

**A. INTRODUCTION**

This document summarizes and responds to comments on the Draft Environmental Impact Statement (DEIS), issued on December 30, 2011 for NYU Core (the Proposed Actions). Oral and written comments were received during the period leading up to and through the public hearing held by the New York City Department of City Planning (DCP) on April 25, 2012. Written comments were accepted through the close of the DEIS public comment period, which ended May 7, 2012. Appendix J contains the written comments received on the DEIS.

Section B lists the elected officials, community board representatives, organizations, and individuals that provided relevant comments on the DEIS. Section C contains a summary of these relevant comments 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 DEIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

Some commenters did not make specific comments related to the proposed approach or methodology for the impact assessments. Others suggested editorial changes. Where relevant and appropriate these edits, as well as other substantive changes to the DEIS, have been incorporated into the Final Environmental Impact Statement (FEIS).

**B. LIST OF ORGANIZATIONS AND INDIVIDUALS THAT COMMENTED ON THE DEIS****ELECTED OFFICIALS**

1. Thomas Duane, New York State Senator, written and oral comments dated April 25, 2012 (Duane)
2. Deborah Glick, New York State Assemblymember, written comments dated April 25, 2012 and oral comments by Sarah Malloy-Good dated April 25, 2012 (Glick)
3. Jerrold Nadler, United States House of Representatives, oral and written comments dated April 25, 2012 (Nadler)
4. Scott Stringer, Manhattan Borough President, oral comments submitted by Land Use Planning and Development Director Brian Cook dated April 25, 2012 (Stringer)

**COMMUNITY BOARDS**

5. Community Board No. 2 Manhattan, written comments dated March 11, 2012 and March 12, 2012 (CB2 Resolution)

---

<sup>1</sup> This chapter is new to the FEIS.

## **NYU Core FEIS**

---

6. Community Board 2, oral comments by Co-Chair David Gruber dated April 25, 2012 (CB2-Gruber)
7. Community Board 2, oral comments by Chair Brad Hoylman dated April 25, 2012 (CB2-Hoylman)
8. Community Board 2, oral comments by Parks Committee Chair Tobi Bergman dated April 25, 2012 (CB2-Bergman)

### **ORGANIZATIONS**

9. 32 Washington Square West, written comments submitted by President of the Board Roger Zissu (32WSW)
10. 505 LaGuardia Place, oral comments by Board President Patricia Albin (505LaGuardia-Albin)
11. 505 LaGuardia Place, written comments submitted by Andrew Lance, dated May 7, 2012 (505LaGuardia)
12. AIA New York Chapter, written comments dated April 25, 2012 (AIANY)
13. Association for a Better New York, written comments dated April 25, 2012 (ABNY)
14. Bleecker Area Merchants and Residents Association, oral comments by Mark Fiedler dated April 25, 2012 (BAMRA-Fiedler)
15. Bowery Alliance of Neighbors, written comments dated April 25, 2012, submitted by Vice Chair Jean Standish (BAN)
16. Bowery Residents' Committee, written comments dated April 25, 2012, submitted by Muzzy Rosenblatt (BRC)
17. Business Owners, Villagers for a Sustainable Neighborhood, written comments dated March 27, 2012 (BusinessOwners)
18. Community Action Alliance on NYU 2031, oral comments by Terri Cude dated April 25, 2012 and written comments submitted by Co-Chair Terri Cude (CAAN-Cude)
19. Committee to Preserve Our Neighborhood, oral comments by Chair Sylvia Rackow dated April 25, 2012 (CPON-Rackow)
20. Council of Chelsea Block Associations, written comments dated February 22, 2012 submitted by Bill Borock (CCBA)
21. The Central Village Co-op and Condo Alliance written comments dated April 16, 2012 (CVCA)
22. Downtown Independent Democrats, written comments dated April 25, 2012, submitted by President Jeanne Wilcke (DID)
23. East 13th Street Community Association, written comments received May 1, 2012 (E13thCA)
24. Greenwich Village Block Associations, oral comments by Martin Tessler dated April 25, 2012 (GVBA-Tessler)
25. Greenwich Village-Chelsea Chamber of Commerce, oral and written comments dated April 25, 2012, submitted by President Tony Juliano (GV-CCC)

26. Greenwich Village Society for Historic Preservation, NYU Faculty Against the Sexton Plan Statement of Objections by Gibson, Dunn & Crutcher LLP (GVSHP Statement)
27. Greenwich Village Society for Historic Preservation Petition, includes 319 pages of signatures containing an estimated 3,000 signatures, (GVSHP-Petition)
28. Greenwich Village Society for Historic Preservation, “The Impacts of New York University’s Proposed Expansion in Greenwich Village,” prepared by Gambit Consulting, April 2012, commissioned by the Greenwich Village Society for Historic Preservation, submitted April 18, 2012 (Gambit)
29. Greenwich Village Society for Historic Preservation, “The Myth of the 10-Minute Walk from Washington Square: How NYU’s Claim Its Facilities Must Be Concentrated in the Village Belies the Experiences of Universities Across the Country”
30. Greenwich Village Society for Historic Preservation, “Too Big to Fit: How NYU’s Controversial Plan to Add 2.5 Million Square Feet Of New Space In the Village Contradicts How University Growth Needs Are Being Addressed Across the Country”
31. Greenwich Village Society for Historic Preservation, “Disappearing Before Our Eyes: How NYU Has Eliminated and Warehoused Faculty Housing Units in Washington Square Village, Even As They Ask to Overturn Zoning Rules To Build More Faculty Housing”
32. Greenwich Village Society for Historic Preservation, written and oral comments dated April 25, 2012, submitted by Andrew Berman (GVSHP-Berman)
33. Greenwich Village Society for Historic Preservation, written and oral comments dated April 25, 2012, submitted by Amanda Davis (GVSHP-Davis)
34. Greenwich Village Society for Historic Preservation, written and oral comments dated April 25, 2012, submitted by Drew Durniak (GVSHP-Durniak)
35. Greenwich Village Society for Historic Preservation, written and oral comments dated April 25, 2012, submitted by Andito Lloyd (GVSHP-Lloyd)
36. Greenwich Village Society for Historic Preservation, written and oral comments dated April 25, 2012, submitted by Dana Schulz (GVSHP-Schulz)
37. Greenwich Village Society for Historic Preservation, written and oral comments dated April 25, 2012, submitted by Sheryl Woodruff (GVSHP-Woodruff)
38. Hell’s Kitchen Neighborhood Association, written comments dated April 25 2012, submitted by Trust Chair Kathleen McGee Treat (HKNA)
39. Historic Districts Council, written comments dated April 25, 2012 (HDC)
40. LaGuardia Corner Community Gardens, oral comments by Co-Chair Ellen Horan dated April 25, 2012 (LCCG-Horan)
41. LaGuardia Corner Community Gardens, oral comments by Chair Sara Jones dated April 25, 2012 (LCCG-Jones)
42. LaGuardia Corner Community Garden (LCCG) and LMNOP, written comments submitted by LCCG Vice Chair Ellen Horan and LMNOP Chair Enid Braun, dated May 6, 2012 (LCCG-LMNOP)

## **NYU Core FEIS**

---

43. LMNOP, oral comments by President Enid Braun dated April 25, 2012 (LMNOP)
44. Manhattan Chamber of Commerce, written comments dated April 25, 2012 (MCC)
45. Mercer Dog Run, oral comments by President Beth Gottlieb dated April 25, 2012 (MDR)
46. The Municipal Art Society of New York, written comments dated April 25, 2012 (MAS)
47. Municipal Arts Society, oral comments by Senior Vice President Ronda Wist dated April 25, 2012 (MAS-Wist)
48. New Yorkers for Parks, written comments dated April 25, 2012 (NYersforParks)
49. Partnership for New York City, written comments by President and CEO Kathryn S. Wylde dated April 25, 2012 (PartnershipforNYC)
50. Real Estate Board of New York, written comments dated April 25, 2012 (REBNY)
51. Regional Plan Association, written comments dated April 25, 2012 (RPA)
52. Save Sasaki Garden, undated written comments received (SaveSasakiGardens)
53. Soho Alliance, oral comments by First Vice Chair Bo Riccobono dated April 25, 2012 (SohoAlliance-Riccobono)
54. Union Square Community Coalition, written comments submitted by Jack Taylor, dated January 4, 2012 (Union Square Community Coalition)
55. Villagers for a Sustainable Neighborhood, written and oral comments by Judy Paul, owner and CEO of the Washington Square Hotel, dated April 25, 2012 (VSN-Paul)
56. Washington Place Block Association, oral comments by President Howard Negrin dated April 25, 2012 (WPBA-Negrin)

### **INTERESTED PUBLIC**

57. Selma and Jerry Abramowitz, written comments received April 23, 2012 (Abramowitz)
58. Ronald D. Abramson, NYU Board of Trustees, written comments received April 16, 2012 (Abramson)
59. Barbara Abrash, written comments dated March 1, 2012 (Abrash)
60. Elizabeth Adam, oral comments dated April 25, 2012 (Adam)
61. Soranlly Adames-Lopez, General Manager, Brads Coffee House, written comments dated April 25, 2012 (Adames)
62. Philip Agee, written comments dated January 4, 2012 (Agee)
63. Dr. Eileen Ain, LaGuardia Corner Community Garden, written comments dated January 4, 2012, and oral comments dated April 25, 2012 (Ain)
64. Sal Alaburic, Owner, Volare, written comments dated April 25, 2012 (Alaburic)
65. Amanda Alampi, Masters candidate, NYU, hearing testimony submitted (Alampi)
66. Prinny Alavi, written comments received April 5, 2012 (Alavi)
67. Gregory Albanis, written comments submitted April 19, 2012 (Albanis)

68. Gregory Albanis, Senior Director University Events, NYU, hearing testimony submitted (Albanis)
69. Patricia Albin, written comments received April 24, 2012, (Albin)
70. Patricia Albin, oral comments dated April 25, 2012, (Albin)
71. Leslye Alexander, Vice President, Koppers Chocolate, written comments dated January 10, 2012 and May 2, 2012 (Alexander)
72. Timothy Allen, written comments dated January 4, 2012 (Allen)
73. Paolo Alippi, written comments dated January 8, 2012 and February 27, 2012 and written comments received April 5, 2012 (Alippi)
74. Elaine Altman, written comments received April 24, 2012 (Altman)
75. Diane Alutto, Board Member LaGuardia Corner Community Gardens, written comments received (Alutto)
76. Ann Amato, written comments received April 24, 2012 (Amato)
77. Juanita Ambrose, written comments dated February 29, 2012 (AmbroseJ)
78. Leroy Ambrose, written comments dated February 29, 2012 (AmbroseL)
79. Andrew Amer, President, 200 Mercer Street Apartement Corporation, written comments dated January 4, 2012 (Amer)
80. Amila, written comments dated January 4, 2012 (Amila)
81. Desaix Anderson, written comments received April 30, 2012 (Anderson)
82. R. Anderson, written comments dated May 6, 2012 (AndersonR)
83. Stuart Anthony, written comments dated January 4, 2012 (Anthony)
84. Vittorio Antinini, oral comments dated April 25, 2012 (Antinini)
85. Deborah Apiccidic, written comments dated May 4, 2012 (Apiccidic)
86. Rosaire Appel, written comments dated January 4, 2012 and February 19, 2012 (Appel)
87. Emily Armstrong and Thomas P. Gannon, written comments received April 3, 2012 (Armstrong-Gannon)
88. Elke Aspillera, written comments dated January 4, 2012 (Aspillera)
89. JoAnn Atwood, written comments dated February 14, 2012 (Atwood)
90. Barbara Aubrey, written comments dated February 2, 2012 (AubreyB1)
91. Bert Aubrey, written comments dated February 2, 2012 (AubreyB2)
92. Margharita Auletta, written comments dated January 4, 2012 (Auletta)
93. Styra Avins, written comments dated February 28, 2012 (Avins)
94. Veronica Avins, written comments dated January 4, 2012 (AvinsV)
95. John M. Bacon, written comments dated January 4, 2012 (Bacon)
96. Howard Bader, written comments dated January 4, 2012 and February 27, 2012 (Bader)

## NYU Core FEIS

---

97. Karen Backus, K. Backus Consulting, oral comments dated April 25, 2012 (Backus)
98. Annie Ballirol, written comments dated March 12, 2012 (Ballirol)
99. Phyllis Barasch, NYU Trustee and Vice President of the NYU Alumni Association, hearing testimony (Barasch)
100. Louise Barbas, written comments dated January 4, 2012 (Barbas)
101. Penelope Bateau, written comments dated January 4, 2012 (Bateau)
102. Ruby Baresch, written comments dated January 4, 2012 (Baresch)
103. Kathleen Barker, written comments dated March 7, 2012 (Barker)
104. Albert Barlat, written comments dated February 2, 2012 (Barlat)
105. Patricia McM. Bartels, Esq., written comments dated May 7, 2012 (Bartels)
106. Brittney Barton, written comments dated January 4, 2012 (Barton)
107. Joan Bastone, written comments received May 8, 2012 (Bastone)
108. Marian and Bernard Bauman, written comments dated February 6, 2012 (Bauman)
109. Jonathan Bear, written comments dated January 4, 2012 (Bear)
110. G. Bedrosian, written comments dated February 6, 2012, April 12, 2012, and April 25, 2012 (Bedrosian)
111. Rosemary Bella, written comments dated January 4, 2012 (Bella)
112. Ruth Ben-Ghiat, written comments dated January 16, 2012 (Ben-Ghiat)
113. Roy Ben-Jacob, Owner, Joy Burger Bar, written comments dated April 25, 2012 (Ben-Jacob)
114. Gerard Benarous, Professor, NYU Krohn Institute of Mathematical Sciences, oral comments dated April 25, 2012 (Benarous)
115. Judith Bendewald, written comments dated January 4, 2012 (Bendewald)
116. S. Benedict, written comments dated February 6, 2012 (Benedict)
117. Arlene O. Bensam, written comments dated May 3, 2012 (Bensam)
118. Steven Bensusan, President, Blue Note, written comments dated April 25, 2012 (Bensusan)
119. Lauren Benton, Dean for the Humanities, NYU, written comments dated April 22, 2012 (Benton)
120. Jody Berenblatt, written comments dated January 4, 2012 (Berenblatt)
121. Audrey, Irving, and Kenneth Bernstein, written comments dated February 6, 2012 (Bernstein)
122. Audrey Bernstein, written comments dated April 26 2012 (Bernstein)
123. Charles N. Bertolami, Dean, College of Dentistry, NYU, written comments submitted (Bertolami)

124. Stephanie Bland, Jean-Claude Dhien, and Robert Bland, written comments dated February 6, 2012 (Bland-Dhien)
125. S. Blohm, written comments dated January 4, 2012 (Blohm)
126. Russell Blount, written comments dated January 4, 2012 (Blount)
127. Diana Boernstein, written comments dated January 4, 2012, February 21, 2012, April 18, 2012, and May 2, 2012 (Boernstein)
128. Phyllis Bogdanoff, written comments dated February 6, 2012 (Bogdanoff)
129. Mary Bogen, written comments dated January 4, 2012 (Bogen)
130. Jules Bogen, written comments dated January 4, 2012 (BogenJ)
131. Robert Boland, Academic Chair, Preston Robert Tisch Center for Hospitality, Tourism, and Sports Management, NYU, oral comments dated April 24, 2012 and April 25, 2012 (Boland)
132. Lee C. Bollinger, President, Columbia University, written and oral comments dated April 25, 2012 (Bollinger)
133. David F. Bomke, written comments dated April 12, 2012 (Bompe)
134. Thierry Bonnet, written comments dated February 24, 2012 (Bonnet)
135. Robert Bonnono, written comments received April 6, 2012 and April 23, 2012 (Bonnono)
136. J. Bourten, written comments received April 25, 2012 (Bourten)
137. Mary Brabek, Dean Steinhardt School, oral comments dated April 25, 2012 (Brabek)
138. Alison Bradley, written comments dated February 7, 2012 (Bradley)
139. Anita Brandt, written comments dated January 4, 2012 (Brandt)
140. Gray Brashear, written comments dated January 4, 2012 (Brashear)
141. Emily J. Bregman, written comments dated March 31, 2012 (Bregman)
142. Terrence P. Brennan, written comments dated January 4, 2012 (Brennan)
143. Beverly Brin, written comments dated January 4, 2012 (BrinB)
144. Robert Brin, written comments dated January 4, 2012 (BrinR)
145. Deborah Broderick, Associate Vice President, Marketing Communications, NYU, testimony submitted (Broderick)
146. Hal Bromm, written comments received April 30, 2012 (Bromm)
147. Rory Shanley Brone, written comments received May 1, 2012 (Brone)
148. E. Mace Brown, NYU, hearing testimony submitted (Brown)
149. Laurene K. Brown, written comments dated January 4, 2012 (BrownL)
150. Lynne Brown, NYU Facility Planning, oral comments dated April 25, 2012 (BrownL)
151. Professor Oliver Buhler, written comments dated January 4, 2012 (Buhler)

**NYU Core FEIS**

---

152. Laura Burdin, written comments dated January 4, 2012 (Burdin)
153. Anthony Burzi, written comments dated January 4, 2012 (Burzi)
154. Barbara Cahn, written comments dated January 4, 2012 (Cahn)
155. Nancy Cameron, written comments dated January 4, 2012 (Cameron)
156. Castle Campbell, written comments dated April 23, 2012 (CampbellC)
157. Heather Campbell, written comments dated February 15, 2012 (CampbellH)
158. Mary Schmidt Campbell, Dean, Tisch School of Arts, oral comments dated April 25, 2012 (CampbellM)
159. Michele Campo, written comments dated April 25, 2012 (Campo)
160. Michelle Canion, written comments dated January 4, 2012 (Canion)
161. A. Cannon, written comments dated January 4, 2012 (Cannon)
162. Jeffrey and Devora Carduner, written comments dated January 4, 2012 (Carduner)
163. Anne Carey, written comments received April 4, 2012 (Carey)
164. Brenda Carpenter, written comments dated February 2, 2012 (Carpenter)
165. Diana Carulli, written comments dated January 4, 2012 (Carulli)
166. Rosemarie Castoro, written comments dated January 4, 2012 (Castoro)
167. Ralph A. Castaldo, written comments received April 10, 2012 (Castaldo)
168. Elizabeth Catucci, written comments dated February 6, 2012 (Catucci1)
169. William and Laura Catucci, Elizabeth Catucci, written comments dated February 6, 2012 (Catucci2)
170. Peter Cerullo, written comments dated January 4, 2012 (Cerullo)
171. Anita Chadwick, written comments received April 23, 2012 (Chadwick)
172. Vishaan Chakrabarti, Professor, Columbia University, written comments dated April 25, 2012 (Chakrabarti)
173. Bryan Chandler, written comments dated January 4, 2012 (Chandler)
174. Sharon Chang, NYU Board of Trustees, written comments dated April 24, 2012 (Chang)
175. Rachel Channon, hearing testimony submitted (Channon)
176. Kira Charles, written comments dated February 29, 2012 (Charles)
177. Edith Charlton, written comments dated January 4, 2012 and April 23, 2012 (Charlton)
178. Bertha Chase, written comments dated January 4, 2012 (Chase)
179. Alisa Chazani, written comments dated May 1, 2012 (Chazani)
180. Regina Cherry, written comments dated January 4, 2012, February 23, 2012, and March 7, 2012 (Cherry)
181. Mary Ann Chiasson, written comments dated January 4, 2012 (Chiasson)

182. Constance and Nicholas Christopher, written comments dated February 24, 2012 (Christopher)
183. Adriane Clark, written comments received May 8, 2012 (Clark)
184. Mary Clarke, written comments dated January 4, 2012 (Clarke)
185. Adriane Clerk, written comments dated January 4, 2012 (Clerk)
186. Raymond Cline, BAMRA Chair, oral comments dated April 25, 2012 (Cline)
187. T. Coe, written comments received April 19, 2012 (Coe)
188. Samuel A. Cohen, undergraduate student, NYU, hearing testimony submitted (Cohen)
189. Phyllis Cohl, written comments received April 24, 2012 (Cohl)
190. Sondra Cohn, written comments dated February 29, 2012 and May 5, 2012 (Cohn)
191. Isabelle Coler, written comments dated February 18, 2012 (Coler)
192. Kenneth Coles, written comments dated January 4, 2012 (Coles)
193. James L. Collier, written comments received April 23, 2012 (Collier)
194. Chris Collins, written comments dated March 8, 2012 (CollinsC)
195. Paula Collins, written comments received April 6, 2012 (CollinsP)
196. Roberta C. Collins, written comments received April 10, 2012 (CollinsR)
197. Douglas Collura, written comments dated February 14, 2012 (Collura)
198. Douglas Collura, written comments dated April 21, 2012 (Collura)
199. Dalton Conley, Dean of Social Sciences, Wagner School of Public Service, NYU, hearing testimony submitted (Conley)
200. Professor Patricia Cooper, written comments dated January 4, 2012 (Cooper)
201. Gail Cooper-Hecht, written comments dated January 4, 2012 (Cooper-Hecht)
202. William E. Cornwell, written comments received April 23, 2012 (Cornwell)
203. Gloria Coruzzi and Stephen Small, former and present chair of Department of Biology, NYU, hearing testimony submitted (Coruzzi-Small)
204. Karen Cotterell, written comments received May 8, 2012 (Cotterell)
205. Albert Cotugno, Chairperson, NYU Student Senators Council, written comments dated April 25, 2012 (Cotugno)
206. Vincent and Elaine Cozzino, written comments dated February 6, 2012 (Cozzino)
207. J.R. Crane, written comments received April 24, 2012 (Crane)
208. John J. Creedon, written comments dated May 2, 2012 (Creedon)
209. Carol Crump, written comments dated January 4, 2012 (Crump)
210. Kay Cummings, Associate Arts professor, Tisch School of the Arts, NYU, written comments submitted (Cummings)

## NYU Core FEIS

---

211. David Curtis, written comments dated January 4, 2012 (Curtis)
212. Sarah D., resident and owner of an apartment at 77 Bleecker Street, written comments dated May 4, 2012 (Sarah D.)
213. Andrew Dalin, written comments dated January 4, 2012 (Dalin)
214. Fannie Dancy, written comments dated February 6, 2012 (Dancy)
215. Betsy Daniels, written comments dated February 22, 2012 (Daniels)
216. Frances Dapolito, written comments dated February 6, 2012 (Dapolito)
217. Sonia Das, written comments dated March 19, 2012 (Das)
218. Emily DaSilva, undergraduate student, NYU, hearing testimony submitted (DaSilva)
219. Ellen Datlow, written comments dated February 27, 2012 (Datlow)
220. Peter Davies, written comments dated January 4, 2012 (Davies)
221. Ernest Davis, NYU Professor of Computer Science, written comments dated January 4, 2012 and May 5, 2012 (DavisE)
222. Joan Davis, written comments dated February 2, 2012 (Davis)
223. Mitch Davis, Esq., written comments dated January 4, 2012 (DavisM)
224. Peter Davis, oral comments dated April 25, 2012 (DavisP)
225. Victoire de Bruin, written comments dated February 2, 2012 (deBruin)
226. Josephine De Cicco, written comments dated February 6, 2012 (deCicco)
227. D. Del Monte, written comments dated February 6, 2012 (DelMonte)
228. Nicolas de Mones, NYU student, written comments dated April 25, 2012 (de Mones)
229. Deirdre Dempsey-Rush, written comments dated January 6, 2012 (Dempsey-Rush)
230. Michael P. Denkensohn, written comments received April 11, 2012 (Denkensohn)
231. Helene Denton, written comments dated February 15, 2012 (Denton)
232. Barbara Devaney, written comments dated January 4, 2012 and May 2, 2012 (Devaney)
233. James M. Devitt, written comments submitted April 23, 2012 (Devitt)
234. Ronald and Theresa Diario, written comments dated February 6, 2012 (Diario)
235. Dennis DiLorenzo, Vice Dean, School of Continuing and Professional Studies, NYU, hearing testimony submitted (Di Lorenzo)
236. Dr. Hasia Diner, written comments submitted May 3, 2012 (Diner)
237. Nicholas Dollak, co-owner, Little Lebowski Shop, written comments dated April 26, 2012 (Dollak)
238. Constance Dondore, member of CAAN and WPBA and coordinator of the Tenants' Committee of 15 Washington Place, oral comments dated April 25, 2012 (Dondore)
239. Taylor Donohue, written comments dated January 4, 2012 (Donohue)

240. Eugenia Dooley, written comments dated January 4, 2012 (Dooley)
241. Darlene Dowling, written comments dated February 5, 2012 (Dowling)
242. Lesley Doyel, written comments dated January 4, 2012 (Doyel)
243. Lesley Doyel and Justin Hoy, written comments dated March 16, 2012 (Doyel-Hoy)
244. John Doyle, written comments dated March 7, 2012 (Doyle)
245. Isabelle Duchesne, Ph.D., written comments received April 23, 2012 (Duchesne)
246. Scott Dwyer, NYU Alumni Association, written comments submitted and oral comments dated April 25, 2012 (Dwyer)
247. Ann Eagan, written comments dated February 2, 2012 (Eagan)
248. Phyllis Eckhaus, written comments received April 24, 2012 (Eckhaus)
249. Irit Edelman-Novemsky, written comments dated March 10, 2012 (Edelman-Novemsky)
250. Paul Edwards, written comments dated January 4, 2012 (Edwards)
251. Marianne J. Edwards, written comments dated January 4, 2012 and oral comments dated April 25, 2012 (EdwardsM)
252. Marianne and Paul Edwards, written comments received May 8, 2012 (EdwardsMP)
253. Bonnie Egan, written comments dated April 22, 2012 (Egan)
254. Sheila Ehlinger, written comments dated January 4, 2012 (Ehlinger)
255. Mr. and Mrs. Eisenberg, written comments dated February 6, 2012 (Eisenberg)
256. Maha Eltobgy, written comments dated January 4, 2012 (Eltobgy)
257. Nathan Elves, written comments dated January 4, 2012 (Elves)
258. J. Elves, written comments dated January 4, 2012 (ElvesJ)
259. Marc Emert-Hutner, written comments received April 9, 2012 (Emert-Hutner)
260. Steven Essig, written comments dated February 2, 2012 (Essig)
261. Tami Esson, written comments dated February 15, 2012 (Esson)
262. Annette Evans, written comments dated January 4, 2012 (Evans)
263. Judith Exer, written comments dated February 2, 2012 (Exer)
264. Maria Fahey, written comments dated February 28, 2012 (Fahey)
265. Jennifer Falk, Executive Director, Union Square Partnership, oral comments dated April 25, 2012 (Falk)
266. Laura Feldstein, written comments submitted February 22, 2012 (Feldstein)
267. Sherry Felix, written comments dated January 4, 2012 (Felix)
268. Adele Ferranti, written comments dated February 6, 2012 (Ferranti)
269. Ada Ferrer, written comments dated January 4, 2012 (Ferrer)
270. Elizabeth Fiechter, oral comments dated April 25, 2012 (Fiechter)

**NYU Core FEIS**

---

271. Dolores Fiorenzo, written comments received April 24, 2012 (Fiorenzo)
272. Virginia Fischer, written comments dated January 4, 2012 (Fischer)
273. Michael Fisher, written comments dated January 16, 2012 (Fisher)
274. Michael Fisher, written comments dated February 28, 2012 (Fisher)
275. Nancy Fisher, written comments dated January 4, 2012 (FisherN)
276. Anita Fletcher, written comments dated February 6, 2012 (FletcherA)
277. A.G. Fletcher, written comments received April 24, 2012 (FletcherAG)
278. Georgette Fleischer, Friends of Petrosino Square, oral comments dated April 25, 2012 (Fleischer)
279. Stan Fogel, written comments received May 4, 2012 (Fogel)
280. Karen Fornash, written comments dated January 6, 2012 (Fornash)
281. Susan Forste, written comments dated January 4, 2012 (Dempsey-Rush)
282. J. Fouratt, written comments dated January 4, 2012 (Fouratt)
283. Miriam Fox, written comments dated February 24, 2012 (Fox)
284. Brandon Fradd, written comments dated January 11, 2012 (Fradd)
285. Linda Franklin, written comments dated February 5, 2012 (Franklin)
286. Deborah Freedman, written comments dated January 4, 2012 (Freedman)
287. Sonya Friedman, written comments dated April 11, 2012 (Friedman)
288. Peter Nicholas Fritsch, written comments dated January 4, 2012 (Fritsch)
289. Anke Frohlich, written comments dated February 13, 2012 (Frohlich)
290. Marjorie Fuchs, written comments dated February 22, 2012 (Fuchs)
291. Gabriella Fuller, written comments dated February 16, 2012 (Fuller)
292. W. Fuller, written comments dated January 4, 2012 (FullerW)
293. Betty Fussell, written comments dated February 15, 2012 (Fussell)
294. Lenore Galker, written comments dated April 9, 2012 (GalkerL)
295. William Galker and family, written comments dated February 6, 2012 (Galker)
296. Sarah Gallagher, written comments dated February 24, 2012 and April 6, 2012 (Gallagher)
297. Patrick Gallagher, oral comments dated April 25, 2012 (GallagherP)
298. Les and Joan Gallo-Silver, written comments dated February 27, 2012 (Gallo-Silver)
299. Sally Gallup, written comments dated February 6, 2012 (Gallup)
300. Lucy and Charles Gambino, written comments dated February 6, 2012 (Gambino)
301. Susan Gamme, Central Village Block Association, oral comments dated April 25, 2012 (Gamme)

302. Susan Gamme, Dan Leigh, and Wyatt Leigh, written comments dated January 4, 2012 (Gamme-Leigh)
303. Tejaswini Ganti, Associate Professor, NYU Department of Anthropology, written comments dated March 11, 2012 (Ganti)
304. Lynnel Garabedian, written comments dated May 4, 2012 (Garabedian)
305. Noah Garabedian, Alumni, NYU, hearing testimony submitted (GarabedianN)
306. Sharon Gary, resident and small-business owner, written comments dated January 4, 2012 (Gary)
307. Jonathan Geballe, written comments dated January 4, 2012 (Geballe)
308. Stacey Gedell, written comments dated March 16, 2012 (Gedell)
309. Mary Louise Geiger, Arts Professor, Tisch School of the Arts, NYU, written comments dated April 23, 2012 (Geiger)
310. Rachel Gellman, written comments dated February 28, 2012 (Gellman)
311. Rachel Gellman, written comments dated April 24, 2012 (Gellman)
312. Albert Gentile, Associate Registrar, NYU, hearing testimony submitted (Gentile)
313. David Georgi, written comments dated April 6, 2012 (Georgi)
314. David Georgi, written comments dated April 12, 2012 (Georgi)
315. Dennis Geronimus, written comments dated January 5, 2012 and February 3, 2012 (Geronimus)
316. Morris Gesell and Kenneth Clossou, written comments dated February 6, 2012 (Gesell-Clossou)
317. James Gibbs, written comments dated March 20, 2012 (Gibbs)
318. Father Louis Gigante, written comments dated February 6, 2012 and March 27, 2012 (Gigante)
319. Joseph Gilford, written comments received April 6, 2012 (Gilford)
320. Amanda J. Gitlin, written comments dated January 4, 2012 (Gitlin)
321. David Glaser, written comments received April 7, 2012 (Glaser)
322. Susan Gluck, written comments dated January 4, 2012 (Gluck)
323. Pablo Goldberg, written comments dated May 1, 2012 (Goldberg)
324. Lawrence Goldberg, written comments dated May 3, 2012 (GoldbergL)
325. Lisa Goldberg, written comments dated January 4, 2012 (GoldbergLisa)
326. Kerry Golden, written comments dated February 6, 2012 (Golden)
327. Frances Goldin, written comments received April 23, 2012 (Goldin)
328. Brenda Goldman, written comments received March 30, 2012 (GoldmanB)
329. Margaret Goldman, written comments received April 24, 2012 (Goldman)

**NYU Core FEIS**

---

330. Anne Goldstein, written comments dated January 4, 2012 (GoldsteinA)
331. Matthew Goldstein, The Chancellor, City University of New York, written comments dated April 25, 2012 (Goldstein)
332. Matthew Goldstein, The Chancellor, City University of New York, oral comments submitted by Avron Kaplan, dated April 25, 2012 (Goldstein)
333. Barbara Good, written comments dated February 6, 2012 (Good)
334. Professor Jeff Goodwin, written comments dated January 4, 2012 (Goodwin)
335. Ruth Gordon, written comments dated January 4, 2012 (Gordon)
336. Ann B. Gottlieb, written comments dated January 4, 2012 (Gottlieb)
337. Alice Gould, written comments dated January 4, 2012 (GouldA)
338. Donna Gould, written comments dated May 6, 2012 (Gould)
339. Carolyn Graham, written comments dated January 4, 2012 (Graham)
340. Paula Grande, written comments dated January 4, 2012 (Grande)
341. Frank W. Green, written comments dated March 29, 2012 (Green)
342. Frank W. Green, written comments dated April 26, 2012 (Green)
343. Harriet and Arnold Greenberg, written comments dated February 6, 2012 (Greenberg)
344. Martin Greenstein, written comments dated January 4, 2012 (Greenstein)
345. Carol Greitzer, written comments dated May 1, 2012 (Greitzer)
346. Gerd Grieninger, written comments dated January 4, 2012 (Greininger)
347. Lawrence Groobert, written comments dated February 2, 2012 (Groobert)
348. Martin J. Gruber, Professor Emeritus, Stern School of Business, NYU, hearing testimony submitted (GruberM)
349. Mitchell Grubler, written comments dated January 4, 2012 (Grubler)
350. Camille Grugliano, written comments dated April 9, 2012 (Grugliano)
351. Vincent Guilamo-Ramos, Professor, Silver School of Social Work, NYU, hearing testimony submitted (Guilamo-Ramos)
352. Patricia Guilloton, written comments dated January 4, 2012 (Guilloton)
353. Jean B. Gullo, District Leader, 66th AD Part B, written comments dated January 4, 2012 (Gullo)
354. Ann Gussow, written comments received April 23, 2012 (Gussow)
355. William Haas, Senior Director of Campus Planning, NYU, oral comments dated April 25, 2012 (Haas)
356. Judith Haber, Interim Dean, College of Nursing, NYU, written comments dated April 24, 2012 (Haber)
357. Helga Haberman, written comments dated January 4, 2012 (Haberman)

358. Laura Haddad, written comments dated January 5, 2012 (Haddad)
359. Colleen Haffey, written comments received May 8, 2012 (Haffey)
360. Maxine S. Haft, Ph.D., and Howard White, Ph.D., written comments dated April 20, 2012 (Haft-White)
361. Maxine S. Haft, Ph.D., written comments dated May 2, 2012 (Haft)
362. George Haikalis, written comments dated January 4, 2012 and May 1, 2012 (Haikalis)
363. Perry Halkitis, Associate Dean, Steinhardt School of Culture, Education & Human Development, NYU, hearing testimony submitted (Halkitis)
364. Ellen Halloran, written comments dated April 17, 2012 (Halloran)
365. Marilyn J. Hammer, Assistant Professor, College of Nursing, NYU, written comments dated April 24, 2012 (Hammer)
366. David Handler, written comments received May 8, 2012 (Handler)
367. Helen Hanesian, written comments dated January 4, 2012 (Hanesian)
368. Rudi Hanja, written comments dated January 4, 2012 (HanjaR)
369. Siim Hanja, written comments dated January 4, 2012 and written comments received April 23, 2012 (Hanja)
370. Bjorn Hanson, Divisional Dean, the Preston Robert Tisch Center for Hospitality, Tourism, and Sports Management, NYU, written comments dated April 23, 2012 (Hanson)
371. Shinichi Harada, written comments dated April 22, 2012 (Harada)
372. Amy Harlib, written comments dated January 6, 2012, January 10, 2012, undated, February 3, 2012, February 23, 2012, April 9, 2012, and April 24, 2012 (Harlib)
373. Bob Harris, West Cunningham Park Civic Association, Fresh Meadows, Queens, written comments received May 9, 2012 (Harris)
374. Michael Hart, written comments dated February 6, 2012 and February 16, 2012 and oral comments dated April 25, 2012 (Hart)
375. Lucile Hautier, written comments dated February 6, 2012 (Hautier)
376. Janet Hayes, written comments dated January 4, 2012 (Hayes)
377. Jaime and Jayne Haynes, written comments dated January 4, 2012 (Haynes)
378. Gail M. Healy, written comments dated January 4, 2012 (HealyGM)
379. L.F. Healy, written comments dated January 4, 2012 (Healy) ADD TO HEALY
380. Anne Hearn, written and oral comments dated April 25, 2012 (Hearn)
381. Martin M. Hechtman, written comments dated January 4, 2012 (Hechtman)
382. Emily Hellstrom, written comments dated May 5, 2012 (Hellstrom)
383. Peter Blair Henry, Dean, Stern School of Business, NYU, hearing testimony submitted (Henry)

## NYU Core FEIS

---

384. N. Hernay, written comments dated January 4, 2012 (Hernay)
385. Gilbert High, written comments received April 24, 2012 (High)
386. Susan Hillferty, oral comments dated April 25, 2012 (Hillferty)
387. Roderick M. Hills, Professor, School of Law, NYU, written comments dated April 24, 2012 (Hills)
388. L. Joyce Hitchcock, written comments dated April 8, 2012 (Hitchcock)
389. Karen Hoover, written comments dated February 2, 2012 (Hoover)
390. Ellen Horan, written comments dated January 4, 2012 (Horan) ADD?
391. Allan A. Horland, M.D., written comments dated January 4, 2012 (Horland)
392. I. Horowitz, written comments received April 23, 2012 (Horowitz)
393. Paula Horwitz, written comments dated April 20, 2012 (Horwitz)
394. JoAnn Howell, written comments received May 2, 2012 and May 8, 2012 (HowellJ)
395. Terri Howell, written comments dated March 10, 2012 and April 23, 2012 (Howell)
396. Doris Howie, written comments dated February 6, 2012 (Howie)
397. Isaac Hoxie, written comments received May 8, 2012 (Hoxie)
398. Elaine Hudson, President, Mercer Street Block Association, written comments dated January 4, 2012 (Hudson)
399. Dr. Kathleen Hulley, written comments dated January 4, 2012, written comments submitted May 1, 2012 and written comments dated May 1, 2012 (HulleyK)
400. Laurel Hulley, written comments dated April 30, 2012 and May 1, 2012 (HulleyL)
401. Alicia Hurley, NYU Vice President, Government and Community Affairs, oral comments dated April 25, 2012 (Hurley)
402. Mark Husser, Grimshaw Architects, oral comments dated April 25, 2012 (Husser)
403. Rebecca Hyman, written comments dated January 4, 2012 (Hyman)
404. Anita Isola, written comments dated January 4, 2012 (Isola)
405. Veli Ivanic, written comments received May 8, 2012 (Ivanic)
406. Andrew Jackness, written comments dated May 4, 2012 (Jackness)
407. Don Jacobs, written comments dated January 4, 2012 (Jacobs)
408. Anita L. Jaffe, written comments dated January 4, 2012 (Jaffe)
409. Evangeline Johns, written comments received April 24, 2012 (Johns)
410. Jamie Johnson, written comments dated February 22, 2012 (JohnsonJ)
411. Jamie Johnson, written comments dated January 4, 2012 (JohnsonJamie)
412. Mary Johnson, written comments dated February 2, 2012 (JohnsonM)

413. Sarah Johnson, written comments dated January 4, 2012 and written comments received February 28, 2012 (JohnsonS)
414. Sara Jones, Chair, LaGuardia Corner Community Gardens, written comments dated January 27, 2012, February 27, 2012, April 15, 2012, April 18, 2012, April 27, 2012, April 30, 2012, and April 2012, and oral comments dated April 25, 2012 (Jones)
415. Zella Jones, Member, Community Task Force on NYU Development, written comments dated April 25, 2012 (JonesZ)
416. Norman Kahn, DDS, Ph.D., and Dale Kahn, Ph.D., written comments dated May 3, 2012 (Kahn)
417. Mark Kalinoski, written comments received April 7, 2012 (Kalinoski)
418. Miriam Kaplan, written comments dated January 4, 2012 and May 7, 2012 and oral comments dated April 25, 2012 (Kaplan)
419. R. B. Kaplan, Ph.D., written comments dated January 4, 2012 (KaplanR)
420. J. Kasowitz, Washington Village Tenants' Association, written comments dated January 4, 2012, oral comments dated April 25, 2012, and written comments received April 10, 2012 (Kasowitz)
421. Irene Kaufman, Public School Parent Advocacy Committee, oral comments dated April 25, 2012 (Kaufman)
422. Merle Kaufman, written comments dated January 4, 2012 (KaufmanM)
423. Lucille Keasere, written comments dated May 3, 2012 (Keasere)
424. John Keenen, written comments dated March 29, 2012 (Keenen)
425. Jack Keith, written comments dated January 4, 2012 (Keith)
426. Veronica Kelleher, written comments dated April 25, 2012 (Kelleher)
427. Judith Kelly, oral comments dated April 25, 2012 (Kelly)
428. Miryan Kenet, written comments dated February 29, 2012 (Kenet)
429. Mary V. Keppler, written comments dated January 4, 2012 (Keppler)
430. Jeannine Kiely, written comments dated January 4, 2012 (Kiely)
431. Jane King, written comments dated February 14, 2012 (King)
432. Carol Kino, written comments dated March 3, 2012 (Kino)
433. Tony Kiser, written comments dated April 12, 2012 (Kiser)
434. Charles D. Klein, NYU Board of Trustees, NYU School of Law Board of Trustees, written comments dated April 16, 2012 (KleinC)
435. Ivan Klein, written comments dated February 16, 2012 (KleinI)
436. Jean Klein, written comments dated February 28, 2012 (KleinJ)
437. Stephan Marc Klein, Ph.D., written comments received April 25, 2012 (KleinS)
438. Geoffrey Knox, written comments dated January 4, 2012 (Knox)

**NYU Core FEIS**

---

- 439. Richard J. Kogan, written comments dated April 18, 2012 (Kogan)
- 440. Leslie Kogod, written comments dated January 7, 2012 (Kogod)
- 441. Daniel Kohn, oral comments dated April 25, 2012 (Kohn)
- 442. Diane Kolyer, written comments dated February 11, 2012 (Kolyer)
- 443. Bud and Francine Korotzer, written comments dated February 2, 2012 (Korotzer)
- 444. Stephen Koryk, Sr., written comments dated February 2, 2012 (Koryk)
- 445. Alex Kossi, Owner, Zinc Bar, written comments submitted (Kossi)
- 446. Leo Kremer, Owner, Dos Toros Taqueria, written comments dated April 25, 2012 (Kremer)
- 447. Nancy Kremsdorf, written comments dated April 19, 2012 (Kremsdorf)
- 448. John Kruth and Marilyn Cirtanic, written comments dated January 4, 2012 (Kruth-Cirtanic)
- 449. Diana Kruz, written comments dated January 4, 2012 (Kruz)
- 450. Kate Kubert, written comments dated February 26, 2012 (Kubert)
- 451. MaryAnne Kuzniar, written comments dated April 16, 2012 (Kuzniar)
- 452. Penny Labute, written comments received April 30, 2012 (Labute)
- 453. Victoria Lamb, PCV, written comments dated January 4, 2012 (Lamb)
- 454. Deborah A. LaMorte, written comments dated April 25, 2012 (LaMorte)
- 455. Anthony and Anita Lanese, written comments dated May 1, 2012 (Lanese)
- 456. Ellen Lanyon, written comments dated January 4, 2012 (Lanyon)
- 457. Laura Latelo and Carmela Gandiosi, written comments dated February 6, 2012 (Latelo-Gandiosi)
- 458. Marna Lawrence, written comments dated April 9, 2012 (Lawrence)
- 459. Alexandra Leaf, written comments dated January 4, 2012 and May 2, 2012 (Leaf)
- 460. Dennis Lee, Laborers Union North America, oral comments dated April 25, 2012 (Lee)
- 461. Stephen Lefkowitz, written comments dated May 4, 2012 (Lefkowitz)
- 462. Hadassa Legatt, written comments received (Legatt)
- 463. Bruce Leibowitz, written comments dated February 2, 2012 (LeibowitzB)
- 464. Celeste Leibowitz, written comments dated February 2, 2012 (LeibowitzC)
- 465. Holly Leicht, Executive Director, New Yorkers for Parks, oral comments dated April 25, 2012 (Leicht)
- 466. R. Leonard, written comments received March 9, 2012, April 2, 2012, April 10, 2012, and April 30, 2012 (Leonard)
- 467. Robert Lesko, written comments dated February 14, 2012 (Lesko)

- 468. Rhoda Levine, written comments dated February 29, 2012 (Levine)
- 469. Claudia Carr Levy, written comments dated February 22, 2012 (LevyC)
- 470. Stephen Levy, written comments dated January 4, 2012 and written comments received April 25, 2012 (LevyS)
- 471. Kris Lew, written comments dated February 2, 2012 (Lew)
- 472. Edith Lewis, written comments dated April 12, 2012 (LewisE)
- 473. Mary Ann Lewis, written comments dated February 2, 2012 (LewisM)
- 474. Susannah and Michael Lewis, written comments received April 23, 2012 (LewisS)
- 475. Jeanne W. Libby, written comments received April 24, 2012 (Libby)
- 476. Peter Liberman, oral comments dated April 25, 2012 (Liberman)
- 477. Rosalind Lichter, written comments received March 30, 2012 (Lichter)
- 478. Scott Linder, written comments dated January 16, 2012 (Linder)
- 479. Martin Lipton, Chairman, NYU Board of Trustees, written and oral hearing testimony submitted April 25, 2012 (Lipton)
- 480. Anita Lobel, written comments dated April 30, 2012 (Lobel)
- 481. Sylvia Locker, written comments dated February 6, 2012 (Locker)
- 482. Michael Longacre, written comments dated February 24, 2012 (Longacre)
- 483. Sayar Lonial, NYU Director, Community Affairs, oral comments dated April 25, 2012 (Lonial)
- 484. Anne Lounsbery, Professor, NYU Department of Russian and Slavic Studies, written comments dated March 9, 2012 (Lounsbery)
- 485. L. John Louras, written comments received March 28, 2012 (LourasLJ)
- 486. Nicholas John Louras, written comments received March 21, 2012 (LourasN)
- 487. T. Nicole Louras, written comments received March 30, 2012 (LourasTN)
- 488. Marie Luciano, written comments dated January 4, 2012 (Luciano)
- 489. Alan Timothy Lunceford, written comments submitted May 6, 2012 (Lunceford)
- 490. C.E. Lundin, Captain, U.S. Navy, retired, written comments dated April 19, 2012 (LundinCE)
- 491. Linda Lusskin, written comments dated January 7, 2012 (Lusskin)
- 492. T.J. Luty and Charles Zullo, written comments received May 8, 2012 (Luty-Zullo)
- 493. Bonnie Lynn, written comments dated January 4, 2012 (Lynn)
- 494. B. Maggio, written comments dated January 4, 2012 (Maggio)
- 495. Judy Magida, written comments dated January 4, 2012 (Magida)
- 496. Monica Rose Maha, written comments dated February 2, 2012 (Maha)

## NYU Core FEIS

---

497. Claire Maida, written comments dated February 2, 2012 (Maida)
498. Anita Malon, written comments dated January 4, 2012 (Malon)
499. Yehudit Mam, written comments dated March 12, 2012 (Mam)
500. Yehudit Mam and Beatriz Kamos, written comments dated February 6, 2012 (Mam-Kamos)
501. Carol Mandel, Dean of Libraries, NYU, hearing testimony submitted (Mandel)
502. June Manton and Roy Herbert, written comments received April 23, 2012 (Manton-Herbert)
503. David R. Marcus, written comments dated March 9, 2012 and received April 6, 2012 (Marcus)
504. Vicki Margolis, written comments received April 5, 2012 (Margolis)
505. Dr. Carla Mariano, written comments dated January 4, 2012, February 9, 2012, and February 21, 2012 (Mariano)
506. Myra Marten, written comments dated January 4, 2012 (Marten)
507. Anna Marti, written comments dated April 6, 2012 (Marti)
508. Denise Martin, written comments dated February 29, 2012 (MartinD)
509. Emily Martin, written comments received April 9, 2012 (MartinE)
510. Jerold Martin, written comments dated January 4, 2012 (MartinJ)
511. James I. Martin, written comments dated January 4, 2012 (MartinJI)
512. Linda Solloway Martinez, written comments received April 24, 2012 (Martinez)
513. Madeleine Marx, written comments dated January 4, 2012 (Marx)
514. Richard Marx, written comments dated January 4, 2012 (MarxR)
515. Randy Mastro, Law Firm of Gibson Dunn Crutcher, oral comments dated April 25 2012 (Mastro)
516. Yvette Masullo, written comments dated February 6, 2012 (Masullo)
517. C. Richard Mathews, written comments dated February 20, 2012 and written comments received February 27, 2012 (Mathews)
518. Abigail L. May, written comments dated February 23, 2012 (May)
519. Marjorie H. Mayrock, undergraduate student, NYU, hearing testimony submitted (Mayrock)
520. Hassan Mazyan, written comments dated February 6, 2012 (Mazyan)
521. Maureen W. McCarthy, written comments dated April 20, 2012 (McCarthy)
522. Barbara McDaniel, written comments dated February 15, 2012 (McDaniel)
523. Gloria McDarrah, written comments dated January 4, 2012 (McDarrah)
524. Richard McFadden, written comments dated January 4, 2012 (McFadden)

