.

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Financial arrangements for the project should be disclosed. (CB8 Appendix C Contributors_004b, Canizares_630)

Response: Consideration of private financial arrangements are not considered under CEQR.

Comment 66: The additional population generated by the Proposed Project would result in more street vendors. (CB8 Appendix C Contributors_004b)

Response: Comment noted. An analysis of population-driven street vendors is not required under CEQR.

Comment 67: The union jobs created by the proposed project do not have to be located on this site. (Gokcebay_465, Perrone_489, Brodsky_490)

Response: Comment noted.

Comment 68: What would the development partner provide to compensate the community for its sacrifices? There is no compensation for the residents in the community. (CB8 Appendix C Contributors_004b, Seliger_494)

Response: Compensation is not pertinent to CEQR. However, as set forth on page 1-16 in Chapter 1, "Procedures and Documentation," of the *CEQR Technical Manual*, CEQR requires that any significant adverse impacts identified in the DEIS be minimized or avoided to the greatest extent practicable. Further, where no mitigation is available or practicable, the DEIS must disclose the potential for unmitigable significant adverse impacts. Significant adverse impacts resulting from the Proposed Project were identified and summarized in Chapter 5, "Shadows," and Chapter 16, "Construction," of the EIS. Mitigation measures to address these impacts were identified in Chapter 17, "Mitigation," of the EIS. Chapter 19, "Unavoidable Adverse Impacts," of the EIS includes a discussion of unavoidable significant adverse impacts that could occur if the Proposed Project is implemented, regardless of the mitigation employed, or if mitigation is impracticable, in accordance with CEQR.

GENERAL OPPOSITION

Comment 69: I oppose this project/I recommend disapproval of this project. (CB8_004a, CB8 Appendix C Contributors_004b, Cordsen_450, Riazian_456, Valenza_458, Curtis_459, Spivack_481, Maser_482, Perrone_489, Stillman_495, Pryor_497, Weiner_498, Abbaticchio_500, Carlson_501, Kolack_503, Crowley_504, Brewer_527, McKane-Sanchez_548, Walsh_86SA_590, Sheahan_599, Reines_605, Armenteros_613, Tishman_621, Namm_622, Wexman_635, Barrett_642, D'Agostino_644, Barrett_646, Hoguet_652, Brewer_686, Walsh_86SA_691, Edelman_712, McKane-Sanchez_724, Anonymous_732, Brewer_746, Anonymous_754)

Response: Comment noted.

Comment 70: I support the mission of the Blood Center, but not at the cost of the residential character of the surrounding neighborhood. (Brewer_527, Brewer_686, Brewer_746)

Response: As described in Chapter 1, “Project Description,” and Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS, the surrounding neighborhood is not solely residential, but has a mix of residential, commercial, and institutional uses. The project site has been occupied by a non-residential use since the 1930s, and by the Blood Center since 1964. The proposed uses and bulk of the Proposed Project are similar to that of existing institutional buildings in the surrounding area.

Comment 71: This project is proceeding in spite of vehement objections of the neighborhood residents and Community Board. The Applicant has not been responsive to community concerns. (CB8 Appendix C Contributors_004b, Jenkins_525, DHUES_575, Berk_576, Rhodes_577, Smith_578, Kreuger_589, Walsh_86SA_590, Auchincloss_602, Bell_603, Barley_614, Scott_615, Canizares_630, Menin_634, Squire_CB8_687, Koffman_719, Angelos_725)

Response: As described in Chapter 1, “Project Description,” of the EIS, the Proposed Actions are subject to the City’s Uniform Land Use Review Procedure (ULURP) and CEQR. ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process especially designed to allow public review of a proposed project at four levels: the Community Board, the Borough President and (if applicable) Borough Board, the CPC, and the City Council. The CEQR process also includes an opportunity for public review and comment. The public, interested agencies, CB 8, and elected officials were invited to comment on the Draft Scope of Work, either in writing or orally, at a public scoping meeting held on December 15, 2020. Comments received during the Draft Scope’s public meeting and written comments received by December 31, 2020 were considered and incorporated as appropriate into the Final Scope of Work (the “Final Scope”). The lead agency oversaw preparation of the Final Scope, which incorporates all relevant comments on the Draft Scope and revises the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. The DEIS was prepared in accordance with the Final Scope and in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

The DEIS was made available for public review and comment beginning April 16, 2021. A Public Notice for the Hearing on the DEIS was published in the City Record on July 14, 2021 as well as the New York State Department of Environmental Conservation Environmental News Bulletin on July 14, 2021, and was also placed in the New York Daily News on July 14, 2021. A public hearing

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on the DEIS was held on Thursday, July 29, 2021 at 10:00 AM in the City Planning Commission Hearing Room at 120 Broadway, Lower Level, New York, NY 10271. The public hearing was also accessible remotely via NYC Engage Portal in support of the City’s efforts to contain the spread of COVID-19. Public comments on the DEIS were accepted at that hearing and throughout the comment period, which remained open through Monday, August 9, 2021.

This FEIS addresses all substantive comments made on the DEIS since its publication, during the public hearing and in the subsequent comment period. Those comments are summarized and responded to in this chapter—Chapter 22, “Response to Comments on the DEIS.” The FEIS will then be used by decision makers to evaluate CEQR findings, which will address project impacts and proposed mitigation measures in deciding whether to approve the requested discretionary actions with or without modifications.

GENERAL SUPPORT

Comment 72: I support this project. (CB8 Appendix C Contributors_004c, Eriksen_523, Prasanna_542, NYBuildingCongress_557, Melton_LECET_560, Vasquez_562, Espinal_561, Smith_565, LaBarbera_BCTCGF_692, Antokal_NEW_693, Walker_694, Roberts_587, Smith_633, Melton_LECET_701, Mirza_702, Vasquez_705, Hardy_710)

Response: Comment noted.