525. Allen McFarlane, NYU Assistant Vice President Student Diversity, oral comments dated April 25, 2012 (McFarlane)
526. Polly McGraw, written comments dated February 6, 2012 (McGraw)
527. Mary McKay, Director, McSilver Institute for Poverty Policy and Research, NYU, written comments dated April 25, 2012 (McKay)
528. Kathleen McKellar, written comments to various City Planning Commission officials, dated February 21, 2012 (McKellar)
529. Leslie McKenzie, written comments dated January 6, 2012 (McKenzie)
530. David W. McLaughlin, Provost (Chief Academic Officer), NYU, hearing testimony submitted and oral comments dated April 25, 2012 (McLaughlin)
531. Kathryn McRae, written comments dated March 12, 2012 (McRae)
532. Margaret McRoyslie, written comments dated January 4, 2012 (McRoyslie)
533. Joseph M. McShane, S.J., President of Fordham University, written comments dated April 25, 2012 (McShane)
534. Lawrence M. Mead, Professor, Department of Politics, hearing testimony submitted (Mead)
535. Sam Memberg, written comments dated February 22, 2012 (Memberg)
536. Dianne Mendez, written comments submitted April 30, 2012 (Mendez)
537. Geeta Menon, Dean, Stern School of Business Undergraduate College, NYU, written comments dated April 24, 2012 (Menon)
538. Frank Miata, written comments dated January 4, 2012 and written comments submitted February 22, 2012 (Miata)
539. Thomas Michals, written comments received May 8, 2012 (Michals)
540. Joanne Milazzo, written comments received May 2, 2012 (Milazzo)
541. Christina Miller, written comments received April 17, 2012 (MillerC)
542. Mark Crispin Miller, NYU faculty member, oral comments dated April 25, 2012 (Miller)
543. Professor Allen Mincer, written comments dated January 4, 2012 (MincerA)
544. Jonathan Mincer, written comments dated January 8, 2012 (Mincer)
545. Ernest and Nancy Mingione, written comments dated February 6, 2012 (Mingione)
546. Anne Minich, written comments received April 4, 2012 (Minich)
547. Dora Mintz, written comments dated January 4, 2012, February 15, 2012, February 22, 2012 (Mintz)
548. Robert Mintz, written comments dated January 4, 2012 and February 22, 2012 (MintzR)
549. Ali Mirsepassi, Professor, Gallatin School of Individualized Study, written comments dated April 24, 2012 (Mirsepassi)

**NYU Core FEIS**

---

- 550. Anne Mitcheltree, written comments received April 24, 2012 (Mitcheltree)
- 551. Mary Elaine Monti, written comments received April 25, 2012 (Monti)
- 552. Marta Mooney, written comments dated May 5, 2012 (Mooney)
- 553. Anne Marie Moore, written comments dated February 6, 2012 (Moore)
- 554. James A. Moorehead, written comments dated February 28, 2012 (Moorehead)
- 555. Kathy Morano, written comments received April 10, 2012 (Morano)
- 556. Willard Morgan, written comments dated February 27, 2012 (Morgan)
- 557. Ann Morris, written comments dated January 4, 2012 (Morris)
- 558. Kim-Nora Moses, written comments dated January 4, 2012 (MosesK)
- 559. Richard Moses, written comments dated January 4, 2012 (Moses)
- 560. Marvin Moskowitz, written comments dated April 23, 2012 (Moskowitz)
- 561. Mitchell L. Moss, Professor, Robert F. Wagner Graduate School of Public Service, NYU, hearing testimony submitted (Moss)
- 562. Rhoma Mostel, written comments dated January 4, 2012 and February 24, 2012 and written and oral comments dated April 25, 2012 (Mostel)
- 563. David Mulkins, written comments dated January 4, 2012 (Mulkins)
- 564. Erik Muller, written comments received March 20, 2012 (Muller)
- 565. Ashley Murray, written comments received April 10, 2012 (Murray)
- 566. Linda Myers, written comments received April 24 2012 (Myers)
- 567. Wendy Nadler, written comments dated January 4, 2012 (NadlerW)
- 568. Assaf Naor, written comments dated January 4, 2012 (Naor)
- 569. Michael Nash, written comments dated January 4, 2012 (Nash)
- 570. Rebecca Nathanson, oral comments dated April 25, 2012 (Nathanson)
- 571. Howard Negrin, President, Washington Place Block Association, written comments dated January 4, 2012 and May 2, 2012 and oral comments dated April 25, 2012 (Negrin)
- 572. Dorothy Nelson, written comments dated January 4, 2012 (Nelson)
- 573. Judith Nemethy, written comments dated January 4, 2012 and April 9, 2012 (Nemethy)
- 574. S. Nicholson, written comments dated January 4, 2012 (Nicholson)
- 575. Robert Nickas, written comments dated January 4, 2012 (Nickas)
- 576. Cindy Niedoroda, written comments dated January 4, 2012 (Niedoroda)
- 577. Yael Niv, written comments dated January 4, 2012 (Niv)
- 578. No Name, written comments dated February 14, 2012 (NoName1)
- 579. No Name, written comments dated February 27, 2012 (NoName2)

- 580. No Name, written comments dated April 5, 2012 (NoName3)
- 581. No Name, written comments dated February 27, 2012 (NoName4)
- 582. No Name, written comments received May 8, 2012 (NoName5)
- 583. Kinga Novak, written comments dated January 4, 2012 (Novak)
- 584. Barbara O'Hara, written comments dated January 13, 2012 (O'Hara)
- 585. Pat Enkyo O'Hara, Abbott, Village Zendo, written comments dated January 4, 2012, April 6, 2012, May 3, 2012 (O'HaraP)
- 586. Jorge Olero, written comments dated February 6, 2012 (Olero)
- 587. John Olsson, written comments dated January 4, 2012 (Olsson)
- 588. Suzanne Optor, written comments dated January 4, 2012 (Optor)
- 589. Sue Ortner, written comments dated January 4, 2012 (Ortner)
- 590. Otero, written comments dated February 6, 2012 (Otero)
- 591. David C. Oxman, written comments dated April 16, 2012 (Oxman)
- 592. Carole Packer, written comments dated January 4, 2012 (Packer)
- 593. Janice Pargh, written comments dated February 10, 2012 (Pargh)
- 594. Gary Parker, oral comments dated April 25, 2012 (Parker)
- 595. Daniel Pau, written comments dated January 4, 2012 (Pau)
- 596. Judy Paul, written comments dated January 4, 2012 (Paul) ADD TO?
- 597. Marlene Payton, written comments dated January 4, 2012 (Payton)
- 598. The Pearlroth family, written comments dated February 6, 2012 (Pearlroth)
- 599. Anna M. Pelavin, written comments dated April 6, 2012 (Pelavin)
- 600. Keneth Bradley (Brad) Penuel, Assistant Vice President for Health at NYU, hearing testimony submitted (Penuel)
- 601. Kelly Peral, written comments dated January 4, 2012 (Peral)
- 602. Catherine Perebinossoff, written comments dated January 6, 2012 (Perebinossoff)
- 603. A. Perfette, written comments dated February 2, 2012 (Perfette)
- 604. Carol Perrone, written comments received April 23, 2012 (Perrone)
- 605. Bronson Peshlakai, of Cleveland State University, written comments received May 7, 2012 (Peshlakai)
- 606. Jen Petersen, Alumni, NYU, hearing testimony submitted (Petersen)
- 607. Ellen Peterson-Lewis, written comments dated January 4, 2012 (Peterson-Lewis)
- 608. Ann Pettibone, written comments dated January 4, 2012 and oral comments dated April 25, 2012 (Pettibone)

## NYU Core FEIS

---

609. Bill Pfeiffer, Director, Office of Civic Engagement, NYU, written comments submitted (Pfeffer)
610. Kim Phillips-Fein, written comments dated January 4, 2012 and May 6, 2012 (Phillips-Fein)
611. Ken Picache, written comments dated April 2, 2012 (Picache)
612. Annie Pichard, written comments dated January 4, 2012 and February 23, 2012 (Pichard)
613. Robert Plutzker, written comments dated February 24, 2012 (Plutzker)
614. Dan Point, Program Manager, Greenwich Village-Chelsea Chamber of Commerce (Point)
615. Dr. Milton Polsky, former NYU faculty, resident of WSV, member, Save the Sasaki Garden-WSV Committee, undated written comments (PolskyM)
616. Dr. Milton and Roberta Polsky, written comments dated January 4, 2012, April 18, 2012, and May 1, 2012 (Polsky)
617. Carlos Ponce, written comments dated January 4, 2012, April 12, 2012, and April 26, 2012 (Ponce)
618. B. Pope, written comments dated January 4, 2012 (Pope)
619. Jay Portadin, written comments dated February 6, 2012 (Portadin)
620. Arthur Postal, written comments received April 23, 2012 (Postal)
621. Reeva Potoff, written comments dated February 24, 2012 (Potoff)
622. Cecile Potophy, written comments dated February 6, 2012 (Potophy)
623. Katharine Powell, written comments dated February 26, 2012 (Powell)
624. David S. Pultz, written comments dated April 27, 2012 (Pultz)
625. Michael D. Purugganan, Professor, Center for Genomics and Systems Biology, NYU, written comments dated April 17, 2012 (Purugganan)
626. Barbara Quart, written comments dated January 4, 2012 and March 6, 2012 and oral comments dated April 25, 2012 (Quart)
627. Leonard Quart, oral comments dated April 25, 2012, (QuartL)
628. Nicholas Quennell, written comments dated February 27, 2012 and May 4, 2012 (Quennell)
629. Samantha Quon, written comments dated February 6, 2012 (Quon)
630. Pamela Raab, written comments dated January 4, 2012 (Raab)
631. Sylvia and Paul Rackow, written comments dated February 6, 2012 and April 25, 2012 (RackowSP)
632. Sylvia Rackow, written comments dated February 24, 2012, March 13, 2012, and April 26, 2012 and oral comments dated April 25, 2012 (Rackow)
633. J. Radoczy, written comments received April 23, 2012 (Radoczy)

634. Joseph and Barbara Young Ragno, written comments received April 23, 2012 (Ragno)
635. Dana M. Ragsdale, written comments received May 8, 2012 (Ragsdale)
636. Douglas L. Ramsdell, written comments received on April 5, 2012 and written comments dated April 30, 2012 (Ramsdell)
637. Ms. B. Raphan, written comments received April 9, 2012 (Raphan)
638. Elinor Ratner, written comments received April 24, 2012 (Ratner)
639. Cynthia Raymond, written comments dated April 18, 2012 (Raymond)
640. Maggie Raywood, Associates Arts Professor, Tisch School of the Arts, NYU, written comments submitted (Raywood)
641. Peter Rea, written comments dated January 4, 2012 (Rea)
642. Florence Rebovich, written comments dated January 4, 2012 and April 25, 2012 (RebovichF)
643. Joseph W. Rebovich, Ph.D., comments dated April 22, 2012 (RebovichJ)
644. Stephen Rechner, written comments dated February 24, 2012 (Rechner)
645. Ellen Recnick, written comments dated January 4, 2012 (Recnick)
646. Murray Reich, written comments dated January 4, 2012 (Reich)
647. Carol Shoshkes Reiss, Faculty, Departments of Biology and Neuro Science, NYU, hearing testimony submitted (Reiss)
648. Maureen Remacle, oral comments dated April 25, 2012 (Remacle)
649. Ruth Rennert, Chair, Save the Sasaki Gardens Committee, written comments dated January 4, 2012 oral comments dated April 25, 2012 and written comments submitted May 7, 2012 (Rennert)
650. Rennich, written comments dated February 2, 2012 (Rennich)
651. Richard L. Revesz, Dean, School of Law, NYU, written comments dated April 23, 2012 (Revesz)
652. Ellen Reznick, written comments dated April 14, 2012 (Reznick)
653. Alex Riccobono, written comments dated January 4, 2012 and February 18, 2012 (Riccobono)
654. Hila Richardson, Professor, College of Nursing, NYU, written comments dated April 24, 2012 (Richardson)
655. Robb, written comments received April 24, 2012 (Robb)
656. Moss Roberts, written comments dated January 4, 2012 (Roberts)
657. William Rogers, written comments dated January 4, 2012 (Rogers)
658. Yvonne Rolland and Marie Del Gaudio, written comments dated February 6, 2012 (Rolland-DelGaudio)
659. Meg Rooney, oral comments dated April 25, 2012 (Rooney)

## NYU Core FEIS

---

660. Larry Rose, written comments dated January 4, 2012 (Rose)
661. Stanley R. Rosenberg, written comments dated April 18, 2012 (Rosenberg)
662. Muzzy Rosenblatt, Executive Director, Bowery Residence Committee, oral comments dated April 25, 2012 (Rosenblatt)
663. Daniel Rosenblatt and Marie Robert, written comments dated January 4, 2012 (Rosenblatt-Robert)
664. Katherine Rosenbloom, written comments dated January 6, 2012 (Rosenbloom)
665. Carl Rosenstein, written comments dated January 4, 2012 (Rosenstein)
666. Susan J. Rosenthal, written comments received April 24, 2012 (Rosenthal)
667. Andrew Ross, written comments dated January 4, 2012 (Ross)
668. Laurie Rothenberg, written comments dated January 4, 2012 (Rothenberg)
669. Jeffrey Rowland, written comments dated January 4, 2012 and oral comments dated April 25, 2012 (Rowland)
670. Primavera Salva, written comments received May 3, 2012 (Salva)
671. Elissa Sampson, oral comments dated April 25, 2012 (SampsonE)
672. John Sampson, written comments dated February 20, 2012 (Sampson)
673. Claude Samton, written comments dated January 4, 2012 (Samton)
674. Judy Samuels, written comments received April 4, 2012 (Samuels)
675. Beverly Sanders, written comments dated January 4, 2012 (Sanders)
676. Matthew S. Santirocco, Senior Vice Provost for Undergraduate Academic Affairs, NYU, hearing testimony submitted (Santirocco)
677. Gail Saplin, written comments dated February 7, 2012 and February 25, 2012 (Saplin)
678. Ronald P. Saunders, written comments dated May 3, 2012 (Saunders)
679. M. Savin, written comments dated January 4, 2012 (Savin)
680. Rosemary Scanlon, Division Dean, Schack Institute of Real Estate, NYU, hearing testimony submitted (Scanlon)
681. Ellen Schall, Dean, Robert F. Wagner Graduate School of Public Service, NYU, hearing testimony submitted and oral comments dated April 25, 2012 (Schall)
682. Denise Schanck, written comments dated January 4, 2012 (Schanck)
683. Donna Schaper, Senior Minister, Judson Memorial Church, written comments dated April 26, 2012 (Schaper)
684. Rob Schmidt, written comments dated January 4, 2012 (Schmidt)
685. Mary Schmidt Campbell, Dean, Tisch School of the Arts, NYU, hearing testimony submitted (Schmidt-Campbell)
686. Katherine W. Schoonover, comments dated April 12, 2012 (Schoonover)

687. Harry Schroder, written comments dated February 15, 2012 (Schroder)
688. Andrew Schwartz, written comments dated January 4, 2012 (SchwartzA)
689. Jed Schwartz, Treasurer, 88 Bleecker Street Board of Directors, written comments dated April 29, 2012 (SchwartzJ)
690. Lee Schwartz, written comments received March 28, 2012 (SchwartzL)
691. Charlene Schwartzkopf, written comments received April 23, 2012 (Schwartzkopf)
692. Fred Schwarzbach, Dean Liberal Studies, NYU, written comments dated April 24, 2012 (Schwarzbach)
693. Shirley Sealy, written comments dated January 4, 2012 (Sealy)
694. Georgia Seamans, written comments dated April 25, 2012 (Seamans)
695. Fredda Seidenbaum, written comments dated April 23, 2012 (Seidenbaum)
696. Robert Seidman, written comments submitted May 4, 2012 (Seidman)
697. Edythea Selman, Co-Chair, Washington Place Block Association, written comments dated January 4, 2012 and oral comments dated April 25, 2012, (Selman)
698. John Sexton, President, NYU, oral comments dated April 25, 2012 (Sexton)
699. Edith Shanker, written comments dated January 4, 2012 (Shanker)
700. Anna Shapiro, written comments received April 25, 2012 (Shapiro)
701. Laurie Shapley, written comments received April 23, 2012 (Shapley)
702. Marguerite Sharkey, Senior Director, Department of Residence Services, NYU School of Law, hearing testimony submitted (Sharkey)
703. Jalal Shatah, written comments received April 5, 2012 (Shatah)
704. Jeremiah Shea, written comments submitted April 20, 2012 (Shea)
705. Stephen Shellooc, written comments dated January 4, 2012 (Shellooc)
706. Tazuko Shibusawa, Interim Associate Dean and Director, MSW Program of the Silver School of Social Work, NYU, hearing testimony submitted (Shibusawa)
707. Jill Mayer Shnayer, written comments dated April 21, 2012 (Shnayer)
708. D. Siddiq, written comments dated January 4, 2012 (Siddiq)
709. J. Siedun, written comments dated January 4, 2012 (Siedun)
710. Robin Siegel, oral comments dated April 25, 2012 (Siegel)
711. Heidi Siegfried, written comments dated February 2, 2012 (Siegfried)
712. Mary Sikarevich, written comments received April 18, 2012 (Sikarevich)
713. Dr. Constance Silver, written comments received April 16, 2012 (Silver)
714. Eero Simoncelli, written comments dated January 4, 2012 (Simoncelli)
715. Yvonne Simons, written comments dated March 30, 2012 (Simons)

## NYU Core FEIS

---

716. Leonard Singer, written comments dated February 6, 2012 and written comments received April 23, 2012 (Singer)
717. Nancy Ann Siracusa, written comments dated February 2, 2012 (Siracusa)
718. David J. Skorton, President, Cornell University, written comments dated April 23, 2012 (Skorton)
719. Michael P. Slattery, Real Estate Board of NY, oral comments dated April 25, 2012 (Slattery)
720. Betty Smith, written comments dated February 2, 2012 (SmithB)
721. Brian J. Smith, written comments received April 24, 2012 (SmithBJ)
722. Katharine Smith, written comments dated February 29, 2012 (SmithK)
723. Kimberly A. Smith, comments received March 28, 2012 (SmithKA)
724. Michael Snyder, written comments dated April 2, 2012 (Snyder)
725. Sarah Soffer, oral comments dated April 25, 2012 (SofferS)
726. Shirley Soffer, written comments dated February 6, 2012 (Soffer)
727. R. Soker, written comments dated January 4, 2012 (Soker)
728. Frances Solitorio, written comments dated February 6, 2012 (Solitorio)
729. Carol Sondvik, written comments dated February 20, 2012 (Sondvik)
730. Patricia Spadavecchia, written comments received April 10, 2012 (Spadavecchia)
731. Mark Sphin, written comments dated January 4, 2012 (Sphin)
732. Spicciatie, written comments dated January 4, 2012 (Spicciatie)
733. Jean Standish, Bowery Alliance of Neighbors, written comments dated January 4, 2012 and oral comments dated April 25, 2012 (Standish)
734. G. Gabrielle Starr, Acting Dean, College of Arts and Science, NYU, hearing testimony dated April 24, 2012 (Starr)
735. Axel Stawski, written comments dated January 4, 2012 (Stawski)
736. Hubert J. Steed, written comments dated January 4, 2012 (Steed)
737. W. Steinhagen, written comments dated January 4, 2012 (Steinhagen)
738. Renée Steinhagen, written comments dated January 4, 2012 (SteinhagenR)
739. David Stenn, written comments received April 23, 2012 (Stenn)
740. Frank Stewart, written comments dated January 4, 2012 (StewartF)
741. Marianne Stewart, written comments submitted April 21, 2012 (StewartM)
742. Richard B. Stewart, Professor, School of Law, NYU, written comments dated April 24, 2012 (StewartR)
743. Virginia Stolz, written comments dated January 4, 2012 (Stolz)
744. Barbara Strambi, written comments submitted May 5, 2012 (Strambi)

- 745. Mardi Strand, written comments received April 24, 2012 (Strand)
- 746. Gabrielle Strasun, written comments dated May 2, 2012 (Strasun)
- 747. Marilyn Stults, written comments dated January 4, 2012 (Stults)
- 748. Nicole Struensee, written comments submitted May 5, 2012 (Struensee)
- 749. Eve Stuart, written comments dated January 21, 2012 (Stuart)
- 750. Eve Stuart, written comments dated April 17, 2012 (Stuart)
- 751. Luanne Surace, written comments dated May 3, 2012 (Surace)
- 752. Andrea Swan, written comments dated April 9, 2012 (Swan)
- 753. Catheryn Swan, written comments dated January 4, 2012 (SwanC)
- 754. Chandrika Tandon, Chairman of Tandon Capital Associates, written comments dated April 19, 2012 (Tandon)
- 755. Barbara Taub, written comments dated January 4, 2012 (Taub)
- 756. Susan Taylorson, written comments dated January 4, 2012 (Taylorson)
- 757. P. Tedesco, written comments dated February 6, 2012 (Tedesco)
- 758. Susan May Tell, written comments dated January 6, 2012 and oral comments dated April 25, 2012 (Tell)
- 759. Ms. Teriananda, written comments dated May 3, 2012 (Teriananda)
- 760. Louis Terracio, Professor, College of Dentistry, NYU, hearing testimony submitted (Terracio)
- 761. Martin Tessler, oral comments dated April 25, 2012 and written comments dated May 7, 2012 (Tessler)
- 762. Ronna Texidor, written comments dated January 4, 2012, February 29, 2012, and April 9, 2012, oral comments dated April 25, 2012, and petition and written comments dated May 4, 2012 (Texidor)
- 763. Carolee Thea, written comments dated January 4, 2012 (Thea)
- 764. Paul Thompson, written comments received April 24, 2012 (Thompson)
- 765. Pamela Timmins, written comments dated February 2, 2012 (Timmins)
- 766. Tony Tinker, Baruch College Professor, written comments dated May 5, 2012 (Tinker)
- 767. Gary Toms, written comments dated January 4, 2012 (Toms)
- 768. Eleanor Torjusen, written comments dated February 6, 2012 (Torjusen)
- 769. Mary Lou Tornes, written comments received April 23, 2012 (Tornes)
- 770. Tamara Totah, written comments dated April 2, 2012 (Totah)
- 771. R. Edward Townsend, Jr., written comments dated April 23, 2012 (Townsend)
- 772. Rona Trokie, written comments dated March 7, 2012 (Trokie)
- 773. Anne Troy, written comments received March 29, 2012 (Troy)

**NYU Core FEIS**

---

- 774. Deborah Trueman, written comments received May 8, 2012 (Trueman)
- 775. Paul Tschunkil, written comments dated January 4, 2012 (Tschunkil)
- 776. Andrew Tso, written comments dated February 6, 2012 (Tso)
- 777. Teri Tynes, written comments dated January 4, 2012 (Tynes)
- 778. Shannon Tyree, Chair, BAMRA Noise Control, oral comments dated April 25, 2012 and written comments received May 8, 2012 (Tyree)
- 779. Erica Uhlenbach, written comments dated January 4, 2012 (Uhlenbech)
- 780. Marilyn Underby, written comments received April 30, 2012 (Underby)
- 781. Unreadable, written comments dated January 4, 2012 (Unreadable1)
- 782. Unreadable, written comments dated February 6, 2012 (Unreadable2)
- 783. Unreadable, written comments dated February 6, 2012 (Unreadable3)
- 784. Unreadable, written comments dated February 6, 2012 (Unreadable4)
- 785. Unreadable, written comments dated February 6, 2012 (Unreadable5)
- 786. Unreadable, written comments dated February 6, 2012 (Unreadable6)
- 787. Unreadable, written comments dated February 6, 2012 (Unreadable7)
- 788. Unreadable, written comments dated February 6, 2012 (Unreadable8)
- 789. Unreadable, written comments dated February 6, 2012 (Unreadable9)
- 790. Unreadable, written comments dated February 6, 2012 (Unreadable10)
- 791. Unreadable, written comments dated February 6, 2012 (Unreadable11)
- 792. Unreadable, written comments dated April 24, 2012 (Unreadable 12)
- 793. Unreadable, written comments dated April 19, 2012 (Unreadable13)
- 794. Unreadable 14, written comments dated January 4, 2012 (Unreadable 14)
- 795. Unreadable 15, written comments dated January 4, 2012 (Unreadable 15)
- 796. Unreadable 16, written comments dated January 4, 2012 (Unreadable 16)
- 797. Unreadable 17, written comments dated January 4, 2012 (Unreadable 17)
- 798. Unreadable 18, written comments dated January 4, 2012 (Unreadable 18)
- 799. Unreadable 19, written comments dated January 4, 2012 (Unreadable 19)
- 800. Unreadable 20, written comments dated January 4, 2012 (Unreadable 20)
- 801. Unreadable 21, written comments dated January 4, 2012 (Unreadable 21)
- 802. Unreadable 22, written comments dated January 4, 2012 (Unreadable 22)
- 803. Unreadable 23, written comments dated January 4, 2012 (Unreadable 23)
- 804. Unreadable 24, written comments dated January 4, 2012 (Unreadable 24)
- 805. Unreadable 25, written comments dated January 4, 2012 (Unreadable 25)

- 806. Unreadable 26, written comments dated January 4, 2012 (Unreadable 26)
- 807. Unreadable 27, written comments dated January 4, 2012 (Unreadable 27)
- 808. Matt Urbanski, Michael Van Valkenburgh Associates, oral comments dated April 25, 2012 (Urbanski)
- 809. Judith Kay Valente, written comments received April 23, 2012 (Valente)
- 810. Brunilda Valentin, written comments received May 8, 2012 (Valentin)
- 811. Vasu Varadhan, written comments dated February 20, 2012 (Varadhan)
- 812. Greg Vargo, written comments dated January 4, 2012 and May 6, 2012 (Vargo)
- 813. Dr. Leslie Verter, written comments received April 1, 2012 (Verter)
- 814. Lynn Videka, Dean, Silver School of Social Work, NYU, hearing testimony submitted (Videka)
- 815. Mayls Vishner, written comments dated January 4, 2012 (Vishner)
- 816. Peter von Mayrhauser, written comments dated January 4, 2012 (VonMayrhauser)
- 817. Vromo, written comments dated January 4, 2012 (Vromo)
- 818. John Waddell, written comments dated February 22, 2012 (Waddell)
- 819. Marc Wais, Vice President, Student Affairs, NYU, hearing testimony submitted (Wais)
- 820. Jim Walden, Law Firm of Gibson Dunn Crutcher, oral comments dated April 25 2012 (Walden)
- 821. Judith Chazen Walsh and Norman Loeb Walsh, written comments dated January 4, 2012, April 21, 2012, and May 1, 2012 (Walsh)
- 822. Sandra Wapner, written comments received April 5, 2012 (Wapner)
- 823. Christopher Ward, Executive Vice President, Dragados USA, written comments submitted (Ward)
- 824. Judith Wardle and Ray Mortenson, written comments received April 25, 2012 (Wardle-Mortenson)
- 825. Jini Watson and Bryce de Reynier, written comments dated February 11, 2012 (Watson-deReynier)
- 826. Beverley Wauper, written comments received April 24, 2012 (Wauper)
- 827. Anne Weber, written comments dated January 4, 2012 (Weber)
- 828. Malina Webb, undergraduate student, NYU, hearing testimony submitted (Webb)
- 829. Steven Weiner, written comments dated March 5, 2012 (Weiner)
- 830. David Weiner, written comments dated January 4, 2012 (WeinerD)
- 831. Ruth Weinstock, written comments dated January 4, 2012 (Weinstock)
- 832. Norma Weisberg, written comments dated April 12, 2012 and April 23, 2012 (Weisberg)

## NYU Core FEIS

---

833. Gary N. Weisner, written comments dated January 4, 2012 and April 19, 2012 (WeisnerG)
834. Jonathan Weizmann, Owner, Pop Pub, written comments dated April 25, 2012 (Weizmann)
835. Georgia Wever, written comments dated February 2, 2012 (Wever)
836. Diane Whelton, written comments dated February 6, 2012 (Whelton)
837. Valerie White, written comments dated January 4, 2012 (WhiteV)
838. Vivian L. White-Weisner, written comments dated April 5, 2012 (White-Weisner)
839. Liza Whiting, written comments dated January 4, 2012 (Whiting)
840. Shirley Whitney, written comments dated February 6, 2012 and May 7, 2012 (Whitney)
841. Pamela Widener, written comments dated February 6, 2012 (Widener)
842. Mike Wigotsky, written comments dated January 4, 2012 (Wigotsky)
843. Jean Wilcke, President, Downtown Independent Democrats, oral comments dated April 25, 2012 (Wilcke)
844. Leonard A. Wilf, NYU Board of Trustees, written comments dated April 16, 2012 (Wilf)
845. Richard Williams, written comments dated January 4, 2012 (WilliamsR)
846. Stan Williams, written comments dated May 3, 2012 (Williams)
847. Carol Wilson, written comments dated May 1, 2012 (WilsonC)
848. Tim Wilson, written comments dated February 27, 2012 (Wilson)
849. Peter Wiszbicki, oral comments dated April 25, 2012 (Wiszbicki)
850. JoAnn Jody Winer, written comments dated April 24, 2012 and May 1, 2012 (Winer)
851. Jody Winer, written comments submitted April 24, 2012 (Winer)
852. Patricia Wintermuth, written comments dated February 20, 2012 (Wintermuth)
853. Monica Witherspoon, written comments dated January 4, 2012 (Witherspoon)
854. Suzanne L. Wofford, Dean, Gallatin School of Individualized Study, NYU, oral and written testimony submitted dated April 23, 2012 (Wofford)
855. Katharine Wolpe, written comments dated January 4, 2012 (Wolpe)
856. Susan Woodland, written comments dated April 18, 2012 (Woodland)
857. Carol Woodward, written comments dated February 2, 2012 (Woodward)
858. Kathy Wylde, President, Partnership for NYC, oral comments dated April 25, 2012 (Wylde)
859. Koho Yamamoto, written comments dated February 11, 2012 (Yamamoto)
860. Rachel Yarmolinsky, written comments dated January 4, 2012 (Yarmolinsky)
861. Karen Yeargans, written comments dated February 6, 2012 (Yeargans)

- 862. Chui Yin Yee and Kenneth Yee, written comments dated February 6, 2012 (Yee)
- 863. Jane Young, written comments dated March 16, 2012 (Young)
- 864. M. Young, written comments dated January 4, 2012 (YoungM)
- 865. Vasyl Zagachkivsky, written comments received May 8, 2012 (Zagachkivsky)
- 866. Lauren A. Zelisko, written comments received April 23, 2012 (Zelisko)
- 867. Rochelle Zenchil, written comments dated January 4, 2012 (Zenchil)
- 868. Susan Taylorson Ziff, written comments dated May 3, 2012 (Ziff)
- 869. Jerry Ziman, oral comments dated April 25, 2012 (Ziman)
- 870. Susan Zisser, written comments dated February 6, 2012 (Zisser)
- 871. Angela Zito, written comments received April 6, 2012 (Zito)
- 872. Dorothy Zullo and Brent Heyman, written comments dated February 6, 2012 (Zullo-Heyman)
- 873. Lauriana Zuluaga, written comments dated January 4, 2012 (Zuluaga)
- 874. Janice Zupan, written comments dated April 20, 2012 (Zupan)

**C. COMMENTS AND RESPONSES ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)**

**GENERAL COMMENTS**

- Comment 1:** I strongly urge you to VOTE NO on NYU’s massive proposed expansion plan in the Village. Please protect the character of our neighborhood and REJECT NYU’s bid to overbuild and undo long-standing neighborhood zoning protections. (Abramowitz, Agee, Ain, Albin, Alexander, Alippi, Allen, Altman, Alutto, Amato, AmbroseJ, AmbroseL, Amer, Amila, Anderson, AndersonR, Anthony, Apiccidic, Appel, Armstrong-Gannon, Aspillera, Atwood, AubreyB1, AubreyB2, Auletta, Avins, AvinsV, Bacon, Bader, Ballirol, BAN, Barbas, Bateau, Baresch, Barlat, Bartels, Barton, Bastone, Bauman, Bear, Bedrosian, Bella, Bendewald, Benedict, Berenblatt, Bernstein, Bland-Dhien, Blohm, Blount, Boernstein, Bogdanoff, Bogen, BogenJ, Bonnet, Bononno, Bourten, Bradley, Brandt, Brashear, Bregman, Brennan, BrinB, BrinR, Bromm, Brone, BrownL, Buhler, Burdin, Burzi, Cahn, Cameron, CampbellC, Canion, Cannon, Carduner, Carey, Carpenter, Carulli, Castoro, Catucci1, Catucci2, CCBA, Cerullo, Chadwick, Chandler, Charles, Charlton, Chase, Chazani, Cherry, Chiasson, Christopher, Clarke, Clerk, Coe, Cohl, Cohn, Coles, Collier, CollinsC, CollinsP, CollinsR, Collura, Cooper, Cooper-Hecht, Cornwell, Cotterell, Cozzino, Crane, Crump, Curtis, Dalin, Dancy, Daniels, Dapolito, Datlow, Davies, Davis, DavisE, DavisM, deBruin, DeCicco,

DelMonte, Dempsey-Rush, Denton, Devaney, Devaney, Diario, Donohue, Dooley, Dowling, Doyel, Doyle, Duchesne, E13thCA, Eagan, Eckhaus, Edelman-Novemsky, Edwards, EdwardsM, EdwardsMP, Egan, Ehlinger, Eisenberg, Eltobgy, Elves, ElvesJ, Emert-Hutner, Essig, Evans, Exer, Fein, Felix, Ferranti, Ferrer, Fiorenzo, Fischer, Fisher, FisherN, FletcherA, FletcherAG, Fogel, Fornash, Forste, Fouratt, Fradd, Franklin, Freedman, Friedman, Fritsch, Frohlich, Fuchs, Fuller, FullerW, Galker, GalkerL, Gallagher, GallagherP, Gallo-Silver, Gallup, Gambino, Gamme-Leigh, Garabedian, Gary, Geballe, Gedell, Gellman, Georgi, Gesell-Clossou, Gibbs, Gigante, Gilford, Gitlin, Glaser, Gluck, Goldberg, GoldbergLisa, Golden, Goldin, Goldman, GoldmanB, GoldsteinA, Good, Goodwin, Gordon, Gottlieb, Gould, GouldA, Graham, Grande, Green, Greenberg, Greenstein, Greininger, Groobert, Grubler, Grugliano, Guilloton, Gullo, Gussow, GVSHP-Berman, GVSHP-Petition, Haberman, Haddad, Haft, Haikalis, Handler, Hanesian, Hanja, Hanja, HanjaR, Harada, Harlib, Harris, Hart, Hautier, Hayes, Haynes, HDC, Healy, HealyGM, Hearn, Hechtman, Hellstrom, Hernay, High, Hitchcock, Hoover, Horan, Horland, Horowitz, Horwitz, Howell, HowellJ, Howie, Hoxie, Hudson, HulleyK, Hyman, Isola, Jacobs, Jaffe, Johns, JohnsonJ, JohnsonJ, JohnsonJamie, JohnsonM, JohnsonS, Kalinoski, Kaplan, KaplanR, Kasowitz, KaufmanM, Keasere, Keenen, Keith, Kelleher, Kenet, Keppler, Kiely, King, Kino, Kiser, KleinS, Knox, Kogod, Kolyer, Korotzer, Koryk, Kremisdorf, Kruth-Cirtanic, Kruz, Kubert, Lamb, Lanese, Lanyon, Latelo-Gandiosi, Lawrence, Leaf, LeibowitzB, LeibowitzC, Leonard, Lesko, Levine, LevyS, Lew, LewisM, LewisS, Libby, Linder, Locker, Longacre, LourasLJ, LourasNJ, LourasTN, Luciano, Lunceford, Lundin, Lusskin, Luty-Zullo, Lynn, Maggio, Magida, Maha, Maida, Malon, Mam-Kamos, Manton-Herbert, Marcus, Mariano, Marten, Martin JI, MartinD, MartinE, Martinez, MartinJ, Marx, MarxR, Masullo, Mathews, Mazyan, McDarrah, McFadden, McGraw, McKenzie, McRae, McRoyslie, Memberg, Mendez, Miata, Michals, MincerA, Mingione, Mintz, MintzR, Mitcheltree, Monti, Mooney, Moore, Moorehead, Morano, Morgan, Morris, MosesK, Moskowitz, Mostel, Mulkins, Murray, NadlerW, Naor, Nash, Negrin, Nelson, Nemethy, Nicholson, Nickas, Niedoroda, Niv, NoName1, NoName2, NoName3, NoName4, NoName5, Novak, O'Hara, O'HaraP, Olero, Olsson, Optor, Ortner, Otero, Packer, Pargh, Pau, Paul, Payton, Pearlroth, Pelavin, Peral, Perfette, Perrone, Peterson-Lewis, Pettibone, Phillips-Fein, Picache, Pichard, Plutzker, Polsky, Ponce, Pope, Portadin, Postal, Potoff, Potophy, Powell, Pultz, Quart, Quennell, Quon, Raab, Rackow, RackowSP, Radoczy, Ragno, Ragsdale, Ramsdell, Raphan, Ratner, Raymond, Rea, RebovichF, RebovichJ, Rechner, Recnick, Reich, Rennert, Rennich, Riccobono, Robb, Roberts, Rogers, Rolland-

DelGaudio, Rose, Rosenberg, Rosenblatt-Robert, Rosenbloom, Rosenstein, Rosenthal, Ross, Rothenberg, Rowland, Salva, Samton, Samuels, Sanders, Saunders, Savin, Schanck, Schmidt, Schroder, SchwartzA, Schwartzkopf, Sealy, Seamans, Seidenbaum, Seidman, Selman, Shanker, Shapiro, Shapley, Shatah, Shellooc, Shnayer, Siddiq, Siedun, Siegfried, Simoncelli, Singer, Siracusa, SmithB, SmithBJ, SmithKA, Snyder, Soffer, Soker, Solitorio, Sondvik, Sphin, Spicciatie, Standish, Stawski, Steed, Steinhagen, SteinhagenR, Stenn, StewartF, StewartM, Stolz, Strambi, Strand, Struensee, Stuart, Stults, Swan, SwanC, Taub, Taylorson, Tedesco, Tell, Teriananda, Texidor, Thea, Thompson, Timmins, Toms, Torjusen, Tornes, Totah, Trokie, Trueman, Tschunkil, Tso, Tynes, Tyree, Uhlenbech, Underby, Union Square Community Coalition, Unreadable1, Unreadable2, Unreadable3, Unreadable4, Unreadable5, Unreadable6, Unreadable7, Unreadable8, Unreadable9, Unreadable10, Unreadable11, Unreadable12, Unreadable13, Unreadable 14, Unreadable 15, Unreadable 16, Unreadable 17, Unreadable 18, Unreadable 19, Unreadable 20, Unreadable 21, Unreadable 22, Unreadable 23, Unreadable 24, Unreadable 25, Unreadable 26, Unreadable 27, Valente, Valentin, Varadhan, Vargo, Vishner, VonMayrhauser, Vromo, Walsh, Wardle-Mortenson, Wauper, Weber, Weiner, WeinerD, Weinstock, Weisberg, WeisnerG, Wever, Whelton, WhiteV, White-Weisner, Whiting, Whitney, Widener, Wigotsky, WilliamsR, Winer, Wintermuth, Witherspoon, Wolpe, Woodland, Woodward, Yamamoto, Yarmolinsky, Yeargans, Yee, YoungM, Zelisko, Zenchil, Zisser, Zito, Zullo-Heyman, Zuluaga, Zupan)

**Response:** Comment noted.

**Comment 2:** NYU’s plan to add nearly two and a half million square feet of space south of Washington Square Park—the equivalent of the Empire State Building—would have a devastating impact, oversaturating neighborhoods that are already oversaturated with NYU facilities. (Abramowitz, Agee, Ain, Alexander, Alippi, Allen, Altman, Alutto, Amato, AmbroseJ, AmbroseL, Amer, Amila, Anthony, Appel, Armstrong-Gannon, Aspillera, Atwood, AubreyB1, AubreyB2, Auletta, Avins, AvinsV, Bacon, Bader, Ballirol, Barbas, Bareau, Baresch, Barlat, Barton, Bastone, Bauman, Bear, Bedrosian, Bella, Bendewald, Benedict, Bensam, Berenblatt, Bernstein, Bland-Dhien, Blohm, Blount, Boernstein, Bogdanoff, Bogen, BogenJ, Bonnet, Bononno, Bourten, Bradley, Brandt, Brashear, Bregman, Brennan, BrinB, BrinR, Bromm, Brone, BrownL, Buhler, Burdin, Burzi, BusinessOwners, Cahn, Cameron, CampbellC, Canion, Cannon, Carduner, Carpenter, Carulli, Castoro, Catucci1, Catucci2, CCBA, Cerullo, Chadwick, Chandler,

Charles, Charlton, Chase, Cherry, Chiasson, Christopher, Clarke, Clerk, Coe, Cohl, Coles, Collier, CollinsC, CollinsP, CollinsR, Collura, Cooper, Cooper-Hecht, Cornwell, Cotterell, Cozzino, Crane, Crump, Curtis, Dalin, Dancy, Daniels, Dapolito, Datlow, Davies, Davis, DavisE, DavisM, deBruin, DeCicco, DelMonte, Dempsey-Rush, Denton, Devaney, Diario, Donohue, Dooley, Dowling, Doyel, Doyle, Duchesne, E13thCA, Eagan, Eckhaus, Edelman-Novemsky, Edwards, EdwardsM, EdwardsMP, Ehlinger, Eisenberg, Eltobgy, Elves, ElvesJ, Emert-Hutner, Essig, Evans, Exer, Felix, Ferranti, Ferrer, Fiorenzo, Fischer, Fisher, FisherN, FletcherA, FletcherAG, Fornash, Forste, Fouratt, Fradd, Franklin, Freedman, Friedman, Fritsch, Frohlich, Fuchs, Fuller, FullerW, Galker, Gallagher, Gallo-Silver, Gallup, Gambino, Gamme-Leigh, Garabedian, Gary, Geballe, Gedell, Gellman, Georgi, Gesell-Clossou, Gibbs, Gigante, Gilford, Gitlin, Gluck, GoldbergLisa, Golden, Goldin, Goldman, GoldmanB, GoldsteinA, Good, Goodwin, Gordon, Gottlieb, GouldA, Graham, Grande, Greenberg, Greenstein, Greininger, Groobert, Grubler, Grugliano, Guilloton, Gullo, Gussow, GVSHPLloyd, GVSHPPetition, Haberman, Haddad, Haikalis, Handler, Hanesian, Hanja, HanjaR, Harlib, Harris, Hart, Hautier, Hayes, Haynes, HDC, Healy, HealyGM, Hechtman, Hernay, High, Hitchcock, Hoover, Horan, Horland, Horowitz, Horwitz, Howell, Howie, Hoxie, Hudson, HulleyK, Hyman, Isola, Ivanic, Jacobs, Jaffe, Johns, JohnsonJ, JohnsonJamie, JohnsonM, JohnsonS, Kalinoski, Kaplan, KaplanR, Kasowitz, KaufmanM, Keenen, Keith, Kelleher, Kenet, Keppler, Kiely, King, Kino, Kiser, KleinS, Knox, Kogod, Kolyer, Korotzer, Koryk, Kremsdorf, Kruth-Cirtanic, Kruz, Kubert, Lamb, Lanyon, Latelo-Gandiosi, Lawrence, Leaf, LeibowitzB, LeibowitzC, Leonard, Lesko, Levine, LevyS, Lew, LewisM, LewisS, Libby, Linder, Locker, Longacre, LourasLJ, LourasNJ, LourasTN, Luciano, Lunceford, Lundin, Lusskin, Luty-Zullo, Lynn, Maggio, Magida, Maha, Maida, Malon, Mam-Kamos, Manton-Herbert, Marcus, Mariano, Marten, Martin JI, MartinD, MartinE, Martinez, MartinJ, Marx, MarxR, Masullo, Mathews, Mazyan, McDarrah, McFadden, McGraw, McKenzie, McRae, McRoyslie, Memberg, Miata, Michals, MincerA, Mingione, Mintz, MintzR, Mitcheltree, Monti, Moore, Moorehead, Morano, Morgan, Morris, Moses, Moskowitz, Mostel, Mulkins, Murray, NadlerW, Naor, Nash, Negrin, Nelson, Nemethy, Nemethy, Nicholson, Nickas, Niodoroda, Niv, NoName1, NoName2, Novak, O'Hara, O'HaraP, Olero, Olsson, Opor, Ortner, Otero, Packer, Pargh, Pau, Paul, Payton, Pearlroth, Pelavin, Peral, Perfette, Perrone, Peterson-Lewis, Pettibone, Phillips-Fein, Picache, Pichard, Plutzker, Polsky, Ponce, Pope, Portadin, Postal, Potoff, Potophy, Powell, Quart, Quon, Raab, Rackow, RackowSP, Radoczy, Ragno, Ragsdale, Ramsdell, Ratner, Raymond, Rea, RebovichF, RebovichJ, Rechner, Recnick, Reich,

Rennert, Rennich, Riccobono, Robb, Roberts, Rogers, Rolland-DelGaudio, Rose, Rosenberg, Rosenblatt-Robert, Rosenbloom, Rosenstein, Rosenthal, Ross, Rothenberg, Rowland, Samton, Samuels, Sanders, Savin, Schanck, Schmidt, Schroder, SchwartzA, SchwartzJ, Schwartzkopf, Sealy, Seidenbaum, Seidman, Selman, Shanker, Shapiro, Shapley, Shatah, Shellooc, Siddiq, Siedun, Siegfried, Simoncelli, Singer, Siracusa, SmithB, SmithBJ, SmithKA, Snyder, Soffer, Soker, Solitorio, Sondvik, Sphin, Spicciatie, Standish, Stawski, Steed, Steinhagen, SteinhagenR, Stenn, StewartF, Stolz, Strand, Stuart, Stults, Swan, SwanC, Taub, Taylorson, Tedesco, Tell, Teriananda, Texidor, Thea, Thompson, Timmins, Toms, Torjusen, Tornes, Totah, Trokie, Tschunkil, Tso, Tynes, Tyree, Uhlenbech, Underby, Union Square Community Coalition, Unreadable1, Unreadable2, Unreadable3, Unreadable4, Unreadable5, Unreadable6, Unreadable7, Unreadable8, Unreadable9, Unreadable10, Unreadable11, Unreadable12, Unreadable13, Unreadable 14, Unreadable 15, Unreadable 16, Unreadable 17, Unreadable 18, Unreadable 19, Unreadable 20, Unreadable 21, Unreadable 22, Unreadable 23, Unreadable 24, Unreadable 25, Unreadable 26, Unreadable 27, Valente, Valentin, Varadhan, Vargo, Vishner, VonMayrhauser, Vromo, Walsh, Wardle-Mortenson, Wauper, Weber, Weiner, WeinerD, Weinstock, Weisberg, WeisnerG, Wever, Whelton, WhiteV, White-Weisner, Whiting, Whitney, Widener, Wigotsky, WilliamsR, Winer, Wintermuth, Witherspoon, Wolpe, Woodland, Woodward, Yamamoto, Yarmolinsky, Yeargans, Yee, YoungM, Zagachkivsky, Zelisko, Zenchil, Zisser, Zito, Zullo-Heyman, Zuluaga, Zupan)

The square footage that NYU wants to build in the two super blocks far exceeds a reasonable expansion in this size location. (Haft-White) We need a more reasonable plan. (Grande)

The superblocks and Commercial Overlay Area would experience a range of negative effects if NYU's 2031 Plan were to proceed. Even if there was less total square footage built and less commercial space allowed, these impacts—in addition to and lasting far beyond those discussed in the Construction Impacts section—would endanger the health and well-being of those in the general area, put an added burden on infrastructure and services, and significantly reduce quality of life for thousands of people. (CB2 Resolution)

We are extremely concerned that the density of the proposed development is completely out of context with the neighborhood character and would cause irreparable damage to the community. I share their concerns. At 2.4 million square feet, NYU's original ULURP application would have more than doubled the existing density on the

superblocks. The density reduction that NYU committed to in their April 11 letter to the Borough President is important, but I urge the City Planning Commission and the applicant to examine areas in the proposal in which further decreases in above-ground density can be attained. This would minimize the new buildings' impacts on light and air, congestion and available open space. (Bedrosian, Clark, CVCA, GVSHP-Durniak, Haft-White, Nadler, Winer) NYU should not be allowed to turn the Village into Midtown. (Collura)

Even with the recent modifications, the plan is too big and out of scale with the community. The rezoning would nearly double the allowable FAR on the two super blocks south of Washington Square Park. The current R7-2 zoning already permits one of the largest building envelopes in Manhattan Community Board 2. And instead of limiting development on the two super blocks to 175,000 square feet, the current maximum, the applicant is asking for 2 million new growth square feet and halving—cutting in half the open space ratio—a terrible precedent on so many levels. (Duane)

The density of the proposal is inappropriate for the neighborhood. Adding two million square feet in the super blocks would double the density on the blocks. (Glick)

The university's website states that it "contemplates a limitation of growth in the neighborhood, but without overwhelming the neighborhood." Not true! 2.4 million square feet shoe-horned into two superblocks bringing 10 to 15 thousand people daily through the area will overwhelm it! (Pettibone, Postal)

The Washington Square Hotel and a coalition of small local businesses and community organizations recognize, understand, and appreciate the many benefits of NYU for Greenwich Village and New York City. However, we feel the current expansion plans are out-of-scale with the historic nature of Greenwich Village and would permanently tarnish the neighborhood. We are asking for a compromise that significantly reduces the density, expands opportunities for local business, creates quality, accessible open space, and adds infrastructure improvements that ensure our neighborhood is not completely overwhelmed. (BusinessOwners) The size and density of the project occurs at the expense of the existing environment and buildings in an area where children attend school in the basement of churches. A compromise of this plan that respects the current village environment must be made. (Hart)

**Response:**

The DEIS and this FEIS analyze the potential environmental impacts of reasonable worst-case development scenarios (RWCDS) resulting from the Proposed Actions. Each RWCDS is formulated to represent the

scenario that could result in the maximum potential impacts from the Proposed Actions in the relevant technical area. Overall, the RWCDs for the Proposed Actions total approximately 1.28 million gross square feet (gsf) of development by 2021, and 2.47 million gsf by 2031. The EIS finds that based on the RWCDs, the Proposed Actions would result in significant adverse impacts in the following environmental areas: open space during construction; shadows; historic resources; transportation (traffic, transit, and pedestrians) during construction and as a result of the operation of the proposed buildings; and noise during construction. Chapter 21, “Mitigation” of the FEIS describes measures that would be undertaken to minimize these impacts. As detailed in Chapter 21, measures were identified that would fully mitigate all transportation-related impacts, and partially mitigate shadow, historic resources, construction noise, and construction open space impacts.

The DEIS and this FEIS also evaluate alternatives to the Proposed Actions that include a Lesser Density Alternative; see Chapter 22, “Alternatives.” In addition, this FEIS contains an assessment of the possible modifications to the Proposed Actions by the CPC; see Chapter 26, “Potential Modifications Under Consideration by the CPC.” In general, the Potential CPC Modifications would reduce the size and scope of certain of the buildings and land use actions that comprise the Proposed Actions, do not result in any new significant adverse impacts not disclosed in the DEIS, and require the same types of mitigation measures as would be case with the Proposed Actions.

The comment that the Proposed Actions would “oversaturate neighborhoods” with new NYU facilities is incorrect. As discussed in Chapter 2, “Land Use, Zoning, and Public Policy” of the DEIS and this FEIS, the project site is located in a dense urban setting. As noted in Chapter 19, “Neighborhood Character,” the Proposed Actions would increase activity on the two superblocks, but would not substantially change the character of the neighborhood.

The ¼-mile area surrounding the Proposed Development Area contains approximately 32.04 million gross square feet (gsf) of building area, according to the DCP 2011 PLUTO (Primary Land Use Tax Lot Output) database; the development that would result from the Proposed Actions represents approximately 7.7 percent of that total. The FEIS finds that within the ¼-mile study area, the residential population without the Proposed Actions would be approximately 30,118 persons by 2031 (FEIS page 5-26). Residents generated by the Proposed Actions would increase the residential population within the ¼-mile study area by a maximum of 1,750 persons, under the Maximum Dormitory RWCDs, which is the development scenario that maximizes the number

of residents that could be introduced by the Proposed Actions. The Proposed Actions would therefore increase the residential population within the ¼-mile study area by approximately 5.8 percent by 2031. The Proposed Actions would also increase the non-resident population in the area. It is estimated that, without the Proposed Actions, the number of non-residents (workers and students) in the ¼-mile study area would be 98,641 persons by 2031 (FEIS Table 5-9). With the Proposed Actions, this number would increase to 103,477 persons (FEIS Table 5-16). Accordingly, the Proposed Actions would increase the non-residential population within the ¼-mile study area by less than 5 percent.

**Comment 3:**

If the University really wants to construct anything it needs to go back to the drawing board and design something that will not be obsolete before it is built. Build something truly environmentally friendly and sustainable. (Jones)

NYU's plan is premised on the fallacious idea that success equals growth rather than excellence. This is in stark contradiction to the "green" ideas of sustainable development. (Teriananda)

This project is not sustainable. (Salva)

**Response:**

As described in the in the DEIS and in this FEIS, the proposed project would incorporate a number of sustainable design measures that would reduce energy consumption and GHG emissions, including measures to be incorporated in order to achieve at least the LEED Silver certification required by the *NYU Sustainable Design Standards and Guidelines*. The requirements for LEED Silver certification are updated over time, to avoid obsolescence in the application of sustainable strategies. In addition, NYU plans to utilize energy produced by the existing cogeneration facility operating at 251 Mercer Street, which would service the heating and cooling needs of several project buildings. As described in Chapter 13, "Energy," the cogeneration facility achieves high efficiencies by capturing the heat by-product of electricity production and reusing it for heating and cooling; these energy savings would be another sustainable element of the proposed project.

The purpose and need of the proposed facilities is discussed in Chapter 1, "Project Description," which describes NYU's long-term programming needs, which are not projected to be obsolete as suggested by the commenter.

**Comment 4:**

Throughout the comment period and at the DEIS public hearing, the following parties spoke or wrote in favor of the Proposed Actions:

(ABNY, Abramson, Adames, AIANY, Alaburic, Alampi, Albanis, Backus, Barasch, Ben-Jacob, Benarous, Bensusan, Benton, Bertolami,

Boland, Bollinger, Bomke, Brabek, BRC, Broderick, BrownL, CampbellM, Castaldo, Chakrabarti, Chang, Channon, Cohen, Conley, Coruzzi-Small, Cotugno, Creedon, Cummings, DaSilva, de Mones, Denkensohn, Di Lorenzo, Devitt, Dwyer, Falk, GarabedianN, Geiger, Gentile, Goldstein, GruberM, Guilamo-Ramos, GV-CCC, Haas, Haber, Halkitis, Hammer, Hanson, Henry, Hillferty, Hills, Hurley, Husser, JonesZ, Juliano, KleinC, Kogan, Kossi, Kremer, LaMorte, Lee, Legatt, Lipton, Mandel, Mayrock, MCC, McFarlane, McKay, McLaughlin, McShane, Mead, Menon, MillerC, Miller, Mirsepassi, Moss, Oxman, Parker, PartnershipforNYC, Penuel, Petersen, Pfeffier, Point, Purugganan, Raywood, REBNY, Reiss, Revesz, Richardson, Rosenblatt, RPA, Santirocco, Scanlon, Schall, Schmidt-Campbell, Schwarzbach, Sexton, Sharkey, Shea, Shibusawa, Sikarevich, Silver, Skorton, Starr, StewartR, Stringer, Tandon, Terracio, Urbanski, Videka, Wais, Ward, Webb, Weizmann, Wilf, Wofford, Wylde,)

**Response:** Comment noted.

**Comment 5:** New Yorkers and tourists, alike, come not to see NYU, but Sanford White’s Memorial Arch, to shop in avant-garde boutiques, to sit in neighborhood cafes and restaurants, to tour small streets where famous American writers lived and worked. They come to see the “Hanging Tree” in Washington Square Park. They come to relive a cold night in January 1917 when a group of six rebels, including Gertrude Orick and Marcel Duchamp, sat atop the Arch at Washington Square Park to declare Greenwich Village to be the Free and Independent Republic of Washington Square. (CVCA) Without the beauty and ineffable charm of Greenwich Village, who would attend NYU? If NYU destroys the Village, as it has been permitted to do, it will no longer attract students. (HKNA)

**Response:** Comment noted.

**Comment 6:** Our neighborhood, our trees, our plants, our streets, our health, our safety, our playgrounds, our light, and our air are in your hands and the hands of the City Planning Commission. (Walsh)

**Response:** Comment noted. The purpose of the environmental review process is to determine whether a proposed action would have significant adverse impacts on the local and regional environment in which it is proposed.

**Comment 7:** The construction, once completed two decades from now, will result in permanent adverse impacts in terms of transportation, noise, air quality, pollution, waste and sewage, energy, public health, public safety and others. (Mastro) Even after construction is complete, the plan will do

permanent damage to the neighborhood by increasing crowding and traffic and eliminating open space and green space. (DavisE)

**Response:** The DEIS and the FEIS address each of the topics noted above, with analyses of all relevant impact categories to identify significant adverse environmental impacts, and propose practicable mitigation for identified impacts. The DEIS and FEIS also examine alternatives to the Proposed Actions that would reduce or potentially eliminate impacts identified in these analyses.

## CHAPTER 1: PROJECT DESCRIPTION

### *PROPOSED ACTIONS*

**Comment 1-1:** Up-zoning a residential area, transferring public land to a private institution, and removing urban renewal deed restrictions, as NYU is requesting, would be wrong. (Abramowitz, Agee, Ain, Alexander, Alippi, Allen, Amato, AmbroseJ, AmbroseL, Amer, Amila, Anthony, Appel, Armstrong-Gannon, Aspillera, Atwood, AubreyB1, AubreyB2, Auletta, Avins, AvinsV, Bacon, Bader, Ballirol, Barbas, Bateau, Baresch, Barlat, Barton, Bauman, Bear, Bedrosian, Bella, Bendewald, Benedict, Berenblatt, Bernstein, Bland-Dhien, Blohm, Blount, Boernstein, Bogdanoff, Bogen, BogenJ, Bonnet, Bononno, Bourten, Bradley, Brandt, Brashear, Bregman, Brennan, BrinB, BrinR, BrownL, Buhler, Burdin, Burzi, Cahn, Cameron, CampbellC, Canion, Cannon, Carduner, Carpenter, Carulli, Castoro, Catucci1, Catucci2, CCBA, Cerullo, Chadwick, Chandler, Charles, Charlton, Chase, Cherry, Chiasson, Christopher, Clarke, Clerk, Cohl, Coles, Collier, CollinsC, CollinsP, Collura, Cooper, Cooper-Hecht, Cornwell, Cozzino, Crump, Curtis, Dalin, Dancy, Daniels, Dapolito, Datlow, Davies, Davis, DavisE, DavisM, deBruin, DeCicco, DelMonte, Dempsey-Rush, Denton, Devaney, Diario, Donohue, Dooley, Dowling, Doyel, Doyle, Duchesne, Eagan, Edelman-Novemsky, Edwards, EdwardsM, Ehlinger, Eisenberg, Eltobgy, Elves, ElvesJ, Emert-Hutner, Essig, Evans, Exer, Fein, Felix, Ferranti, Ferrer, Fischer, Fisher, FisherN, FletcherA, FletcherAG, Fornash, Forste, Fouratt, Fradd, Franklin, Freedman, Fritsch, Frohlich, Fuchs, Fuller, FullerW, Galker, Gallagher, Gallup, Gambino, Gamme-Leigh, Gary, Geballe, Gedell, Gellman, Gesell-Clossou, Gibbs, Gigante, Gitlin, Gluck, GoldbergLisa, Golden, Goldin, Goldman, GoldmanB, GoldsteinA, Good, Goodwin, Gordon, Gottlieb, Gould, GouldA, Graham, Grande, Greenberg, Greenstein, Greininger, Groobert, Grubler, Guilloton, Gullo, Gussow, Haberman, Haddad, Haikalis, Hanesian, Hanja, HanjaR, Harlib, Harris, Hart, Hautier, Hayes, Haynes, Healy, HealyGM, Hechtman, Hernay, Hitchcock, Hoover, Horan, Horland, Horowitz, Howell, Howie, Hudson, HulleyK, Hyman, Isola, Jacobs, Jaffe, JohnsonJ, JohnsonJamie, JohnsonM,

JohnsonS, Kalinoski, Kaplan, KaplanR, Kasowitz, KaufmanM, Keenen, Keith, Kenet, Keppler, Kiely, King, Kino, KleinS, Knox, Kogod, Kolyer, Korotzer, Koryk, Kremisdorf, Kruth-Cirtanic, Kruz, Lamb, Lanyon, Latelo-Gandiosi, Lawrence, Leaf, LeibowitzB, LeibowitzC, Lesko, Levine, LevyS, Lew, LewisM, LewisS, Libby, Linder, Locker, Longacre, LourasLJ, LourasNJ, LourasTN, Luciano, Lundin, Lynn, Maggio, Magida, Maha, Maida, Malon, Mam-Kamos, Manton-Herbert, Marcus, Mariano, Marten, Martin JI, MartinD, Martinez, MartinJ, Marx, MarxR, Masullo, Mathews, Mazyan, McDarrah, McFadden, McGraw, McKenzie, McRoyslie, Memberg, Miata, MincerA, Mingione, Mintz, MintzR, Monti, Moore, Moorehead, Morano, Morris, Moses, Mostel, Mulkins, Murray, NadlerW, Naor, Nash, Negrin, Nelson, Nemethy, Nicholson, Nickas, Nedoroda, Niv, NoName1, NoName2, Novak, O'Hara, O'HaraP, Olero, Olsson, Optor, Ortner, Otero, Packer, Pargh, Pau, Paul, Payton, Pearlroth, Pelavin, Peral, Perfette, Perrone, Peterson-Lewis, Pettibone, Phillips-Fein, Picache, Pichard, Plutzker, Polsky, Ponce, Pope, Portadin, Postal, Potoff, Potophy, Quart, Quon, Raab, Rackow, Radoczy, Ragno, Ramsdell, Raymond, Rea, RebovichF, RebovichJ, Rechner, Recnick, Reich, Rennert, Rennich, Riccobono, Roberts, Rogers, Rolland-DelGaudio, Rose, Rosenberg, Rosenblatt-Robert, Rosenstein, Rosenthal, Ross, Rothenberg, Rowland, Samton, Sanders, Savin, Schanck, Schmidt, Schroder, SchwartzA, Schwartzkopf, Sealy, Seidman, Selman, Shanker, Shapiro, Shapley, Shelloc, Siddiq, Siedun, Siegfried, Simoncelli, Singer, Siracusa, SmithB, SmithBJ, SmithKA, Snyder, Soffer, Soker, Solitorio, Sondvik, Sphin, Spicciatie, Standish, Stawski, Steed, Steinhagen, SteinhagenR, Stenn, StewartF, Stolz, Strand, Stuart, Stults, Swan, SwanC, Taub, Taylorson, Tedesco, Tell, Tessler, Weiner, Texidor, Thea, Timmins, Toms, Torjusen, Tornes, Totah, Trokie, Tschunkil, Tso, Tynes, Uhlenbech, Union Square Community Coalition, Unreadable1, Unreadable2, Unreadable3, Unreadable4, Unreadable5, Unreadable6, Unreadable7, Unreadable8, Unreadable9, Unreadable10, Unreadable11, Unreadable12, Unreadable 14, Unreadable 15, Unreadable 16, Unreadable 17, Unreadable 18, Unreadable 19, Unreadable 20, Unreadable 21, Unreadable 22, Unreadable 23, Unreadable 24, Unreadable 25, Unreadable 26, Unreadable 27, Valente, Varadhan, Vargo, Vishner, VonMayrhauser, Vromo, Walsh, Wardle-Mortenson, Wauper, Weber, WeinerD, Weinstock, Weisberg, WeisnerG, Wever, Whelton, WhiteV, White-Weisner, Whiting, Whitney, Widener, Wigotsky, WilliamsR, Wintermuth, Witherspoon, Wolpe, Woodward, Yamamoto, Yarmolinsky, Yeargans, Yee, YoungM, Zelisko, Zenchil, Zisser, Zito, Zullo-Heyman, Zuluaga)

It is a bad precedent to give public lands to private institutions. The ULURP is wrong for this neighborhood. (Eisenberg, Gellman, JohnsonS, Jones, McKellar, Mingione) Public land should not be given to private institutions. (BAN, Collura, Greitzer) The NYU 2031 Plan takes or uses public land for private benefit. (CAAN-Cude) NYU claims they only want to build on their property. This is totally not factual. They are asking the city or demanding the city give, loan, or sell at far below market-rate city-owned tax payers' land for their real estate portfolio. This is simply outrageous. This is not EMINENT DOMAIN; on the contrary, they are asking the city to give public land to a private corporation. The land is not being sold at public bid, but is simply a land grab at the citizens/voters expense. (Alexander)

**Response 1-1:**

Comment noted. The DEIS and this FEIS identify in Chapter 1, "Project Description," the locations of City-owned land that NYU proposes to purchase and the locations of City-owned land that NYU proposes to map as park land. The DEIS and this FEIS assess the environmental effects of the Proposed Actions, and Chapter 2, "Land Use, Zoning, and Public Policy" specifically addresses the potential effects of the proposed change in zoning and lifting of deed restrictions within the Proposed Development Area. NYU has proposed, through an application for a change to the City Map through the Uniform Land Use Review Procedure (ULURP) process to purchase for fair market value the strips of City property that are currently mapped as City streets. As discussed in the DEIS and this FEIS, with the Proposed Actions, the above-grade portions of the two strips of City property along LaGuardia Place and Mercer Street on the North Block would be mapped as parkland. The DEIS and this FEIS also discuss in Chapter 22, "Alternatives," a "No Demapping Alternative" that considers development that would take place without the concurrent demapping actions being requested as part of the Proposed Actions.

**Comment 1-2:**

NYU was given this formerly public land with the explicit condition that the open space not be built upon and that academic and commercial uses would not be allowed. Now they are seeking to overturn those agreements. (Albin, Alexander, Altman, Alutto, Amato, Apiccidic, BAN, Bastone, Boernstein, Bononno, Bourten, Bromm, Brone, CAAN-Cude, CampbellC, Campo, Chadwick, Charlton, Coe, Cohl, Collier, Cornwell, Cotterell, Crane, DID, Duchesne, E13thCA, Eckhaus, EdwardsMP, Fiorenzo, FletcherAG, Fogel, Goldin, Goldman, GoldmanB, Gould, Greitzer, Grugliano, Gussow, Handler, Hanja, Harlib, Harris, Hellstrom, High, Horwitz, Horowitz, Howell, Hoxie, Johns, Kelleher, KleinS, Kremsdorf, Leonard, LevyS, LewisE, LewisS, Libby, Lunceford, Lundin, Luty-Zullo, Martinez, Michals, Mitcheltree,

Monti, Moskowitz, Perrone, Polsky, Postal, RackowSP, Radoczy, Ragno, Ragsdale, Ramsdell, Ratner, Raymond, RebovichF, RebovichJ, Robb, Rosenberg, Rosenthal, Schwartzkopf, Shapley, Shapiro, Singer, SmithB, SmithBJ, Stenn, Strand, Teriananda, Thompson, Tornes, Tyree, Underby, Unreadable12, Unreadable13, Valente, Valentin, Wardle-Mortenson, Wauper, Weisberg, WeisnerG, White-Weisner, Winer, Woodland, Zelisko, Zupan)

If NYU must build, they should build within the confines of the law without any special dispensations. (Gallo-Silver, Georgi)

**Response 1-2:**

Comment noted. Through ULURP, NYU is proposing to amend allowable land uses within the Proposed Development Area and within the Commercial Overlay Area. The ULURP process requires environmental review under CEQR of NYU's Proposed Actions, and this EIS presents the findings of the environmental review.

Chapter 1, "Project Description," of the EIS describes NYU's stated purpose and need for the Proposed Actions, which include a rezoning, two zoning text amendments, changes to the City Map, and a large-scale general development (LSGD) special permit to facilitate the development of four buildings in the Proposed Development Area, as well as the mapping of a commercial overlay within the Commercial Overlay Area.

**Comment 1-3:**

It has long been recognized that the City Planning Commission can use zoning as a tool to channel development to locations where it most benefit the city. The Commission should recognize its core mission to serve all of the city's citizens and not "up zone" the core of the city to serve the "perceived" needs of one institution. The Commission should work closely with NYU and other institutions of higher learning to develop a comprehensive plan for expansion that broadly benefits the entire city. (Haikalis)

**Response 1-3:**

Comment noted. As detailed in Chapter 1, "Project Description" of the DEIS and this FEIS, NYU 2031 is citywide in its scope, with projects underway in the Health Corridor and Downtown Brooklyn. The Proposed Actions address critical needs that are proximate to NYU's existing Washington Square campus. Please also see the response to Comment 22-2.

**Comment 1-4:**

NYU must not take our air rights. (DID)

**Response 1-4:**

As discussed in Chapter 2, "Land Use, Zoning, and Public Policy," of the DEIS and this FEIS, with the Proposed Actions, the LaGuardia Place Strip adjacent to the North Block and Mercer Street Strip adjacent to the North and South Blocks would be demapped as New York City

Streets. As a condition of the proposed demapping action, these strips would not generate floor area. Accordingly, the Proposed Actions would not utilize any public air rights. Please also see the responses to Comments 2-8 and 8-8.

**Comment 1-5:** All NYCDOT land on the two superblocks should be transferred to DPR. This would ensure that these strips of land remain open, publicly accessible land in perpetuity. (Halloran)

We object to the transfer of ownership of two of the publicly owned strips of land to NYU. Instead, we think these open spaces should be mapped as parkland. And we oppose compromising any of the public strips by allowing NYU to use them for staging construction or permitting them to be designed to serve, essentially, as access plazas for the planned new public buildings. (CB2-Hoylman)

**Response 1-5:** Comment noted. With the Proposed Actions the above-grade portions of the North Block NYCDOT Strips would be mapped as City parkland. Although the NYCDOT Strip on which NYU's cogeneration facility is located (the Mercer Plaza Area) would be disposed to NYU, NYU is committed to maintain the Mercer Plaza Area as publicly accessible open space. The Mercer Street Strip on the South Block would be acquired by NYU for the construction of the proposed Zipper Building; however, Chapter 22, "Alternatives" assesses the environmental impacts of a No Demapping Alternative that would relocate the Zipper Building west of the Mercer Street Strip.

*PROPOSED DEVELOPMENT PROGRAM*

*Proposed Development Area*

**Comment 1-6:** The zoning of West 3rd Street to Houston/Mercer to Laguardia should remain residential and not be changed to commercial. (Rackow)

**Response 1-6:** Comment noted. Chapter 2, "Land Use, Zoning, and Public Policy" of the DEIS and this FEIS state the rationale for the proposed rezoning of the Proposed Development Area from R7-2 and R7-2/C1-5 to an C1-7 commercial district, and assess the environmental effects of this rezoning. Chapter 2, "Land Use, Zoning, and Public Policy" specifically addresses the potential effects of the proposed change in zoning for the Proposed Development Area. As discussed in Chapter 2 in the DEIS and this FEIS, the proposed C1-7 zoning would permit residential uses; apartment buildings are common in C1-7 districts.

**Comment 1-7:** NYU should commit to the provision of space for a 100,000-SF public school. (Stringer, MBP)

**Response 1-7:**

Comment noted. NYU has stated that its offer to make land available for the SCA to build a public school in connection with the Proposed Actions was made in response to prior community requests for construction of a new public school in the neighborhood. As described in Chapter 1, “Project Description” of the DEIS and this FEIS, NYU has proposed to make NYU-owned land on the northwest corner of the south superblock available to SCA for the provision of an approximately 100,000-square-foot public school. If this site is to be developed with a public school, in accordance with the construction periods analyzed in the EIS, SCA must exercise its option by December 31, 2025. If by that date SCA does not exercise its option to construct the public school, NYU would utilize the 100,000-square-foot space for academic purposes. For purposes of the CEQR analysis, for each environmental issue area, the EIS assesses the use which would have a greater potential for significant adverse environmental impacts. In connection with other projects, developers have agreed to build the “core and shell” of a new public school that would be needed to avoid or mitigate the public school impacts of their projects identified through the environmental review. By contrast, Chapter 4, “Community Facilities and Services,” of the DEIS and FEIS for NYU’s Proposed Actions finds that the Proposed Actions would not result in significant adverse impacts on public schools.

**Comment 1-8:**

NYU’s phasing plan starts activity on the north superblock with a temporary replacement for part of the current Coles Gym, and ends two decades from now (assuming no construction delays) with a building also on the North Block. Were it not for the temporary gym placement, the only activity on the North Superblock would start 10 years from now. This calls into question the legitimacy of including the north superblock in this ULURP application at all. NYU essentially is asking for a “blank check” they may or may not need in the future. (CB2 Resolution)

CB2 does not accept the need for a temporary gym in the Proposed Development Area. It is currently sited for the existing “Key Park” playground, which serves many families with children in the wider area. To move the temporary gym to this site, NYU proposes first moving the Key Park to the Sasaki Garden, taking that away from the community as well a decade before construction of any permanent buildings are planned. (CB2 Resolution, Mostel)

It is unnecessary to shuffle vital and treasured amenities for neighborhood residents, resulting in the North Block to be under continuous construction for 20 years. NYU should seek to accommodate

their UAA sports teams elsewhere, as they currently do with many of their existing sports programs. (CB2 Resolution)

**Response 1-8:** The EIS assesses the potential environmental effects of the placement of the temporary gym on the North Block. In addition, the FEIS contains an assessment of the proposed modifications to the proposed project under consideration by the CPC, which include the elimination of the temporary gym and adjustments to construction phasing on the North Block; see Chapter 26, “Potential Modifications under Consideration by the CPC.” The purpose and need of the Proposed Actions are discussed in Chapter 1, “Project Description” of the DEIS and this FEIS; it is not anticipated that NYU would construct unneeded facilities on the superblocs. The LSGD special permit would limit the size and uses of the proposed building. The need for the proposed temporary gym and the purpose of moving the Washington Square Village (Key) Playground to the Washington Square Village Elevated (Sasaki) Garden are discussed in Chapter 1.

**Comment 1-9:** CB2, without reservation, rejects the proposal for a new building and retail at the site of Coles Gymnasium. Should the community board’s recommendations not be heeded, any new building should be built on the existing footprint or a narrower one that aligns both sides of the building with existing streets, and any new retail should be focused on the north and south facades of the building to allow transfer of the strip to Parks with improved public open space uses. (CB2 Resolution)

**Response 1-9:** Comment noted. Chapter 2, “Land Use, Zoning, and Public Policy” of the DEIS and this FEIS assesses the potential impacts of the proposed uses, including retail. Chapter 22, “Alternatives” of the DEIS and FEIS present and analyze a “No Demapping Alternative,” which considers development that would take place without the concurrent demapping actions being requested as part of the Proposed Actions.

**Comment 1-10:** NYU should support efforts to keep the name “Adrienne’s Garden” associated with the future garden/playground locations along LaGuardia Place. (Stringer, MBP)

**Response 1-10:** Comment noted.

**Comment 1-11:** NYU should preserve Mercer Plaza, which is located above the University’s cogeneration plant, as public open space. (Stringer, MBP)

**Response 1-11:** Comment noted. Mercer Plaza is currently a publicly accessible open space and will continue to be so in the future with or without the Proposed Actions. The Proposed Actions would not affect the future use of Mercer Plaza. The document by which NYU would acquire title to

the Mercer Plaza property from the City would require NYU to maintain Mercer Plaza as publicly accessible open space in perpetuity.

**Comment 1-12:** Is the hotel supposed to somehow subsidize this \$5 billion plan? (Leaf)  
**Response 1-12:** Chapter 1, “Project Description,” of the DEIS and FEIS describes the purpose and need for the university-affiliated hotel.

**Comment 1-13:** Possible reductions in future enrollment, potential venue changes in education delivery (e.g., online courses) and other unforeseen changes may reduce pressure on NYU’s existing buildings and eliminate the need for the later-phased buildings. This opens the possibility that the structures would be built with a Community Facility FAR but might not be ultimately used for community facilities. (CB2 Resolution, CAAN-Cude)

Expanding universities is an outdated plan since a college and/or graduate level education does not guarantee employment and since the cost of such education leaves many students with great debt. With this in mind, the City should not commit to a university expansion plan that may not be realized. Clear restrictions should be written into the plan, if approved (which it should not be), so that if NYU does not complete its construction as specified, real estate developers will not be able to take advantage of bargain basement deals. This is especially important with regard to the North Block as there is no building planned on it for 10 years. In 10 years time, everything in the educational scene and in the economy of the City could change. (Kaplan)

**Response 1-13:** Chapter 1, “Project Description,” of the DEIS and FEIS describes the purpose and need of the Proposed Actions. The proposed project’s design and uses would be restricted by the provisions of the large-scale general development (LSGD) special permit and by including a restrictive declaration that will be recorded against the property to prohibit development inconsistent with the RWCDs assessed in the FEIS.

**Comment 1-14:** We think that NYU’s 2031 Plan must include, among many other things that have been mentioned today, a genuine commitment to long-term affordable housing and if it doesn’t include such a guarantee, we strongly urge that the City Planning Commission reject the plan. (505LaGuardia-Albin)

**Response 1-14:** Comment noted. The socioeconomics analyses in the DEIS and this FEIS did not identify any significant adverse impacts that would warrant mitigation in the form of affordable housing.

**Comment 1-15:** With the demise of St. Vincent’s what a true shame not to find a way to integrate NYU’s considerable and world-famous medical services/clinics into this scenario—walk-in clinics in ground-floor retail spaces as a worthy trade-off for some amount of FAR of dormitory use, for instance. (JonesZ)

**Response 1-15:** Comment noted. The proposed development program does not include a commitment to include walk-in clinics as part of the proposed project.

**Comment 1-16:** MAS believes that NYU should be able to expand on their property, however it is important that NYU fully consider the existing context, particular the built form located in the direct vicinity of each proposed building. The following discussion describes in more detail concerns with each of the proposed building forms.

- The Bleecker Building should be designed to more closely relate to the 5 story buildings directly across the street so as to help define LaGuardia Place as a more architecturally coherent corridor and a more inviting route to and from Washington Square Park.
- Although the LaGuardia building is one of the shortest of the proposed new buildings, MAS believe that it should relate more carefully to the building stock across the street. LaGuardia Street today expresses the tension between urban renewal/towers in the park on the east side and the kind of building stock urban renewal programs replaced on the west side. As noted above, NYU should carefully mediate this tension with a building form that relates more directly to the surrounding neighborhood fabric.
- The proposed Mercer Building should be capped at the height of the existing Washington Square Village buildings, which although much taller than many of the buildings in the area, is a better reflection of the existing built form and will bring additional light into the reconfigured open space while still permitting NYU significantly more density than would be allowed as of right.

The Zipper Building is proposed to include the tallest of the new buildings and would be comprised of several building segments of varying heights; the largest (segment H) would include a hotel rising within two feet of the street sheer to its full height of 299 feet. NYU’s hotel tower would cast shadows on the landmarked Silver Towers site located on the same lot. There is no context for a building of this size without meaning setbacks from the sidewalk in the surrounding area and building segment H should more carefully relate to the other buildings

at the intersection of Houston and Mercer Street which vary in height from 8 to 13 stories, as these buildings are the immediate and critical context for building segment H. The Zipper Building's five additional structures of varying setbacks and heights ranging from 85 feet to 208 feet along what would be a narrowed Mercer Street would further darken the street. These buildings either lack a meaning setback on the Mercer Street frontage or on the rear of the building will front on a new pedestrian corridor—the Greene Street walk—and the Silver Towers open area. The lack of a useful setback on the portions of building segments H, F, D, and B—all fronting on Mercer Street—will overwhelm Mercer Street and create a dark and uninviting corridor. The same is true for building segments C, E, G which will front on the new Greene Street walk but also because of their height and lack of setbacks will create a similarly dark and uninviting corridor. In order to better integrate the Zipper Building into its context, the height of building H should be reduced to respond to the buildings at the intersection of Houston and Mercer and the remaining building segments should comply with the underlying height and setback regulations. (MAS, SchwartzJ)

**Response 1-16:**

Chapter 8, "Urban Design and Visual Resources," concludes that the design of the proposed buildings would not have a significant adverse impact on urban design. The Mercer and LaGuardia Buildings are set far back from the proposed street lines of both Mercer Street and LaGuardia Place and would therefore have limited impact on the buildings across the street. The height of the 14-story Mercer Building (the taller of the two proposed buildings on the north superblock) would relate to higher buildings to the east, including the 20-story NYU School of Law residence hall directly across the street. The 7-story LaGuardia Building would be lower than the Mercer Building in order to relate to the lower buildings to the west, which range in height between 4 and 13 stories. By curving the LaGuardia and Mercer buildings and tapering them so that they become more slender at the top, the design is intended to allow light into the open space on the north block, reduce other shadows and allow air to move around the buildings. These refinements reduce the impact on the surrounding open spaces and existing WSV buildings, which, at their closest point, are 60 feet from the proposed new buildings, the dimension of a typical Manhattan side street.

On the South Block, the Zipper and Bleecker Buildings are pulled to the edges of the block to reduce their impact on University Village and to preserve the original composition of that City-landmarked site. The buildings were massed to limit the impact on the perpendicular views across the central area of the UV buildings, which were an important

aspect of the original design. To accommodate this goal, the dormitory portion of the Bleecker Building was shifted west, and to respect the tower-in-the-park design of University Village, the Zipper Building volume adjacent to Silver Tower 2 was shifted east.

The Zipper Building was designed with a series of sub-volumes that vary in height and are shifted east and west to break up the mass of the building and provide visual interest as well as improved access to light and air. The massing would better reflect the typical building widths, high street walls and variegated heights of the loft buildings in the surrounding area, which would not be achievable if the building were designed without waivers from the zoning bulk regulations. The base volume along West Houston Street would relate to the scale of the buildings in SoHo across the street to the south, and the highest Zipper Building volume would be located on the very wide W. Houston Street at the same height as the University Village buildings.

The Bleecker Building was designed to express the two planned program types (a public school and a dormitory) as interlocking forms that are distinct yet complementary (academic facility space would also be located below grade). With a public school in the base that would have a height that is similar to the buildings in the South Village, and a higher dormitory volume above, the massing would serve as a transition between the higher buildings to the east and the lower scale of the South Village to the west. The placement of the dormitory above along the LaGuardia Place frontage would allow an open space for the school to be located on its roof that would have the optimum orientation for sunlight.

The FEIS includes, in Chapter 26, “Potential Modifications Under Consideration by the CPC,” an assessment of Potential CPC Modifications that would reduce the heights of the Bleecker, LaGuardia and Mercer Buildings.

**Comment 1-17:**

CB2 objects to using the strip on LaGuardia Place between Bleecker and Houston Streets as construction staging, covering it or casting a permanent shadow over it. (CB2 Resolution)

**Response 1-17:**

Comment noted. Chapter 20, “Construction” of the DEIS and this FEIS analyzes two potential staging areas for the construction of the proposed Bleecker Building: 1) the City-owned strip containing the LaGuardia Corner Gardens on LaGuardia Place between Bleecker and Houston Streets to the west of the Bleecker Building site; and 2) the City-owned strip along Bleecker Street to the north of the Bleecker Street site. In response to public comment, the FEIS examines a third potential staging option (staging on the eastern side of the Bleecker Building), but

explains why that staging option is not feasible. Chapter 21, "Mitigation" states that in the absence of a permanent relocation of the Gardens in accordance with the procedure described in this chapter, the construction staging would be located on Bleecker Street unless subsequently developed information demonstrates to the satisfaction of the City that it is infeasible.

Regarding permanent shadows on the LaGuardia Corner Gardens, Chapter 6, "Shadows" of the DEIS and FEIS discloses that the Proposed Actions would result in significant adverse shadow impacts on the LaGuardia Corner Gardens. Chapter 21, "Mitigation" of the FEIS describes measures that would partially mitigate the significant adverse impacts to the LaGuardia Corner Gardens.

**Comment 1-18:** CB2 advocates for the preservation of the public ownership of the Park Strips, and for their immediate transfer to the Parks Department, along with the additional strips on the south side of West 3rd Street and the south side of Bleecker Street between Mercer Street and LaGuardia Place. CB2 has supported all efforts to develop public uses on these strips and has long favored mapping of these open spaces as parkland. NYU opposition has prevented this. It would be a mistake to reward the University's intransigence on this issue by turning the full or partial control over these properties to NYU, whether by transfer of fee ownership, extensive easements, allowing them to be demolished for below-grade construction or use as staging locations, or design concessions to substantially convert their use to access plazas for private buildings. (CB2 Resolution)

**Response 1-18:** Comment noted. The Proposed Actions would result in mapping as parkland the City-owned strips along LaGuardia Place and Mercer Street on the North Block (between Bleecker and West 3rd Streets). With respect to the need for easements on the City-owned strips, please see the response to Comment 1-28. With respect to the use of the City-owned strips for staging, please see the response to Comment 1-17. With respect to the design of the City-owned strips, please see the response to Comment 5-5.

**Comment 1-19:** The Mercer Street Cogeneration Park was designed with extensive community input in a process developed as a result of the agreement. The agreement allows for future maintenance needs of the cogeneration plant and no persuasive argument has been made for transfer of this public open space to private control. Even with an agreement for future public use in place, experience with publicly accessible private plazas gives reason for concern that the long-term public good would not be well served if the ownership is transferred to NYU. Instead, the land

should be transferred to Parks, with continuation of the existing agreements that were crafted to serve public and private needs. (CB2 Resolution)

**Response 1-19:** The legal document by which the City would convey to NYU title to this strip of Mercer Street would require NYU to maintain Mercer Plaza as publicly accessible open space in perpetuity. This NYCDOT Strip, including the subsurface space in which the cogeneration facility is located, is proposed to be disposed to NYU.

*Commercial Overlay Area*

**Comment 1-20:** The Borough President recommends that NYU continue to explore reduction of potential impacts of the Proposed Actions in the Commercial Overlay Area. (Stringer, MBP)

There should be no commercial zoning for the blocks around Washington Square East. (Leonard)

**Response 1-20:** Comment noted. Chapter 21, “Mitigation” of the DEIS and this FEIS include measures that would mitigate the Proposed Actions’ potential significant adverse impact to the Potential NoHo Historic District Expansion within the Commercial Overlay Area. In addition, Chapter 26, “Potential Modifications Under Consideration by the CPC” of this FEIS assesses the environmental effects of the proposed project without the inclusion of the proposed rezoning within the Commercial Overlay Area.

**Comment 1-21:** To limit the potential proliferation of bars in the Commercial Overlay Area, NYU should not include “eating and drinking establishments,” 80 percent or more of whose project revenue is derived from alcoholic beverages. (Stringer, MBP)

**Response 1-21:** Comment noted. The development scenario for the Commercial Overlay Area assumed that the space would be neighborhood-oriented retail uses. Chapter 26, “Potential Modifications under Consideration by the CPC” of this FEIS assesses the Potential CPC Modifications, which do not include the Commercial Overlay Area.

**Comment 1-22:** The University should not be granted a rezoning of the Commercial Overlay Area when NYU has stated a more modest goal of increasing retail use by only 23,000 square feet in six buildings. (CB2 Resolution)

A great question is this blanket rezoning of 15 acres of commercial. They want to rezone the entire University as a commercial rezoning. In the loft areas that President Sexton was unclear about, is the existing residential area. They now have grandfathered 65,000 square feet of commercial space there and they want 22,000 more. But by overlaying

the entire district, it gives them ability to increase it by 200,000 square feet. And we just do not understand why it is not just a more laser-like rezoning of this overlay. And we're, frankly, questioning the motives and intentions of NYU wanting to rezone so much of an area for 22,000 square feet. (CB2-Gruber)

For the DEIS, NYU selected a Reasonable Worst-Case Development Scenario based on conversions of only six buildings for which they have current plans to develop only 23,000 gsf of retail use. However, a likely development scenario will include many more locations because the market driven values in an area adjacent to high rental Broadway retail areas will create strong incentives for many more conversions, especially if initial retail uses are successful. The young adult market is particularly strong for national chains and for the large eating and drinking establishments that have saturated nearby areas. Most of the buildings on the blocks have high ceilings and large footprints that are attractive for such high intensity retail users, with well over 200,000 square feet in 26 buildings ultimately available on first and second floors and potentially basements as well. (CB2 Resolution)

**Response 1-22:**

The Reasonable Worst-Case Development Scenario (RWCDS) for the Commercial Overlay Area was developed in coordination with the Department of City Planning (DCP)—acting on behalf of the City Planning Commission (CPC), which is the “lead agency.” In formulating the RWCDS, each site within the Commercial Overlay Area was evaluated for its redevelopment potential, considering physical criteria that took into account the suitability of the building areas for retail use, as well as NYU’s goal of retaining all existing second-floor uses and certain existing ground-floor academic uses as non-retail institutional uses.

**Comment 1-23:**

Remove the commercial overlay to refrain from overwhelming our community with commercial development. (VSN-Paul)

I urge you to vote no on this commercial overlay. It is a crass, ugly plan for NYU to make big money by creating bars, destination stores, and late night restaurants that would totally destroy our quality of life. (QuartB) I am concerned about what this overlay would do in terms of the problems that we are having in our neighborhood already, such as noise and congestion. (Dondore) There is no justification for any additional commercial development in the designated area. Such development would create an intolerable situation for residents already suffering from multiple intrusive NYU activities. (Negrin)

**Response 1-23:**

Comment noted. For each relevant area of analysis, the DEIS and this FEIS assess the environmental effects of the proposed rezoning of the

Commercial Overlay Area as part of the Proposed Actions. In addition, Chapter 26, “Potential Modifications Under Consideration by the CPC,” of this FEIS assesses the environmental effects of certain modifications to the Proposed Actions under consideration by the CPC at the time of preparation of this FEIS, which include the removal of the Commercial Overlay Area from the proposed project.

**Comment 1-24:** The commercial overlay proposal should also be viewed within the context of university's long-term, barely veiled ambition to control the public space on Washington Place, with the ultimate aim of de-mapping the street. In the past, NYU has obtained a temporary closing of a portion of Washington Place, and only the vigorous protests of residents led the city to reopen the closed street. Earlier iterations of the current 2031 plan proposed turning our street into a pedestrian mall, with far more commercial development than that now proposed. This can only cast doubt on the validity of the relatively modest amount of commercial space now presented as the Reasonable Worst Case Development Scenario. (Negrin)

**Response 1-24:** See the response to Comment 1-22. The proposal presented in the EIS, which is the result of a long and iterative planning process, does not include a pedestrian mall.

**Comment 1-25:** If NYU is granted the “zoning overlay” they are requesting, 15 Washington Place will be demolished. In its place NYU will build a high rise, which will block all sunlight to our building. (Lounsbury)

**Response 1-25:** 15 Washington Place would not be demolished as a result of the Proposed Actions. However, for analysis purposes, it is assumed that in the future without the Proposed Actions (i.e., the future condition assuming that none of the discretionary approvals proposed as part of the proposed project would be adopted), NYU would by 2021 redevelop 15 Washington Place as an academic building (this redevelopment option for 15 Washington Place is permitted under current zoning and is not dependent on the proposed C1-5 overlay). The Proposed Actions would therefore allow for the inclusion of ground-floor retail—rather than ground-floor academic uses—within this new building. Therefore, the Proposed Actions (specifically, the action that would permit the C1-5 overlay) would not displace residential uses; such displacement, if it were to occur, would result from NYU’s as-of-right redevelopment of 15 Washington Place and would not be attributable to the Proposed Actions.

PURPOSE AND NEED

*Proposed Development Area*

**Comment 1-26:** NYU has not explained why it needs two million square feet of space in this neighborhood, or what it will be used for. (DavisE)

NYU's explanation of need is inadequate. Even the CPC's own forms require a "clear and concise summary of the action(s) requested and the reason(s) for such action(s)." *See* Exhibit 11 at 7 (Department of City Planning Land Use Review Application General Instructions). The applicant has to "[e]xplain the rationale for the proposed action and how it is consistent with present or projected land use in the area," and also "describe how it would promote the public health, safety, economic development, or provide other public benefit." *Id.* CPC's mandate is thus to weigh the needs of the project (and any public benefits) against the adverse impacts. NYU's purported justifications for this project appear in the DEIS (see pages 1-15 through 1-28), based apparently on text written by NYU directly. In various ways, the DEIS fails to meaningfully assess NYU's purported need, which is the basis of one of the most complex and large series of zoning changes in recent memory, or, worse, accepts NYU's implicit argument that "desirability" is sufficient to request these zoning changes and variances. Key to NYU's analysis, however, is the central assumption offered in the DEIS with no analysis behind it at all: "[t]he four new buildings proposed for these two blocks would serve the expansion needs of the existing NYU schools and divisions that are already located at the Washington Square campus and which cannot be as well served by facilities in remote locations of New York City." *See* DEIS at 1-17 (emphasis added). Of course, given the excellence of New York's mass-transit system, it is somewhat unclear what NYU means by "remote." Even now, parts of the University stretch into midtown. Putting aside the very Manhattan-centric view it implies, the statement of need defies logic and is, in any event, completely unsupported in the DEIS or in any document put before the CPC. The truth is far more simple: NYU *wants* a larger, central campus. NYU's desires, even if rational, cannot pass for "need" sufficient to justify the massive adverse impacts and seismic shift in zoning. In other words, these buildings are significantly larger than they "need" to be exactly because they include uses that are inconsistent with empirical data, unresponsive to NYU's stated goals, and do not need to be in the superblocks for convenient use by NYU's students. Although there are many aspects of deficiency in NYU's "needs" statement, the primary insufficiencies are: (1) centralizing expansion in Greenwich Village; (2) dormitory space; (3) faculty housing; (4) hotel;

(5) additional retail space; (6) athletic facility; and (7) the Institute for Performing Arts. (GVSHS Statement)

It is unclear how a hotel fits into NYU's statement of need that it needs space to grow its academic programs. (Glick)

Two facts lead CB2 to question the need for such a broad expansion: 1) The University states that they are now at a virtual stopping point in growth and project an average annual increase of only 0.5% for the next 25 years; and 2) In Phase 1 of NYU's plan in the years 2012-2022 only 17.5 percent of the square feet to be developed in this project is for academic use. The remainder of the initial expansion is devoted to nonacademic uses, including a hotel, retail, dormitories, athletic facilities, and a public school. Construction of the majority of the academic space (82.5 percent) does not begin for 10 years, and is not scheduled for completion until 2031. Because the University's growth has already occurred and very little is projected for the next 25 years, it is unnecessary to approve such a large expansion at this time. (CB2 Resolution)

NYU's justification for this enormous project is its lack of space and it is a compelling argument. But they say that their peer institutions have two to three times more academic space per square foot than NYU. Yet, under 19 percent of the construction in the first 10 years is devoted to academic use, the justification for the plan. The rest of it goes to commercial, dorms, a gym, a hotel. The rest of the academic construction would not begin for 10 years. So do they really need this amount of FAR that they're asking for or is just an oversized line of credit? And so they've already gone through their huge student growth period. Now, as you've heard President Sexton, they've capped it at one half of one percent, you know, for the next 20 years. (CB2-Gruber)

**Response 1-26:** Detailed information with respect to the purpose and need of the Proposed Actions was set forth in the DEIS. Based on public comments, further information with respect to the purpose and need of the Proposed Actions—and for each proposed use—is provided in this FEIS in Chapter 1, Section D, “Purpose and Need of the Proposed Actions.”

*Open Space Need*

**Comment 1-27:** CB2 strongly objects to the proposal to transfer ownership of two of the publicly owned strips of land on the west side of Mercer Street (between West 3rd and West 4th Streets, and between Bleecker and Houston Streets) to NYU. (CB2 Resolution)

**Response 1-27:** Comment noted. The DEIS and this FEIS describe the purpose and need of the requested disposition of City-owned property to NYU, and assess the potential for significant adverse environmental impacts resulting

from the proposed above- and below-ground use of this land. In addition, Chapter 22, “Alternatives” of the EIS evaluates a “No Demapping Alternative” which considers development that would take place without the concurrent demapping actions being requested as part of the Proposed Actions.

**Comment 1-28:**

CB2 objects to allowing easements to NYU over and below the Park Strips along LaGuardia Place and Mercer Street on the North Block. (CB2 Resolution)

Construction on the Northern Superblock has the potential to destroy or substantially damage the open spaces being mapped as New York City parkland. In order to prevent damage to the parkland, the LSGD Special Permit and the Restrictive Declaration to be entered into by NYU in connection with the proposed land use actions should require that no construction staging or laydown be permitted on these open spaces at any time. These activities would obviously be non-park uses, which are not permitted under relevant judicial decisions. Under ZR Section 74-743, the Commission has the power to impose measures to avoid these adverse impacts on open spaces being mapped as parkland, and as lead agency, it has the responsibility to do so. (Lefkowitz)

The City-owned public park strips should not be used for construction staging or laydown. The DEIS fails to consider an alternative use of off-site spaces as an alternative to staging construction on the project’s open spaces, including the green spaces to be mapped on the northern superblock. NYU’s plan would render those open spaces unusable for a decade or more. As mitigation, NYU should be required to restore those spaces to public use during the intervals between the construction phases rather than leave them unusable by the public during those intervals. (CB2 Resolution) Using LaGuardia Gardens as a construction staging area while they own the rest of the block is just destructive. (Jones)

**Response 1-28:**

As described in Chapter 1, “Project Description,” the above-grade easements granted to NYU would allow for, among other things, construction, maintenance, and access to the block across the Mercer Street and LaGuardia Place Strips. If the demapped areas were to be mapped as parkland, the easements would be necessary to allow construction of the proposed buildings on the North Block. The easements would avoid the need for major construction equipment and materials to be brought through the Washington Square Village apartment buildings’ portals. The easements are also necessary to allow the demapped areas to be mapped as a public park instead of a street while allowing for access to, and construction and maintenance of, the proposed NYU facilities and existing Washington Square Village

buildings. The easements would require NYU to minimize the size of construction staging areas and preserve mature existing trees in areas not needed for construction staging to the extent feasible, and to reconstruct the spaces in accordance with applicable plans. During both above- and below-grade construction, all diesel construction engines would be located at least 50 feet away from the Washington Square Village Buildings, to the extent practicable. The demolition of the existing commercial building would take about three months, and excavation/foundations about 15 months. In order to place the large diesel equipment as far away from the Washington Square Buildings as possible, a temporary platform would be built on the center line of the excavation on the LaGuardia Place side. See response to Comment 21-7 for more detail on the use of the NYCDOT strips on the North Block during construction.

**Comment 1-29:** If the project proceeds, the LaGuardia Place Strip on the South Block should be transferred to Parks and the space should be restored, including a sufficiently sunny area for the gardening to continue to serve the entire community in its current manner. (CB2 Resolution)

**Response 1-29:** The Proposed Actions do not include any proposed changes to the city map on the LaGuardia Place Strip on the South Block. Chapter 20, “Construction,” of the DEIS and FEIS identifies the potential for significant adverse construction impacts on the LaGuardia Corner Gardens during the construction of the proposed Bleecker Building. Chapter 6, “Shadows” identifies a significant adverse shadows impact on the LaGuardia Corner Gardens after construction of the Bleecker Building is complete. Chapter 21, “Mitigation” of the FEIS describes partial mitigation for the significant adverse impacts to the LaGuardia Corner Gardens. See also the response to Comment 1-27.

**Comment 1-30:** The Bleecker and West 3rd Street Strips should not be allowed to transition to the more private character of a university campus. If portions of these strips need redesign to support any development ultimately approved for the blocks, accommodation should be made without transfer of the property. Opportunities for redesign and renovation include the interior sidewalk on Bleecker Street that could be incorporated into the plantings. (CB2 Resolution)

**Response 1-30:** Comment noted. The Proposed Actions do not include the transfer of ownership of the Bleecker and West 3rd Street Strips. As described in Chapter 5, “Open Space” of the DEIS and this FEIS, the proposed project’s open space program includes new trees, low plantings and benches as part of the proposed Bleecker Seating Area, a new passive open space immediately north of the Oak Grove along Bleecker Street

(final design changes to the Bleecker Street Strip would require DPR and Public Design Commission approval).

**Comment 1-31:** All of the City-owned public park strips on the superblocks should be mapped as New York City parkland, transferred in their entirety to the NYC Parks Department with no NYU acquisition, easements, equipment or structures on or below grade. (CB2 Resolution)

**Response 1-31:** Comment noted. See discussions above.

**Comment 1-32:** The large-scale development amounting to no less than 40 percent growth in a two-decade span, would bring about a host of negative consequences. These would include the loss of green/park areas; the demolition of the Mercer Street children’s playground and Washington Square Village Playground; the displacement of the Mercer-Houston dog run; the potential loss of a neighborhood working garden. (Geronimus, LewisE, Mam, Weisberg)

**Response 1-32:** As presented in Chapter 1, “Project Description,” and analyzed in Chapter 5, “Open Space,” of the DEIS and this FEIS, the Proposed Actions would result in a net increase in the amount of playground space on the superblocks in 2021 and 2031, and would provide a replacement dog run of a similar size on the South Block. The DEIS and this FEIS also identify the significant adverse impacts on the LaGuardia Corner Gardens resulting from construction activities and shadows. Proposed mitigation measures to address these impacts are found in Chapter 21, “Mitigation.”

*Commercial Overlay Area*

**Comment 1-33:** NYU is proposing this overlay for the stated intent of “enlivening the streets,” bringing existing nonconforming retail into compliance, and allowing development of ground floor retail uses. However, the street activity level is excellent, adequately serving the current mix of residential and institutional uses and the grandfathered uses are by definition compliant, and are functioning well. NYU has appropriate recourses within the zoning text at its disposal to meet limited retail needs in a few buildings. CB2 opposes this zoning change. (CB2 Resolution)

The University maintains that a commercial overlay will enable it to serve the retail needs of the neighborhood. There are already 24 stores in the loft blocks that have been grandfathered in this residentially zoned area, as well as one of the city’s largest and most popular shopping districts on Broadway one very short block from the proposed overlay. In addition, there is the large 8th Street shopping area that abuts the northern edge of the proposed district. By no stretch of the

imagination can the street or neighborhood be characterized as underserved by existing retail. Therefore, NYU is seeking to misuse the commercial overlay zoning that generally is designed for neighborhoods that truly are lacking retail services. It seems clear when one cuts through the smoke screen of NYU rationalizations, that the University's true purpose in proposing the overlay is to exploit the commercial potential of its academic properties for financial gain. (Negrin, WPBA-Negrin)

**Response 1-33:** Chapter 1, "Project Description" of the DEIS and this FEIS describes the land-use planning goals sought to be achieved by the proposed rezoning within the Commercial Overlay Area. With respect to the compliance of existing uses, please see the response to Comment 2-6.

**Comment 1-34:** It should be noted that although the NYU ULURP application in general is based on the university's claimed need for additional space, the commercial overlay proposal belies that need by actually reducing the available space for academic purposes in existing buildings and in at least one new building scheduled for construction in this area. Why then would the university include this incongruous element in its proposals? (Negrin) NYU's request for a change to commercial zoning should be shelved. Why does a university, which purports to be an academic institution, need to run itself as a property leaser of commercial space? It seems to be in direct contradiction to the very nature of its mission. (Mostel) If NYU needs classrooms, why not turn all this extra space on the ground floors in their loft buildings into classrooms instead of retail? Why build giant new buildings for classrooms when they obviously have extra space? (WilsonC)

**Response 1-34:** As described in Chapter 1, "Project Description," the rezoning proposed for the Commercial Overlay Area has been proposed to serve land use planning goals for the area, not to serve NYU's academic mission. The amount of retail space projected to be developed within the Commercial Overlay Area under the Proposed Actions is 23,236 square feet; in the context of the Proposed Actions, which would construct over 1 million gsf of new academic space on the superblocks, the re-purposing of 23,236 sf of ground-floor space on the Loft Blocks to non-academic uses would not materially reduce the academic space available to NYU.

**Comment 1-35:** With respect to its proposed rezoning in the Commercial Overlay Area, NYU argues that Washington Place needs "livening." This argument has come as a great surprise to residents of a street which lies in the center of the university's academic complex. On any given day, literally thousands of students, faculty, administrators, maintenance workers, delivery workers, and waste removal contractors clog our street and

neighboring streets. The university seems engaged in an unending and intrusive series of construction projects, where some work continues into the nighttime hours. To these activities, should be added outdoor events and noisy celebrations that require closing a portion of our street, Residents of Washington Place largely agree that the last thing we need is more “livening.” (Negrin)

**Response 1-35:** In response to public comment, additional information on the land use planning goals of the proposed commercial overlay zoning in the Commercial Overlay Area is provided in the FEIS; see Section D, “Purpose and Need of the Proposed Actions” in Chapter 1, “Project Description.” With respect to construction impacts within the Commercial Overlay Area, as described in Chapter 20, “Construction” of the DEIS and this FEIS, the projected development within the Commercial Overlay Area totals 23,326 gsf, and would involve only interior renovations to the ground floors of existing or planned buildings. Therefore, the construction associated with the development of the Commercial Overlay Area would not result in significant adverse impacts. See also the response to Comment 1-23.

*University-Oriented Hotel*

**Comment 1-36:** NYU should explore the necessity of hotel use, with an eye to eliminating it from the proposed project. (Stringer, MBP)

The plan’s hotel use should not be considered as central to the University’s academic mission. (CB2 Resolution) Since the hotel is not for academic purposes, it is not necessary to be located in NYU’s academic core, and would better suited outside the core. As such, the hotel use proposed for the Zipper building should be eliminated. This would achieve a reduction in density on the site. (Nadler) With hundreds of hotels in the city, including many within walking distance of the NYU “core” and a new 100-bed hotel under construction on West 8th Street, NYU has no need for a hotel on campus. (WilsonC) What type of research have you done downtown to look at other hotels? The need for a hotel here is preposterous. The city is experiencing a record expansion in hotel construction and vacancy rates stand in the mid-70s citywide. (Leaf)

**Response 1-36:** Chapter 1, “Project Description” of the DEIS and this FEIS describes NYU’s stated rationale for including a university-oriented hotel as part of the proposed development. With respect to the proposed hotel’s appropriateness as a use on the superblocks, please see the response to Comment 2-2. In addition, this FEIS considers the environmental effects of the potential modifications to the project that are under consideration by the CPC, which include the elimination of the

proposed hotel use; see Chapter 26, “Potential Modifications Under Consideration by the CPC.”

*Faculty Housing*

**Comment 1-37:**

NYU has contributed significantly to the faculty housing shortage which they are now asking their neighbors and the public to bear the burden for correcting. According to the Department of Building records, from 1960 to 2010, NYU eliminated 175 units of faculty housing from the Washington Square Village complex, through a continuing series of apartment combinations, turning studio, one- and two-bedroom units into increasingly larger super-apartments, some of which are made of three or four of the original units. (GVSHS-Schulz) The pace has accelerated in recent years, as more than 112 of the units were subsumed to combinations just since 1992. Beyond this, by all accounts NYU is warehousing, or leaving unoccupied for long periods of time, numerous faculty housing units in the Washington Square Village complex. Residents have reported nearly 65 units in the complex that are empty and have remained empty for protracted periods of time. The combined documented warehoused apartments and those lost to combinations account for about 240 units, or nearly 20 percent of the units once found in the complex, NYU’s primary source of faculty housing. The change is so dramatic that in the 2010 census, the tract containing Washington Square Village had the greatest decrease in population of any in the Village or East Village, the largest drop in the number of housing units, and the largest increase in the number of unoccupied units. (Alexander, GVSHS-Schulz) My apartment faces their buildings and I can count the number of empty apartments. Why aren’t they in use? If NYU says it needs more space, I say they have it. (GalkerL)

**Response 1-37:**

According to NYU records, NYU acquired the Washington Square Village apartment buildings from a private developer in the 1950s. The buildings included primarily studio and 1-bedroom apartments and at the time of the acquisition, tenants resided in the buildings, some of whom remain in the buildings today. According to NYU’s submission, at present approximately 60 percent of the roughly 1,000 units are studios or 1-bedrooms. NYU has stated that it combined adjacent smaller units to create larger units to be able to recruit and accommodate faculty members and their families. According to NYU’s submission, vacancy rate in the buildings is approximately 7 percent, resulting from several factors, including planned conversion of vacant studio or 1-bedroom units with adjoining units to make apartments suitable for NYU faculty who are already in NYU housing, but with growing families; the time that it takes to renovate vacant units; and the

lag time between identifying a prospective faculty member, the recruitment of that faculty member and the new faculty member's move-in date to a vacant unit. NYU's submission that since 1992, there has been an increase in tenured and tenure-track faculty who reside in NYU housing, from 1150 to 1470 faculty members; NYU projects this trend to continue.

*Student Dormitories*

**Comment 1-38:** There is no need for another dorm. We have seven dorms already in the neighborhood from the Law School up to the former Palladium. Move some of the upper classmen to a new dorm downtown and there is no need for a new dorm in the area. (Leaf)

**Response 1-38:** In response to public comments, additional information on NYU's stated need for dormitory space is provided in this FEIS; see Section D, "Purpose and Need of the Proposed Actions" in Chapter 1, "Project Description." It should be noted that Chapter 26, "Potential Modifications Under Consideration by the CPC," includes an assessment of the proposed Bleecker Building without a dormitory use.

*CEQR PROCESS*

**Comment 1-39:** I object to NYU's strong-arm tactics and total disregard of the community's strong and single voice on the topic of their expansion. (Barker, CollinsR, Gigante, Ramsdell, Marti, Mathews, Texidor, Wilson, Yeargans)

**Response 1-39:** Through the ULURP and CEQR processes the community is provided opportunity to comment on NYU's Proposed Actions and the environmental review of the Proposed Actions. This FEIS was prepared to respond to comments received on the DEIS. The lead agency will make CEQR findings based on the FEIS, before making a decision on project approval.

**Comment 1-40:** Thousands of people have turned out for public hearings, written letters, and made phone calls about the plan. Given this extraordinary level of concern about this plan, we urge you to hold a public hearing before issuing your recommendation on the plan. We believe it would be helpful to hear directly from people about this proposal. (Abrash, Doyel-Hoy, Geronimus, Verter)

**Response 1-40:** As described in Chapter 1, "Project Description" of this FEIS, the joint DEIS and ULURP public hearing for the Proposed Actions was held on April 25, 2012, and the comment period on the DEIS remained open until May 7, 2012. This FEIS was then prepared to respond to those comments received on the DEIS. The lead agency will make CEQR

findings based on the FEIS, before making a decision on project approval.

**Comment 1-41:** We strongly urge that the City Council public hearings on the proposed actions do not take place during the summer months when many interested parties, including many NYU faculty and students, will be away and unable to participate in these public hearings. (GVSHP)

**Response 1-41:** Comment noted. The City Council's review is subject to the timeline prescribed by the City's Uniform Land Use Review Procedure (ULURP).

**Comment 1-42:** We formally request that the CPC postpone the public hearing until the community has been afforded sufficient opportunity to review the plan, which was modified by NYU and Manhattan Borough President Scott Stringer on April 11, 2012. This plan is so large and affects so many people we hope that you may have a way to give the community adequate time to study it and develop its response. (CAAN) We ask that CPC reject NYU's expansion proposal in any form unless its public hearing is postponed until September. (CAAN)

We urge the CPC to disapprove the NYU Applications because the DEIS is flawed and/or requires supplemental environmental review based on recent material changes to the NYU Applications before entertaining them further. Failure to send the NYU Modifications back for an environmental review would constitute arbitrary and capricious agency action, which would be subject to a meritorious legal challenge. (GVSHP Statement) We ask that you demand NYU provide the details of what it has agreed to with the Borough President, the basis for those compromises, what information or what things it rejected that he asked for and to put it before the public and continue this hearing two weeks from now so the community can meaningfully comment on that proposal, which is the real proposal. (Walden)

**Response 1-42:** Contrary to the assertions in these comments, the Manhattan Borough President's recommended modifications to the Proposed Actions did not result in amended certified ULURP applications before the City Planning Commission (CPC). While NYU has expressed support for the Borough President's recommended modifications, these applications remain before CPC for its review, and CPC may accept, reject or modify the Proposed Actions described in the certified ULURP applications, based on CPC's consideration of the Manhattan Borough President recommendations, the testimony submitted at the public hearing on April 25, 2012, and other comments submitted during the public comment period and information in the DEIS and this FEIS. In his April 11, 2012 report to CPC, the Manhattan Borough President

recommended approval of the applications with conditions, including elimination of the proposed temporary gymnasium and recommended that the size of the proposed new buildings on the superblocks be reduced, to limit impacts on the community. The Manhattan Borough President's report to CPC approving NYU's applications with modifications was released to the public when it was submitted to CPC and was made in conformance with the procedure established by ULURP. On April 23, 2012, the CPC, at a public review session with DCP staff, discussed the request to adjourn the public hearing. At that meeting the Commissioners reviewed and discussed the written request that the hearing be adjourned. Thereafter, the Chair asked whether any member of the Commission wished to make a motion to adjourn the hearing; none of the Commissioners made such a motion. The FEIS analyzes modifications under consideration by the CPC at the time of preparation of this document, including a number of those recommended by the Borough President as well as others in Chapter 26, "Potential Modifications Under Consideration by the CPC."

**Comment 1-43:** I would like to request that you reserve a large room or venue for the upcoming hearing on the NYU 2031 Expansion Plan. You are no doubt aware that the community is opposed to the plan and needs a chance to plead its case. The fiasco of the Rudin/St. Vincent's hearing was virtually obstructionism in action. If you do not allow all who wish to speak their chance to do so, then you will open yourself to the charge that your minds are already made up and that the citizens are just performing a charade. (Texidor)

**Response 1-43:** As described in Chapter 1, "Project Description" of the FEIS, the joint DEIS and ULURP public hearing for the Proposed Actions was held on April 25, 2012, and the DEIS comment period remained open until May 7, 2012. The hearing was held in a large auditorium at the National Museum of the American Indian at One Bowling Green in Manhattan.

**Comment 1-44:** I don't call it a plan because it is being submitted to the one official agency charged with planning of the City when on an overall analysis, as you really investigate it, it violates every principle that the process of city planning is founded on. For example, neighborhood preservation, preventing deleterious and adverse land uses, preventing overcrowding and congestion, fostering harmonious interaction of varied land uses. (GVBA-Tessler)

**Response 1-44:** The potential of the Proposed Actions to result in significant adverse impacts with respect to land use and neighborhood character are analyzed in Chapter 2, "Land Use, Zoning, and Public Policy," and Chapter 19, "Neighborhood Character," of the DEIS and FEIS. As in

the DEIS, the FEIS finds that the Proposed Actions would not result in significant adverse impacts with respect to land use or neighborhood character.

**Comment 1-45:** NYU can profess independent analysis, but these towers and structures are not going through the rigorous codes relating to light, etc., that apply to tall buildings in midtown districts. (Hart)

**Response 1-45:** The proposed NYU buildings would not be constructed until building permits are issued by the Department of Buildings in full compliance with all applicable building and fire code provisions.

**Comment 1-46:** There is unreality to the EIS that speaks in an unintelligible jargon and measured parameters in which no one in the community could relate to or believe. (Kaplan)

**Response 1-46:** Comment noted. The EIS has been prepared in accordance with 6 NYCRR § 617.9(b)(2), which requires that EISs “be clearly and concisely written in plain language that can be read and understood by the public” and follows *CEQR Technical Manual* guidelines in assessing and reporting the environmental effects of the Proposed Actions.

**Comment 1-47:** NYU’s project is ill-defined. (Zupan)

**Response 1-47:** The Proposed Actions and proposed project are defined to a level of detail sufficient for the CEQR assessment of potential significant adverse environmental impacts.

*MISCELLANEOUS*

**Comment 1-48:** We could use an early childhood center for this neighborhood because there’s talk about making kindergarten mandatory throughout the city. Children’s Aid has closed. There are very, very very few pre-K seats left in the entire downtown area—not going down to Tribeca—but for the East and West Village, you could really do a huge public service by ensuring that happens. (Kaufman)

**Response 1-48:** Comment noted. As described in Chapter 4, “Community Facilities and Services” of the DEIS and this FEIS, there would be no significant adverse impacts on publicly funded day care facilities, which is the subject of the CEQR analysis. The community facilities analysis in the EIS concluded that the Proposed Actions would not result in any significant adverse impacts related to schools.

*Project Financing*

**Comment 1-49:** What if NYU runs out of operation funds? Will we be subjected to living in an open construction site? (Chazani)

NYU has not explained how the project will be funded. The Economics department and the Stern School of Business in particular are concerned that the plan is financially unsound. Forty years ago, NYU went bankrupt; the same could easily happen again. (DavisE)

The perilous situation of the U.S. and the world economy would seem to militate against very large expenditures when there are less expensive alternatives. Many Universities are preparing for a surge in enrollment, with a massive increase in fees, which already produce graduates with debt loads that cannot be repaid for decades. Harvard, M.I.T, Stanford, Princeton, the Universities of Pennsylvania and Michigan, faced with similar situations, are reported to be exploring online course offerings. (Boernstein, Fogel)

NYU2031 runs the danger of being halted half-way through, because it is predicated on rising student fees and local rents. (HulleyL)

**Response 1-49:** According to NYU’s letter to the CPC dated May 2, 2012, NYU has stated that the 2031 Plan, which includes the proposed project as well as unrelated expansion plans in other parts of the City, would require resources that are consistent with the pace of capital investment and financing that NYU has incurred over the past 20 years. NYU has stated that it would approach the financing of its proposed and planned projects in a manner typical of its approach to other building projects: with a mixture of philanthropy, debt financing (which is a common practice among universities taking on a capital project), and working capital. As a capital project, the proposed project would be part of a “rolling” capital budget and plan that is presented annually to NYU’s Board, because a project such as the one proposed is planned, designed, and constructed over time. NYU has stated that NYU Leadership and the NYU Board of Trustees—as a matter of fiduciary responsibility—do not approve building projects for which a sound financial plan is not in place. Such an approach substantially minimizes concern that a building, once begun, could be stalled by lack of funds to complete the work on that building.

*Project Phasing*

**Comment 1-50:** NYU’s plan is only supposed to satisfy the university’s growth needs for 19 years, until 2031. What will happen after that? By encouraging the university to continue its expansion in the Village rather than pursuing viable alternative, NYU will inevitably come back in 19 years

and ask for more public land, or more zoning protections to be overturned, or a way to shoehorn more new facilities into places they were never intended to accommodate their continuing growth. (Garabedian, Gould, Green, GVSHP-Berman, GVSHP-Petition, Hellstrom, Ponce, Pultz)

**Response 1-50:** As stated in Chapter 1, “Project Description” of the DEIS and this FEIS, the Proposed Actions reflect NYU’s projected long-term growth needs within the Washington Square core, and were advanced in part to provide NYU neighbors with a level of predictability and transparency about NYU’s projects. The DEIS and FEIS identify and include in their analysis, as appropriate, all known anticipated building projects in the study area prior to 2031, and there are no known projects planned in the area after the 2031 Build Year.

**Comment 1-51:** CB2 has significant concerns about the phasing of the 2031 Expansion Plan. An enormous amount of new construction is planned that would cause decades of disruption, but there is no assurance now that these structures will actually be needed in 20 or more years. (CB2 Resolution)

**Response 1-51:** Chapter 1, “Project Description” of the DEIS and this FEIS describes the purpose and need for the Proposed Actions, and based on public comments, this FEIS includes additional detail on NYU’s stated needs over time, including the uses and potential academic programs that would be included as part of Phase 2 (from 2022 to 2031). NYU, a non-profit institution with limited funds, is not expected to pay for the construction of unneeded academic facilities.

## CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

### *LAND USE*

**Comment 2-1:** There should be no commercial overlay of the Washington Square East blocks. (32WSW, Leonard) The application to change the zoning to a C1-5 overlay east of Washington Square Park adds unnecessary retail in a long-established residential neighborhood. (CAAN-Cude) The area is already commercially saturated. (HulleyL) I urge the Commission to limit the overlay because those blocks on which NYU wants increased commercial uses, there’s no reason to put grandfathered stores into compliance. There’s a reason they’re grandfathered in residential areas. They’re not allowed backyard uses for eating and drinking and other as-of-right conditions. (CB2-Gruber)

**Response 2-1:** Comment noted. Chapter 2, “Land Use, Zoning, and Public Policy” of the DEIS and this FEIS assesses the potential effects of the additional retail uses in the Commercial Overlay Area. As discussed in Chapter 2, the projected overlay would be limited to 23,236 gsf of neighborhood

retail use in the groundfloors of several buildings in the area. The FEIS finds that the proposed commercial overlay would not result in adverse land use, zoning or public policy impacts on the area. Contrary to the commenters' statements characterizing this area as a "residential neighborhood," the DEIS and FEIS finds that the predominant existing land use in the Commercial Overlay Area is institutional, not residential. (FEIS Figure 1-3.) In addition, Chapter 26 analyzes the Potential CPC Modifications, which would not include the proposed rezoning of the Commercial Overlay Area.

**Comment 2-2:** Commercial uses—especially a hotel as well as eating and drinking establishments—are not appropriate for the superblocks that comprise the Proposed Development Area. (CB2 Resolution) We think that the commercial uses that would be permitted under the plan are inappropriate for the neighborhood, especially the proposed hotel in the Zipper Building that would be allowed. (CB2-Hoylman) The application to change the zoning to C1-7 adds unnecessary retail in a long-established residential neighborhood. (CAAN-Cude) An unnecessary hotel with a 24-hour transient population would harm the neighborhood. (Jackness, RackowSP)

**Response 2-2:** Comment noted. As reflected in the zoning and land use analysis of this FEIS, the North Block currently includes eating and drinking establishments, and the South Block contains a supermarket. Under the Proposed Actions, retail uses would not be expanded on the North Block (the maximum retail that could be included on the North Block would be capped at 33,902 gsf – the size of the existing LaGuardia Retail building on the North Block). On the South Block, a supermarket serving local residents would be retained, although relocated to the Zipper Building, which may also include additional neighborhood retail uses to better interface with its street frontage and the proposed publicly accessible Greene Street Walk. A hotel use is appropriate in this area because hotels area compatible with residential, academic, retail and community facility uses. A mix of such uses is permitted on an as-of-right basis in many areas throughout the city, including on the block directly across Mercer Street from the proposed hotel. Chapter 2, "Land Use, Zoning, and Public Policy," assesses the compatibility of the proposed uses within the Proposed Development Area from a land use, zoning, and public policy perspective and concludes that the proposed uses would not have a significant adverse impact with respect to these analysis areas.

**Comment 2-3:** New commercial uses would be allowed in this proposal, but CB2 believes any increase of these uses is inappropriate on the superblocks. The current zoning includes a commercial overlay that permits, for

example, the Morton Williams supermarket in its current location. This site, which has housed a much needed supermarket since at least the 1950's, is already far to the east of the wide community that is otherwise underserved by similar amenities. Moving the Morton Williams Supermarket even further east would be a hardship to the many elderly and mobility-impaired residents who depend on it. (CB2 Resolution)

**Response 2-3:** As described in Chapter 1, "Project Description" of the DEIS and FEIS, the Illustrative Program would introduce 64,312 gsf of retail uses to the Proposed Development Area—approximately the same amount of retail that is currently on the superblocks—as well as a 115,000-gsf hotel use. Chapter 2, "Land Use, Zoning and Public Policy" assesses the compatibility of these proposed commercial uses within the context of the superblocks and within the ¼-mile land use study area. Thus the Proposed Actions would not notably increase retail floor area in the Proposed Development Area. With respect to the effects of the temporary displacement of a supermarket use from the South Block, please see the response to Comment 3-8.

**Comment 2-4:** The area is currently well-served by the kind of retail anticipated by C1 overlays, the purpose of which are to serve the "local retail needs of the surrounding residential neighborhood." An overlay in this area is more likely to attract a combination of uses serving regional and NYU markets, with a potential to drive out existing non-conforming businesses when the expansion of stores is allowed. An area should be rezoned when there is a need that is typical of the area, not isolated to the needs of one property owner at a few locations within it, and transgressing this principal risks unanticipated and unstudied transformation of area, with possible unwanted impacts on the existing neighborhood which currently has a strong and successful character with an appropriate mix of residential and institutional uses. (CB2 Resolution)

**Response 2-4:** Comment noted. Chapter 2, "Land Use, Zoning, and Public Policy" and Chapter 3, "Socioeconomic Conditions" of the DEIS and this FEIS assess the potential for significant adverse changes to land use and socioeconomic conditions within the Commercial Overlay Area. The projected retail uses within the Commercial Overlay Area would be located along Waverly Place and Washington Place, with one retail store having frontages on both Washington Place and Washington Square East. While the specific types of retail stores that would result from the Proposed Actions are unknown, they are expected to be neighborhood-oriented retail uses such as specialty food stores, restaurants, and convenience goods stores that would serve the day-to-

day needs of the study area population. The proposed and projected retail uses would not represent a new economic activity within the study area. Retail is currently present within the Proposed Development Area and in the Commercial Overlay Area, and is common throughout the study area.

**Comment 2-5:** The NYU plan for this site proposes a building with a student dormitory on top of a public school, including dormitory windows overlooking the rooftop play area for young children. These are potentially incompatible adjacent uses between college students and young children, such as noise, smoking, etc. (CB2 Resolution)

**Response 2-5:** As described in Chapter 2, “Land Use, Zoning, and Public Policy” of the DEIS and this FEIS, the proposed public school, if constructed by the SCA, would complement the residential uses of the Proposed Development Area and provide a community facility for existing and future neighborhood residents. While the proposed school would be located in a mixed-use building that also is proposed to contain undergraduate dormitories, many New York City schools operate in a dense urban environment with a mixture of uses and populations surrounding them. Moreover, the proposed public school and NYU academic and dormitory space would be in separate and distinct portions of the proposed building, accessed through separate entrances facing different streets; access to the school would be from Bleeker Street, while access to the NYU dormitory and academic space would be from LaGuardia Place. Schools are also permitted “as of right” under the existing R7-2 zoning designation. Therefore, the proposed school would not present any unusual circumstances and would be compatible with the proposed dormitory use. It is expected that the SCA, in its design review of the proposed Bleeker Building, would design the rooftop playground to provide any needed protection from falling objects, as it would do if the playground were at ground level, adjacent to a dormitory or residential building.

With respect to noise, Chapter 17, “Noise” of the DEIS and FEIS includes a noise analysis of the rooftop play area that concludes that noise level increases at all nearby noise sensitive locations are anticipated to be less than 3 dBA and would not be considered a significant adverse noise impact.

Chapter 22, “Alternatives” of the DEIS and FEIS assesses a “Lesser Density Alternative” that does not include a dormitory use above the public school in the proposed Bleeker Building. In addition, the FEIS contains an assessment of potential modifications to the Proposed Actions which are, as of the time of preparation of this FEIS, under consideration by the CPC, which include elimination of the proposed

dormitory use above the proposed public school; see Chapter 26, “Potential Modifications under Consideration by the CPC.”

*ZONING*

**Comment 2-6:** NYU argues that a rezoning of the Commercial Overlay Area would bring existing shops “into compliance.” This would seem to suggest that these shops are in some way violating existing regulations. However, as the resolution of Community Board 2 wisely observes, the existing shops conform to regulations because they were grandfathered when the zoning was changed many decades ago. (Negrin)

**Response 2-6:** The DEIS and this FEIS state that the existing ground floor retail uses in the Commercial Overlay Area are nonconforming with present zoning regulations. As noted in the project description and land use analyses in the DEIS, the Commercial Overlay Area was proposed because the existing and proposed new limited additional ground-floor retail uses in this area would serve the land use planning goals described in Chapter 1, “Project Description.” NYU has not suggested that the existing ground-floor uses in its buildings are unlawful.

**Comment 2-7:** MAS believes that creating such large quantities of below-grade space for academic purposes compromises the Zoning Resolution’s bulk controls that were designed to ensure safe, healthy environments and are circumventing floor area regulations meant to prevent overcrowding. MAS notes that building significant amounts of below-grade space has been allowed in similar cases. In 2007 Columbia University was permitted over 2 million square feet of below grade development for their Manhattanville project, however nearly 75 percent of that space was designed as mechanical and storage space, parking, truck loading facilities and garbage collection in order to minimize service activities on the streets and sidewalks. In contrast, the majority of below-grade space NYU intends to add to the area will be programmed with academic space. (MAS)

The project egregiously attacks the integrity of the New York City Zoning Resolution that is intended to regulate the density of development and open space provisions under which this scheme cannot be built according to its present zoning. (GVBA-Tessler)

**Response 2-7:** Comment noted. The EIS assesses the potential environmental effects of the maximum amounts of development that could occur as a result of the Proposed Actions, including both above- and below-ground space. As described in Chapter 1, “Project Description” of the DEIS and this FEIS, one of NYU’s design goals for the project was to design the new buildings to accommodate program below grade and thus limit the size, height and bulk of building above grade, in order to facilitate making

land available as publicly accessible open space and to limit impacts that would result from taller buildings that would be out of scale with the heights of the existing buildings on the superblocks.

**Comment 2-8:**

The bulk, density, and height of the proposal are wholly inappropriate for a historic residential district. These buildings will break sky exposure planes, violate rear-yard requirements, and breach height and setback regulations. (GVSH Statement) A Large-Scale General Development Special Permit is requested in order to facilitate the four oversized buildings being proposed for the superblocks. These buildings would break sky exposure planes, violate rear-yard requirements, breach height and setback regulations, and penetrate the sky exposure plane. The existing buildings on the superblocks are currently in compliance and the special permit would not otherwise be required. (CB2 Resolution)

**Response 2-8:**

Comment noted. Chapter 1, "Project Description" of the DEIS and FEIS describes the large-scale general development (LSGD) special permit requested as part of the Proposed Actions, and the technical analyses in the DEIS and FEIS assess the potential for the Proposed Actions to result in significant adverse impacts. Large scale general developments are a zoning tool to allow for certain flexibilities for the development of large projects with the objective of achieving better site planning. The waivers described are being requested against that context. As noted in Chapter 2, "Land Use, Zoning and Public Policy," and elsewhere in the DEIS and this FEIS, the Proposed Development Area, which comprises two superblocks, is already distinctly different from its surroundings, in that the blocks interrupt the street grid and they introduce large, high-rise residential buildings of more modern design than those in the surrounding area. The Proposed Actions would increase the density of the Proposed Development Area, and the location of buildings under the proposed Large Scale General Development would entail some additional modifications to height and setback regulations and the sky exposure plane, as well as rear yard requirements and distance between buildings. As described in Chapter 2, "Land Use, Zoning and Public Policy," these modifications are intended to support a better site plan, as follows:

On the South Block the requested waivers for the Zipper Building would facilitate a street wall building and allow for the Greene Street Walk. The height and setback waivers along Mercer Street and the rear yard equivalent waiver along Houston and Bleecker Streets would place the proposed Zipper Building so that its greatest bulk would be closest to W. Houston Street, a wide street, and towards Mercer Street, thus increasing the distance between the proposed Zipper Building and the

towers of University Village and making way for a new landscaped open space and walkway along the axis of former Greene Street. Similarly, the proposed transfer of floor area from a portion of University Village's open space to the Bleecker Building site, and the height and setback waivers, would help to maintain contiguous open space in the center of the block and would minimize the obstruction of views from the north-facing windows of 505 LaGuardia Place, and allow for floorplates that would be necessary for a school.

On the North Block, the proposed modifications are intended to allow more light and air to reach the new publicly-accessible open space than would otherwise be allowed if the buildings were built in compliance with the proposed zoning district's height and setback regulations. The height and setback waivers for the two new buildings would allow them to be located in the street so as to maximize the open area in the center of the block and minimize the visual impact on residents of Washington Square Village.

Contrary to the commenters' statement, the Washington Square Village buildings do not comply with the floor-area and open space regulations of the Zoning Resolution, however, the buildings are "grandfathered" because they were constructed prior to the adoption of the 1961 Zoning Resolution.

**Comment 2-9:** There should not be changes in the zoning for this area on the basis of its already being congested. (Haft-White)

**Response 2-9:** As noted throughout the DEIS and this FEIS, the Proposed Actions would not introduce substantial new numbers of students, faculty and workers to the overall study areas. Since the NYU Core project is intended to accommodate the expansion anticipated in the future with or without the Proposed Actions, and to permit the decompression of existing NYU facilities at its Washington Square Campus, the Proposed Actions are projected to increase the residential or non-residential population within the ¼-mile study area by less than 6 percent. (See response to Comment 2 above.) However, since the project is also intended to limit NYU's need to make ad hoc purchases and accommodations all throughout the study area, NYU's long-term growth at its Washington Square campus would be focused on the Proposed Development Area. Analyses of the impacts of the focused activity increases can be found in all relevant chapters of the DEIS and this FEIS. Some significant adverse impacts and mitigation measures therefor have been identified and mitigation recommended. This information is intended to allow the decision-makers to decide on a course of action for the project.

**Comment 2-10:** The proposed project would strip neighborhood zoning and open space preservation protections. (BAN) The requested zoning would reduce by half the existing Open Space Ratio. (CB2 Resolution, Glick) Construction of the proposed project will cut the open space requirement in half. (McKellar) The requested zoning modification on the superblocks would almost double the residential FAR and halve the minimum open space required. This means a drastic loss of public and publicly accessible open space in an area desperate for any land that is open to the sky. (CAAN-Cude)

**Response 2-10:** As detailed in Chapter 2, “Land Use, Zoning, and Public Policy” of the DEIS and this FEIS, the Proposed Development Area is currently zoned R7-2, which requires that a minimum Open Space Ratio (OSR) is provided on a zoning lot. The OSR requirements range from 15.5 to 25.5 percent of the residential floor area on a zoning lot, depending on the height and footprint of the building. The existing R7-2 district effectively limits the area that can be covered by buildings on a zoning lot due to the height factor zoning regulations and OSR requirements applicable to R7-2 districts.

The proposed C1-7 district permits a larger portion of the zoning lot to be covered by building footprints due to the application of different height factor regulations and reduced OSR requirements. These changes in OSR requirements are needed to allow for the development of the proposed buildings in the Proposed Development Area. As analyzed in Chapter 2 of the DEIS and FEIS, the height and bulk of the proposed development that would result from the rezoning would not result in significant adverse land use impacts. The lower OSR required by the C1-7 district is the same as what is required in many R-8 equivalent districts mapped throughout the City; large apartment buildings developed in conformance with the R-8 equivalent OSR requirements are common in these areas. Accordingly, such OSR requirements are considered compatible with residential uses. Moreover, the Proposed Actions would provide for a series of open space improvements, and both the quantity and quality of publicly accessible open space in the Proposed Development Area would increase by the year 2021 and at full build-out in 2031. The proposed zoning change to C1-7 is necessary to fulfill the purpose and need of the Proposed Actions, as set forth in Chapter 1, “Project Description” of the DEIS and FEIS.

Chapter 2, “Land Use, Zoning, and Public Policy” of the DEIS and this FEIS assess the potential effects of the proposed zoning and other proposed changes in land use regulations, and Chapter 5, “Open Space” of the DEIS and this FEIS assess the potential effects of the proposed project on open space conditions in the neighborhood. The Proposed

Actions would change the zoning and other land use regulations only within the Proposed Development Area and the Commercial Overlay Area, and the EIS finds that the proposed changes would not result in significant adverse impacts within the broader (¼-mile) study area. While the Proposed Actions would change the OSR requirements on the two superblocks, the Proposed Actions would increase the amount of publicly accessible open space in the Proposed Development Area, and would not result in significant open space impacts.

**Comment 2-11:**

The bulk and density allowed by a C1-7 (R8 equivalent) zoning may be appropriate in midtown or downtown, but not in the historic core of Greenwich Village. A blanket rezoning that would allow building on the open spaces, especially at heights that exceed the current structures and with a bulk that would more than double the density with above and below grade new construction, would destroy an iconic neighborhood. (CB2 Resolution) The addition of 2.5 million square feet from West 3<sup>rd</sup> Street to Houston (a two-block area) and changing zoning from residential R-7 to Commercial C1-7 is inappropriate for our historic Greenwich Village. (Duane, Rackow)

The existing R7-2 designation is already one of the largest zoning envelopes in our district. (The only higher zoned areas are wide streets and commercial thoroughfares.) R7-2 was applied here to accommodate the two residential superblocks that were created under the Title I Urban Renewal program with the intent to provide quality housing for the neighborhood. Rules were established that specified the amount of land that could be covered by buildings to ensure that there was sufficient open space to compensate for the height and density of the development. The South Block is built to the allowable FAR, and the North Block is overbuilt because it predates the 1961 ZR. Additional bulk and density is inappropriate on the superblocks. (CB2 Resolution)

**Response 2-11:**

Comment noted. Chapter 2, “Land Use, Zoning, and Public Policy” of the DEIS and this FEIS assesses the potential impacts of the proposed C1-7 zoning, which currently can be found within the historic core of Greenwich Village (along University Place from East 12th Street to just north of Washington Square Park). As detailed in Chapter 2 of the DEIS and this FEIS, the proposed rezoning would allow certain uses to be developed at a higher density than is currently permitted. Residential uses could be developed at a maximum FAR of 6.02, compared to 3.44 under present zoning. Commercial uses could be developed at a maximum FAR of 2.0 in the entire area, which is the same as under existing conditions for areas of the Proposed Development Area with a commercial overlay. Community facility uses (including NYU academic uses) would continue to be permitted to a maximum FAR of

6.5—this would not change under the proposed rezoning. The proposed zoning change to C1-7 is necessary to fulfill the purpose and need of the Proposed Actions, as set forth in Chapter 1, “Project Description.” Overall, the proposed rezoning would not be expected to result in out-of-scale development, and would not result in significant adverse impacts with regard to zoning in the Proposed Development Area. Please also see response to Comment 2-10.

As described in Chapter 19, “Neighborhood Character,” the Proposed Actions would not result in significant adverse impacts with respect to neighborhood character. Please also see the responses to Comments 19-1 and 19-2.

*PUBLIC POLICY*

**Comment 2-12:**

The fundamental aspect of the plan is to seek a rezoning of a residential neighborhood from R7-2 to C1-7 with an applicable residential zoning of R8. The principle of zoning regulations was to establish a trust with the residents and businesses who move into a neighborhood, guaranteeing to them a particular set of conditions, implicitly forever. Chapter 21 of the Zoning Resolution states the General Purposes of Residential Zoning. Two of these purposes are:

- (d) “to protect residential areas ... against congestion by regulating the density of population and the bulk of buildings”;
- (i) “to promote stability of residential development, to protect the character of the district...”

Once the CPC allows a developer to controvert these principles, any developer could come along and request a change of zoning for his benefit. Particularly at risk will be the many developments that were built with the Tower-in-the-Park paradigm—a paradigm that was sold to the public on the basis that the benefit of the open space provided would more than offset the deleterious effects of taller buildings in low density neighborhoods. Taking away that open space is theft from the residents of the buildings on the lots concerned and all the people in the neighborhood. Should you grant NYU the rezoning, you will effectively emasculate the Zoning Resolution. (Kaplan)

The massive space expansion proposed and rezoning request from residential to commercial is an affront to the integrity of New York City’s Zoning regulations. The 2.3 million square foot expansion on a residentially zoned neighborhood is precluded under present zoning and open space requirements. (Tessler)

**Response 2-12:**

The New York City Zoning Resolution has been updated and modified regularly since it was first instituted in response to changes in land use,

zoning, public policy, new ideas, challenges, and other considerations. Amendments to the Zoning Resolution are subject to the public review process of the Uniform Land Use Review Procedure (ULURP) and to environmental review.

**Comment 2-13:** The deed restrictions governing NYU property on the superblocks should not be removed. Deed Restrictions were placed on the properties in order to implement the Urban Renewal Plan. They are integral parts of the Urban Renewal Plan. Because of significant amendments to the Plan, the Deed Restrictions are now set to expire in 2021. The removal of these restrictions would violate the intentions of the Urban Renewal Plan and the resulting development would violate the expectations of the residents and businesses in the area, who have made lifestyle and financial choices based on the terms of these restrictions. (CB2 Resolution)

**Response 2-13:** Urban Renewal plans are frequently modified and were never intended to last in perpetuity. As described in Chapter 2, “Land Use, Zoning, and Public Policy,” of the DEIS and this FEIS, the Washington Square Southeast Urban Renewal Plan has already been modified four times. It expired by its own terms in 1994, and the deed restrictions are set to expire in 2021. Chapter 2 examines the potential effects on public policy resulting from the Proposed Actions, including eliminating the New York City Department of Housing Preservation and Development (HPD) Deed Restrictions that were related to the former Urban Renewal Plan.

**Comment 2-14:** NYU 2031 conflicts with the city’s open space and environmental goals. For example, two goals of PlaNYC are that every New Yorker should live within a 10-minute walk of a park and there should be a variety of parks to address the needs of a diverse population. Transferring several city-owned open spaces to NYU willfully ignores a goal of PlaNYC. (Seamans)

**Response 2-14:** Under CEQR, only large, publicly sponsored projects are assessed for consistency with PlaNYC; the NYU Core project does not fall into that category, being privately sponsored. However, as noted in Chapter 1, “Project Description,” and elsewhere in the DEIS and this FEIS, the Proposed Actions would increase publicly accessible open space in the Proposed Development Area and would map the LaGuardia Place and Mercer Street Strips on the North Block as parkland.

**CHAPTER 3: SOCIOECONOMIC CONDITIONS**

*GENERAL*

**Comment 3-1:** NYU 2031 seeks to circumvent deed restrictions that run through 2021, and are integral parts of the Urban Renewal Plan. Removing these restrictions prematurely would undermine the intentions of the Urban Renewal Plan and would adversely impact the residents and businesses in the area that made important lifestyle and financial decisions in reliance of the Urban Renewal Plan. (GVSHP Statement)

**Response 3-1:** Chapter 3, “Socioeconomic Conditions” of the DEIS and this FEIS finds that the Proposed Actions would not result in substantial changes to economic conditions, and would not result in significant adverse impacts due to direct or indirect residential or business displacement.

As described in Chapter 2, “Land Use, Zoning, and Public Policy,” the Urban Renewal Plan expired by its own terms in January 1994, the 40th anniversary of its adoption by the City in January 1954. However, as a condition of the sale of the North Block and South Block, the City placed deed restrictions (now enforceable by the New York City Department of Housing Preservation and Development [HPD]) on the blocks that mandate adherence to the terms of the Urban Renewal Plan. These restrictions, and therefore the imposition of the regulations contained in the Urban Renewal Plan, expire as of 2021, irrespective of the Proposed Actions.

**Comment 3-2:** The Gambit Study submitted by the Greenwich Village Society for Historic Preservation found that the positive economic impacts of the proposed NYU expansion would be citywide or regional in scope, and thus New York City would benefit just as much no matter where in the city NYU’s facilities are located. But the study finds the Village would derive relatively little benefit from it being located there and would suffer considerable negative impacts, whereas other locations would derive significantly greater benefits from the proposed expansion and would likely suffer fewer if any negative impacts. (GVBA-Tessler)

**Response 3-2:** Chapter 3, “Socioeconomic Conditions” of the DEIS and this FEIS finds that the Proposed Actions would not result in significant adverse socioeconomic impacts in Greenwich Village. The Gambit Study assumes that academic space, dormitories, faculty housing and other uses that NYU has identified as appropriate to its core Washington Square Campus may be relocated to other areas of New York City, or the region which is in conflict with NYU’s goal of a core campus, as discussed in Chapter 1, “Project Description,” of the DEIS and FEIS. As noted by the commenter, the Gambit Study concludes that the positive

economic impacts of the Proposed Actions would be citywide and regional in scope.

**Comment 3-3:**

The Gambit Study pointed out that NYU's proposed project would expand an already dominant presence, rather than introduce a wholly new use, in the Village; many of the students, faculty and service workers who would live, study, and work in the project's buildings would be present as economic actors in the neighborhood, whether or not the project is developed. On the other hand, developing the same amount of academic space and housing at a satellite campus in another neighborhood, where such a population would introduce a new local dynamic, would have a greater economic impact than incremental expansion in the Village. For instance, the study found that the maximum projected increase in local retail spending in the Village associated with the development would be just 2.5 percent, since retail sales within just a ¼ mile of the site are \$854 million per year, and the additional \$23 million per year in projected retail spending from the development would represent only a roughly 2.5 percent increase in the size of the local retail market. By contrast, the development would lead to a 10 percent increase in retail spending in Downtown Brooklyn. (GVSHP-Woodruff) The job generation and economic development will be more effectual in the Financial District where it is wanted and needed and in areas where the land uses lie fallow or are vacant in comparison to the Village where we don't need this type of development. (GVBA-Tessler)

**Response 3-3:**

As described in the FEIS in Chapter 1, Section D, "Purpose and Need of the Proposed Actions," the principal purpose of the Proposed Actions is to permit the decompression of existing NYU facilities at its core campus, not to bring new populations into the area to increase local retail spending. The socioeconomic conditions analysis in DEIS and this FEIS studies the potential adverse environmental effects of the proposed development project in accordance with *CEQR Technical Manual* guidelines, and does not include an analysis of economic opportunity costs.

**Comment 3-4:**

The idea that jobs would be produced by the project is likely to prove false. (AndersonR)

**Response 3-4:**

The analysis in the DEIS and in this FEIS follows *CEQR Technical Manual* guidelines which do not require an estimate of the number of net new jobs that would be produced by the project. The DEIS and this FEIS assess the potential for environmental impacts that would result from project-generated resident and worker populations.

- Comment 3-5:** The DEIS conducted only a preliminary assessment—and failed to conduct a full review—to assess direct and indirect residential and business displacement. This was an error. (GVSHP Statement)
- Response 3-5:** The analysis in the DEIS and this FEIS follows *CEQR Technical Manual* guidelines in assessing the potential for significant adverse impacts to socioeconomic conditions. Under CEQR, detailed analysis is conducted if a preliminary assessment cannot rule out the potential for significant adverse impacts. As described in the DEIS and this FEIS, a preliminary assessment was sufficient to conclude that the Proposed Actions would not result in any significant adverse impacts.
- Comment 3-6:** The project will cause NYU to raise tuition, rents, and debt on students and faculty. (Clark, HulleyK, HulleyL)
- Response 3-6:** The financing of the proposed project is outside of the scope of the CEQR analysis. See the response to Comment 1-49.
- Comment 3-7:** The Applicant should be willing to make further commitments restricting the size of stores that will occupy any of these spaces. (Glick)
- Response 3-7:** Comment noted. As detailed in Chapter 3, “Socioeconomic Conditions” of the DEIS and this FEIS, while the specific types of retail stores that would result from the Proposed Actions are unknown, they are expected to be neighborhood-oriented retail uses such as specialty food stores, restaurants, and convenience goods stores that would serve the day-to-day needs of the study area population.

*DIRECT RESIDENTIAL DISPLACEMENT*

There were no comments received on direct residential displacement.

*DIRECT BUSINESS DISPLACEMENT*

- Comment 3-8:** The NYU plan eliminates the only real supermarket in the vicinity. (Boernstein, Mendez, StewartM) The loss of the supermarket is a big issue because people who live on the west side have no other supermarket. (Kaplan, Leaf) The Proposed Actions may entail the possible loss, or at the very least, displacement of a supermarket and other small businesses on LaGuardia Place, many of which have already left. (Geronimus, Boerstein, LewisE, Mam, Weisberg) The project would be bad for small businesses. (Gary)
- Response 3-8:** As detailed in Chapter 3, “Socioeconomic Conditions,” of the DEIS and this FEIS, it is NYU’s goal to provide a supermarket use in the proposed Zipper Building prior to demolition of the existing Morton Williams grocery store, and the sequencing of proposed construction activities on the South Block is planned to allow for continuous provision of a supermarket use on the project site. The replacement supermarket space

would be located approximately 500 feet east of the current supermarket location, on the same block, with no additional intersections to cross. However, due to the potential for variation in construction timing and sequencing, it is possible that the existing grocery store would be closed prior to the availability of the new supermarket space within the Zipper Building. Even with this potential interruption in supermarket services on the project site, there would be alternative food stores within or near the study area that would be available to local residents, including Gristedes grocery stores located at Mercer and West 3rd Street and at University Place and East Eighth Street, as well as numerous specialty food stores and bodegas. Given the availability of other grocery stores in the immediate area, the potential interruption in the provision of a supermarket use on the South Block would not be a significant adverse socioeconomic impact. With respect to the direct displacement of other small businesses, please see the response to Comment 3-9.

**Comment 3-9:** Direct displacement effects merit a full review if the displaced businesses provide necessary services. The DEIS recognizes that NYU 2031 will impact the socioeconomic conditions of the neighborhood by displacing, among other things, a blood bank, a private day-care facility, and three medical offices. DEIS at 3-10. The DEIS nowhere assesses the number of residents these businesses serve, whether the services of any are essential, and whether adequate services from others can fill the need for the services provided. Rather, the DEIS casually fails to consider what the impact of the displacement will be, instead assuming that “the services that would be displaced would continue to be available to study area residents and businesses.” *Id.* Standing alone, this was error. (GVSHS Statement)

**Response 3-9:** As described in the Draft and Final Scope, and as reported in the DEIS and this FEIS, a preliminary assessment of direct business displacement was conducted to determine: whether the potentially displaced businesses provide products or services essential to the local economy that would no longer be available to local residents or businesses due to the difficulty of relocating the businesses or establishing new, comparable businesses; and whether any potentially displaced businesses are the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect them. Following *CEQR Technical Manual* guidelines, the analysis in the DEIS and this FEIS performs a preliminary assessment to determine whether the businesses to be displaced provide products or services essential to the local economy that would no longer be available in its “trade area” to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses. The preliminary

assessments finds that potentially displaced uses such as medical offices would continue to be available in the trade area to local residents or businesses. It should also be noted that the blood bank referenced by the commenter is a service provided by NYU, and therefore its displacement may be considered voluntary and not the subject of direct displacement analysis under CEQR. Furthermore, the DEIS and this FEIS state in Chapter 3, “Socioeconomic Conditions,” that it is expected that NYU would relocate most of the NYU uses elsewhere in the buildings, or to other NYU property in the area. The DEIS and this FEIS also state, “In the future with the Proposed Actions the Creative Steps Playgroup—a private day care facility for children between the ages of two and four—would be relocated elsewhere within the Washington Square Village buildings or into another NYU property in the area if relocation was determined to be necessary” to accommodate changes to the programming of the ground floor of the Washington Square Village apartments in connection with the Proposed Actions.

*INDIRECT RESIDENTIAL DISPLACEMENT*

**Comment 3-10:** As the DEIS acknowledges, a project “may affect conditions in the real estate market not only on the site anticipated to be developed, but in a larger area. As this possibility cannot be ruled out, an assessment must be undertaken to address indirect displacement. These actions can include those that would raise or lower property values in the surrounding area.” DEIS at 3-5. Not surprisingly, the DEIS acknowledges a self-evident truth: “displacement impacts are considered to be significant if changes are large enough to adversely affect the character of the [impacted] neighborhood.” DEIS at 3-6. While the DEIS concludes that the percentage growth in population is not significant enough to warrant a detailed analysis, the DEIS fails to consider what percentage of the population growth will be young, transient students, and whether their addition will substantially alter the demographics of the residential real estate market conditions. The DEIS also fails to assess the likely impact on rents from the new workers at the huge, sprawling complex, and the residential values of property that, once located in a charming hamlet, now find itself next to a university behemoth. For a DEIS to have any meaning at all, a detailed assessment of these impacts was obviously required. (GVSHP Statement)

**Response 3-10:** The analysis of potential indirect residential displacement in the DEIS and this FEIS follows *CEQR Technical Manual* methodology in determining that the population introduced by the Proposed Actions would not result in significant adverse impacts due to indirect displacement. As described in Chapter 3, “Socioeconomic Conditions,” the new faculty that would be introduced to the superblocks by the

Proposed Actions may have an average income greater than average of the study area, but the added student population would have similar incomes as the existing student population in the area. The percentage increase in population (representing approximately 4.3 percent of the study area)—irrespective of its composition—is not large enough to substantially affect the demographics and real estate market conditions of the study area. As further described in Chapter 3, by creating housing opportunities for students and faculty who currently compete with residents in the study area for off-campus housing, the provision of new housing in the Proposed Development Area with the Proposed Actions could, if anything, serve to reduce upward pressure on rents within the study area.

**Comment 3-11:** NYU is landlord and leaseholder for the bulk of affordable housing in Greenwich Village, and the project threatens to adversely affect the community’s economic integration and diversity. (Duane, GVSHP Statement)

**Response 3-11:** The analysis in the DEIS and this FEIS finds that the Proposed Actions would not substantially affect residential real estate market conditions in the study area. Under the Maximum Dormitory Reasonable Worst-Case Development Scenario (RWCDS 2) as many as 1,750 student beds would be added to the study area as a result of the proposed residential development. Under this RWCDS, the 1/4-mile study area population would increase by approximately 4.3 percent as compared to the population in the future without the Proposed Actions, and therefore would be below the 5 percent threshold for requiring further analysis. In addition, by creating housing opportunities for students and faculty who currently compete with residents in the study area for off-campus housing, the provision of new housing in the Proposed Development Area with the Proposed Actions could serve to reduce upward pressure on rents within the study area.

**Comment 3-12:** Existing affordable housing must be supported and maintained. (CB2 Resolution) As part of the project, NYU should maintain affordable housing units and 505 LaGuardia Place and Washington Square Village in perpetuity. (BusinessOwners)

**Response 3-12:** Comment noted. As described in Chapter 3, “Socioeconomic Conditions” of the DEIS and this FEIS, the Proposed Actions would not result in the direct displacement of affordable housing. Chapter 3, “Socioeconomic Conditions,” also finds that the Proposed Actions would not result in significant adverse impacts due to indirect residential displacement.

**Comment 3-13:** Of the 1,292 apartments at Washington Square Village (Numbers “1,” “2,” “3,” and “4”), there are only some 300 apartments remaining that are under Rent Stabilization of which most (if not all) are occupied by Senior Citizens. As Senior Citizens, they are a “vulnerable population” which is most likely adversely affected by the proposed project (NYU’s Plan 2031 as it regards WSV and the “Northern Super Block”).

Although NYU addresses the “direct displacement” of rent stabilized tenants at WSV (three such rent stabilized tenants on the First of Ground Floor), NYU and the lead agency did not fully or properly consider the potential for adverse impacts on the vast bulk of rent stabilized apartments at WSV who are a particularly vulnerable group due to “indirect displacements.” NYU studied direct displacements of three (3) rent stabilized tenants at WSV, all on the first floors of the two (2) buildings. (1 and 2 WSV as one building and 3 and 4 WSV as a second building). The CEQR Manual (applicable when the original filing was made) contains provisions requiring the study for adverse impacts on rent stabilized tenants, including “indirect displacement”. Because the construction work in Plan 2031 on the “North Super Block” (that houses WSV) will involve, by NYU’s own estimate, 19 years of excavation and construction (and accompanying noise, order and air quality adverse impacts) that NYU categorizes as “construction disturbances,” those adverse impacts are in fact instances of constructive eviction and consequential adverse indirect displacements. There are some 300 rent stabilized apartments at WSV occupied by a recognized “vulnerable group” of individuals and almost all of these will suffer from such indirect displacements which have not been studied and mitigated in the NYU filings and which study must be limited to the two WSV buildings (numbers “1”, “2”, “3”, and “4”) as the only relevant study area. (GoldbergL)

**Response 3-13:** The analysis of potential indirect residential displacement in the DEIS and this FEIS follows *CEQR Technical Manual* step-by-step methodology in determining that the population introduced by the Proposed Actions would not result in significant adverse impacts due to indirect residential displacement. Since the population increase would be less than 5 percent of the total study area population, it would generally not be expected to change real estate market conditions. Contrary to the comment, the analysis of the environmental impacts of the construction, in Chapter 20, “Construction,” finds that the construction work would not result in significant adverse impacts with respect to air quality. The analysis does find that the construction would result in significant adverse noise impacts at certain locations, but these impacts would not last for 19 years at any one location and would be mitigated to the extent feasible so that the interior noise levels within

the apartment buildings would be typical of many apartment buildings in Manhattan. The construction work is, therefore, not expected to result in the “constructive eviction” of tenants who currently resident in the Washington Square Village apartments. Moreover, NYU must comply with any applicable rent stabilization regulations.

**Comment 3-14:**

I was surprised that the NYU’s EIS made no reference to the potential for increasing costs, the affordability of 505 and the potential for residential displacement. It’s supposed to address indirect residential displacement from rising real estate prices in the general area but it didn’t address this peculiarity of the land lease with 505 and NYU. And I think this plan does have a very big effect on the affordability of 505 that could result in a huge residential displacement, potentially bankruptcy of a Mitchell Lama housing budget. (Liberman)

Should the NYU project go forward as planned and because 505 La Guardia Place leases its land from NYU, the long-term Mitchell-Lama status of 505 La Guardia Place is at risk. (Glick, Nadler)

**Response 3-14:**

The CEQR assessment of potential indirect residential displacement considers whether a proposed action—by introducing a substantial new development that is markedly different from existing uses, development, and activities within the neighborhood—could lead to increases in property values, and thus rents, making it difficult for some residents to afford their homes. The objective of the indirect residential displacement analysis is to determine whether the Proposed Actions would either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change.

As described in the *CEQR Technical Manual*, the objective of the preliminary assessment is to gather enough information about conditions in the study area so that the effect of the change relative to expected future conditions in the study area can be better understood. The preliminary assessment presented in Chapter 3, “Socioeconomic Conditions” of the DEIS and this FEIS finds that the Proposed Actions are not expected to substantially change the demographic composition of the study area, nor are they expected to substantially alter residential real estate market conditions. The study area is within a well-established real estate market, in which there has been a consistently strong demand for housing, and in which rental rates and condominium prices have risen over time. The existing trends are, therefore, expected to continue irrespective of the Proposed Actions. Furthermore, at the May 25, 2012 DEIS public hearing for the NYU Core project, NYU expressed its support for keeping the 505 LaGuardia building affordable.

**Comment 3-15:** While the Applicant has agreed not to evict rent regulated tenants as a result of this overlay, it is likely that the pressures of more, large commercial stores will lead to increased pressure on rents, which will likely drive out rent regulated tenants. (Glick)

**Response 3-15:** As discussed in Chapter 3, “Socioeconomic Conditions,” of the DEIS and this FEIS, the types of commercial uses that would result from the Proposed Actions are already present and well-established in the area. Therefore, the proposed introduction of a limited amount of new retail would not substantially alter existing economic patterns in the study area, or lead to increased pressure on residential rents. See also the response to Comment 3-22.

*INDIRECT BUSINESS DISPLACEMENT*

**Comment 3-16:** The rezoning of the ‘Loft Buildings’ for retail use would be hurtful to the surrounding area. The Village does not need more retail space. I live on West 8th Street—a mixed use street with retail on the ground floor of most buildings. For the last 10 years, store after store on the block has been empty. NYU retail would compete with our retail space and make the blight on my street—and other close-by traditionally retail streets worse. (WilsonC)

**Response 3-16:** As described in Chapter 1, “Project Description,” the Proposed Actions would result in the development of up to 117,236 square feet of retail space—including up to 94,000 square feet in the Proposed Development Area (a net increase of up to 31,093 square feet as compared to existing conditions), and up to approximately 23,236 square feet of new retail space in the Commercial Overlay Area. The total amount of retail space that could be developed—117,236 square feet—would represent less than a 2.6 percent increase in the retail within the ¼-mile study area, and is below the 200,000-square-foot CEQR threshold for assessment of indirect business displacement due to retail market saturation (i.e., due to competition). Therefore, based on *CEQR Technical Manual* guidelines, an assessment of indirect business displacement due to potential competition is not required.

**Comment 3-17:** The plan’s hotel use is not appropriate on the superblocks. There are many hotels in the area with which NYU’s hotel would compete, including locally-owned establishments, and there is evidence that they are not at capacity. (CB2 Resolution)

**Response 3-17:** As discussed in Chapter 1, “Project Description” of the DEIS and this FEIS, NYU hosts thousands of visitors annually for a wide range of activities. In addition, over the last decade, the University has developed and strengthened a global network of scholars and students, which has led to an increasing demand for accommodations near the

University for visiting scholars. NYU also hosts numerous conferences throughout the academic year that are attended by persons who need reasonably affordable accommodations in the area. Thus, NYU believes that there is a real need for proximate facilities that are affordable and can be guaranteed and booked well in advance.

**Comment 3-18:**

The expansion project would change the landscape of the neighborhood, making it look too much like Lower Manhattan to attract the tourists who frequent our shop. (Alexander, Dollak)

Once NYU controls the rent on the streets, the kind of local businesses that presently make Greenwich Village an important tourist draw will be gone. (McKellar, Walsh)

As tax payers, we challenge the wisdom of the City allowing NYU to rezone a predominantly residential area to commercial and replace buildings between 8th and 3rd Streets and Broadway to LaGuardia Place with possible mega-structures that will significantly increase retail space in the area, generate millions of tax-free dollars for NYU, and forever change one of our most important and beloved historical communities. (CVCA)

The Village brings in tourism money from all over the world where people come to enjoy Washington Square Park, stroll through the communities of the West Village, walk on Bleecker and Mercer Streets, LaGuardia Place and West 4th Streets, and stopping in front of the Mercer Houston Dog Run admiring how amazing the area is. This is exactly what NYU is asking the city to destroy. Has the city considered the millions of dollars that will be lost on tourism? (Alexander)

**Response 3-18:**

Chapter 3, "Socioeconomic Conditions," of the DEIS and this FEIS assesses the potential for changes in market conditions within a ¼-mile area of the project site, and finds that the Proposed Actions would not result in significant adverse impacts due to direct or indirect business displacement. While the specific types of retail stores that would result from the Proposed Actions are unknown, they are expected to be neighborhood-oriented retail uses such as specialty food stores, restaurants, and convenience goods stores that would serve the day-to-day needs of the study area population. The proposed and projected retail uses would not represent a new economic activity within the study area. Retail is currently present within the Proposed Development Area and in the Commercial Overlay Area, and is common throughout the study area. The proposed project would result in a similar amount of retail than is currently located on the superblocks (64,312 gsf of retail under the Illustrative Program as compared to 62,907 under existing conditions), and would introduce less than 24,000 gsf of retail to the

Commercial Overlay Area. Chapter 7, "Historic and Cultural Resources," assesses the historic resource impacts of the proposed rezoning in the Commercial Overlay Area. The proposed land use changes on the superblocks are not expected to materially change the type or amount of retail in the local area or to reduce the number of tourists who visit Greenwich Village.

**Comment 3-19:** This proposal also affects SoHo very much and the businesses in Soho, a lot of people maybe think immediately of Old Navy and places like that. Well, in fact, Soho, especially on Wooster, Green and Mercer, is the home of very, very, very high end stores, many of them Italian and certainly international. And this type of development would be devastating to these people. This is not--SoHo, the environment, the retail environment in Soho is shaped by the cast iron historic district, which I'm sure you all know very much about and Europeans love coming there. It's a major tourist attraction and we all feel that this will, the Zipper Building, in particular, will cast a very long shadow over much of northern Soho and the years of construction alone would be very devastating to the neighborhood. (SoHoAlliance-Riccobono)

**Response 3-19:** Please see the response to Comment 3-18. With respect to shadows, none of the buildings would cast substantial shadows south of Houston; please see Figures 6-3 through 6-6 of the DEIS or this FEIS, which illustrate the buildings' maximum shadow extent without intervening buildings (with intervening buildings, shadows south of Houston would be negligible). With respect to construction, the DEIS and FEIS analyses find that the proposed project would not result in significant adverse construction impacts south of Houston Street, with the exception of two blockfronts on the south side of West Houston Street, and along approximately half of the eastern side of Mercer Street between West Houston and Prince Streets.

**Comment 3-20:** NYU's plan will add a significant amount of bulk and density, dramatically increasing the student population in the Bleecker area. This will change the demographics of Greenwich Village, as well as bring student-serving retail where charming, neighborhood- and visitor-serving retail currently exists. (Bastone, Handler, Michals)

**Response 3-20:** With respect to the assertion that the proposed project would add a significant amount of bulk and student population, please see the response to Comment 2. NYU students are, and will continue to be, an influence on market conditions in the study area irrespective of the proposed project. See also the response to Comment 3-18.

**Comment 3-21:** The DEIS is flawed because it uses the wrong analysis. Although the DEIS correctly identifies the need to determine whether the proposed action would “increase commercial property values and rents,” its preliminary analysis of that question is simply nonexistent. It focuses instead on whether commercial uses of NYU 2031 are “new uses” in the affected zone, without determining whether those new uses would impact values and rents. Second, it segregates the isolated impact on the added retail uses on commercial values and rents without assessing the total impact of the project. NYU’s plan will add a huge new component of commercial activity, which, in the aggregate, can be expected to drive values and rents higher, squeezing out smaller businesses and lower-income residents. Data from similar expansion projects in similarly situated areas easily demonstrates this likely impact. Third, the DEIS failed to assess the influx of other businesses, which will support the expanded, large, new facilities, including the hotel, athletic facility, and performing arts center. Again, such businesses will drive rents higher, squeezing out smaller businesses that provide supportive retail to the surrounding neighborhood. For these reasons, the DEIS is inadequate. (GVSHS Statement)

**Response 3-21:** The analysis in the DEIS and this FEIS follows *CEQR Technical Manual* methodology in determining the potential for indirect business displacement impacts. The *CEQR Technical Manual* recommends that analyses begin with a preliminary assessment to understand whether the new land use would introduce a trend that may increase property values. The assessment in Chapter 3, “Socioeconomic Conditions” provides sufficient analysis to conclude that the proposed project would not be introducing economic trends that would increase property values. See also the response to Comment 3-22.

With respect to the commenter’s statement that, “NYU’s plan will add a huge new component of commercial activity,” please refer to a statements in the Gambit report submitted by this same commenter, which can be found in Comment [The Gambit Study pointed out]; most notably, “many of the students, faculty and service workers who would live, study, and work in the project’s buildings would be present as economic actors in the neighborhood, whether or not the project is developed,” and “the study found that the maximum projected increase in local retail spending in the Village associated with the development would be just 2.5 percent, since retail sales within just a ¼ mile of the site are \$854 million per year, and the additional \$23 million per year in projected retail spending from the development would represent only a roughly 2.5 percent increase in the size of the local retail market.”

**Comment 3-22:** We already have too much vacancy and commercial development in our neighborhood. This proposed commercial overlay would adversely impact the existing small mom and pop character of those residential blocks. (VSN-Paul)

The expansionist presence of NYU mostly benefits real-estate developers like NYU by creating steep residential and commercial rent hikes. Local businesses, stores, cafes, and restaurants that make the fabric of the Village so attractive to both residents and visitors are pushed away by downgraded “students’ joints” and chain stores following NYU’s expansion. (Duchesne)

There is no justification for any additional commercial development in the designated area. Such development would offer unwelcome and unnecessary competition to area merchants. (Negrin) The rezoning of the ‘Loft Buildings’ for retail use would be hurtful to the surrounding area. The Village does not need more retail space. I live on West 8th Street—a mixed use street with retail on the ground floor of most buildings. For the last 10 years, store after store on the block has been empty. NYU retail would compete with our retail space and make the blight on my street—and other close-by traditionally retail streets worse. (WilsonC) There is already an abundance of vacant retail space available in the general vicinity. (Duane)

**Response 3-22:** As described in Chapter 3, “Socioeconomic Conditions” of the DEIS and this FEIS, the Proposed Actions would not alter or accelerate existing patterns in the retail sector. Based on RPAD data, the ¼-mile study area surrounding the project site has 4.67 million square feet of retail. In the future without the Proposed Actions, approximately 76,200 square feet of retail will be added in the study area for a total 4.75 million square feet of retail by 2031. By 2031, the Proposed Actions would introduce up to 94,000 square feet of retail in the Proposed Development Area and approximately 23,236 square feet of retail in the Commercial Overlay Area, resulting in an up to 2.5 percent increase in retail in the study area as compared to the future without the Proposed Actions.

**Comment 3-23:** There is already an excess of retail space in the Bleecker area with eight empty storefronts on Bleecker Street alone. Converting the super blocks to add significant commercial space will take even more businesses away from those struggling with high rents and lost high-end customers. (BAMRA-Fiedler, RackowSP, Zagachkivsky)

**Response 3-23:** Please see the response to Comment 3-22. The proposed project would result in a similar amount of retail than is currently located on the

superblocks (64,312 gsf of retail under the Illustrative Program as compared to 62,907 under existing conditions).

**Comment 3-24:** Many merchants feel that NYU's 2031 Plan will permanently damage the area for local small businesses by changing the character of Greenwich Village which is what local merchants depend upon for their customer base. With the proposed changes, the Village will become more of a generic college campus than a historic neighborhood. The plan will greatly reduce tourist traffic and will discourage those who now come here by bridge, tunnel and commuter train. It will also reduce the number of professional, financial, legal and other established career residents who may move away from a boisterous student filled environment. These are the people who enjoy the more upscale stores, entertainment, night life, eateries, shops and all the other unique attractions of Greenwich Village. Further, the current flow of visitors between Soho and the BAMRA area will be disrupted by changing the Village into a college town. (BAMRA-Fiedler)

The plan will change the types of businesses that are attracted to the area. It will tip the balance more towards the likes of beer pong, body shots, and other pursuits that are more attractive to students. Those businesses that cater to such interests are typically noisier, rowdier and more problematic establishments. The balance is already close to tipping to a factory town too dependent on one institution. Once college-serving businesses displace existing merchants, local residents will no longer have merchants that cater to their needs. (BAMRA-Fiedler)

**Response 3-24:** Please see the responses to Comment 3-22, Comment 3-20, and Comments 19-1 and 19-2. As described in Chapter 19, "Neighborhood Character," the Proposed Actions would not result in significant adverse impacts on neighborhood character.

**Comment 3-25:** The proposed project will put severe pressure on small, local businesses with 20 to 30 retail spaces requested in the expansion project, possibly including second floors of Washington Square Village, which are currently residential. (Pettibone)

**Response 3-25:** Please see the response to Comment 3-18. The proposed project would not result in retail uses on the second floors of Washington Square Village. As detailed in Chapter 1, "Project Description" of the DEIS and FEIS, NYU's proposal within the Proposed Development Area includes the re-cladding of the ground floor of the Washington Square Village apartment buildings, as well as potential reprogramming and re-configuring of the ground floors and the basements for retail or academic uses.

*ADVERSE EFFECTS ON A SPECIFIC INDUSTRY*

**Comment 3-26:** Adverse Impact on Specific Industry: The DEIS concludes that NYU 2031 will not result in adverse effects on specific industries. See DEIS 3-16. However, the DEIS fails to consider the adverse effects on a critical specific industry: the NYU faculty.

A large percentage of NYU's faculty live in the middle of the proposed construction zone, and the assurance of quality housing for their families caused many faculty members to accept employment with NYU rather than another academic institution. These professionals are in a unique and perilous situation: they are in a newly stoked battle with their landlord, who also serves as their employer. The DEIS has concluded that the environmental impacts of construction on air quality and noise cannot be effectively mitigated in their buildings, even with modifications to windows, HVAC systems, and other systems. NYU has conceded, in two letters, that the construction is likely to adversely affect the faculty for many years. Quite obviously, the faculty are uniquely in need of time and an environment to allow concentration, as they carry out their academic and scientific duties. The DEIS does not in any way assess the impact on NYU's human capital, which is a discernible "industry" and specifically put in harm's way due to the construction impacts.

More broadly, even if the DEIS failed to do so, the CPC should not overlook the impact of this renovation on NYU's ability to attract talented professors. Twenty-nine departments have now voted resolutions against NYU 2031. And the testimonials from the faculty have been cogent, passionate, analytical, and consistent. Those testimonials are not merely statements of self-concern: "Know that the faculty are profoundly worried that this plan will undermine NYU's academic mission and reputation." See Statement of Ann Pellegrini, NYU Associate Professor, Performance Studies and Religious Studies, May 4, 2012; see also Statement of Stephen Duncombe, NYU Professor of Media, Culture & Communications, May 4, 2012 ("I am concerned that the attention and resources of our institution are being channeled away from where it matters most"). The faculty's serious concerns, taken together with NYU's complete failure to even address them, creates a hostile work environment, which may very well detract from NYU's ability to continue to attract talented academics. See Statement of Suzanne G. Cusick, NYU Professor of Music, May 3, 2012 (citing concerns about "negative impacts on faculty hiring, retention, salaries, and productivity"). Add to this that the DEIS utterly failed to take into account the adverse impacts-which cannot be mitigated-on the faculty's children, and it almost appears as though the land-use system is

conspiring with NYU to marginalize NYU's current faculty. See Statement of Carla Mariano, April 23, 2012 (the faculty's "[c]hildren will have to grow up in this chaotic, unhealthy atmosphere"). The DEIS should have, but did not, determine whether the adverse impacts of the project on the faculty will significantly affect business conditions in the academic industry. Current faculty are more likely to leave NYU, and NYU is likely to have difficulty attracting high-quality faculty when the majority of faculty housing is in the midst of a 20-year construction zone. The impact on this particular industry was ignored, and conflicts with CEQR. See DEIS at 3-16. (GVSHP Statement)

**Response 3-26:** NYU faculty are not an "industry" subject to assessment under CEQR, and the request to assess NYU faculty as a potentially affected industry was not raised for consideration as a public comment on the Draft Scope of Work. For all relevant areas of analysis, the DEIS and this FEIS assesses the potential environmental effects of the Proposed Actions on the population in the affected areas, which includes NYU faculty, and where significant adverse environmental impacts are identified, identifies measures to mitigate the impacts. Contrary to commenters' statements, the "majority of faculty housing" will not be in the "midst of a 20-year construction zone." As discussed in Chapter 20, "Construction," construction would occur in specific areas of the superblocks during specific time periods, associated with the construction of specific buildings in different areas of the Proposed Development Area. None of the significant adverse construction impacts are expected to occur over the entire Proposed Development Area at any one time, and none of them would occur at any specific location for any length of time approaching 20 years.

#### **CHAPTER 4: COMMUNITY FACILITIES AND SERVICES**

##### *GENERAL*

**Comment 4-1:** The NYU expansion will reduce the city's ability to provide services. (Wauper)

**Response 4-1:** Chapter 4, "Community Facilities" of the DEIS and this FEIS finds that the Proposed Actions would not result in significant adverse impacts on community facilities, including public schools, health care, day care, libraries, and fire and police protection services.

**Comment 4-2:** The DEIS correctly cites the *CEQR Technical Manual* for the proposition that impacts on community services, including increased use of such services, requires a review for adverse impacts. The DEIS fails, however, to provide any meaningful assessment of the sizeable increase in NYU's "footprint" within the superblocks, the necessarily large increase on users of those facilities, and the impact on emergency

services, such as police, fire, ambulance and hospital services. Indeed, the DEIS does not even summarize the availability of those services, including whether there are already existing deficiencies in service coverage.

The DEIS fundamentally fails to assess the overall impact of the project on the community services. Focusing mainly on the impact of the 2,500 new students and faculty in the housing facilities, the DEIS loses the proverbial forest in the trees. The *2012 CEQR Technical Manual* highlights the critical importance of not individually assessing the components of a plan, but the overall impact, including impacts from an influx of nonresidents using the proposed facilities: “A project can affect facility services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, *as might happen if a facility is already over-utilized or if a project is large enough to create a demand that could not be met by the existing facility.*” See CEQR Technical Manual (2012) at 6-1 (emphasis added). As the CPC knows, and as NYU has admitted, this project, once complete, will attract thousands more to the superblock area—to its new retail spaces, its new hotel, its new school, its new classrooms, its new housing facilities, and its expanded athletic facilities. The DEIS fails to assess whether community facilities are already over-burdened in the area surrounding NYU, such that any change could be significantly adverse, and also fails to evaluate the overall impact on the huge influx of new residents and nonresidents using the services in the area. (GVSHS Statement)

**Response 4-2:**

The analysis in the DEIS and this FEIS follows *CEQR Technical Manual* methodology in determining the level of assessment warranted for community facilities. Table 4-1 of the DEIS and this FEIS outlines the thresholds for a detailed analysis associated with each type of community facility; in all of the cases noted above, the increase in resident and nonresident population attributable to the Proposed Actions did not meet the CEQR threshold warranting a full analysis.

**Comment 4-3:**

Instead of a holistic assessment, the DEIS relies almost exclusively on the *CEQR Technical Manual's* “thresholds,” looking at each one individually as the basis for its determination that a detailed analysis is not warranted. In doing so, the DEIS fails to appreciate that these “thresholds” are—by their very terms—only intended as “guidance.” Moreover, on some of the triggers, even these thresholds yield close calls: for example, the DEIS calculates the number of new elementary and intermediate school students as 41, and the “threshold” is 50. Given that the 50-student “threshold” is a guide, a close number might have a greater impact in some areas than others, and the Manual specifically

mentions that the nature of the residential population needs to be assessed. In this case, the new residences will be used by adult faculty members, most of whom have school-aged children. See CEQR Technical Manual (2012) at 6-3 (“Depending on the size, income characteristics, and age distribution of the new population, there may be effects on the public schools, libraries, or child care-centers.”). The increase here is in an area with already over-crowded elementary and intermediate public schools. The increase here includes the likely elimination of one of the child-care centers already in use by this community. Thus, the DEIS errs in failing to assess these factors in the Community Facilities & Services Section, and instead inappropriately treats the “guidance thresholds” as steadfast rules.

The DEIS further fails to place these “close calls” in the broader context of an enormous project that will draw many people to the area, all of whom may need forms of community services and facilities. In this regard, the DEIS fails to acknowledge the CEQR Technical Manual’s specific directive that “temporary” populations—such as nonresident students, faculty, athletes, performers, shoppers, and hotel guests—all count for the purposes of assessing impacts on community services. See CEQR Technical Manual (2012) at 6-3. For these reasons, the DEIS erred in failing to conduct a detailed analysis of the various impacts on Community Facilities and Services. (GVSHHP Statement)

The area cannot sustain the number of people these new buildings will host; there are no services for them. (Goldberg, Salva)

**Response 4-3:**

Contrary to the implication of the commentor’s statement, the assessment in the DEIS and FEIS of the potential number of additional school-age children that would reside on the superblocks as a result of the Proposed Actions did include the children of faculty who would reside in the proposed faculty units. Please see the response to Comment 4-2. It should also be noted that page 6-3 of the *CEQR Technical Manual* does not contain a “specific directive that ‘temporary’ populations—such as nonresident students, faculty, athletes, performers, shoppers, and hotel guests—all count for the purposes of assessing impacts on community services”. Page 6-3 of the *CEQR Technical Manual* does provide that “[n]ew population added to an area as a result of the project...may result in potential ‘indirect’ effects on service delivery,” and it contains Table 6-1, “Community Facility Thresholds for Detailed Analysis,” which was the basis for determining the level of assessment warranted under CEQR, in coordination with the DCP.

With respect to child care centers, the CEQR thresholds warranting assessment in Manhattan (based on Table 6-1 on page 6-3 of the *CEQR Technical Manual*) is if a project would introduce 170 low/moderate

income residential units, or if a project directly displaces a publicly financed child care center, under the auspices of the New York City Administration for Children’s Services (ACS) Division of Child Care and Head Start, which provide care for the children of income-eligible households; the proposed project would do neither.

**Comment 4-4:** We could use an early childhood center for this neighborhood because there's talk about making kindergarten mandatory throughout the City. Children's Aid has closed. There are very, very few pre-K seats left in the entire downtown area—not going down to Tribeca—but for the East and West Village you could really do a huge public service by ensuring that happens. (Kaufman)

**Response 4-4:** As discussed in the preceding response, the CEQR thresholds warranting assessment of child care centers in Manhattan (based on Table 6-1 on page 6-3 of the *CEQR Technical Manual*) is if a project would introduce 170 low/moderate income residential units, or if a project directly displaces a publicly financed child care center, under the auspices of the New York City Administration for Children’s Services (ACS) Division of Child Care and Head Start, which provide care for the children of income-eligible households; the proposed project would do neither.

**Comment 4-5:** The proposed school plan calls for the only recreation to be a play area on top of a seven-story high rooftop, to substitute for an actual playground. There are concerns that an elevated playground would be unsafe and not pass FDNY inspection (it is CB2’s understanding that a similar proposal at the Millennium School in Manhattan was rejected recently for being hazardous). In addition, the challenge of moving large groups of students by means of an elevator would pose serious logistical problems, which possibly would lead to less recreation time for students. (CB2 Resolution)

**Response 4-5:** Rooftop playgrounds are common in New York City, and are designed to comply with all building and fire codes. The SCA would ultimately design and program use of the playground. During the design process efforts would be made to ensure that space would be accessible and useable for students.

**Comment 4-6:** NYU has offered to share land with the New York City Department of Education Public School at the site of the Bleecker Buildings. I mean, I'm cynical about that. Listen, the current proposal says that they can take the land back in 2025. They should just turn over the space to the School Construction Authority and the Department of Education for

whatever use they need it for, for however the population shifts in the Village. (Duane)

At the moment, there is no commitment from the NYC Department of Education to approve a new public school in the location proposed by NYU. Without this, there is widespread concern that should the NYU ULURP move forward the site designated by NYU could revert to NYU's own, unspecified use as a windfall. NYU would be under no obligation to build a public school and would benefit from the windfall from the proposed upzoning, which it could use for dormitory space. Moreover, the details of any conversations between NYU and the DOE have not been made public. NYU's lack of public disclosure of the details of the discussions with the City made the community board's review of the school proposal nearly impossible. Also, the terms of NYU's promise for a new school have changed, including the extent of the university's donation to such a school and whether it was predicated on the approval of the NYU ULURP. (CB2 Resolution)

NYU must make a binding, verifiable agreement to donate this land to the DOE/SCA for a school, and should do so regardless of the outcome of this application. (Duane)

There should be a requirement that should the SCA or DOE determine that this is not an appropriate site for a school, this square footage be turned over for another community benefit, such as a Senior Center. (Glick)

As stated in Chapter 1, "Project Description" of the DEIS and this FEIS, NYU would make space available to SCA for the provision of an approximately 100,000-square-foot public school as part of the proposed Bleecker Building. As reflected in Chapter 4 "Community Facilities and Services" in the DEIS and FEIS, the Proposed Actions would not result in a significant adverse impact to public schools; thus, the proposed school is not needed to mitigate or avoid such an impact. As described and analyzed in the DEIS and FEIS, if by 2025 SCA does not exercise its option to build the public school, NYU would build and utilize the 100,000-square-foot space for its own academic purposes. If this were to occur, the space would be academic (classroom or administrative space), not a dormitory. Section F of Chapter 20, "Construction" of the DEIS and FEIS describes the rationale for the 2025 expiration date for the SCA option. NYU's offer of space to the SCA for a public school would be ensured through the project's restrictive declaration. NYU's offer is contingent upon approval of NYU's project proposal and requires timely exercise of SCA's option to build the public school. See also the response to Comment 1-7.

*HEATH CARE SERVICES*

**Comment 4-7:** Despite recognizing the importance of the project's impact on health-care services, the DEIS omits any further mention of the project's impact on local hospitals and emergency-medical services. In this regard, the DEIS did not assess the impact of the closing of St. Vincent's in August 2010 and how that closure put strains on an already over-extended emergency-care network. See Exhibit 19 (Anemona Hartocollis, As St. Vincent's Closes, Other Hospitals Get Busier, The New York Times, Apr. 11, 2010) (detailing the severe impact on other emergency rooms after St. Vincent's closed). The DEIS did not assess how a 33 percent increase in the number of nonresident visitors to the area would impact that system in light of the already critical deficiencies. (GVSHP Statement)

Adding a large new population and changing the physical configuration by the proposed 2031 Plan has the potential to overburden medical infrastructure (already diminished by the closing of St. Vincent's Hospital) (CB2 Resolution)

**Response 4-6:** Under CEQR indirect effects on health care services occur only when a "sizeable new neighborhood" is introduced by a project (e.g., Hunters' Point South). The proposed project would not introduce a new neighborhood, and therefore, analyses of health care services are not warranted. The estimation of a 33 percent increase in nonresident visitors is incorrect; see the response to Comment 5-16. In addition, most of the non-resident visitors would be affiliated with NYU and thus able to take advantage of NYU's own health care system.

*POLICE, FIRE, EMERGENCY SERVICES*

**Comment 4-8:** Adding a large new population and changing the physical configuration by the proposed 2031 Plan has the potential to overburden local police precincts. (CB2 Resolution)

The DEIS fails to assess at all the likely impact on police and fire services, expressly claiming it can outsource this requirement to police and fire officials to "make any adjustments necessary." DEIS at 4-4. This is particularly surprising since the Fire Station in Greenwich Village was condemned and vacated last year, a fact the DEIS somehow missed. See Exhibit 20 (Thomas Dimopolous, Greenwich delays opening bids for new fire station, Poststar.com, Mar. 12, 2012). (GVSHP Statement)

**Response 4-7:** The DEIS and this FEIS follows *CEQR Technical Manual* guidelines in determining the level of assessment for fire and police services. The statement cited by one of the commenters from page 4-4 of the DEIS

can also be found on page 6-2 of the *CEQR Technical Manual*. The statement in full context from the *CEQR Technical Manual* is as follows: “The Fire Department does not allocate resources based on proposed or projected developments, but continually evaluates the need for changes in personnel, equipment or locations of fire stations and makes any adjustments necessary. Generally, a detailed assessment of fire protection service delivery is conducted only if a proposed project would affect the physical operations of, or access to and from, a station house (see Section 210) or where a proposed project would create a sizeable new neighborhood where none existed before (e.g. Hunters’ Point South).” As described in Chapter 4, “Community Facilities and Services” of the DEIS and this FEIS, the Police Department independently reviews its staffing levels against a precinct’s population, area coverage, crime levels, and other local factors. Therefore, the Proposed Actions would not result in any significant adverse impacts to police and fire protection services, and a detailed analysis is not warranted. As provided in the DEIS and FEIS, a detailed assessment for the Proposed Actions was not warranted.

**Comment 4-9:**

NYU’s proposal for the North Block restricts the ability of fire and emergency vehicles to reach apartments, and the removal of through-driveways between Bleeker and W. 3rd Streets will slow the ability of ambulances to reach and depart with patients. (CB2 Resolution)

This project will compromise the speedy access of emergency vehicles to several thousands of tenants. (Chazani)

**Response 4-8:**

The EIS follows *CEQR Technical Manual* methodology in finding that the proposed project would not have significant adverse impacts on community facilities, including schools, health care, day care, libraries, and fire and police protection services. The proposed project will provide for police, fire, and emergency vehicle access as required by the New York City Department of Buildings requirements. In addition, emergency vehicles can maneuver around and through congested areas because they are not bound by standard traffic controls. Furthermore, the significant adverse traffic impacts identified in the EIS can be fully mitigated. Therefore, incremental traffic volumes projected to occur with the Proposed Actions are not expected to significantly affect emergency response times.

*PUBLIC SCHOOLS*

**Comment 4-10:**

The DEIS fails to properly and completely assess the impact on local public schools. Despite the DEIS statement that NYU wants more faculty space to increase the size of its “residential academic community,” see DEIS at 1-19, it completely mis-analyzes the impact: it

claims that new faculty units would result in only a total of 41 elementary and intermediate school students and, on this basis, refused to conduct a detailed impact statement, citing a 50-student threshold in the *CEQR Technical Manual*. DEIS at 4-2, 4-3. (GVSHP Statement)

**Response 4-9:** As detailed in the DEIS and this FEIS, the Proposed Actions would result in a maximum of 220,000 square feet of faculty housing, resulting in approximately 259 units (conservatively assuming an average of 850 square feet per unit). This is well below the 310-unit threshold cited on page 6-3 of the *CEQR Technical Manual* as warranting an assessment.

#### CHAPTER 5: OPEN SPACE

**Comment 5-1:** NYU has based its proposals on the DEIS, but that analysis fails as a quantitative assessment because it uses strictly technical definitions that exclude substantial existing open space, including some well-used areas. If the popular open spaces were included, the assessment would show a substantial decrease in available space 10 years into the project, and only a very small increase upon its completion with a net loss of uncovered land. Among the significant displacements would be Mercer Playground/LMNOP, LaGuardia Park/Friends of LaGuardia, the LaGuardia Corner Gardens, the south block Mercer strip with the Dog Run, the “Key Park” playground and WSV Sasaki Garden. (CB2 Resolution, Kazowitz)

The quantitative analysis provided in the DEIS estimates that there will be 3.80 acres of project-generated publicly accessible open space and 0.68 acres of displaced such space for a net increase of 3.11 acres. This analysis excludes certain spaces based on the guidelines provided in the *CEQR Technical Manual*. Appendix B lists some of these spaces, the reasons given for excluding them, and reasons why the absence of additional quantitative analysis from the assessment prevents the full picture from being shown. (CB2 Resolution)

The alternate quantitative analysis includes a total of 3.72 additional acres. Several areas including The Silver Towers Oak Grove, the center area of University Village, and the Time Landscape (collectively totaling 0.55 acres) will not be displaced by the project, but still affect public open space ratios for the study areas. The CEQR guidelines recognize that some projects require additional analysis. By using only the strictest interpretation of the CEQR guidelines, the quantitative assessment devalues actual public uses of open space in the project area. Hundreds of residents attending CB2 hearings spoke passionately of the importance of these open spaces to their lives in exactly the terms that people traditionally defend urban open space. The effect is that the quantitative assessment is skewed in a way that should have initiated

*additional analysis*, especially given the substandard ratios of open space to residents in the study areas and the large influx of new residents and daytime users the project will bring to the area. The intent of the CEQR guidelines is to measure actual impacts and it is the responsibility of the applicant and agencies to craft a process to the particularities of the site. In this DEIS open space analysis, the numbers largely distort the open space impacts. (CB2 Resolution)

NYU's open space calculations are fundamentally flawed and misleading. NYU uses "creative accounting" to reach a conclusion that the amount of open space will increase by the year 2031. Indeed, their numbers game flies in the face of plain logic. If you add four massive new buildings that enclose interior spaces, then take away existing open space strips on the streetfronts, how can you wind up with more and not less open space? We counted existing and future open space in three different ways, and in each case there was no gain in open space and the loss went from small to medium to large. If we count everything except building footprints as open space, then there is a net loss of 1.43 acres. If we count the Coles Gym roof deck, there's a net loss of 2.84 acres. And if we only count the publicly owned strips on Mercer Street and LaGuardia Place, there is still a loss of .47 acres. NYU performs the magical feat of producing a net gain in open space by: undercounting existing open space; obscuring the impacts of the new buildings; and falsely claiming portions of NYU's private building space as public open space. (LCCG/LMNOP Study)

We challenge NYU's claim that its Core Proposal would increase publicly accessible open space by more than three acres by the year 2031. We find instead that NYU's planned development on two Greenwich Village superblocks would eliminate 2.84 acres of open space—a 37% reduction of open space on the two superblocks. The Washington Square South Urban Renewal Plan was founded on the principle of protecting open space and ensuring access to light and air for residents; the 2012 NYU plan violates these principles behind the urban renewal plan that created the current residential community. (LCCG/LMNOP Study)

GVSHP's study by Gambit Consulting analyzing the impact of the proposed NYU expansion plan also identified the marked loss in open space resulting from NYU's plan—from 6.23 acres currently to 3.71 acres, a net loss of 2.52 acres, in what is the district with the second lowest ratio of open space per resident in the city. NYU's claim that it would increase the amount of public open space is based upon an overly restrictive and technical definition of open space which would exclude much of Riverside and Central Parks, including the Great Lawn. NYU's

calculations of “open space” leaves out much of the true open space on these sites, and entirely excludes the Coles Gymnasium, which was only allowed to be built because it was supposed to provide substantial equivalent open space for the public in the form of access to its roof and athletic facilities. (GVSHP-Durniak)

NYU manipulates CEQR guidelines to claim an increase in open space, disingenuously discounting open space that is, as defined on page 134 of the *CEQR Technical Manual*, set aside for the protection and/or enhancement of the natural environment. In other cases, they designate planned paved pedestrian walkways as new or equivalent open space. (Duane) Their numbers are inconsistent and erroneous and their open space ratio calculations are neither transparent nor accurate. LMNOP co-commissioned an open space loss analysis by the Hunter College Center for Community Planning and Development, which fully exposes the distortions in detail. It determines a net reduction of public open space to be at least six percent and, possibly, as much as 44 percent, less than current conditions, depending on the methodology. Page 23 of the *CEQR Technical Manual* states that more than a 5 percent reduction in open space must be considered an adverse impact. NYU and City Planning must acknowledge that the NYU core proposal adversely affects the residents of the area due to the loss of nearly an acre and a half of open space in addition to the adverse health impacts from destruction of trees. (LMNOP)

The building footprints of the proposed four new buildings alone would decrease open space by at least one acre. NYU magically transforms this net loss into a gain by first failing to count existing open space such as Sasaki Gardens, and after hemming in the same space with two new buildings calling it public open space! (LCCG/LMNOP Study)

NYU is inconsistent in its methodology when it includes the Sasaki gardens in its open space analysis, while excluding the corresponding open space in the southern block, the Oak Grove and the Silver Towers central plaza (denoted by the letter “Q” but not even given a name in the open space inventory so as to draw less attention to the contradiction in methodology). (LCCG/LMNOP Study)

The environmental study by NYU is in error. We would not be gaining open space. We would be losing parks, gardens, and playgrounds that civic engagement has cultivated for over 30 years. (LCCG-Jones)

NYU’s claims that the core proposal would increase the amount of open space in the neighborhood. We did the numbers. It would reduce the amount of public open space, at the minimum, by 6 percent, negative 6 percent. NYU’s calculations hinge on a very limited interpretation of SEQRA, ignoring the fact that SEQRA broadly defines open space as

publicly or privately owned land that is publicly accessible and operates, functions or is available for leisure, play or sport or, most importantly, set aside for the protection and/or enhancement of the natural environment. (LCCG-Horan)

By the most conservative estimates possible, NYU's proposal would reduce open space by negative 6 percent, which is the square footage of the existing super blocks, minus the building footprints. But it can also be fairly argued that with this proposal, the only publicly accessible open space that will remain will be vastly changed public strips and the proposed tiny new dog run on Houston Street, or a total of about 1.5 acres. (LCCG-Horan)

While the Applicant claims that there will be an increase in open space through the implementation of this proposal, I disagree with the measuring formula used in CEQR, and therefore argue reasonably that there will be a net decrease in open space. For example, the fallacy that a green space without a bench is not considered open space, but a paved lot with a bench is, is unacceptable. (Glick)

As Manhattan CB2 noted in its resolution on this plan, the applicant's DEIS excludes areas that are currently used as public open space from the baseline calculation, ignoring the testimony of many community members about the importance and use of the spaces and grossly inflating the acreage of new public open space. The calculation for the north superblock does not consider the LaGuardia Gardens (LaGuardia Landscape), Sasaki Garden (Washington Square Village Gardens) or the Key Park (Washington Square Village Playground) as public open space. The calculation for the south superblock does not include the Silver Towers Oak Grove (Silver Towers Tree Grove), Center Area of University Village (University Village Plaza), Time Landscape, Silver Towers Seating, or the Silver Tower Playground as public open space. By making minor modifications, such as adding benches, NYU is exploiting technicalities in the State Environmental Quality Review Act to define these existing open spaces as new, without changing their use. If these spaces were included in the DEIS, the assessment would demonstrate only a small increase in publicly accessible open space upon completion, with a net loss of uncovered land. The walkways, pedestrian paths and other nominal "open spaces" that would replace community parks, playgrounds and gardens are no consolation. (Duane)

The City Planning Commission adopted the urban renewal plan in the 1950s largely because they believed the taking of private lands was justified because it enabled the creation of both the "Park" and the "Tower," thus safeguarding open space without sacrificing density. The current NYU plan bids adieu to the "Park" part of the "tower in the

park” urban renewal construct. As noted in The Impacts of New York University’s Proposed Expansion in Greenwich Village prepared by Gambit Consulting, the proposed zoning would reduce the open space to about 38 percent of the superblock, down from the currently allowed 85% for open space. Notably, the fact that NYU is requesting so many changes in zoning lays bare the fact that its plan reduces open space; if its plan truly added to open space as it contends, many of the requested zoning changes would not be necessary. (LCCG/LMNOP Study)

Even after construction is completed, the requested zoning would dramatically reduce the open space in the community, which is already lacking public open space. (GVSHP Statement)

NYU’s planned expansion will decrease the amount of green space in the Village, one of the most open-space starved communities in New York City. (Cahn, Green, Haft-White, Mastro, Ponce, Pultz) And it further contemplates the alienation of City-owned parkland. (Mastro)

There’s a significant difference between green space and open space. The proposal, as it stands now, would create many pedestrian plazas and paved walkways but would destroy much of the green open space that is currently in the area. (Glick)

The amount of open space is not being increased but, in fact, being significantly decreased. There’s a drastic loss of public and publicly accessible open space in an area desperate for any land that is purely open to the sky. (CAAN-Cude)

NYU’s contention that the addition of four buildings on two blocks will create open space strains credulity. (Alexander, Halloran)

Not counting the Sasaki Garden as open space is deceitful. (Jones)

**Response 5-1:**

As described in the DEIS and this FEIS, the Proposed Development Area contains a number of private and public open spaces, as well as private and public spaces that do not offer useable recreational areas and therefore are not defined as open spaces under CEQR. Table 5-3 of the DEIS and this FEIS provides an inventory of all open space resources within and immediately adjacent to the Proposed Development Area, and describes whether and how they are accounted for in this CEQR assessment. The characterization of each resource was based on *CEQR Technical Manual* guidelines, and was performed in coordination with DCP and the New York City Department of Parks and Recreation (DPR).

The *CEQR Technical Manual* defines “open space” as “publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection

and/or enhancement of the natural environment” and provides specific guidance for applying this definition in order to identify “public open space” (which must be publicly accessible) and “private open space” (which may include private areas not accessible to the public, such as the rear yard of a privately owned building). The intent of the quantified indirect open space assessment under CEQR is to assess the Proposed Actions’ effects on publicly accessible open space availability and conditions with a ¼-mile non-residential study area, and within a ½-mile residential study area (for this analysis, shown in Figure 5-1). Resources that are not available to the public at large within ¼-mile and ½-mile radii of the project site are not accounted for in the quantified analyses. However, spaces that are not publicly accessible are accounted for as part of the direct effects analysis and the qualitative assessment in Chapter 5, “Open Space” of the DEIS and this FEIS.

In response to public comments, the FEIS contains additional description of the net change in publicly accessible open space in 2021 and 2031; see Tables 5-11 and 5-15 of the FEIS.

As discussed in the Open Space chapter, the Proposed Actions would increase the amount of publicly accessible open space acreage as defined by CEQR. The superblocks were developed using the tower-in-the-park typology, with substantial space devoted to vehicular circulation (driveways and adjoining asphalt surfaces) and private lawns, gardens and playgrounds. The NYU Core project would remove three of the existing buildings on the site (the Coles gym, Morton Williams supermarket, and LaGuardia retail strip building), construct four new buildings (the Zipper, Bleecker, Mercer and LaGuardia buildings), demap three areas at the edges of the superblocks currently mapped as public streets, map two of these former street areas as public parks, and change the landscaping on most of the North Block and a portion of the South Block. In connection with these landscaping changes, the LSGD special permit and the Restrictive Declaration would require that most of the landscaped area on the North Block and a portion of the newly landscaped area on the South Block be publicly accessible. The net effect of the NYU Core project would be to: increase building coverage (building footprints) from 33.1 percent of the land to 38.9 percent of the land; decrease the use of land for vehicular circulation (driveways and adjoining asphalt surfaces) from 7.8 percent to 1.6 percent of the land; increase publicly accessible open space from 5.2 percent to 30.7 percent of the land; decrease non-publicly accessible open space from 19.7 percent to 4.3percent of the land; and decrease other land uses from 34.2 percent to 24.6 percent of the land. The derivation of these numbers is summarized in the table below.

**Summary of Lot Coverage Changes on Superblocks**

	<b>Existing Conditions</b>	<b>NYU Core</b>
Building Footprints	33.1% [SB 97,618 sf + NB 88,615 sf]	38.9% [SB 102,427 + NB 116,689 sf]
Vehicular Circulation <sup>1</sup>	7.8% [SB 8,000 sf + NB 35,700 sf]	1.6% [SB 8,000 sf + NB 770 sf]
Publicly Accessible Open Space <sup>2</sup>	5.2% [SB 10,634 sf + NB 18,956 sf] <sup>3</sup>	30.7% [SB 25,441 sf + NB 147,305 sf] <sup>4</sup>
Non-Publicly Accessible Open Space <sup>5</sup>	19.7% [SB 29,606 sf + NB 81,354 sf]	4.3% [SB 24,240 sf + NB 0 sf]
Other Land	34.2% [SB 86,995 sf + NB 105,737 sf]	24.6% [SB 72,831 sf + NB 65,598 sf]
<p><b>Notes:</b>  Calculations include all "DOT strips."  "SB" refers to the South Block, bounded by LaGuardia Place and Bleecker, Mercer and W. Houston Streets – 5.3 acres (232,853 sf).  "NB" refers to the North Block, bounded by LaGuardia Place and W. 3rd, Mercer and Bleecker Streets – 7.6 acres (330,363 sf).  1 Driveways and adjoining asphalt surfaces.  2 As defined in CEQR Technical Manual.  3 Coles Plaza (SB) 3,778 sf; Coles Playground (SB) 6,856 sf; Mercer Street Playground (NB) 14,456 sf; Adrienne's Garden (NB) 4,500 sf. The DEIS appendix has an alternative accounting that increases the amount of publicly accessible open space in the existing condition by 27,357 sf.  4 Toddler Playground (SB) 11,020 sf; Greene Street Walk (SB) 8,060 sf; Bleecker Street Seating Area (SB) 6,275 sf; Mercer Entry Plaza (NB) 17,550 sf; Tricycle Garden (NB) 15,200 sf; LaGuardia Play Garden (NB) 13,100 sf; LaGuardia Entry Plaza (NB) 17,550 sf; Washington Square Village Play Garden (NB) 15,000 sf; Philosophy Garden/Lawn Areas (NB) 68,825 sf.  5 These are non-publicly accessible areas on the superblocks that provide open space amenities. They include: the LaGuardia Corner Gardens (SB) 6,530 sf; 505 LaGuardia Garden (SB) 14,515 sf; Silver Tower Playground (SB) 2,721 sf; Silver Tower Seating (SB) 2,665 sf; Mercer-Houston Dog Run (SB) 3,175; Washington Square Village Elevated Garden (NB) 58,164; Washington Square (Key) Village Playground (NB) 23,190 sf.</p>		

With respect to the commenter's assertion that the two proposed buildings on the North Block would be "hemming in" the proposed publicly accessible open spaces, while the Proposed Actions would introduce two new, tall buildings on the North Block. As stated in Chapter 1, "Project Description," the Proposed Actions are intended to provide substantially improved opportunities to access the North Block's central area as compared to existing conditions. Three of the four existing portals beneath the Washington Square Village apartment buildings along Bleecker and West 3rd Streets would be renovated to be pedestrian-only access routes, without driveways as they exist today. The new east-west entryways to the North Block—through the proposed LaGuardia Entry Plaza and Mercer Entry Plaza—would be 60 feet in width, which is the same width as a typical Manhattan side street, including sidewalks.

**Comment 5-2:** The *CEQR Technical Manual* defines open space as land that is “set aside for the protection and/or enhancement of the natural environment.” NYU excludes some existing open spaces from its count by considering them to be private or inaccessible. However, the definition explicitly includes even private open space that enhances the natural environment. The critical point here is that by not counting some existing open spaces that NYU has itself rendered inaccessible, it can then claim a gain in open space, even if, on the ground, it turns out to be a net loss. All open areas on the superblocks, excluding the building footprints, meet the broad CEQR definition of open space and should be included in the open space analysis. (LCCG/LMNOP Study)

**Response 5-2:** The commenter cites only a portion of the *CEQR Technical Manual’s* definition of open space. The full definition found on page 7-1 of the *CEQR Technical Manual* is as follows: “Open space is defined as publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. An open space analysis focuses on officially designated existing or planned public open space.” See also the response to Comment 5-1.

**Comment 5-3:** NYU’s open space inventory classifies two well known and obvious public spaces as private: The La Guardia Corner Gardens and the Time Landscape. This lets them claim an increase in open space if and when these are restored by 2031. Let’s look more closely at these examples of curious accounting. (LCCG/LMNOP Study)

**Response 5-3:** Table 5-3 of the DEIS and this FEIS accurately describes the LaGuardia Corner Gardens as a GreenThumb Community garden, and the Time Landscape as a Greenstreet (see the description of these resources under the Features/Comments column). However, as described below, Table 5-3 indicates that, neither the LaGuardia Corner Gardens nor the Time Landscape are accounted for in the quantified analysis of publicly accessible open space (under existing conditions, or with the Proposed Actions). As indicated in Table 5-3, for purposes of the quantified (indirect) open space analysis the LaGuardia Corner Gardens was not characterized as a publicly accessible open space due to its limited hours of public accessibility. However, it is accounted for in the qualitative assessment of open space, and the DEIS and this FEIS identify a significant adverse shadow impact on the LaGuardia Corner Gardens, as well as a significant adverse impact to the garden during construction.

The Time Landscape—which is surrounded by fencing and is only visually accessible to the general public— is a Greenstreet as defined by DPR, and as indicated by signage within the Time Landscape. The

*CEQR Technical Manual* on page 7-2 states, “Public open space does not include greenstreets, malls without seating, or sidewalks.” Furthermore, the Proposed Actions do not propose any displacement of the Time Landscape, although the FEIS notes (in Chapter 22, “Mitigation”) that the Time Landscape is a potential future relocation site for the LaGuardia Community Gardens, currently located north of Time Landscape on the same NYCDOT strip on the west side of the south superblock, prior to the construction of the Bleecker Building, as mitigation for its significant adverse construction and shadow impacts on the LaGuardia Community Gardens.

**Comment 5-4:**

NYU's methodology for counting existing and proposed open space is fundamentally flawed. The three most glaring demonstrations of this flawed methodology are:

- (1) Coles Gym. Included in its calculations of existing open space, this 4.82 acres of active space, both interior and on top of the existing Coles Gym. It is a stretch to include these carefully controlled and access limited interior and roof top spaces when they exclude less accessible in their open space calculations totaling 2.36 acres, such as the entire Time landscape, most of the core of the southern super block and areas to the north and south of Washington Village Playground.
- (2) NYU includes the 1.34 acres of the Sasaki Garden in the northern block while excluding the 1.21 acres in the southern block. Both are owned by NYU and are moderately accessible by the public. By inconsistently applying criteria for inclusion in the open space inventory, NYU is radically changing the percentage change of open space.
- (3) The sunken light wells, actually, glorified tree pits, cannot be considered open space by any stretch of the imagination. They are exclusively accessible only to those who can enter the proposed boomerang buildings. (LCCG-Horan)

NYU also counts open space within the proposed gym and in below-grade “light wells” or moats floors below grade that partially surround the boomerang buildings to create the illusion that it will be adding publicly accessible open space in the colorful drawings, further degrading the public accessibility of the inner courtyard. (LCCG/LMNOP Study)

**Response 5-4:**

Table 5-3 of the DEIS and this FEIS specifies that for the indirect quantified open space analyses, the Sasaki Garden (called the Washington Square Village Elevated Garden in the EIS) is treated as private open space because it is on private property (in a gated area of a

rear yard to a privately owned apartment building) and is not publicly accessible. Neither the proposed gym nor the proposed light wells are included in the calculations of publicly accessible open space; like other non-publicly accessible open spaces, they are assessed qualitatively in the analysis. See also the response to Comment 5-1 and 5-5.

**Comment 5-5:** CB2 is extremely disappointed in the plans presented for newly designed public open space in the Proposed Development Area, which were designed without the input of local stakeholders, and is adamant in its assessment that there will be significant adverse impacts on the quality of life for the longstanding residential neighborhood. (CB2 Resolution)

**Response 5-5:** Comment noted. Final design and development of the proposed new parkland on the North Block's Mercer Street and LaGuardia Place Strips would be made in coordination with DPR. In addition, it is expected that, if the CPC approves the Proposed Actions, including the design for the public open space, the Commission will also provide guidance regarding key principles with respect to the open space design which, if maintained in any future proposed modifications, would allow for the modifications to be processed as minor modifications to the LSGD Special Permit. This guidance would facilitate a process for the development of potential revisions to the design with community input, prior to construction.

**Comment 5-6:** The NYU plan falls far short of what the community needs and its open space plan will result in less than a 1:1 ratio of replacement of publicly accessible open spaces. We urge NYU to address this need as it must increase the amount of publicly accessible open spaces. NYU should not be allowed to count private sites like the proposed Temporary Gymnasium and Coles Sports Center in its calculations of determining open space, since they are not public spaces.

NYU's characterization of the Jerome S. Coles Sports Center as open space is highly misleading. Its offer of the NYU Athletic facility in the proposed Zipper Building as well as its temporary gymnasium fail to compensate for the existing lack of publicly accessible open space within our community. (BusinessOwners)

**Response 5-6:** The Jerome S. Coles Sports Center (Coles gym, or Coles in the EIS) is not counted as publicly accessible open space in the quantified analysis of indirect effects found in Chapter 5, "Open Space" of the DEIS and this FEIS. Similar to other private resources, it is considered as part of the direct effects and qualitative analyses.

Chapter 5, “Open Space” of the this FEIS shows that by 2031 the Proposed Actions would improve open space ratios, and would result in a net increase of approximately 3.3 acres of publicly accessible open space. The approximately 3.3 acre net increase in open space does not include the temporary gymnasium, the Coles Sports Center, or the future athletic facility within the proposed Zipper Building.

**Comment 5-7:** NYU claims implementation of the NYU 2031 plan would increase open space on the super blocks. On the North Block this is based on the classification of only the Mercer Street Playground while ignoring the landscaped LaGuardia Park, the WSV Courtyard and Sasaki Garden, and the Key Park. In its own *Sustainability Assessment Report 2009*, the university lists the Sasaki Garden and the WSV Courtyard as “accessible campus space.” In other words, there currently is a lot of open space in the superblocks but NYU does not classify it as open space in the NYU 2031 plan. (Seamans)

**Response 5-7:** The characterization of open spaces for purposes of the CEQR analysis based on the guidelines of the *CEQR Technical Manual*, and was performed in coordination with the lead agency and DPR. See also the response to Comment 5-1.

The landscaped area of LaGuardia Place is not a “park”; it is mapped as a city street and consists of sidewalks, pathways and fenced-off areas analogous to a “Greenstreet” area. There is no public seating. This area was not included in the quantified assessment of indirect impacts on publicly accessible open space in Chapter 5, “Open Space,” but at the request of the lead agency and DPR, a sensitivity analysis was performed in the Open Space Appendix that did consider this area as publicly accessible open space. The analysis shows that the classification of the landscaped area of LaGuardia Place as a publicly accessible open space would not change the conclusions of the analysis presented in Chapter 5, “Open Space,” that the Proposed Actions would not result in a significant adverse impact to open space.

The Key Playground (referenced as the “Key Park” by the commenter), is a private playground on NYU property that is not accessible to the general public; a “key” is required to open the locked gate that surrounds the playground. This resource was not counted as publicly accessible open space in the quantified analysis of indirect effects found in Chapter 5, “Open Space” of the DEIS and this FEIS, but similar to other private resources, is considered as part of the direct effects and qualitative analyses.

The Sasaki Garden is not considered publicly accessible open space because it is on the roof of a parking garage on private property, is

located away from the sidewalk in the courtyard of the Washington Square Village apartment buildings, can be accessed only by walking beneath the portals of the apartment buildings, is surrounded by a gate, and has no signage indicating that members of the public are permitted to enter the area.

It is not clear which area is referred to in the comment as the “WSV Courtyard.” To the extent that this comment refers to the Sasaki Gardens or Key Playground in the center of the privately owned Washington Square Village complex, those areas were not considered publicly accessible open space because they do not meet the *CEQR Technical Manual* definition of publicly accessible open space.

**Comment 5-8:** NYU admits that many of the existing open spaces will be “temporarily” lost while it is constructing its new buildings and can only claim a return of open space by 2021 by including interior space in the proposed Zipper building. They argue that more open space will be put back by 2031 by taking public space on the strips and by claiming the Sasaki Gardens as found open space, yielding a net gain in open space in the long run. (LCCG/LMNOP Study)

**Response 5-8:** The DEIS and this FEIS, in Chapter 5, “Open Space” and Chapter 20, “Construction” describe the loss of publicly accessible open spaces over the course of the project’s construction. The analysis does not include the athletic facility in the proposed Zipper Building as publicly accessible open space. It is considered private open space and accounted for in the qualitative assessment. In response to public comments, the FEIS contains additional description of the net change in publicly accessible open space in 2021 and 2031; see Tables 5-11 and 5-15 of the FEIS. See also the response to Comment 5-1.

**Comment 5-9:** NYU’s calculations are founded on unsupportable bases—namely that the interior and exterior of Coles gym contribute 4.82 acres to the open space inventory and are defined as publicly accessible open space—while, at the same time, it disqualifies a total of 2.43 acres of grade-level open space as not publicly accessible. One cannot have it both ways—either everything that is unbuilt on the block is open space, or only public lands, such as the LaGuardia Corner Gardens, the Mercer Street Playground, the Time and LaGuardia Landscapes and Coles Plaza, are open space.

The contention that NYU is adding to the open space is founded on the assumption that the current Coles Gym rooftop and the interior space are viable publicly accessible open spaces. NYU claims that this space currently adds up to 4.82 acres, and then implicitly indicates that equal open space will be available within the proposed Zipper building.

The 2031 future build conditions hinge on the inclusion of the proposed athletic facility in the Zipper building as open space—an odd contention since the multi-leveled roof will not provide even the amount of active open space currently on the Coles track. Does the inclusion of the athletic facility in the proposed Zipper building mean that New York City should revise its open space inventory criteria to include Crunch, Reebok and every other private gym in the City? Indeed, interior gym space is never included in open space inventories and cannot be equated with Washington Square Park, a community garden or a grade-level playground. (LCCG/LMNOP Study)

**Response 5-9:** As indicated in Table 5-3 of the DEIS and this FEIS, the interior and exterior of Coles gym are considered private open spaces, and as such are not included in the inventory of publicly accessible open space in existing conditions and in the future without the Proposed Actions. Similarly, the athletic center associated with the proposed Zipper Building is considered private open space, and as such is not accounted for in the inventory of publicly accessible open spaces in the future with the Proposed Actions.

**Comment 5-10:** With the proposed project, the area’s open space will be cut in half. How can NYU build 2 million square feet of new buildings and “add” to open space? (McKellar)

**Response 5-10:** See the response to Comment 5-1. If the commenter is referring to the Open Space Ratio under zoning, which does not refer to publicly accessible open space, please see the response to Comment 2-10.

**Comment 5-11:** Indirect impacts of increased demand for active recreation: Citing CEQR guidelines, the DEIS does not study the increased demand for active recreation within the non-residential study area because “worker” populations are less likely to increase the demand for active recreation. But the daytime population of the development area would be mostly students in an age group with greater need for active recreation resources. This would cause significant strains and displacements at nearby active recreation resources including Passannante Park, West 4th Street Courts, and other nearby parks. The current abuse of Washington Square Park lawns by NYU students seeking areas to play Frisbee is already causing damage to these lawns, recently restored at great public expense for passive recreation. NYU responded inappropriately to a question from CB2 regarding this impact of the project by stating that the abuse was beyond its control since it does not have responsibility for enforcement in the park. Bringing so many students to a concentrated area requires provision of more open space for active recreation so that nearby parks are not overburdened. (CB2 Resolution)

The DEIS declined to assess the impact of increased students and workers on the “active” open spaces under the faulty and unsupported assumption that “workers and students tend to use passive open space resources during their work day.” This text seems to have been written by someone who never visited an urban campus, where workers and students often engage in healthy and active recreation when possible during the day. (GVSHP Statement)

The DEIS determines there will not be increased demand for open space within the non-residential study area because “worker” populations are less likely to increase the demand for active recreation than residential populations. Although this fits the CEQR technical definition, it does not take into consideration the realities of University life. Student populations demand significant more active recreation resources than other “worker” populations. As demonstrated by Washington Square Park, which is already inundated with NYU students, any increase in students will result in an overwhelming of nearby parks, such as Passannante Park and the West 4th Street Courts. (Duane)

**Response 5-11:**

The DEIS and this FEIS follows *CEQR Technical Manual* methodology in its treatment of students and workers. Chapter 5, “Open Space” of the DEIS and FEIS studies the increased demand for active recreation within a ½-mile area of the project site, which includes the ¼-mile study area. Any resident that lives within the ½-mile study area—including students and faculty—are accounted for in the analysis of active open space. Daytime populations who live beyond a ½-mile of the project site are less likely to use active open spaces during their “work hours” (for students, classroom hours), and therefore, pursuant to the CEQR Technical Manual, these non-residential daytime populations are accounted for in the analysis of passive open space resources in the ½-mile study area, but are not accounted for in the quantified assessment of the project’s effects on active open spaces in the ½-mile study area.

The project-generated populations and their open space utilization characteristics are accounted for in the direct effects and qualitative assessments in Chapter 5, “Open Space” of the DEIS and FEIS. For example, the assessment notes that active open space offerings within the residential study area are also relatively limited, particularly open spaces containing amenities for older children and adults (e.g., play courts and ballfields). The most prominent open spaces providing such amenities include Passannante Ballfield, Vesuvio Playground, and James J. Walker Park. Washington Square Park also contains open areas for active play that are heavily utilized by NYU students and residents. The study area shortfall is exacerbated by the fact that the residential

study area has a relatively high proportion of working-age population (ages 20-64) who tend to demand such resources.

**Comment 5-12:** According to a recent study, NYU 2031 will result in a 37 percent reduction of open space on the two superblocks. This 37 percent loss of open space far exceeds the minimum threshold of the five percent that requires disclosure of a negative impact under CEQR. (GVSHIP Statement)

NYU's planned development on two Greenwich Village superblocks would result in a significant negative environmental impact. The 37 percent loss of open space exceeds by far the minimum threshold of 5 percent requiring disclosure of a negative impact under the City's Environmental Quality Review Guidelines. (LCCG/LMNOP Study)

Page 23 of the *CEQR Technical Manual* states that more than a 5 percent reduction in open space must be considered an adverse impact. NYU and City Planning must acknowledge that the NYU core proposal adversely affects the residents of the area due to the loss of nearly an acre and a half of open space and from destruction of trees. (LMNOP)

**Response 5-12:** With respect to the claim that the Proposed Actions would result in a 37 percent loss of open space, please see the response to Comment 5-1. If the commenter is referring to onsite open space as defined for zoning analysis, please see the response to Comment 2-10. The minimum threshold for determining potential significant adverse impacts for this analysis was a 1 percent reduction in open space ratios, not a 5 percent reduction, due to the area being "extremely lacking" in open space as defined by the *CEQR Technical Manual*. It should also be noted that the percentage reduction in ratios is not simply a percentage reduction in the amount of open space; it is the percentage reduction in open space per 1,000 people, so the change in population is a factor in the calculation, not just the change in the amount of publicly accessible open space.

In addition, as described in the DEIS and FEIS, the central open space area proposed for the North Block would be a major new open space resource for study area residents and daytime users, and would serve to offset the heavy utilization of Washington Square Park. Student demand for publicly accessible passive open space also would be offset by the provision of large common areas within the proposed North Block buildings, as well as the proposed below-grade space between buildings.

In addition, it should be noted that the provision of a new gymnasium for NYU affiliates is not captured in the quantified analysis. Coles Gym was built in 1981, and lacks basic amenities such as air conditioning and adequate facilities for modern-day athletic requirements. Because of

this, NYU believes that many NYU faculty and students seek alternative active resources within the study area. While they would continue to utilize publicly accessible open spaces, NYU believes that the proposed gymnasium would likely have greater appeal, and could help to offset student demand for active open spaces in the surrounding area (the proposed gymnasium is expected to have similarly-limited public access as Coles).

Although notable private resources—the Washington Square Village Playground and Elevated Garden—would be eliminated, they would be replaced with new open spaces providing greater, more varied public open space opportunities for residents as well as the broader public. Even when accounting for the displacement of private playground areas within the Proposed Development Area, by 2031 the proposed project would result in a 0.06-acre net increase in the total amount of playground space within the Proposed Development Area. Study area residents would have access to three new playground spaces on the North Block in addition to an expanded playground on the South Block; the Proposed Actions allow flexibility with respect to the playgrounds’ programming and age targets, and the proposed project would not introduce a disproportionate number of children who are of a specific age cohort.

**Comment 5-13:** The DEIS fails to consider—at all—the alienation of existing parkland, and the important requirement of state legislative approval before action is to be taken to disrupt the public's use and enjoyment of parkland already in use and under the control of the parks department. The CEQR Technical Manual specifically requires this important adherence to legal requirements. See CEQR Technical Manual (2012) at 7-4, 7-18. (GVSHP Statement)

**Response 5-13:** The Proposed Actions would not result in the alienation of parkland. See Response to Comment 5-14 below with respect to the mapping of new public park subject to certain easements to NYU. For the same reasons as set forth in Response to Comment 5-14 below, the proposal for NYU to acquire at fair market value below grade volumes underneath Mercer Street and LaGuardia Place, as well as an above-grade area along Mercer Street between Bleecker and Houston Streets, would not result in the alienation of parkland.

**Comment 5-14:** NYU 2031 will impact public parkland, as NYU is seeking to have outdoor public spaces “mapped as public park subject to certain easements to NYU.” These easements “would allow for, among other things, construction, maintenance, and access to the block across the park strips to and from Mercer Street and LaGuardia Place ... allowing

for access to and construction and maintenance of the proposed NYU facilities and existing WSV buildings.” In other words, certain strips of land, now enjoyed as parkland, would eventually become NYU’s private property. The DEIS thus admits that during the 20 years of construction, pieces of the parkland will be used for non-park periods for substantial periods of time and other pieces given away. The Court of Appeals has made perfectly clear that “legislative approval is required when there is a substantial intrusion on parkland for non-park purposes, regardless of whether there has been an outright conveyance of title and regardless of whether the parkland is ultimately to be restored.” *Friends of Van Cortlandt Park v. City of New York*, 95 N.Y.2d 623, 631-32 (2001) (emphasis added) (explicit legislative approval by state legislature required where “the public will be deprived of valued park uses for at least five years, as plant construction proceeds”). Lower courts, even recently, have overturned agency actions when public officials close and give public parkland to private entities, such as NYU. See *Brooklyn Heights Ass’n v. New York State Office of Parks, Recreation, and Historic Preservation*, No. 1120/2011 (Sup. Ct. Kings Cnty. Nov. 10, 2011) (holding that purported transfer of parkland to private entity was void for lack of specific legislative authorization from New York State Legislature). (GVSHP Statement)

**Response 5-14:**

As discussed in greater detail in the response to Comment 1-28, the easements that would be granted to NYU under the Proposed Actions would allow for, among other things, construction, maintenance, and access and the installation of utilities on the NYCDOT Strips adjoining the North Block in areas that are currently mapped as New York City streets (Mercer Street and LaGuardia Place). These street segments are not designated park land and have not previously been dedicated as park land. It is NYU’s application before the CPC that requests that they be mapped as parkland, subject to the necessary easements to NYU. NYU would not be obtaining an easement over any area that is currently park land, and the alienation concern expressed by the commenter is inapplicable.

**Comment 5-15:**

The *CEQR Technical Manual* defines public space as space accessible to the public on a constant and regular basis. It is unclear if the mapped parkland will be open and accessible on a regular basis, or whether the easements would result in making the open space unavailable to the public for significant periods of time. NYU should release more information regarding the specifics of these easements so their impact may be accurately assessed. (MAS)

As part of the project, NYU should support the mapping of strips of parkland and return them to DPR. This land should remain untouched and no easements granted on these sites. (BusinessOwners)

**Response 5-15:**

The Proposed Actions include mapping as parkland the NYCDOT Strips along LaGuardia Place and Mercer Street on the North Block. Chapter 5, “Open Space” of the DEIS and FEIS assess the effects of the proposed changes to this land. As described in Chapter 1, “Project Description” of the DEIS and this FEIS, the above-grade easements granted to NYU would allow for, among other things, construction, maintenance, and access to the block across the NYCDOT Strips to and from Mercer Street and LaGuardia Place. The easements are necessary to allow the demapped streets to be mapped as a public park while allowing for access to, and construction and maintenance of, the proposed NYU facilities and existing Washington Square Village buildings. See also the response to the previous comment.

**Comment 5-16:**

The data presented in the DEIS is misleading. Instead of looking at the affected superblocks, NYU dilutes the results by assessing a nonresidential ¼-mile study area that includes Washington Square Park. Even then, it calculates that the total population increases would balloon more than 33 percent (see DEIS at 5-25, 5-28) while the open space increase would be only about 5 percent, from 13.75 acres to 14.47 acres (compare DEIS at 5-24 with DEIS at 5-32), and yet the DEIS finds, amazingly, that this somehow represents an “improvement.” (GVSHIP Statement) The additional 10,000 to 15,000 students that the project will bring through the area on a daily basis will overcrowd the already limited open space. (Gallman, Hanja, Pettibone, Wauper)

**Response 5-16:**

The analysis of open space under CEQR evaluates the potential effects of the Proposed Actions on publicly accessible open space conditions within a ¼-mile non-residential study area, and a ½-mile residential study area consistent with guidance set forth in the *CEQR Technical Manual*. Chapter 5, “Open Space” also includes a direct effects analysis, which identifies each open space resource—public and private—that would be directly affected by the Proposed Actions, describes the nature of the direct effects, and compares the future conditions with respect to the quantity and quality of the replacement resource and its intended user base.

The open space analysis does not calculate that the Proposed Actions would increase the population by more than 33 percent, as indicated by the commenter. The Proposed Actions, under Reasonable Worst-Case Scenario (RWCDS) 1, which maximizes the non-residential population, would by 2031 increase the non-residential population within the ¼-mile non-residential study area by an estimated 4.26 percent (102,957

non-residents by 2031 with the Proposed Actions, as compared to 98,413 non-residents by 2031 in the future without the Proposed Actions). The Proposed Actions, under RWCDS 2, which maximizes the project's residential population, would by 2031 increase the residential population within the ½-mile residential study area by an estimated 1.32 percent (103,118 residents by 2031 with the Proposed Actions, as compared to 101,778 residents by 2031 in the future without the Proposed Actions). It should also be noted that the commenter's statement that open space would be increased from 13.75 acres to 14.47 acres is not correct. As described in Chapter 5, "Open Space," of the FEIS, the Proposed Actions would increase publicly open space by 3.3 acres.

**Comment 5-17:** As of July 2008, residents in our neighborhood (Community Board 2) had no more than 0.4 acres of open space per 1,000 residents. This is the second lowest ratio in ALL of Manhattan, where the benchmark is approximately 2.5 acres per 1,000 people. (BusinessOwners, Das, Friedman, Ganti, Geronimus, Hanja, Lounsbery, Minich, Rackow, Reznick, Schoonover) We are in a community that is underserved by open space. (Jones, Marti) This is a neighborhood that is drastically underserved by open space and is far from reaching the City Planning Commission's minimum open space guidelines. As Manhattan Borough President stated in testimony at the 2011 EIS scoping session, "retaining the park strips is an important community goal...Community District 2 has some of the lowest open space ratios of any neighborhood in the City." He noted that the *CEQR Technical Manual* defines the area as "underserved" in open space (LCCG/LMNOP Study)

**Response 5-17:** The analysis in Chapter 5, "Open Space" of the DEIS and this FEIS acknowledges throughout that the ¼-mile non-residential and ½-mile residential study areas are underserved, and for this reason, based on *CEQR Technical Manual* guidelines, the analysis applies the more stringent threshold of a 1 percent reduction in open space ratios for determining the potential for significant adverse impacts.

Chapter 5, "Open Space" of the DEIS and this FEIS describes how open space ratios in the study areas are below, and in many cases severely below, the levels recommended by the City's open space planning guidelines (the existing condition's total open space ratio is estimated to be 0.243 acres per 1,000 residents, less than the 0.4-acre ratio cited by the commenter for Community Board 2 as a whole). Chapter 5 also shows that these conditions are expected to persist without and with the proposed project. However, it is generally recognized that these goals are not feasible for many areas of the City, and they are not considered thresholds for the determination of impacts under CEQR. Rather,

quantified impact thresholds are based on percentage changes in the open space ratios. According to the *CEQR Technical Manual*, a project would result in a significant adverse impact if it reduced open space ratios by more than 5 percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. In areas that are extremely lacking in open space, a reduction as small as 1 percent may be considered significant, as they may result in overburdening existing facilities or further exacerbating a deficiency in open space. Given the existing low open space ratios within the ¼-mile and ½-mile study areas, this more conservative 1 percent threshold was used for this analysis.

The analysis in Chapter 5, "Open Space" finds that by 2021, even when accounting for the increased demands associated with the proposed project, all open space ratios would improve as compared to future conditions without the Proposed Actions, with the exception of the active open space ratio within the ½-mile residential study area, which would decline slightly (by one-tenth of one percent). By 2031, all of the open space ratios would improve as compared to future conditions without the proposed project. Some of the improvements would be substantial; most notable are the approximately 21 percent increases in the open space ratios within the ¼-mile non-residential study area. These ratios are particularly important for an area with a large working and/or student population. Therefore, by 2031 the Proposed Actions would not result in any quantified significant adverse open space impacts. See also the response to Comment 2.

**Comment 5-18:**

The CEQR guidelines require study of the impact on day time populations within a quarter mile and residents within a half mile. The nature of the proposed project is to superimpose a huge new development in an area now occupied by a much smaller one, so simple application of the guidelines misses the assessment of impacts of the group most affected by the project, the people who live in or immediately adjacent to the study area. The existing open spaces are important parts of the quality of life in these areas, compensating per their design for the taller buildings, and the changes would affect these residents most directly. This creates a need for an additional assessment, not diluted by including larger populations, of impacts on the smaller area. (CB2 Resolution)

The DEIS fails to carefully assess, given the incredible change in the locations and amenities of the evolving open spaces, whether specific attributes enjoyed by the public will be gained or lost. See Statement of David Ludden, NYU Professor of History, May 4, 2012 ("The airy garden quality of a residential area that is now filled with places for kids

to plan and for people to sit quietly and enjoy the scenery—between West Third and Houston and Mercer and LaGuardia—would be forever destroyed”). (GVSHHP Statement)

**Response 5-18:** Chapter 5, “Open Space” of the DEIS and this FEIS includes, in addition to the detailed indirect analysis of the ¼-mile and ½-mile areas, a direct effects analysis that identifies each open space resource—public and private—that would be directly affected by the Proposed Actions, describes the nature of the direct effects, and compares the future conditions with respect to the quantity and quality of the replacement resource and its intended user base. The determination of the potential for significant adverse impacts resulting from these direct effects is provided under “Qualitative Impact Determination” in Chapter 5.

The DEIS and this FEIS describes the attributes of, and effects on, each public and private open space that would be affected by the Proposed Actions. See also the response to Comment 5-1.

**Comment 5-19:** NYU’s Core proposal would jam more than two million square feet of building space into two city blocks. The university’s colorful maps showing the two blocks in 2021 and 2031 give the impression that there will be lots of added green so that there would be “No Significant Negative Environmental Impact” on open space resources. (LCCG/LMNOP Study)

**Response 5-19:** The use of color in the site plan graphics of the DEIS and this FEIS is intended to distinguish green spaces from built spaces; it has no bearing on the analysis findings that the Proposed Actions would not result in significant adverse open space impacts. In addition, as detailed in the response to Comment 5-1, the Proposed Actions would increase building coverage (building footprints) on the two superblocks from 33.1 percent of the land to 38.9 percent of the land.

**Comment 5-20:** The DEIS, although purporting to conduct a detailed analysis of the adverse impacts, failed to fully assess the changing nature of the open spaces on different age groups, which is clearly required by the *CEQR Technical Manual*. The DEIS fails to account for the varied utilization on certain key acres of the park, which will experience the highest user rate in light of its placement near NYU’s expanded facilities, and instead wrongly assesses all “open acres” on a one-size-fits all basis. (GVSHHP Statement)

**Response 5-20:** Chapter 5, “Open Space,” presents a detailed analysis that addresses the age cohorts of the existing population and the projected age cohorts of the population in the future without and with the Proposed Actions, in accordance with *CEQR Technical Manual* methodologies and

guidelines. This information is considered in the analysis to assess the adequacy of open spaces under existing conditions, and in the future without and with the Proposed Actions.

**Comment 5-21:** Washington Square Village Play Garden: At only .34 acres, this proposed playground is 36 percent smaller than .53-acre Key Park, the often overcrowded playground that will be eliminated at the start of the project if a temporary gym is placed at this location. While access to the Key Park is limited by NYU to residents of a large area of CB2 living within about a 10-minute walk, its replacement, while open to all, would serve fewer people. The new playground is inappropriately sited because it would be directly adjacent to three tall buildings with its only openness facing north, so it would be in the shade most of the day for much of the year. (CB2 Resolution)

**Response 5-21:** In response to public comment, Chapter 5, “Open Space” of the FEIS provides additional accounting of playground space, calculating the net change in playground space with the Proposed Actions. Even when accounting for the displacement of private playground areas within the Proposed Development Area, by 2021 the proposed project would result in a 0.18-acre net increase in the total amount of playground space, and by 2031 the proposed project would result in a 0.06-acre net increase in the total amount of playground space. With respect to building shadows on the proposed Washington Square Village Play Garden, in response to public comments, additional information on the shadowing of project-generated open spaces; see Chapter 5, “Open Space,” Chapter 6, “Shadows,” and Appendix G, “Shadows” of this FEIS. As detailed in Chapter 5, much of the Washington Square Village Play Garden would be in shadow for most of the day in all seasons. However, given that the proposed Mercer and LaGuardia Buildings would have a largely glass exterior, there would be substantial indirect (reflected) light within this open space throughout the year. In addition, the Toddler Playground on the South Block and the LaGuardia Play Garden on the North Block generally would be in full or partial sun during most of the periods when the Washington Square Village Play Garden is shaded. The Proposed Actions, in expanding the use of the open areas on the North Block for publicly accessible open space, sited the playground in the more shaded area, because it is an active use, which does not depend on sun for enjoyment of its facilities. The other passive uses and plantings on the northern area of the central open space on the North Block are more dependent on sunlight.

**Comment 5-22:** The proposal turns away from its obligations under the original development plan. The City Planning Commission should insure that all future obligations are binding in the long term. When, in 1953, the City

Planning Commission approved the acquisition of Washington Square Southeast property under Title I of the National Housing Act of 1949, it did so to “permit the development of playscapes and landscaped areas and provide for arrangement and spacing of buildings to permit maximum light and air.” The Commission subsequently modified the Redevelopment Plan to decrease density, and increase landscaped and playground areas. The current NYU proposal goes in the opposite direction and the current ULURP process would thus legitimize, after the access-limiting behavior that NYU has actively pursued over the years. The City Planning Commission should reconsider whether to “retire” the original urban renewal plan. That plan stated that the area was to “be developed largely for residential purposes...[accommodating commercial space] not exceeding two stories in height...[and to accommodate] maximum population density of 375 persons per acre of the two superblocks...residential land coverage by buildings will not exceed 24 percent of the net residential area.” Not only does the proposed plan significantly increase density, it fundamentally replaces the Urban Renewal vision of the block as being primarily residential in nature. NYU would make it an institutional block, designed by and for the private institution, not the public, and expand commercial uses in a way that is incompatible with the residential neighborhood. (LCCG/LMNOP Study)

**Response 5-22:** As described in Chapter 2, the Urban Renewal Plan expired in 1994. The FEIS analyzes the environmental impacts of the proposed changes to the Proposed Development Area; changes to an expired Urban Renewal Plan are not considered a significant adverse environmental impact merely because they deviate from it.

**Comment 5-23:** The proposed project would eliminate public park space and break down the agreements under which NYU was given the formerly public land they now own, which prohibits exactly the type of development the university is now proposing. (Bedrosian, Friedman, Gellman, Georgi, Kiser, LewisE, Ponce, Schoonover)

The Zipper building will destroy the dog run and the LMNOP playground—both of which were created through funds privately raised by residents. (Glick)

**Response 5-23:** Chapter 5, “Open Space” assesses the Proposed Actions’ effects on open space conditions, including the displacement of existing publicly accessible open spaces. The analysis finds that the displacement would not result in significant adverse impacts. The project would not eliminate any parkland; the publicly accessible open spaces that it would displace are not park land. In fact, it would map park on what is now landscaped streetbed owned by the City. With the Proposed

Actions, the dog run would be relocated to the west of the Zipper building, with access to the new pedestrian path, which would run across the South Block on axis with the former Greene Street.

**Comment 5-24:** The amount of open space created by the project should be increased. (32SWS, VSN-Paul)

**Response 5-24:** Comment noted. As discussed in the Open Space chapter, the Proposed Actions would not result in any significant adverse open space impacts.

**Comment 5-25:** The Sasaki Gardens should be saved, not destroyed. (Devaney, Leaf, Peshlakai) We must preserve the beautiful Sasaki gardens. (Polsky, Walsh) The proposed project will destroy the lovely, 35-year-old Sasaki Gardens, replacing them with 28-story towers and a 15,000-student thoroughfare. (Pettibone)

**Response 5-25:** The DEIS and FEIS identify the nature and timing of the Proposed Actions' displacement of the Sasaki Garden (referred to in the EIS as "the Washington Square Village Elevated Garden"), and the EIS finds that its displacement contributes to a significant adverse impact to the Washington Square Village complex as an historic resource; see Chapter 7, "Historic and Cultural Resources." Chapter 21, "Mitigation" describes measures that would partially mitigate the significant adverse impact.

Although the Proposed Actions do not limit height in terms of numbers of stories, the proposed North Block buildings are not expected to be 28 stories in height. Under the Proposed Actions the Mercer Building would be up to 14 stories (218 feet tall to the roof parapet and 245-foot-tall to the top of the mechanical bulkhead), and the proposed LaGuardia Building would be 128 feet tall to the roof parapet and 158 feet tall to the top of the mechanical bulkhead. These heights would correspond with 14 stories and 8 stories, as set forth in Chapter 8, "Urban Design and Visual Resources.". Because there is a shortage of open space in the study area, it is expected that the new open spaces, like the existing publicly accessible open spaces in the study area, would be utilized extensively.

**Comment 5-26:** The LaGuardia Corner Gardens, Sasaki Gardens, the Mercer Playground, the Mercer Street dog run, the Time Landscape, and the open green spaces at the Silver Towers are in peril. That these precious neighborhood oases could be replaced by giant buildings and towers to serve NYU's corporate greed and fill the coffers of their investors is criminal, unjust, and myopic. (Harada, Lobel)

- Response 5-26:** Comment noted, with the following clarifications: the Proposed Actions would relocate the Mercer-Houston Dog Run to a comparably sized space on the South Block. The Proposed Actions would not displace the Time Landscape unless that site is identified in the future as a relocation site for the LaGuardia Community Gardens, in order to partially mitigate the significant adverse construction and shadow impacts of the Bleecker Building on the LaGuardia Community Gardens (see Chapter 21, “Mitigation,” Section B, Shadows, and Section E, Construction). The Proposed Actions would not displace the open green spaces at the Silver Towers.
- Comment 5-27:** The Time Landscape Garden should be transferred from NYCDOT Green Streets and be mapped as parkland. Created by artist Alan Sonfist (1946), the Time Landscape was conceived “as a living monument to the forest that once blanketed Manhattan Island. After extensive research on New York’s botany, geology, and history, Sonfist and local community members used a palette of native trees, shrubs, wild grasses, flowers, plants, rocks, and earth to plant the ¼ acre plot. In place since 1975, it is a developed forest that represents the Manhattan landscape inhabited by Native Americans and encountered by Dutch settlers in the early 17th century, the only dedicated native landscape in Manhattan.” This landscape should be permanently protected and mitigated—not moved or otherwise encroached upon.
- Response 5-27:** Comment noted.
- Comment 5-28:** Our passive green space is a rare asset in this city and should not be relinquished at the whim of a single institution. (Appel, Lichter) Once public land is gone we never get it back. Greenwich Village should not give up gardens, parks, and playgrounds for hotels and retails space. (JohnsonS) Protect public, community green space. Without it, there is no community. (Ballirol)
- Response 5-28:** Comment noted. The Proposed Actions’ changes to open space conditions were found to warrant detailed analyses under CEQR. See the response to Comment 5-1.
- Comment 5-29:** The LaGuardia community garden, the Sasaki Garden, and the children’s Key Park, all threatened by destruction from this plan, are priceless assets that occupy a significant place in the daily lives of our residential community. (Das, Ganti, Walsh) Our glorious community gardens are threatened. This is an important place for many people—our Greenwich Village community, our students, and visitors—all come and stop at the sight of this oasis. Please consider the existence and vital importance of our precious community garden. (Kuzniar) The plan to

remove green space would make this a much more difficult and unpleasant place to live. The “Key Park” is used by hundreds of children every day and is a critical space for the community. (Phillips-Fein) The proposed expansion would remove the beautiful LaGuardia Place garden. (Whitney)

**Response 5-29:** Comment noted. As described in Chapter 7, “Historic and Cultural Resources” of the DEIS and this FEIS, the displacement of the Elevated Garden is identified as a significant adverse impact to historic resources. Chapter 5, “Open Space,” of the DEIS and this FEIS describes the displacement of the Key Playground and considers the displacement in its assessment of the Proposed Actions’ impacts on open space resources. Chapters 6, “Shadows,” and 20, “Construction,” assess the potential significant adverse impacts to the LaGuardia Corner Gardens. Chapter 21, “Mitigation,” describe the proposed mitigation to address these significant adverse impacts.

**Comment 5-30:** Does NYU intend to modify the city-owned streetside open space strips on Mercer Street and LaGuardia Place to create access plazas for their proposed buildings, and will these public lands be used for construction staging during the building of the LaGuardia and Mercer “boomerang” buildings? (CAAN)

**Response 5-30:** Chapter 5, “Open Space” of the DEIS and FEIS describes in text and graphics the proposed changes to the City-owned strips on Mercer Street and LaGuardia Place on the North Block between Bleecker and West Third Streets (the NYCDOT strips). Chapter 20, “Construction” of the DEIS and this FEIS describes in text and graphics the use of the NYCDOT Strips during the building of the proposed LaGuardia and Mercer Buildings.

**Comment 5-31:** The Key Park should be maintained and a minimum of equal square footage of publicly accessible open space for Mercer Playground should be identified prior to construction. (BusinessOwners)

**Response 5-31:** In response to public comment, Chapter 5, “Open Space” of the FEIS provides additional accounting of playground space, calculating the net change in playground space with the Proposed Actions. Even when accounting for the displacement of private playground areas within the Proposed Development Area, by 2021 the proposed project would result in a 0.18-acre net increase in the total amount of playground space, and by 2031 the proposed project would result in a 0.06-acre net increase in the total amount of playground space. It should also be noted that the FEIS contains an assessment of the potential modifications under consideration by the CPC at the time of preparation of this FEIS (in Chapter 26, “Potential Modifications Under Consideration by the CPC”), which include

elimination of the temporary gym and a change in construction sequencing on the North Block. These two modifications would delay the displacement of the Washington Square Village (Key) Playground until 2027, rather than 2013 in the future with the Proposed Actions.

**Comment 5-32:** The proposed project will result in the conversion of City-owned land to NYU-controlled land, which thereby reduces public park space. (May)

**Response 5-32:** As detailed in Chapter 5, “Open Space” of the DEIS and FEIS, the proposed project would result in a net increase in publicly accessible open space, and would map the North Block’s LaGuardia Place and Mercer Street Strips as City parkland. The Proposed Actions would not displace existing public park space, though they consider the disposition of City-owned property to NYU.

**Comment 5-33:** NYU’s planned development on two Greenwich Village superblocs would result in the privatization of .47 acres of the Coles public strip and other publicly owned open space adjacent to the two boomerang buildings. (LCCG/LMNOP Study)

**Response 5-33:** The analysis in Chapter 5, “Open Space” of the DEIS and this FEIS assesses the loss of the publicly accessible open spaces (Coles Plaza and Coles Playground) along Mercer Street between West Houston and Bleecker Streets; the Mercer-Houston Dog Run—which is also located along Mercer Street between West Houston and Bleecker Streets—is a private dog run. See also the response to Comment 5-32.

**Comment 5-34:** NYU’s planned development on two Greenwich Village superblocs would eliminate current plantings on the Mercer Strip, including the LaGuardia Corner Gardens and Time Landscape (1.56 acres) and place in jeopardy an additional 0.39 acres of publicly owned open space that NYU promises to restore by 2031, or states will not be affected by the construction. (LCCG/LMNOP Study).

**Response 5-34:** The LaGuardia Corner Gardens and the Time Landscape are not located on the Mercer Strip, but on the LaGuardia Place NYCDOT Strip between West Houston and Bleecker Streets. Nevertheless, the DEIS and this FEIS discloses that the Proposed Actions would result in significant adverse impacts on the LaGuardia Corner Gardens during construction of the Proposed Bleecker Building, and when the Bleecker Building is completed due to shadows. The Proposed Actions would not displace the Time Landscape (unless that site is identified in the future as a relocation site for the LaGuardia Community Gardens, as a partial mitigation measure, through the process described in Chapter 21, “Mitigation”). The Proposed Actions would not result in significant adverse shadow impacts on the Time Landscape.

**Comment 5-35:** We recommend that all public strips be mapped as Parks to fully protect them and prevent the privatization of public space in the future. This must include the LaGuardia Corner Gardens, the oldest community garden in the country, and the Time Landscape. Many people are under the impression that the community gardens are already Park property. They are not, and NYU has indicated that it will not support this level of protection. (LCCG/LMNOP Study)

The City Planning Commission should map all open space strips as parkland and support their transfer to the Parks Department, thus guaranteeing their preservation. In 1995 NYU specifically opposed a proposal to do so. The community groups that have cared for this land have been lobbying to designate these open space resources as parkland for 30 years, but NYU has only negotiated with the Parks Department to protect and map as parkland the public strips on the northern superblock. The Borough President's amendment does not offer parity with the same parkland mapping to the valuable green resources on public strips on the southern superblock. The Time Landscape and LaGuardia Corner Gardens should be mapped as parkland and receive protection as the valuable open spaces they are. (LCCG/LMNOP Study)

**Response 5-35:** Comment noted. As reflected in Chapter 1, "Project Description," NYU's proposed project in the Proposed Development Area does not include any portion of the NYCDOT Strip on LaGuardia Place between West Houston and Bleecker Streets. NYU is proposing, as part of the Proposed Actions, to demap the Mercer Street Strips between West Houston and West 4th Streets, as well as the LaGuardia Place Strip on the North Block. The LaGuardia Place and Mercer Street Strips on the North Block would be mapped as parkland.

**Comment 5-36:** The "Key Park," is used by hundreds of children every day when it is beautiful outside, including two preschools and multiple in-home day care centers. It is a critical space for building community, one of the few where parents in the neighborhood can easily meet and get to know each other. The city needs more of these kinds of spaces, not fewer. (Vargo)

**Response 5-36:** Comment noted.

**Comment 5-37:** Lifting zoning requirements meant to preserve open space in one of the most park-starved areas in New York City, as NYU is requesting, would be wrong. (Abramowitz, Agee, Ain, Alexander, Alippi, Allen, Amato, AmbroseJ, AmbroseL, Amer, Amila, Anthony, Appel, Armstrong-Gannon, Aspillera, Atwood, AubreyB1, AubreyB2, Auletta, Avins, AvinsV, Bacon, Bader, Ballirol, Barbas, Bareau, Baresch, Barlat, Barton, Bauman, Bear, Bedrosian, Bella, Bendewald, Benedict, Berenblatt, Bernstein, Bland-Dhien, Blohm, Blount, Boernstein,

Bogdanoff, Bogen, BogenJ, Bonnet, Bononno, Bourten, Bradley, Brandt, Brashear, Bregman, Brennan, BrinB, BrinR, BrownL, Buhler, Burdin, Burzi, Cahn, Cameron, CampbellC, Canion, Cannon, Carduner, Carpenter, Carulli, Castoro, Catucci1, Catucci2, CCBA, Cerullo, Chadwick, Chandler, Charles, Charlton, Chase, Cherry, Chiasson, Christopher, Clarke, Clerk, Cohl, Coles, Collier, CollinsC, CollinsP, Collura, Cooper, Cooper-Hecht, Cornwell, Cozzino, Crump, Curtis, Dalin, Dancy, Daniels, Dapolito, Datlow, Davies, Davis, DavisE, DavisM, deBruin, DeCicco, DelMonte, Dempsey-Rush, Denton, Devaney, Diario, Donohue, Dooley, Dowling, Doyel, Doyle, Duchesne, Eagan, Edelman-Novemsky, Edwards, EdwardsM, Ehlinger, Eisenberg, Eltobgy, Elves, ElvesJ, Emert-Hutner, Essig, Evans, Exer, Fein, Felix, Ferranti, Ferrer, Fischer, Fisher, FisherN, FletcherA, FletcherAG, Fornash, Forste, Fouratt, Fradd, Franklin, Freedman, Fritsch, Frohlich, Fuchs, Fuller, FullerW, Galker, Gallagher, Gallup, Gambino, Gamme-Leigh, Gary, Geballe, Gedell, Gellman, Gesell-Clossou, Gibbs, Gigante, Gitlin, Gluck, GoldbergLisa, Golden, Goldin, Goldman, GoldmanB, GoldsteinA, Good, Goodwin, Gordon, Gottlieb, GouldA, Graham, Grande, Greenberg, Greenstein, Greininger, Groobert, Grubler, Guilloton, Gullo, Gussow, GVSHP-Petition, Haberman, Haddad, Haikalis, Hanesian, Hanja, HanjaR, Harlib, Hart, Hautier, Hayes, Haynes, Healy, HealyGM, Hechtman, Hernay, Hitchcock, Hoover, Horan, Horland, Horowitz, Howell, Howie, Hudson, HulleyK, Hyman, Isola, Jacobs, Jaffe, JohnsonJ, JohnsonJamie, JohnsonM, JohnsonS, Kalinoski, Kaplan, KaplanR, Kasowitz, KaufmanM, Keenen, Keith, Kenet, Keppler, Kiely, King, Kino, KleinS, Knox, Kogod, Kolyer, Korotzer, Koryk, Kremsdorf, Kruth-Cirtanic, Kruz, Lamb, Lanyon, Latelo-Gandiosi, Lawrence, Leaf, LeibowitzB, LeibowitzC, Lesko, Levine, LevyS, Lew, LewisM, LewisS, Libby, Linder, Locker, Longacre, LourasLJ, LourasNJ, LourasTN, Luciano, Lundin, Lynn, Maggio, Magida, Maha, Maida, Malon, Mam-Kamos, Manton-Herbert, Marcus, Mariano, Marten, Martin JI, MartinD, MartinE, Martinez, MartinJ, Marx, MarxR, Masullo, Mathews, Mazyan, McDarrah, McFadden, McGraw, McKenzie, McRoyslie, Memberg, Miata, MincerA, Mingione, Mintz, MintzR, Monti, Moore, Moorehead, Morano, Morris, Moses, Moses, Mostel, Mulkins, Murray, NadlerW, Naor, Nash, Negrin, Nelson, Nemethy, Nicholson, Nickas, Niedoroda, Niv, NoName1, NoName2, Novak, O'HaraP, O'Hara, Olero, Olsson, Opor, Ortner, Otero, Packer, Pargh, Pau, Paul, Payton, Pearlroth, Pelavin, Peral, Perfette, Perrone, Peterson-Lewis, Pettibone, Phillips-Fein, Picache, Pichard, Plutzker, Polsky, Ponce, Pope, Portadin, Postal, Potoff, Potophy, Quart, Quon, Raab, Rackow, Radoczy, Ragno, Ramsdell, Raymond, Rea, RebovichF, RebovichJ, Rechner, Recnick, Reich, Rennert, Rennich, Riccobono, Roberts, Rogers, Rolland-

DelGaudio, Rose, Rosenberg, Rosenblatt-Robert, Rosenstein, Rosenthal, Ross, Rothenberg, Rowland, Samton, Sanders, Savin, Schanck, Schmidt, Schroder, SchwartzA, Schwartzkopf, Sealy, Selman, Shanker, Shapiro, Shapley, Shellooc, Siddiq, Siedun, Siegfried, Simoncelli, Singer, Siracusa, SmithB, SmithBJ, SmithKA, Snyder, Soffer, Soker, Solitorio, Sondvik, Sphin, Spicciatie, Standish, Stawski, Steed, Steinhagen, SteinhagenR, Stenn, StewartF, Stolz, Strand, Stuart, Stults, Swan, SwanC, Taub, Taylorson, Tedesco, Tell, Texidor, Thea, Timmins, Toms, Torjusen, Tornes, Totah, Trokie, Tschunkil, Tso, Tynes, Uhlenbech, Union Square Community Coalition, Unreadable1, Unreadable2, Unreadable3, Unreadable4, Unreadable5, Unreadable6, Unreadable7, Unreadable8, Unreadable9, Unreadable10, Unreadable11, Unreadable12, Unreadable 14, Unreadable 15, Unreadable 16, Unreadable 17, Unreadable 18, Unreadable 19, Unreadable 20, Unreadable 21, Unreadable 22, Unreadable 23, Unreadable 24, Unreadable 25, Unreadable 26, Unreadable 27, Valente, Varadhan, Vargo, Vishner, VonMayrhauser, Vromo, Walsh, Wardle-Mortenson, Wauper, Weber, Weiner, WeinerD, Weinstock, Weisberg, WeisnerG, Wever, Whelton, WhiteV, White-Weisner, Whiting, Whitney, Widener, Wigotsky, WilliamsR, Wintermuth, Witherspoon, Wolpe, Woodward, Yamamoto, Yarmolinsky, Yeargans, Yee, Young, YoungM, Zelisko, Zenchil, Zisser, Zito, Zullo-Heyman, Zuluaga)

We recommend that the City Planning Commission reject the requested commercial rezoning which allows for building bulk and heights far above current residential limits. This would contribute to the permanent and irreplaceable loss of valuable open space resources. (LCCG/LMNOP Study)

**Response 5-37:** Comment noted. Please see the response to Comment 2-11.

#### **CHAPTER 6: SHADOWS**

**Comment 6-1:** By eliminating the proposed dormitory above the proposed school building on Bleeker Street/LaGuardia Place (South Block), the project would reduce shadow impacts on the LaGuardia community gardens. (Stringer, MBP)

**Response 6-1:** An analysis of the modifications in Chapter 26, potential modifications under consideration by the CPC at the time of this FEIS (see Chapter 26, “Potential Modifications under Consideration by the CPC”) concluded that in the late spring and summer analysis periods, which represent most of the growing season at the latitude of New York City, the elimination of the proposed dormitory component of the Bleeker Building would reduce the extent of project-generated shadows on the LaGuardia Corner Gardens during a period lasting approximately an

hour to an hour and twenty minutes, around noon. While this would reduce the period of shadowing, it would not eliminate the significant adverse shadow impact of the Bleecker Building (Phase 1). Appendix H of this FEIS shows the extent of shadowing on the LaGuardia Corner Gardens under the Potential CPC Modifications as compared to the Proposed Actions.

**Comment 6-2:**

The key question regarding shadows is whether the new structures may cast shadows on sunlight sensitive, publicly-accessible resources or other resources of concern such as natural resources.” See CEQR Technical Manual (2012) at 8-1. The DEIS identified 11 resources that could be adversely affected by shadows caused by the proposed development. Of those 11 resources, the DEIS only identified one that would result in a significant adverse shadow impact—the LaGuardia Gardens. For the remaining 10, the DEIS determined that the level of shadowing was within acceptable limits.

The DEIS does not analyze the collective effect of both existing and new buildings, including blocking of sunlight, diminishment of property values, reduction of plant and tree growth, or the impact on treasured community green space. In particular, the DEIS is inappropriately dismissive of the impact on the willow oaks in the Oak Grove. As the DEIS acknowledges, the willow oaks are state-endangered, as ranked by the New York Natural Heritage Program, and—as a result of new shadows—will be receiving less than the four-to-six-hour minimum threshold of daily sun recommended in the *CEQR Technical Manual*. See DEIS at 6-2, n.2, 6-3, CEQR Technical Manual (2012) at 8-24. Despite its acknowledgement that (1) the six trees are endangered, (2) the shadows will put stress on them, and (3) the fact that two are in poor condition, the DEIS surprisingly found that there would be no significant adverse impact. The DEIS makes the unsupported claim that the willow oak, although technically "endangered" in New York, is common in New York City. It claims that because southern New York is the extreme north end of its habitat, it is somehow not deserving of the endangered appellation.

**Response 6-2:**

As noted in Chapter 6, “Shadows,” of the DEIS and this FEIS, with the Proposed Actions on the March 21/September 21 analysis day, the willow oaks would experience a reduction of sunlight of from 1.5 to 3 hours. The trees would also experience incremental shadows on the May 6/August 6 and June 21 analysis days, but the durations would be less as compared to the March 21/September 21 analysis day. Although the trees located in the Oak Grove would continue to receive adequate sunlight during the peak of their growing season, during the early and late portions of their growing season the trees would receive fewer than

four to six hours of daily sun, which is the minimum recommended in the *CEQR Technical Manual*. The proposed project's incremental shadows could place stress on the willow oak trees located in the Oak Grove. As detailed in Chapter 6, in order to maintain the viability of the four willow oaks that are not already in serious decline, NYU would commit to a tree maintenance plan for the Oak Grove. This commitment would be included in the Restrictive Declaration. With implementation of such a plan, the four willow oaks are not expected to decline as a result of project-generated shadows, and there would be no potential for a significant adverse impact on the willow oaks as a result of the Proposed Actions.

The analysis in the DEIS discloses the willow oak's status as state-endangered, as ranked by the New York Natural Heritage Program, and also frames this designation in its proper context, given that the designation can falsely lead one to believe that the willow oaks in the Oak Grove are one of the last of their kind in the State of New York. They are not. In response to public comments, Chapter 6, "Shadows," of the FEIS has been updated to provide additional clarification. According to the *New York Natural Heritage Program (NYNHP) Conservation Guide*, "Willow Oak (*Quercus phellos*) was always very rare in New York because of climatic conditions and the number of natural populations has remained very small over time. There are many trees in the New York City area because they have been planted as landscaping trees but are not considered natural populations. Willow oak is also planted extensively as a street tree in New York City and it is sometimes difficult to distinguish native trees from those that were planted.<sup>1</sup>"

**Comment 6-3:**

The shadows analysis also deliberately failed to consider the impacts of shadows from new and existing buildings on new open spaces, and in particular the proposed Greene Street Walk, toddler's playground, and the new dog run, which would be shadowed most of the day, year round. The DEIS maintained that under CEQR methodology, "open space that would be developed as part of a project cannot experience adverse impacts from the project, because without the project the space wouldn't exist." DEIS at 6-3. This is disingenuous, as the new public space is being touted as a public good that will result from the project. If the promised public space will be immediately ruined by the other aspects of the project, it only makes sense that this would be fully analyzed and disclosed. Failure to do so substitutes technical

---

<sup>1</sup> New York Natural Heritage Program (NYNHP). 2010. NYNHP Conservation Guide - Willow Oak (*Quercus phellos*). New York State Department of Environmental Conservation. Albany, NY.

compliance for compliance with the spirit of the law. See DEIS at 6-3; see also Exhibit 22 at 4 (GVSH, The TRUTH About Open Space and the NYU 2031 Plan, Feb. 23, 2012). (GVSH Statement)

**Response 6-3:** Although the DEIS summarizes the potential for shadow on proposed new open spaces, in response to public comments, the FEIS has been expanded to present details of the shadow analysis on all proposed open spaces, including an Appendix G: “Shadows” which shows the extent of shadows on the project-generated open spaces in half-hour increments over the course of each of the four CEQR analysis days. It should be noted that the *CEQR Technical Manual* states that no shadows on proposed new open spaces would constitute significant adverse impacts, primarily because these spaces could be programmed with shade tolerant species and facilities that are not sun sensitive.

**Comment 6-4:** The DEIS does not adequately account for the serious adverse effect shadows will have on the LaGuardia Corners Community Garden. Although the DEIS acknowledges that the project will result in significant shadow impacts on the Garden, it does not appreciate the impact on this treasured community green space. LaGuardia Corners Garden is an award-winning public space which is currently a designated Monarch butterfly way-station. It is the oldest running community garden in New York City. Although NYU purports to mitigate the shadow damage, the garden will struggle to survive at the foot of the nearly 200 foot Bleecker Building. Moreover, the peach, crab apple, apple, black pine and pear trees will all be destroyed when the land is “temporarily” covered by sidewalk sheds and used as a staging ground for construction. After completion of construction, the old growth trees will be lost and irreplaceable until decades in the future, if ever, as the species that currently exist would require more sun than they would receive after construction is completed. See Exhibit 16 at 8 (Disappearing Before Our Eyes, *supra* note 8 at 19). (GVSH Statement)

**Response 6-4:** The DEIS and the FEIS disclose that there would be significant adverse impacts on the LaGuardia Corner Gardens due to construction of the Bleecker Building and then shadows from the completed Bleecker Building under the Proposed Actions. The FEIS does describe mitigation for these adverse impacts (see Chapter 21, “Mitigation,” Sections B and E), but acknowledges that such mitigation would not fully mitigate the significant adverse impacts. The reference to “old growth” trees is not accurate, if that reference is intended to imply that the trees are a remnant of virgin forest in the area; nevertheless, it is acknowledged that the construction of the Bleecker Building would cause significant adverse impacts to mature trees at the LaGuardia

Corner Gardens. The displacement of Monarch butterflies from the 0.15-acre LaGuardia Corner Gardens would not result in a significant adverse impact to butterfly populations. Although the LaGuardia Corner Gardens provides flowering trees and perennials that attract Monarch butterflies, it does not represent critical habitat for this species. Due to the small size of the LaGuardia Corner Gardens and the availability of similar habitats (e.g., community and home gardens) as well as higher quality habitats (e.g., successional fields within local parks) within the region, the loss of 0.15 acres of habitat would not result in a significant adverse impact to the Monarch butterfly.

**Comment 6-5:** The NYU expansion would consign what would remain of our open space to permanent encasement in shadows by large-scale new construction. (Alutto, Boernstein, Fogel, Green, Hellstrom, Ponce, Pultz, Ramsdell) The ability for the sun to get into the community will be eroded. (E13thCA) The proposed project would create permanent shadows over the neighborhood. (May)

**Response 6-5:** As presented in Chapter 6, “Shadows,” of the DEIS and this FEIS, a detailed shadows analysis was conducted following the methodology of the *CEQR Technical Manual*. This analysis quantified the extent and duration of new shadows that would fall on sunlight-sensitive resources, including open spaces, in the neighborhood, and assessed the effects of the new shadows, taking into account the shadows already cast without the proposed project. The analysis concluded that significant adverse shadow impacts would result with respect to the LaGuardia Corner Gardens. On other resources, the new shadow would not be substantial enough to significantly impact the health of vegetation or the usability of the open spaces. Shadows move across the landscape over the course of the day. They are not permanent. In the middle of the day, particularly in the late spring and summer, shadows are quite short, less than half the height of the structure that cast them. Washington Square Park, the plazas and playgrounds along Avenue of the Americas, and other neighborhood open spaces would be unaffected by the proposed project.

**Comment 6-6:** The Silver Towers would be thrown into the shadow and cramp of a claustrophobic wall. (SchwartzJ)

**Response 6-6:** University Village, which includes Silver Towers, is a designated New York City landmark, and the facades of the towers were analyzed as sunlight-sensitive resources (see Chapter 6, “Shadows”). The analysis concluded that the proposed Zipper Building would cast new shadows on the east facade of 100 Bleecker Street/Silver Tower II for several morning hours throughout the year, on the south façade in December and March/September for shorter durations, and on the north façade in

May/August and June for a brief duration. New shadows also would be cast on one or more facades of the other two University Village buildings, but for shorter durations and on smaller areas in most months. However, as shown in the figures associated with Chapter 6 of the DEIS and FEIS, large portions of the facades of the three buildings would remain in sunlight during the affected periods as well as in the afternoons. In addition, the proposed project's Greene Street Walk would introduce a new publicly accessible vantage point from which to view the facades. The analysis concluded, therefore, that the University Village buildings would not experience significant adverse shadow impacts as a result of the proposed project.

**Comment 6-7:** The height and bulk of the new buildings will tower above the neighborhood, negatively impacting both residences and open space. The DEIS indicates that they will cast shadows as far as Washington Square Park. (CB2 Resolution)

**Response 6-7:** Chapter 6, "Shadows" of the DEIS and FEIS state on page 6-1 that, "Washington Square Park would not receive any incremental shadows from the proposed project due to intervening buildings." Chapter 6 of the DEIS and FEIS provides a detailed analysis of the proposed project's shadowing effects on sunlight-sensitive resources. The analysis finds that the proposed project would result in significant adverse shadow impacts to one sunlight-sensitive resource—the LaGuardia Corner Gardens. Based on public comment, the FEIS provides additional description of the proposed project's effects on project-generated open spaces; please see Chapter 5, "Open Space," Chapter 6, "Shadows," and "Appendix G: Shadows" for this additional information.

**Comment 6-8:** The shadows cast by the proposed Bleecker Building would severely harm the LaGuardia Corner Gardens, a community garden for more than 30 years. (CB2 Resolution) The LaGuardia Corner Gardens are an important part of the neighborhood, and must be protected. (BusinessOwners)

**Response 6-8:** Comment noted. Chapter 6, "Shadows" of the DEIS and FEIS finds that the proposed project would result in significant adverse shadow impacts on the LaGuardia Corner Gardens. Chapter 21, "Mitigation" of the FEIS describes measures that would be undertaken to partially mitigate this significant adverse impact. Please see response to Comment 6-7.

**Comment 6-9:** New buildings would cast shadows on many structures, plantings and people. The DEIS also does not take the collective effect of both existing and new buildings into account, including blocking of sunlight,

diminishment of property values, reduction of plant and tree growth, impact on treasured community green space (e.g., the award-winning LaGuardia Corner Garden which is currently a designated Monarch Butterfly Waystation and Backyard Wildlife Habitat), and the impact on the proposed location of the replacement children's playground in Washington Square Village. In addition, the South Block's landmarked area would suffer significant shadowing from the proposed buildings, also changing the view of the Picasso "Bust of Sylvette" sculpture. (CB2 Resolution)

The large scale development would have many negative consequences, including blocked residential views, the loss of light in many homes, and shadows over outdoor congregating areas. (Boernstein, Geronimus, Mam, Weisberg)

**Response 6-9:**

The shadows analysis in Chapter 6, "Shadows" of the DEIS and this FEIS does take the collective effect of both existing and new building into account. With respect to the scope of resources analyzed, the shadows analysis in the EIS follows the methodology of the *CEQR Technical Manual*, which limits the assessment of shadow impacts to "sunlight-sensitive resources." Sunlight-sensitive resources are defined in the *CEQR Technical Manual* as: public open space (as defined in Chapter 7 of the *CEQR Technical Manual*); architectural resources that depend on direct sunlight for their enjoyment by the public (e.g., University Village's gridded and sheer concrete facades, which have deeply-recessed horizontal window bays, as well as a 22-foot wide sheer wall, creating dramatic juxtapositions of light and shadow); natural resources (as defined in Chapter 11 of the *CEQR Technical Manual*); and Greenstreets (e.g., the Time Landscape). CEQR shadow analyses do not assess the potential effect of shadows on individual residents' property values. The shadows analysis in the DEIS and FEIS includes the LaGuardia Corner Gardens as a sunlight-sensitive resource, and the analysis finds that the Proposed Actions would result in significant adverse impacts on the garden. University Village's buildings also were included in the assessment for the reasons cited in this response above, but the "Bust of Sylvette" is not identified as a feature dependent upon sunlight for its appreciation, and therefore incremental shadows on the "Bust of Sylvette" were not analyzed.

The Proposed Actions, in expanding the use of the open areas on the North Block for publicly accessible open space, sited the playground in the more shaded area, because it is an active use, which does not depend on sun for enjoyment of its facilities. The other passive uses and plantings on the northern area of the central open space on the North

Block are more dependent on sunlight. With respect to the comment about blocked views, please see the response to Comment 8-13.

**CHAPTER 7: HISTORIC AND CULTURAL RESOURCES**

**Comment 7-1:** Greenwich Village is home to numerous historic iconic buildings, and it would be capricious and unwise to allow the project to proceed. The character of the University Village Towers, a New York City landmark designed by I.M. Pei, will be destroyed by tall buildings, which clearly contravene the original site plan and existing zoning requirements for open space. See Exhibit 24 at 3 (Gambit Consulting Report). (GVSHP Statement)

**Response 7-1:** As noted in Chapter 7, “Historic and Cultural Resources,” because University Village is a New York City Landmark, the Landmarks Preservation Commission (LPC) reviewed and approved the proposed alterations to this architectural resource. These alterations, which are described in Chapter 7, “Historic and Cultural Resources,” were approved by LPC on July 27, 2011. LPC’s findings with respect to the appropriateness of the proposed alterations to the landmarked University Village are contained in a Certificate of Appropriateness (CofA) issued by LPC (CofA #12-3095; Docket #12-2680, see Appendix B, “Historic and Cultural Resources”). Subject to meeting conditions with respect to construction monitoring and a Construction Protection Plan (see Appendix B, “Historic and Cultural Resources”), the Proposed Actions are not expected to result in significant adverse impacts to University Village.

Although the proposed project would add the Zipper and Bleecker Buildings to the east end and northwest portion of the South that would change the context of University Village with taller, new buildings built adjacent to the landmarked site, the new buildings would not affect the pinwheel configuration of the three University Village towers and the University Village towers would continue to be viewed as a unified building complex. The University Village towers already exist in an area containing a mix of older and newer buildings of shorter and taller heights, including the buildings in the historic districts south, east, and west of the South Block. Further, the redevelopment of the Coles Gymnasium site and the Morton Williams grocery store site would not be expected to adversely affect University Village because these two sites do not have a meaningful historic or contextual relationship with University Village.

In addition, because University Village is also S/NR-eligible and the proposed project involves actions by a state agency (the Dormitory Authority of the State of New York [DASNY]), the proposed alterations

to University Village and the proposed construction of the Zipper Building and Bleecker Building on the south superblock were reviewed by OPRHP, which determined that, subject to meeting conditions with respect to construction monitoring and a construction protection plan (see Appendix B, “Historic and Cultural Resources”), the Proposed Actions are not expected to result in significant adverse impacts on University Village.

**Comment 7-2:** NYU cannot destroy a neighborhood that is steeped in history and tradition. (CVCA)

The project will change a historic residential neighborhood’s existing low- to mid-rise nature and change the character of this long-established and beloved area with the addition of enormous, inappropriate, and huge buildings that will dominate over our neighborhood. (Bartels, Cotterell, Tyree, Valentin)

The proposed design would harm or destroy historically significant features of Washington Square Village and University Village by roughly doubling the amount of built space on both superblocks. (Boernstein, GVSHP-Durniak)

**Response 7-2:** As described in Chapter 7, “Historic and Cultural Resources,” the NYU Core project would be developed in a neighborhood that is characterized by buildings of different heights and from different construction periods, including the University Village towers and the Washington Square Village residential buildings, in addition to a mix of older and newer buildings of shorter and taller heights, including the buildings in the historic districts south, east, and west of the Proposed Development Area. The analysis identifies significant adverse impacts to the Washington Square Village historic resource on the North Block and the the S/NR-eligible Potential NoHo Historic District Expansion within the Commercial Overlay Area; partial mitigation measures for those impacts are presented in Chapter 21, “Mitigation.”

**Comment 7-3:** The Washington Square Village, on the National Register of Historic Places, will be overwhelmed by two new towers that occupy the open space that was part of the design intent. *Id.* (GVSHP Statement)

**Response 7-3:** As detailed in the Alternatives Analysis included in Appendix B, “Historic and Cultural Resources,” the two new academic buildings—the Mercer Building and the LaGuardia Building—that would be developed on the Washington Square Village site would be located at the east and west ends of the block between the two retained Washington Square Village apartment buildings. Both new buildings

are anticipated to have curved forms designed to maximize access to light and air, and to enhance physical and visual access to the new street level open space that would be created in the middle section of the North Block. The two new buildings would be sited approximately 60 feet from Washington Square Village's north and south residential buildings—the same width as most nearby streets.

As noted in the Alternatives Analysis included in Appendix B of the DEIS and this FEIS, the forms of the new buildings would reinforce the overall site plan and would help to identify the new circulation paths through Washington Square Village that would support the programming of the open space. The Mercer Building would be similar in height to the University Village buildings on the South Block and existing tall buildings to the east and north, including loft and warehouse buildings in the NoHo Historic District (S/NR-eligible, NYCL) east of Mercer Street. The LaGuardia Building would be approximately 30 feet shorter than the Washington Square Village apartment buildings and would be similar in height to the shorter residential and commercial buildings in the South Village Historic District (S/NR-eligible, NYCL-eligible) west of LaGuardia Place.

As disclosed in Chapter 7, “Historic and Cultural Resources,” the proposed project would result in alterations to the Washington Square Village complex that would remove elements of this S/NR-eligible resource that contribute to its historic significance, including eliminating the LaGuardia Retail building and the elevated landscaped garden (i.e., the Sasaki Garden), developing two new buildings and landscaping on the site, and making limited alterations to the Washington Square Village buildings themselves. To evaluate the feasibility of retaining elements of Washington Square Village to avoid a significant adverse impact to this architectural resource, a study was prepared in consultation with OPRHP (see Appendix B, “Historic and Cultural Resources”). The study concluded that there is no prudent and feasible alternative that would both meet the purpose and need of the NYU Core project and avoid a significant adverse impact on Washington Square Village. However, impacts would be minimized through the retention of Washington Square Village's two residential buildings. NYU has consulted with OPRHP regarding appropriate measures to minimize or partially mitigate the significant adverse impact on Washington Square Village.

Measures to minimize or partially mitigate significant adverse impacts to Washington Square Village would be implemented in consultation with OPRHP and would be set forth in a Letter of Resolution (LOR) to be signed by the applicant, OPRHP and DASNY prior to publication of

the FEIS. Mitigation measures are detailed in Chapter 21, “Mitigation,” and include the preparation of Historic American Buildings Survey (HABS) Level II documentation of Washington Square Village, the development of a scaled landscaping plan documenting the existing Sasaki Garden, continuing consultation with OPRHP on the proposed changes to the two buildings as design proceeds, and the installation of one or more plaques or historic markers providing a historical interpretation of the Sasaki Garden and Washington Square Village. Further mitigation measures are described in further detail in Chapter 21, “Mitigation.”

**Comment 7-4:** University Village is a designated New York City landmark. Although the proposed area of development is just outside of the landmarked site, large construction on LaGuardia Place and Mercer Street would effectively sandwich the trio of towers and decrease their architectural impact by making them just another bunch of tall buildings. (HDC)

The landmarked I.M. Pei University Village would be surrounded with new, tall construction that would contravene the zoning, deed restrictions, and design intention. I.M. Pei wrote to NYU to object to their original design, which they withdrew but substituted a new plan almost as bad. (Boernstein)

**Response 7-4:** As described in Chapter 7, “Historic and Cultural Resources,” with the proposed project, the three University Village buildings, which were intentionally designed to face away from the adjacent streets, would continue to be oriented inward toward the center of the site with their primary facades facing the complex’s central lawn and the *Bust of Sylvette* sculpture. Although the Zipper and Bleecker Buildings would change the context of University Village with new buildings built adjacent to the landmarked site, the new buildings would not affect the pinwheel configuration of the three University Village towers. The University Village towers would continue to be viewed as a unified building complex. The University Village towers already exist in an area containing a mix of older and newer buildings of shorter and taller heights, including the buildings in the historic districts south, east, and west of the South Block. Further, the redevelopment of the Coles Gymnasium site and the Morton Williams grocery store site would not be expected to adversely affect University Village because these two sites do not have a meaningful historic or contextual relationship with University Village.

**Comment 7-5:** The iconic Sasaki Garden at Washington Square Village will be destroyed in NYU’s Plan 2031. The Cultural Landscape Foundation has listed the Sasaki Garden as “at risk.” In April 2011, the entire

Washington Square Village was deemed significant enough to “qualify for possible listing in the State and National Registers of Historic Places” which requires SHPO review before state or federal funding can be used on the project. (SaveSasakiGarden)

The Philosophy Garden completely displaces the Sasaki Garden, an integral part of the WSV complex that has been deemed eligible for the State and National Historic Register of Historic Places. (CB2 Resolution)

The oversaturation of facilities in the Village must be stopped in favor of respecting its precious open spaces like the beautiful public garden in the Washington Square Village complex... a one-of-a-kind space. Washington Square Village has become eligible for listing in the National Register of Historic Places. The Sasaki Garden, designed in 1959, has deservedly won awards and is an absolute jewel of the entire neighborhood, adding much needed trees and green space in an area of the city that is already choked by buildings. (Geronimus)

**Response 7-5:**

See the response to Comment 7-3 regarding changes to the Washington Square Village complex. The DEIS and FEIS identify the nature and timing of the Proposed Actions’ displacement of the Sasaki Garden (referred to in the EIS as “the Washington Square Village Elevated Garden”). It should be noted that access to the Washington Square Village Elevated Garden is available only by entering the site from the demapped Greene and Wooster Street driveways through at-grade passageways beneath the Washington Square Village residential buildings. The elevated landscaped plaza is private open space available to the residents of Washington Square Village. It is approximately five feet above street level and is accessed by a concrete ramp from the Wooster Street driveway and five sets of concrete stairs with gates at the base of the ramp and each stair.

The EIS finds that the elevated garden’s displacement contributes to a significant adverse impact to the Washington Square Village complex as an historic resource. As described in Chapter 7, “Historic and Cultural Resources,” NYU has consulted with OPRHP regarding the proposed changes to Washington Square Village, including the removal of the Sasaki Garden. Chapter 21, “Mitigation,” describes measures that would be implemented in consultation with OPRHP to minimize or partially mitigate significant adverse impacts to Washington Square Village. These measures have been set forth in a Letter of Resolution (LOR) signed by the applicant, OPRHP and DASNY prior to publication of the FEIS. Mitigation measures are detailed in Chapter 21, “Mitigation,” and include the preparation of Historic American

Buildings Survey (HABS) Level II documentation of Washington Square Village, the development of a scaled landscaping plan documenting the existing Sasaki Garden, continuing consultation with OPRHP on the proposed changes to the two buildings as design proceeds, and the installation of one or more plaques or historic markers providing a historical interpretation of the Sasaki Garden and Washington Square Village. Mitigation measures are described in further detail in Chapter 21, “Mitigation.”

**Comment 7-6:** The oversaturation of facilities in the Village must be stopped in favor of respecting the low scale and historic character of the neighborhood. (Geronimus) The proposed development would destroy a unique American historic neighborhood. (Powell)

**Response 7-6:** Chapter 8, “Urban Design and Visual Resources” of the DEIS and FEIS assesses the proposed buildings in terms of their size and height context, shape, setbacks, pedestrian and vehicular entrances, lot coverage and orientation to the street. The analysis finds that the Proposed Actions would not have significant adverse impacts on urban design in either the 2021 or 2031 analysis years. Chapter 7, “Historic and Cultural Resources” of the DEIS and FEIS assesses the potential of the Proposed Actions to affect historic and cultural resources, which include both archaeological and architectural resources. The analysis finds that the proposed development on the South Block would change the context of University Village (eligible for listing on the State and National Registers of Historic Places [S/NR-eligible] and a designated New York City Landmark [NYCL]) with taller, new buildings built adjacent to the landmarked site but that the new buildings would not affect the towers’ pinwheel configuration and that the towers would continue to be viewed as a unified building complex. Further, the towers already exist in an area containing a mix of older and newer buildings of shorter and taller heights, including the buildings in the historic districts south, east, and west of the South Block.

As detailed in Chapter 7, “Historic and Cultural Resources” of the DEIS and FEIS, the analysis also concludes that the proposed project’s alterations to the Washington Square Village complex (S/NR-eligible) would remove elements of this architectural resource that contribute to its significance. Therefore, the proposed project would have a significant adverse impact on this architectural resource. As detailed in Chapter 21, “Mitigation” of the FEIS, measures to minimize or partially mitigate significant adverse impacts to Washington Square Village would be implemented in consultation with OPRHP and would be set forth in a Letter of Resolution (LOR) to be signed by the applicant, OPRHP and DASNY. Mitigation measures are detailed in Chapter 21,

“Mitigation,” and include the preparation of Historic American Buildings Survey (HABS) Level II documentation of Washington Square Village, the development of a scaled landscaping plan documenting the existing Sasaki Garden, continuing consultation with OPRHP on the proposed changes to the two buildings as design proceeds, and the installation of one or more plaques or historic markers providing a historical interpretation of the Sasaki Garden and Washington Square Village. Further mitigation measures are described in further detail in Chapter 21, “Mitigation.”

**Comment 7-7:** NYU should halt its plans to build a fourth high-rise at the Silver Towers complex on account of it being currently landmarked. (Duane, Glick, Troy)

**Response 7-7:** As described in Chapter 7, “Historic and Cultural Resources,” NYU proposes to construct two new buildings on the South Block, neither of which would be located on the University Village/Silver Towers landmarked site. The only proposed changes to the University Village complex would be related to landscaping. The New York City Landmarks Preservation Commission (LPC) reviewed and approved the proposed alterations to University Village on July 27, 2011. LPC’s findings with respect to the appropriateness of the proposed alterations to the landmarked University Village are contained in a Certificate of Appropriateness (CofA) issued by LPC (CofA #12-3095; Docket #12-2680, see Appendix B, “Historic and Cultural Resources”).

**Comment 7-8:** The mass of the Zipper Building, which is 333 ft. tall on Houston, 232 ft. tall on Bleecker and 292 ft. tall just south of Bleecker, will detract from the special character of I.M. Pei’s University Village buildings and landscape, which were designed as “towers in a park,” and recently designated a landmark by New York City in recognition of their historic and unique contribution to the built fabric of the city. (CB2 Resolution)

**Response 7-8:** Please see the response to Comments 7-1, 7-4 and 7-6. It should also be noted that the proposed project's building heights in the future with the Proposed Actions, as illustrated in Figure 1-26 of the FEIS, would be shorter than the commenter cites: the Zipper Building would be 299 feet tall along West Houston Street, 198 feet tall along Bleecker Street, and 258 feet tall just south of Bleecker Street.

**Comment 7-9:** Washington Place should not be rezoned to retail use. This is an historic block—site of the Triangle Fire. (Leonard)

**Response 7-9:** Comment noted. The Brown Building—site of the Triangle Shirtwaist Factory Fire in 1911—is not identified as a projected development site for retail development within the Commercial Overlay Area.

Accordingly, the rezoning of the Commercial Overlay Area is not expected to result in alterations of this building. Chapter 26 analyzes the Potential CPC Modifications, which would not rezone the Commercial Overlay Area.

**Comment 7-10:** The Sasaki Garden is a 1.34-acre open space that has been open to the public. As an early work of Hideo Sasaki, the garden has recognized architectural and historic significance as a modernist landscape. The garden remains a tranquil space offering a place for respite amid tall buildings. The Philosophy Garden completely displaces the Sasaki Garden, an integral part of the Washington Square Village complex that has been deemed eligible for the State and National Historic Register of Historic Places. (CB2 Resolution)

**Response 7-10:** As described in the Alternatives Analysis included in Appendix B, “Historic and Cultural Resources,” access to the interior courtyard of Washington Square Village is available only by entering the site from the demapped Greene and Wooster Street driveways on private property through at-grade passageways beneath the Washington Square Village residential buildings. The elevated landscaped plaza is private open space available to the residents of Washington Square Village. It is approximately five feet above street level and is accessed by a concrete ramp from the Wooster Street driveway and five sets of concrete stairs with gates at the base of the ramp and each stair. The proposed Philosophy Garden would have built-in seating and low-canopy trees aimed at creating a human-scale space, with the plantings and concave seating chosen to encourage passive recreation.

## CHAPTER 8: URBAN DESIGN AND VISUAL RESOURCES

**Comment 8-1:** NYU plans a massive intrusion of high-rise buildings that will obliterate the face of nature before my eyes. (Anderson) You are turning the Village into a high-rise environment instead of the neighborhood it always has been. (Brone, Phillips-Fein)

The NYU plan would irrevocably tip the Village in the wrong direction, i.e., away from community and preservation and toward monoliths, away from light, space, and people and toward concrete. We don’t want to emulate Shanghai. The beauty of New York is the mix of large and small, rich and poor, natural and foreign born and the fact that all of these are in balance. (Townsend)

**Response 8-1:** As described in Chapter 8, “Urban Design and Visual Resources,” the Proposed Development Area is located in a densely developed urban area of existing mid- to high-rise purpose-built NYU academic buildings, low-rise row houses and tenements, mid-rise loft and store buildings, and high-rise apartment buildings. The heights of the four

new buildings would be in keeping with the varied heights in the 400-foot and ¼-mile study areas. The University Village towers on the South Block of the Proposed Development Area are 275-feet-tall, and other existing tall buildings in the 400-foot study area include the 270-foot-tall apartment building at 1 Fifth Avenue, the 240-foot-tall apartment building at 1 University Place, and the 327-foot-tall apartment building at 310 Mercer Street. The proposed rezoning of the Proposed Development Area to a C1-7 zoning district is compatible with a residential neighborhood, because the C1-7 district permits residential uses as of right. It does not permit large office buildings that would replicate the density of downtown Shanghai.

**Comment 8-2:** The expansion plan adds much too much bulk and density for the area. (CAAN-Cude)

**Response 8-2:** As described in Chapter 8, “Urban Design and Visual Resources,” the Proposed Actions would not have significant adverse impacts on urban design and visual resources. While the proposed Zipper Building on the South Block would be larger in terms of floor area than other buildings in the study areas, it would be massed to respond to the different existing contexts along Houston and Mercer Streets and to the adjacent University Village complex. Its massing of staggered, narrow towers of varying heights above a low-rise base would serve to break up the building’s bulk, put the largest building component on West Houston Street, and pull some of the mass away from Mercer Street and the University Village complex. The floor areas of the proposed Bleecker, LaGuardia, and Mercer Buildings would fall within the range of building floor areas found in the study areas.

**Comment 8-3:** While the community is pleased that the public open-space strips on the north superblock will not be torn up to build four stories beneath, the change of both of them to become largely access plazas for NYU buildings is unacceptable, as is modifying the strips to become infacing to what would become a campus quadrangle surrounded by buildings. (CAAN-Cude)

**Response 8-3:** The suggestion that the LaGuardia and Mercer Strips on the North Block will become access plazas for NYU buildings is incorrect. Those strips would be mapped as parkland above grade, as part of the Proposed Actions, and would connect to the new at-grade publicly accessible open space on the North Block. Further, the Mercer Playground would be replaced by the proposed Tricycle Garden in the northern section and the Mercer Entry Plaza further south. The Mercer Entry Plaza would be a landscaped publicly accessible open space

resource that would serve as gateway to the publicly accessible open space in the central area of the North Block.

**Comment 8-4:** I oppose the NYU plan for aesthetic reasons. (Diner)

**Response 8-4:** Comment noted.

**Comment 8-5:** The height of the Houston Street portion of the “Zipper Building” should be reduced while also reducing the height of the remaining portions of the “Zipper Building” and the Mercer Building to match the height of the buildings on the east side across Mercer Street. Under the current proposal, the buildings completely tower over the nearby buildings, taking away air and light. (32WSW, O’HaraP, SchwartzJ) The Zipper Building’s height remains at issue. Its corner 299 foot height should be reduced to better respond to the 8 to 13 story buildings at the Houston Mercer corner. Its other segments rising to heights of 208 feet could create dark narrow corridors along Mercer and the Greene Street walkway. (MAS-Wist) Reduce the height of the Houston Street portion of the “Zipper Building” to 162 feet and remove the hotel use. (VSN-Paul)

**Response 8-5:** While portions of the Zipper Building would be taller than the buildings immediately across Mercer Street, the West Houston Street tower would be the same height as the existing University Village towers, and the heights of the other components would be in keeping with the heights of buildings along the east side of Mercer Street where the taller buildings are 113, 129, 142, 150, 173, and 194 feet tall, as described in Chapter 8, “Urban Design and Visual Resources.” Further, the Zipper Building would have a staggered massing of towers to create light courts and to provide for a variegated design that is more reflective of the existing built forms in the surrounding area. The proposed design of the Zipper Building locates its highest tower on its West Houston Street frontage because West Houston Street is a very wide street. The elimination of the hotel use was studied in the DEIS in Chapter 22, “Alternatives” as part of the “No Hotel Alternative.”

The Mercer Building on the North Block would not encroach within the adjacent Mercer Street Strip, which would be mapped as parkland above grade as part of the Proposed Actions, and the building form would slope away from Mercer Street. As described in Chapter 8, “Urban Design and Visual Resources,” the height of the Mercer Building would fall within the range of building heights within the 400-foot study area, such as the 194-foot-tall NYU Law School building directly across Mercer Street, and the Mercer Building’s tapered, curved form would pull its bulk away from Mercer Street. Chapter 6, “Shadows,” of the

DEIS and this FEIS provides an analysis of shadows on project open spaces, including the Greene Street Walk.

**Comment 8-6:**

The New York chapter of the American Planning Association noted in their comments that “massing of the ‘zipper building’ and the hotel along Mercer Street is a cause of some concern as it seems to be excessive and tends to reinforce the fortress mentality separating school properties from others.” (VSN-Paul)

The Zipper Building’s boundaries should be limited to the footprint of Coles Sports Center and its density should be significantly decreased. (BusinessOwners)

**Response 8-6:**

As described in Chapter 8, “Urban Design and Visual Resources,” the Zipper Building has been designed with two components: a tower at the corner of West Houston Street and Mercer Street and a section along Mercer Street that is massed with a series of six narrow, rectangular towers above a base. Oriented east-west, the towers would have a staggered arrangement above the base to create light courts fronting on Mercer Street and the adjacent pedestrian walkway. These light courts would break up the volume of the building as seen along Mercer Street, as well as on West Houston and Bleecker Streets. The largest tower—in terms of both height and floorplate—would be located at the northwest corner of Mercer and West Houston Streets, and there would be a shorter section on the west side of the tower to transition the building down to the adjacent pedestrian walkway and the University Village grounds. This tallest tower would be placed on West Houston Street, which is a wide street. The massing and setbacks of five remaining towers along Mercer Street would respond to the narrowness of the street, and the tower widths would be comparable to those of many of the loft buildings along Mercer Street, Broadway, and in the Commercial Overlay Area and to those of the Washington Square Village residential buildings. In addition, like most of those loft buildings, the Zipper Building would rise with minimal setbacks on the upper floors. The varied massing and staggered heights would reference the arrangement of buildings across the street and on the surrounding streets where there are variegated heights. The Zipper Building would have transparent and active ground floors with multiple uses along each façade, which would create an active streetwall at the sidewalk, thus improving the integration of the South Block into the adjacent streets. Further, the adjacent pedestrian walkway (the Greene Street Walk) would be substantially widened to improve its visibility and its openness to West Houston and Bleecker Streets; it would no longer appear as a private, secondary walkway through the block. The widened walkway would include trees and low shrubs and generous seating opportunities

to create an inviting, publicly accessible open space and improved pedestrian passage through the block. Shifting the footprint of the Zipper Building east when compared with the footprint of the Coles Building would reestablish a street wall on Mercer Street with an active ground floor while allowing for the creation of the Greene Street walkway, a publicly accessible open space west of the Zipper Building.

Chapter 22, “Alternatives,” evaluates a “No Demapping Alternative” that would move the Zipper Building so that it would not be located on the NYCDOT Strip east of Coles Gym.

**Comment 8-7:**

From a planning perspective, the proposed developments on the Northern Superblock sharply contradict the urban renewal plan and design concept which guided development of Washington Square Village. The existing seventeen story buildings with almost 1300 apartments are dramatically out-of-scale from surrounding blocks, and were justified only by provision of open space on the Superblock. The proposed zoning map change from R7-2 to C1-7 (which would reduce the required open space ratio by one-half to two-thirds) and construction of the two Boomerang Buildings would significantly alter the ratio of open space to built floor area on the Superblock, to the detriment of residents of WSV and surrounding blocks and the public. This is an adverse impact of the proposed development to which no satisfactory mitigation has been proposed or considered.

The height and setback waivers sought by NYU for the Boomerang Buildings would compound the adverse impacts caused by construction of these buildings. In order to grant these waivers, the Commission must find, among other things, that “the distribution of floor area, open space ... and the location of buildings will result in a better site plan and a better relationship among buildings and open areas to adjacent streets, surrounding development, [and] adjacent open areas ... than would be possible without such distribution and will thus benefit both the occupants of the large-scale general development, the neighborhood and the City as a whole; ...” (ZR Section 74-743(b)(1)); and that “the modifications will not ... obstruct access of light and air to the detriment of occupants of the buildings in the block or nearby blocks or to the people using the public streets ...” (Section 74-743(b)(2)).

The obvious impacts of the Boomerang Buildings on the occupants of WSV, on the occupants of buildings on the surrounding Bleecker and Mercer Streets and on the public using these streets would preclude these required findings. The Boomerangs would actually block access to the open space within the Superblock, and deny access to light and air to surrounding blocks and pedestrians. For the Commission to find that construction of these Buildings—in violation of the height and setback

controls required by zoning—would create "a better relationship among buildings and open areas to adjacent streets [and] surrounding development," and would not "obstruct access of light and air" for occupants of WSV, of buildings across Bleecker and Mercer Streets, and to users of the abutting streets would be arbitrary and capricious and could not be supported as a proper exercise of the Commission's discretion. (Lefkowitz)

The super blocks were designed in Tower in the Park paradigm where increased height was a trade-off for the open space. Putting buildings on that open space defeats the purpose of this paradigm and since the tall buildings still exist, the additional structures would violate the exchange that has already taken place. (CAAN-Cude)

**Response 8-7:**

With respect to the open space ratio, please see the response to Comment 2-10 above. Also, as described in Chapter 5, "Open Space," the proposed project would result in a net increase of approximately 3.28 acres of publicly accessible open space, and the central area of the North Block would be transformed from a space designed primarily for private use and vehicular passage into a publicly accessible destination for both visitors and everyday users, with pedestrian-friendly pathways and pockets of space defined for particular uses within larger, more flexibly programmed spaces. As described in Chapter 8, "Urban Design and Visual Resources," the new open space on the North Block would be located at-grade with multiple access points so that it reads and functions as one open space accessible from, and visible to, the street. The Proposed Actions would change the current automobile-oriented design of the North Block, which devotes substantial area to automobile circulation (driveways and surface lots) to a pedestrian-oriented design emphasizing public accessibility and landscaped open spaces. In addition, the Mercer and LaGuardia Strips on the North Block would be mapped as parkland. Much of the floor area of the Mercer and LaGuardia Buildings would be located below grade, and the above-grade portions of the two new buildings on the North Block have been designed—through their placement on the site and their rounded forms that taper as the buildings rise to maximize access to light and air to the new open spaces, as well as to the interiors of the new buildings and the adjacent Washington Square Village residential buildings. As illustrated in Figure 8-64 in the FEIS, the greatest degree of incline would occur on the buildings' interior facades fronting on the central open space, and the design and placement of the proposed buildings would enhance physical and visual access to the proposed street-level open spaces that would be created in the middle of the North Block, as each building would, at a minimum, be set back 60 feet (the typical width of many Manhattan streets) at ground level from the Washington Square Village

residential buildings to create wide, inviting entrances into the site and to maximize the amount of open space that could be located on the street frontages and between the proposed buildings and the adjacent, existing buildings at grade. It should be noted that for the purpose of CEQR analysis, the urban design and visual resources assessment examines the potential effects on views from the public realm, not from individuals' private residences.

Contrary to the commenter's statement, the height and setback waivers for the Mercer Building and LaGuardia Building would not result in significant adverse environmental impacts. Portions of the Mercer Building would penetrate the required setback and sky exposure plane along the park that is proposed to be mapped along Mercer Street. This frontage would not normally be subject to height and setback regulations, but the park would be treated as a wide street for zoning purposes, in order to comply with city and state regulations with respect to the location of legally required windows, pursuant to the zoning text amendment of the Proposed Actions. Similarly, portions of the LaGuardia Building would penetrate the required setback along the park that is proposed to be mapped along LaGuardia Place; as with the similar issue with respect to the Mercer Building, the proposed zoning text amendment would require that this frontage, which normally would not be subject to height and setback regulations, be treated as a wide street for zoning purposes. These waivers would allow for the proposed massing and location of the buildings so as to allow a substantial central area of the North Block to be dedicated as publicly accessible open space connected to the newly mapped parks on the western and eastern edges of the North Block by wide corridors that lead into the central area of the block, allowing substantial views into the site. The waivers would also allow for the curved shape of the buildings that would enhance their architectural interest, enable more light and air to access the central space, and establish views across the space. Absent the waivers, the bulk of the buildings would be shifted towards the central open space.

With respect to the commenter's statement that the Mercer Building and LaGuardia Building would obstruct "light and air" to the WSV apartment buildings, there would be a 60-foot distance between these new buildings and the existing WSV apartment buildings. This 60-foot setback is equivalent to many of the City streets in the area.

On the South Block, the proposed new Bleecker Building would not displace any open space and would not be located within the University Village complex. The proposed new Zipper Building would displace the open spaces east of the Coles Gym, but would result in the creation of

new open spaces west of the Zipper Building. The proposed Zipper Building also would be located outside of the University Village complex.

Therefore, given the separation distance between the four proposed new buildings and existing buildings on the superblocks and across the streets, as described in Chapter 8, “Urban Design and Visual Resources,” the distribution of floor area and location of the buildings would provide access to light and air to people using the publicly accessible open areas around the buildings, including the park strips and the streets. The DEIS and FEIS concluded that the Proposed Actions would not result in any significant adverse impacts to urban design and visual resources.

**Comment 8-8:**

The lower-scale private loft buildings on LaGuardia Place and Mercer Street would be overwhelmed by this project, with loss of sight lines, light and air. The buildings on the west side of LaGuardia Place would be facing the 235 ft. Bleecker Building and the LaGuardia Building. The residential buildings on the east side of Mercer Street would be even more severely impacted with a full block of the massive Zipper Building, built right to the lot line, and the towering Mercer Building keeping them in shadow most of the day. (CB2 Resolution)

For the boomerang buildings, wedging them in between the Washington Square Village buildings would create a wall of tall buildings effectively cutting off light and air to the blocks and the surrounding blocks. (Glick)

LaGuardia Building is 158 feet tall. Instead it should mirror the buildings across the street. (BusinessOwners)

Mercer Building is proposed at a height of 248 feet (14 stories) which will overwhelm the current Washington Square Village Buildings by almost 90 feet. This must be eliminated or substantially scaled back. (BusinessOwners)

The Mercer and LaGuardia Buildings rise to 282 ft. and 186 ft., respectively (blkh. roof), and would dwarf Washington Square Village which features two of the tallest buildings in Greenwich Village at 160 ft. (CB2 Resolution)

Bleecker Building is twice as tall as buildings across from LaGuardia Place and almost 50 feet higher than the Washington Square Village complex across the street. It should not be allowed to tower over the 5-story buildings nearby. (BusinessOwners)

**Response 8-8:**

Chapter 8, “Urban Design and Visual Resources” of the DEIS and FEIS assesses the heights of the proposed project’s buildings in the context of

the surrounding study area, and finds the proposed project would not result in significant adverse impacts to urban design or visual resources. The Proposed Actions would increase the density of the North Block, but the site plan and the forms of the new buildings would open the site to public access and street views, improving the pedestrian experience. The buildings' tapered, curved forms would pull their bulk away from LaGuardia Place and Mercer Street, as well as from the adjacent Washington Square Village residential buildings. In addition, the LaGuardia and Bleecker Buildings would be set back from LaGuardia Place and Mercer Street between the LaGuardia and Mercer Strips, which would be mapped as parkland above grade. At 218 and 128 feet tall to the roof parapets, the Mercer and LaGuardia Buildings would fall within the range of building heights found on the North and South Blocks and overall within the 400-foot study area where there are numerous, similarly tall buildings that range in height up to 327 feet (the apartment building at 310 Mercer Street). In addition, locating the shorter building on LaGuardia Place would provide a transition to the lower building heights found on LaGuardia Place and the blocks to the west, while siting the taller building on Mercer Street would be in keeping with the taller heights of the loft and academic buildings found along Mercer Street and Broadway. See also the response to Comment 8-14.

The proposed Bleecker Building—at 178 feet to the roofline, 208 feet including mechanical bulkhead—would be taller than the buildings on the west side of LaGuardia Place across from the Proposed Development Area, but it would be substantially shorter than the 275-foot-tall (299 feet with bulkheads) University Village Towers and similar in height to the approximately 160-foot-tall Washington Square Village residential buildings, the approximately 158-foot-tall Bobst Library, and the 143-foot-tall apartment building at the southwest corner of LaGuardia Place and West 3rd Street.

The Zipper Building would extend for the full Mercer Street blockfront, and it has been designed with two components: a tower at the corner of West Houston Street and Mercer Street and a section along Mercer Street that is massed with a series of six narrow, rectangular towers above an 85-foot-tall base. The towers would range in height to the roof parapets from 128 feet to 275 feet (or 158 feet to 299 to the tops of the mechanical bulkheads that would be set back from the floors below). Oriented east-west, the towers would have a staggered arrangement above the base to create light courts fronting on Mercer Street and the pedestrian walkway. These light courts would break up the volume of the building as seen along Mercer Street, as well as on West Houston and Bleecker Streets. The largest tower—in terms of both height and

floorplate—would be located at the northwest corner of Mercer and West Houston Streets, and there would be a shorter (138-foot-tall) section on the west side of the tower to transition the building down to the adjacent Greene Street Walk and the University Village grounds. This tallest tower would be placed on West Houston Street, which is a wide street. The 275-foot-tall tower would match the heights of the three University Village towers and would be similar to them in terms of massing. Two of the five Mercer Street towers would be set back from the street, in response to the narrowness of the street, and the five tower volumes would have widths comparable to those of many of the loft buildings along Mercer Street, Broadway, and in the Commercial Overlay Area and to those of the Washington Square Village residential buildings. In addition, like most of those loft buildings, the facades of the Zipper Building's tower volumes would rise with minimal setbacks on the upper floors. The varied massing and staggered heights would reference the arrangement of buildings across the street and on the surrounding streets where there are variegated heights. The heights of the Zipper Building's tower volumes would be similar to building heights in the surrounding area, such as on Mercer Street where the block between West Houston and Bleecker Streets contains buildings of 142, 173, and 150 feet in height and the block between Bleecker and West 3rd Streets contains buildings of 129, 113, 150, and 194 feet in height. Further, the building's heights would be comparable to the heights of the 275-foot-tall (299 feet with bulkheads) University Village towers and the approximately 160-foot-tall Washington Square Village residential buildings. The Zipper Building would have transparent and active ground floors with multiple uses along each façade in contrast to the blank facades of the Coles building.

It should be noted that the comments incorrectly cites the proposed project's building heights. As described in the DEIS and FEIS, the proposed Mercer Building would be approximately 218 feet tall at the roofline, and 248 feet tall including mechanical space; the proposed LaGuardia Building would be 128 feet tall at the roofline, and 158 feet tall including mechanical space. The two Washington Square Village Buildings are approximately 158 and 160 feet at the roofline, and 196 feet with mechanical space. The proposed project's Bleecker Building would be 208 feet tall (including mechanical bulkhead). The FEIS also contains an assessment of certain modifications to the Proposed Actions under consideration by the CPC at the time of preparation of this FEIS, which include a reduction in the heights of the proposed Bleecker, Mercer and LaGuardia Buildings; see Chapter 26, "Potential Modifications Under Consideration by the CPC."

**Comment 8-9:** Regardless of the current deficiencies of the Mercer Street Strip on the South Block, the plan to move the building footprint east to eliminate public land and create a public walk to the west would negatively impact the area's balance of open space. The building line of the massive Zipper Building will project past the building lines on the blocks to the north, creating a crowding effect, and the special open character of Mercer Street would be largely lost, just as the projection of the Bobst Library did substantial disservice to the boulevard feel of LaGuardia Place. (CB2 Resolution)

**Response 8-9:** Chapter 5, "Open Space" of the DEIS and FEIS assess the potential effects of the loss of open spaces on the Mercer Street Strip on the South Block (including the currently-closed Coles Playground), and finds that the proposed project would not result in significant adverse open space impacts. Chapter 8, "Urban Design and Visual Resources" of the DEIS and FEIS assess the elimination of the Mercer Street Strip on the South Block from an urban design perspective. As detailed in that analysis, while the Mercer Street Strip on the South Block would be eliminated, the Zipper Building would create an active streetwall at the sidewalk, thus improving the integration of the South Block into the adjacent streets. While the current arrangement of buildings and public and private open spaces on the South Block creates a feeling of openness in the midst of the surrounding, densely developed blocks of loft buildings, tenements, and institutional buildings, the street frontages of the South Block are not particularly inviting to the pedestrian due to the lack of publicly accessible open space in the interior of the block, the mostly windowless grocery store and gymnasium, the placement of the three University Village towers away from the street with their building entrances facing the interior of the block and not the adjacent streets, and the tall fences that surround most of the open spaces and the perimeter of University Village complex and some landscaped areas in the sidewalk along Bleecker Street. With the proposed project, the new dog run and toddler playground adjoining the new pedestrian walkway would be of a similar size to the dog run and Coles Playground on the Mercer Street Strip. Further, the widened and enhanced pedestrian walkway (the Greene Street Walk), the enlarged grove of trees that would also have new low plantings, and the lowering of fences with the addition of new plantings on Bleecker and West Houston Streets would soften the edges of the block, open views into the site, and create a more pedestrian friendly perimeter.

As noted by the commenter, the building line of the proposed Zipper Building would project past the building lines of the Washington Square Village apartment buildings on the North Block, and the Mayer Complex immediately west of the Mercer Plaza Area. The building line

of the Zipper Building would align with buildings further north on Mercer Street within the Commercial Overlay Area, and it would align with the streetwall formed by buildings along Mercer Street south of West Houston Street. In addition, the footprint of the proposed Zipper Building, coupled with the proposed Greene Street Walk, would enhance the South Block's connection with Greene Street south of West Houston Street.

The DEIS and FEIS also include an assessment of a "No Demapping Alternative" in Chapter 22, "Alternatives" that considers a modified Zipper Building shifted westward to avoid the Mercer Street Strip, and would be thinner by approximately 12.5 feet in the east-west direction (from approximately 174.5 feet with the proposed project to approximately 162 feet). With the shifting westward of the Zipper Building, the area along Mercer Street in front of the building would be programmed as publicly accessible passive open space, similar to the existing Coles Plaza. However, the usability of this open space as a continuous plaza area would be limited, as it would also be needed for pedestrian and vehicular entry and exit into the Zipper Building. This Alternative would also reduce the width of the Greene Street Walk on the west side of the Zipper Building, as under this alternative, the Zipper Building would be shifted westward towards the Silver Towers.

**Comment 8-10:** Experience with off-street retail plazas such as the proposed walkway on the west side of the new building should counsel against this effort to shift pedestrians away from the street, where New York retail thrives. Use by the general public would be limited because the walkway would primarily serve as access to a university building with intense student use. There is merit to aligning the west side of the building with the buildings on the west side of Greene Street, south of Houston, but not at the expense of the openness of Mercer Street which will be all the more important if a taller building is on the site. (CB2 Resolution)

**Response 8-10:** As described in Chapter 8, "Urban Design and Visual Resources" of the DEIS and FEIS, in contrast to the blank façades of the existing Coles Gym, the proposed project's Zipper Building would have transparent and active ground floors with multiple uses along each façade, including retail frontage along Mercer Street, as well as off-street retail along its western façade. Off-street retail in New York City has been successful as both a destination (e.g., Fulton Street Mall in Brooklyn, South Street Seaport in Manhattan), and as an amenity within publicly accessible open spaces (e.g., the Shake Shack in Madison Square Park, and the restaurant in Bryant Park).

The passageway immediately west of the Coles Gym would be substantially widened, from approximately six feet to approximately 30

feet. This modification would improve the visibility of the walkway (referred to as the Greene Street Walk), and its connectivity to West Houston and Bleecker Streets and would be a significant improvement to the streetscape (see FEIS Figure 8-69 for No-Action and With-Action views of the walkway entrance on West Houston Street). The walkway would become substantially more visible on West Houston Street and inviting to pedestrians. It would no longer appear as a private, secondary walkway through the block. The widened passageway would include trees and low shrubs and generous seating opportunities to create an inviting, publicly accessible open space and improved pedestrian passage through the block (see Figure 8-70 for No-Action and With-Action views of the walkway). The adjoining dog run and publicly accessible Toddler Playground would also enhance the public character of Greene Street Walk. See also the response to Comment 8-9.

**Comment 8-11:** NYU's proposed new buildings, placed directly across narrow streets like Mercer and LaGuardia Place, will flood the residential buildings across those streets with intense light during nighttime hours. This will have an adverse effect on the residents of those buildings. Thus far, there has been no discussion of design that incorporates technology that reduces lighting intensity and glare. (CB2 Resolution)

**Response 8-11:** The proposed uses are not expected to have any unusual ambient lighting that would require analysis of the potential for significant adverse environmental impacts. It should also be noted that at its closest point, the proposed LaGuardia Building would be located approximately 160 feet away from the nearest residential building across LaGuardia Place, while the proposed Mercer Building at its closest point would be located approximately 100 feet away from the nearest residential building across Mercer Street.

**Comment 8-12:** NYU will obstruct light, air, public space, trees, and gardens. (Alexander, Boernstein, CampbellH, Friedman, Gellman, Lichter, May, Mostel, Reznick, Schoonover)

**Response 8-12:** The DEIS and FEIS assess the potential for significant adverse environmental impacts from: the potential obstruction of light and air as part of Chapter 6, "Shadows," and Chapter 8, "Urban Design and Visual Resources;" changes to public space as part of Chapter 5, "Open Space;" and from changes to trees and gardens in Chapter 6, "Shadows," Chapter 9, "Natural Resources," and Chapter 20, "Construction." These assessments find that the Proposed Actions would not result in significant adverse environmental impacts, with the exception of significant adverse construction noise impacts on surrounding open spaces, and significant adverse displacement or

shadowing impacts on the LaGuardia Corner Gardens. Partial mitigation for these significant adverse impacts is identified in Chapter 21, “Mitigation.”

**Comment 8-13:** The project will block our view to the east and we will be surrounded by NYU towers. (Boernstein)

**Response 8-13:** Chapter 8, “Urban Design and Visual Resources” of the DEIS and FEIS follows *CEQR Technical Manual* guidelines in assessing the Proposed Actions’ effects on a pedestrian’s experience of public space, and finds that the Proposed Actions would not result in significant adverse impacts on the urban design and visual resources of the 400-foot and ¼-mile study areas. Under CEQR, a visual resource is the connection from the public realm to significant natural or built features and can include views of the waterfront, public parks, landmark structures or districts, or otherwise distinct buildings, and natural resources. Following CEQR guidelines, the urban design and visual resources assessment of the DEIS and FEIS examines the potential effects on views from the public realm, not from individuals’ private residences.

The EIS analysis considers a 400-foot study area where the Proposed Actions would be most likely to influence land use patterns and the built environment (see FEIS Figures 8-1 and 8-3 for a map and aerial photograph of the 400-foot study area). Consistent with the land use study area, this analysis also considers a larger ¼-mile study to encompass longer views to the project area (see FEIS Figures 8-2 and 8-3 for a map and aerial photograph of the ¼-mile study area).

**Comment 8-14:** NYU’s proposed design for its giant superblock—from issues of sustainability to the severe reduction of green spaces to the actual architectural designs—have been disjointed and graceless at best, Frankenstein-like at worst. Its current proposal for Washington Square Village looks to bookend our entire residential complex, public garden and playground space with large, intrusive buildings on LaGuardia Place and Mercer Street, their purpose as “yet-to-be-defined,” per the university. (Geronimus, Watson-deReynier)

**Response 8-14:** With respect to the proposed Mercer and LaGuardia Buildings’ design, please see the response to Comment 8-12. It should also be noted that the proposed buildings’ architectural designs are schematic/illustrative, and while they provide sufficient detail for CEQR assessment, the designs of the buildings have not been finalized.

With respect to the purpose of the proposed North Block buildings, based on public comment additional information has been provided in the FEIS on the projected programming of these buildings; please see

Section D, “Purpose and Need of the Proposed Actions” in Chapter 1, “Project Description” of the FEIS. In summary, NYU states that the North Block is vital for accommodating projected academic needs (i.e., classrooms, faculty offices, study spaces) beyond 2021. The North Block allows the final phase of classroom relocation out of other Core facilities in the Loft Blocks, thus releasing space in the NYU Loft Block buildings to accommodate the acute need for new science laboratories and other science facilities. The North Block below-grade space would provide crucial classroom, auditorium and study space that would allow the University to better situate its classroom inventory and would provide large auditoriums, over 40 classrooms, performance and rehearsal spaces, and a larger study annex. The above-grade LaGuardia and Mercer buildings are critically important for accommodating faculty office, academic department and research space, including space for Wagner and Sociology Headquarters (now in approximately 80,000 gsf of leased space).

With respect to the proposed project’s sustainability, please see the response to Comment 3. With respect to reduction in green spaces, please see the response to Comment 2-10. With respect to the purpose of the proposed buildings, please see Chapter 1, “Project Description” of the FEIS.

**Comment 8-15:**

It may be argued that the tower-in-the-park model is out of context in Greenwich Village, removing the park for more towers certainly does not make the situation more in keeping with the Village’s historic character. In fact, this kind of development is character-defining in all the wrong ways. The five towers of Washington Square Village and University Village are admittedly much larger than other parts of Greenwich Village, but one-story structures and ample open space around them create a livable balance. (HDC) The significant reduction in the open space ratio destroys the historic “towers-in-the-park” plan of the Washington Square Village and Silver Towers developments. (Duane, Glick)

**Response 8-15:**

Chapter 8, “Urban Design and Visual Resources” of the DEIS and FEIS finds that the Proposed Actions would not result in significant adverse impact on urban design. The superblocks were developed using the tower-in-the-park typology, with substantial space devoted to vehicular circulation (driveways and adjoining asphalt surfaces) and private lawns, gardens and playgrounds. The NYU Core project would remove three of the existing buildings on the site (the Coles gym, Morton Williams supermarket, and LaGuardia retail strip building), construct four new buildings (the Zipper, Bleecker, Mercer and LaGuardia buildings), demap three areas at the edges of the superblocks currently

mapped as public streets, map two of these areas as public parks, and re-landscape most of the North Block and a small portion of the South Block. In connection with these landscaping changes, NYU would commit to make most of the landscaped area on the North Block and a portion of the newly landscaped area on the South Block publicly accessible. The net effect of the Proposed Actions in the Proposed Development Area would be to: increase building coverage (building footprints) from 33.1 percent of the land to 38.9 percent of the land; decrease the use of land for vehicular circulation (driveways and adjoining asphalt surfaces) from 7.8 percent to 1.6 percent of the land; increase publicly accessible open space from 5.2 percent to 30.7 percent of the land; decrease non-publicly accessible open space from 19.7 percent to 4.3 percent of the land; and decrease other land uses from 34.2 percent to 24.6 percent of the land.

**Comment 8-16:**

If approved, the proposed project would swallow up not only the Washington Square Village residential complex and its green space (the award-winning Hideo Sasaki public garden and children’s playground) but also the landmarked Silver Towers site on Bleecker Street (where the University had originally wanted to build a 40-story university-hotel tower) and the Coles Sports Center on Mercer Street. NYU’s proposals for a Mercer Street Building at 248 feet would dwarf the existing Washington Square Village buildings 2 & 4 by 90 feet—and the bracketing LaGuardia Street Building—at 158 feet would still reach higher than the existing Washington Square Village buildings 1 & 3. (Geronimus, Walsh) The waivers that are requested from zoning mean the buildings will encroach on space and other buildings. The justification is purely so that NYU buildings can be unchecked in a massive design. (Hart) The 40-story tower in the superblocks is totally out of proportion and benefits only the University. (Texidor)

**Response 8-16:**

Please see the response to Comment 8-8. In addition, please note the following clarifications: the proposed LaGuardia Building, at 128 feet to the roofline, and 158 feet in height including mechanical bulkhead, would be approximately the same height as the Washington Square Village buildings (which are approximately 160 feet in height to the roofline, and 196 feet in height including mechanical bulkhead), not taller; and the Proposed Actions as described in the DEIS and FEIS do not include a 40 story building (as described in the DEIS and FEIS, on the North Block the requested actions would facilitate the development of two primarily academic buildings of 8 (LaGuardia Building) and 14 (Mercer Building) stories in height (128 feet and 218 feet in height to the roofline, respectively), and on the South Block, the requested actions would allow for the development of a mixed-use “Zipper

Building” of varying heights up to 25 stories (up to 275 feet to the roofline), and a 14-story (178 feet to the roofline) “Bleecker Building.”

**Comment 8-17:** The proposed buildings would change air patterns, creating “wind tunnels.” (CB2 Resolution)

**Response 8-17:** As detailed in Chapter 8, “Urban Design and Visual Resources” of the DEIS and FEIS, a detailed pedestrian wind analysis was undertaken for the Proposed Development Area to assess whether the Proposed Actions would result in winds that jeopardize pedestrian safety. The analysis included channelized wind pressure from between buildings, and downwashed wind pressure from parallel buildings. The analysis was conducted in a wind tunnel using a scale model of the proposed and existing buildings in the Proposed Development Area, and surrounding buildings and topography within a 1,600 foot radius of the Proposed Development Area. Receptors were placed both on and off-site, in areas where pedestrian activity would be expected.

The analysis found that during the summer months (May through October), for both existing conditions and with the Proposed Actions, there is no potential for pedestrian wind conditions to exceed safety criteria. During the winter months (November through April), the wind tunnel analysis for existing conditions showed that wind conditions exceed safety criteria at one location—immediately southeast of the 505 LaGuardia building on the South Block. In the future with the Proposed Actions, the analysis found that the elevated wind condition identified under existing conditions would be eliminated, and that there would be no potential for pedestrian wind conditions to exceed safety criteria at any other location. Therefore, no significant adverse urban design impacts would result from potential pedestrian wind conditions with the Proposed Actions.

**Comment 8-18:** NYU’s new buildings, placed directly across narrow streets like Mercer and LaGuardia Place, will flood the residential buildings across those streets with intense light during nighttime hours. This will have an adverse effect on the residents of those buildings. Thus far, there has been no discussion of design that incorporates technology that reduces lighting intensity and glare. (CB2 Resolution)

**Response 8-18:** The proposed buildings would contain a variety of uses, none of which require unusual hours or particularly intense lighting. Academic buildings may host evening classes, but nothing that would require especially intense lighting or extend any lighting into the late night hours. The minimum distance between the building face of the Mercer Building and buildings on the east side of the opposing blockface is approximately 100 feet. To the south at the Zipper Building, the

distance is approximately 60 feet. At LaGuardia Place, the minimum distance between the LaGuardia Building and the blockface to the west is approximately 120 feet. Compared to typical city blocks, the placement of the new buildings would not create unusual proximity to buildings across the street or result in adverse dispersion of building light.

## CHAPTER 9: NATURAL RESOURCES

**Comment 9-1:** The DEIS glosses over the plan's adverse impact on the native wildlife, particularly the habitat of red-tailed hawks and other bird species which make their homes in the Greenwich Village neighborhood. The construction will deprive them of the mature trees and unbuilt spaces upon which they depend for nesting. Other birds would suffer as well: the current green spaces within the Proposed Development Area provide at least some nesting and overwintering habitat for native birds, and stopover habitats for migratory songbirds. See Exhibit 23 (Community Board 2 Resolution, Mar. 11, 2012); DEIS at 9-6, 9-7. The plan will destroy some of these spaces and decrease the already limited open space available to native and migratory birds of all kinds. Despite these obvious effects, and although CEQR explicitly lists "loss of vegetation" and the "construction of a structure that may impede animal migration and movements" as direct effects of a project, the DEIS neglects to consider, at all, the specific impacts these changes would have on the bird population. See *CEQR Technical Manual* (2012) at 11-22. (GVSHSP Statement)

Red-tailed hawks, recently making their homes in the neighborhood, would lose the mature trees and unbuilt spaces that they depend upon. (CB2 Resolution)

**Response 9-1:** As noted in Chapter 9, "Natural Resources," of the DEIS and this FEIS, red-tailed hawks are one of North America's most common and abundant raptors, and they have become increasingly common in urban areas in recent decades. In cities, including New York City, red-tailed hawks often nest on buildings and other artificial structures rather than nesting in trees. Their diet is largely composed of rats, squirrels, and occasionally pigeons, which are ubiquitous and not restricted to city green spaces. As such, red-tailed hawks in New York City are not uniquely dependent upon mature trees or open space, and can be found nesting in many different settings throughout the city that are heavily or fully developed. Because the proposed project would not eliminate an important nest site or food resources available to red-tailed hawks, the proposed project would not affect the size or viability of local red-tailed hawk populations, nor would it be likely to displace any red-tailed hawks currently holding a territory in the vicinity of the project site.

The green space in the project area represents an extremely degraded, non-native, and human-modified system that cannot be considered quality habitat for wildlife other than exotic invasive species such as house sparrows and European starlings, and the most urban-adapted generalist species of native wildlife such as American robin and gray squirrel. Such species are so abundant and ubiquitous throughout New York City and other urban areas and human-dominated landscapes that vegetation removal for the proposed project could not have a measurable impact on the size or viability of these species' local, regional, or continental populations. Additionally, small urban green spaces such as those within the project site may very well represent ecological traps in which the condition, survival, and/or fecundity of native wildlife that select such habitats are significantly compromised. Similarly, the presence of migrating songbirds within the project site during spring and fall is no indication that the site offers quality stopover habitat. Because of the site's current condition, it may in fact represent an energy sink that lures migrant birds into poor conditions for refueling. Regardless of the refueling conditions afforded to migrant birds, any loss or modification of the green space presently within the site would not affect the ability of birds to successfully migrate through the metropolitan area or significantly reduce the quantity of stopover habitat available within the city.

**Comment 9-2:**

The DEIS ignores the serious risk of increased bird collision. The Proposed Development Area currently contains buildings with windows facing the green spaces used by native and migratory birds. Consequently, the potential for bird collision already exists, but would be vastly amplified by the Proposed Development area. The proposed buildings would increase the total amount of reflective glass in the area, thereby increasing the risk of bird mortality. *See* DEIS at 9-11, 9-12. Indeed, a rough estimate is that each new building would cause up to 50 additional bird mortalities each year. *Id.* The DEIS itself admits that lack of information about the specific design features of the proposed buildings and surrounding landscaping make it impossible for the DEIS to fully analyze the expected adverse impact on the bird population, but assumes, without any justification, that once these details are known, the impact will be insignificant. It makes no attempt, as required by CEQR, to consider "bird safe" building recommendations or other mitigation measures. *See* CEQR Technical Manual (2012) at 11-9. (GVSHS Statement)

Glass buildings can be dangerous for birds. (Glick)

**Response 9-2:**

While individual bird strikes would occur, the number of dead birds resulting from these strikes is expected to be low, and the predicted

level of mortality would not significantly affect the various bird populations that would come into contact with the buildings. Nevertheless, as the project advances, NYU will consider incorporating bird safe design features for the buildings that would provide LEED credits (which is consistent with the project goals), and would reduce the levels of bird strikes. Furthermore, there is no specific requirement in the *CEQR Technical Manual* to consider the “bird safe” building recommendations mentioned on page 11-9 as indicated by the comment; the *CEQR Technical Manual* merely indicates sources that can be accessed for information identifying strike hazards and “bird safe” building recommendations.

**Comment 9-3:** The NYU plan eliminates green spaces with many mature trees along Mercer Street and LaGuardia Place, as well as the Sasaki Gardens. (Boernstein, Mendez) The project will severely reduce the amount of light, which is not only unfortunate for its residents but detrimental to what little nature exists. In a polluted city, trees are vital in removing carbon dioxide and pollution particles. (Coler)

**Response 9-3:** Although the plan would remove some existing green spaces and mature trees along Mercer Street and LaGuardia Place, including the Sasaki Gardens, as discussed in Chapter 9, “Natural Resources” of the DEIS and FEIS, the Proposed Actions would result in an increase in green spaces and the number of trees as compared to the future without the Proposed Actions. Within portions of both blocks, the landscaping plan would consist of various gardens and lawn areas. This is particularly true for the North Block where existing gardens and planters would be replaced by specialty gardens. These gardens would include a light garden, philosophy garden, rain garden, tricycle garden, play gardens, and public lawns. On the South Block, the planting plan would focus on the enhancement of existing landscaped spaces. The landscaping plan would include infill and understory plantings in area 13 (as shown in Figure 9-1) and the conversion of some lawn areas to gardens. As discussed in the response to Comment 9-5 below, street trees would be replaced in accordance with DPR requirements.

Based on preliminary landscaping plans performed by the project’s landscape architects, in the future with the Proposed Actions there would be a total of 675 trees in the Proposed Development Area, which represents an increase of 190 trees from the current condition (i.e., 485 existing trees based on 2009 tree survey conducted by Michael Van Valkenburgh Associates, Inc., Landscape Architects, PC). Many of the existing large trees would remain in place, would be protected during construction, and would be incorporated into the landscaping design. In addition, if the NYU below-grade spaces proposed to be located on the

NYCDOT Strips to be mapped as park land on the North Block were eliminated there would be a greater potential to preserve mature trees on the NYCDOT Strips; with construction protection plans in place, the contractor would be able to work around many of the existing mature trees, particularly those closest to Bleecker Street and West 3rd Street.

**Comment 9-4:** Harm would be done to the trees, plants, and wildlife that are dependent on our community garden's open air and sunlight. The Time Garden and other green strips on LaGuardia Place, Mercer Street, Sasaki Gardens, and LaGuardia Corner Garden are small yet significant parts of the Atlantic Flyway corridor that birds follow back and forth in their annual migrations. (Halloran)

**Response 9-4:** Passerines (songbirds) and near-passerines are the only groups of migratory birds that would have the potential to occur within the areas referenced. Such birds do not follow distinct flyways, but rather migrate in broad fronts. The Atlantic Flyway refers to the general area of concentration along the Atlantic coast for migrating waterfowl and shorebirds, not songbirds and similar landbirds. The occasional presence of migrating songbirds within the project site during spring and fall is not an indication that the site offers quality stopover habitat. Because of the site's existing condition, it may in fact represent an energy sink that lures migrant birds into poor conditions for refueling. It is the large forest remnants within the city, such as those within Inwood Park and Bronx Park, as well as other large parks such as Central Park, which represent appropriate stopover habitat where migratory landbirds are known to adequately restore fat and lean body mass. The other wildlife occurring within the areas referenced is dominated by non-native, invasive species that are a threat to native wildlife. They are abundant and ubiquitous throughout New York City and throughout North America, and are not dependent upon the pockets of green space imbedded within the project site.

**Comment 9-5:** The underground use would require removal of the mature trees. With replacements to be planted as much as 20 years later, two generations would pass before the stands of mature trees return. (CB2 Resolution)

**Response 9-5:** Chapter 9, "Natural Resources" of the DEIS and FEIS assess the proposed project's effects on ecological communities on the project site, including trees. Although some existing mature trees would be removed, the Proposed Actions would result in an increase in the number of trees as compared to the future without the Proposed Actions. Existing trees would be removed only when a specific site is to be redeveloped, and replacement trees would be planted as part of the redevelopment of the site, so there would not be a 20-year lag between

removal and replacement. Based on preliminary landscaping plans performed by the project's landscape architects, in the future with the Proposed Actions there would be a total of 675 trees in the Proposed Development Area, which represents an increase of 190 trees from the current condition (i.e., 485 existing trees based on 2009 tree survey conducted by Michael Van Valkenburgh Associates, Inc., Landscape Architects, PC). Many of the existing trees would remain in place, and would be incorporated into the landscaping design. The street trees that would be preserved on site would be protected pursuant to a tree protection plan. In particular, this would include several of large specimen trees (some of which measure 24+ inches dbh). For instance, on the North Block the London planetrees (measuring between 18 and 24 inches dbh) in areas 6 and 8 as shown in FEIS Figure 9-1 would remain. On the South Block, most of the trees along Bleecker Street (area 10 as shown in FEIS Figure 9-1), along West Houston Street, and areas 10 and 13 as shown in FEIS Figure 9-1 would also be incorporated into the landscape design. The recommended modifications of the Manhattan Borough President—by eliminating the below-grade space on the NYCDOT Strips on LaGuardia Place and Mercer Street—would allow greater flexibility with respect to construction logistics and the placement of construction equipment, facilitating the preservation of some of the mature trees on these strips.

With respect to street trees, during the design and permitting phases for the Proposed Actions, DPR would be consulted with respect to tree evaluation for the street trees that would be removed in the vicinity of the Proposed Development Area. Under Chapter 5 of Title 56 of the Rules of the City of New York and under Title 18 of the Administrative Code of the City of New York, NYU would be required to obtain a permit to remove existing street trees, which are under the jurisdiction of DPR. If such approvals were obtained, NYU would be required to post a bond with DPR to ensure that NYU plants new trees at a time deemed appropriate by DPR. A method to calculate the number of replacement trees per the New York City tree replacement code, such as the caliper replacement method, would most likely be used to quantify the size and number of trees that would be required to replace those removed from the Proposed Development Area.

#### **CHAPTER 10: HAZARDOUS MATERIALS**

No comments were received on Chapter 10, "Hazardous Materials," of the DEIS.

#### **CHAPTER 11: WATER AND SEWER INFRASTRUCTURE**

**Comment 11-1:** Recently, the city was awarded \$2.4 billion to meet its stormwater management goals using green infrastructure. Particularly in the North Block, NYU's proposal would eliminate significant vegetation that

currently acts as green infrastructure, managing stormwater and providing non-water benefits. NYU's proposal would destroy the large, mature tree canopy in the area and would add impervious, non-permeable surfaces which would increase stormwater runoff, reduce water quality and groundwater recharge, and increase energy costs through the loss of cooling benefits associated with mature trees. These actions will hinder goals set forth in PlaNYC and the Green Infrastructure Plan. (Seamans)

**Response 11-1:** The environmental impact analyses of the proposed project in Chapter 11, "Water and Sewer Infrastructure" considered the potential effect of increased impervious coverage on the site. Increases of stormwater runoff will be managed through the incorporation of a best management practices (BMP) plan to control runoff from impervious surfaces. These BMPs will reduce peak stormwater discharge as compared to existing conditions. Consistent with the NYCDEP Green Infrastructure Plan for new and redeveloped projects, various detention practices (roof detention, tanks in buildings, underground detention) or a combination of these measures will be used reduce peak storm flows to the combined sewer system. In portions of the site that are built over below-grade space, vegetated areas will still be maintained at grade to reduce the potential for runoff through soil retention and evapotranspiration. In coordination with NYCDEP, the final BMP selection for implementation would be undertaken during detailed design of the proposed project.

**Comment 11-2:** Thousands of new residents and tens of thousands of people using the area daily would tax the City's already aging water and sewer infrastructure. Water main breaks and sewer overflows are already an issue, and the added structures would further stress these systems. Less absorption of rainwater and increased storm water runoff also present unmitigated negative impacts. (CB2 Resolution)

**Response 11-2:** Chapter 11, "Water and Sewer Infrastructure" of the DEIS and FEIS evaluates the potential for the Proposed Actions to result in significant adverse impacts on the City's water supply, as well as its wastewater and stormwater conveyance and treatment infrastructure. The analysis finds that the Proposed Actions would not result in any significant adverse impacts on the City's water supply, wastewater or stormwater conveyance and treatment infrastructure.

With respect to water supply, by 2031 the proposed project (including development in both the Proposed Development Area and the Commercial Overlay Area) would generate an estimated incremental

water demand of 706,672 gallons per day (gpd) as compared with the future without the Proposed Actions. This represents a 0.06 percent increase in demand on the New York City water supply system. Based on the projected incremental demand, it is expected that there would be adequate water service to meet the proposed project's incremental water demand, and there would be no significant adverse impacts on the City's water supply.

With respect to sanitary sewage, by 2031 the proposed project (including development in both the Proposed Development Area and the Commercial Overlay Area) would generate an incremental 357,576 gpd of sewage over the future without the Proposed Actions. This incremental volume in sanitary flow to the combined sewer system would represent approximately 0.16 percent of the average daily flow to the Newtown Creek Wastewater Treatment Plant (WWTP). This volume would not result in an exceedance of the Newtown Creek WWTP's capacity, and therefore would not create a significant adverse impact on the City's sanitary sewage treatment system.

Per the New York City Plumbing Code (Local Law 33 of 2007) low-flow fixtures are required to be implemented and would help to reduce sanitary flows from the new buildings. Additionally, the proposed project is expected to achieve the LEED Silver certification as per NYU's *Sustainable Design Standards and Guidelines*. To achieve this certification, NYU would work to implement a variety of sustainable design measures that could be included to reduce the overall sanitary sewage generation into the combined sewer system. Implementation of best management practices (BMPs) such as high-efficiency fixtures would reduce the overall sewage generated.

With respect to stormwater, the Proposed Actions would increase the total amount of impervious surfaces within the Proposed Development Area of the project site. However, with the incorporation of BMPs in redeveloped portions of the Proposed Development Area—including on-site detention and vegetated areas over underground structures—the proposed project would decrease the rate of stormwater runoff from the project site as compared to conditions without the Proposed Actions, and would not have a significant impact on the downstream City combined sewer system or the City sewage treatment system. Stormwater runoff discharges would not change in the Mercer Plaza Area or the Commercial Overlay Area.

## **CHAPTER 12: SOLID WASTE AND SANITATION SERVICES**

**Comment 12-1:** The proposed increase in residences as well as other uses will greatly increase the pressure on solid waste collection and disposal. Late-night

trash collection is already a problem in the area, and will only increase. (CB2 Resolution)

**Response 12-1:** Chapter 12, “Solid Waste and Sanitation Services” of the DEIS and FEIS follows *CEQR Technical Manual* methodology in determining that the Proposed Actions would not result in significant adverse impacts to the City’s solid waste collection services. The New York City Department of Sanitation (DSNY) would continue to collect waste for residential uses (both non-NYU and NYU residential, including dormitories), as well as for the public school in the proposed Bleecker Building. Private carters would collect waste generated by academic, dormitory, retail, hotel, and other commercial uses. Given that a truck can haul about 10 tons of solid waste, the solid waste generated by the operations of the proposed project would require up to five additional truck trips per week by 2031. Compared with the 13,000 tons per day that private carters currently handle, it is expected that private carters would have sufficient capacity to accommodate the additional waste generated by the proposed project. The proposed project could generate up to 7,484 pounds (3.7 tons) of waste per week that would be handled by DSNY. Compared to the 12,000 tons of waste that DSNY collects daily, this increase would be minimal.

With the exception of the proposed Bleecker Building, all waste generated within the proposed project’s buildings would be collected from loading docks, which would reduce the noise associated with collection.

**Comment 12-2:** Additional garbage flows from the new buildings would also bring vermin, and the poisons used to control these rodents also imperil red-tail hawks as well as other animals in the area. (CB2 Resolution)

**Response 12-2:** With the exception of the proposed Bleecker Building, which would be curbside collection, all waste generated within the proposed project’s buildings would be collected from loading docks, which would reduce the need to bait outdoor areas. Any rodenticides used in connection with the Bleecker Building would be in compliance with all applicable regulations, and are not expected to result in a significant adverse impact to red-tail hawk populations.

#### CHAPTER 13: ENERGY

**Comment 13-1:** While the proposed new facilities may be connected to NYU’s new co-generation facility, that system will reach capacity and then an added burden will be placed on the grid/systems. (CB2 Resolution)

**Response 13-1:** As disclosed in Chapter 13, “Energy,” the total added grid power demand would be approximately 42,000 MMBtu and would be a

negligible increment in the 333 trillion Btu Con Edison New York City and Westchester County service area. Note that further energy benefits would be derived even when exceeding the co-generation electricity demand, such as the efficient heating provided by duct burners associated with the centralized system.

**Comment 13-2:** A loss of passive solar energy due to shadows would also add to energy use. (CB2 Resolution)

**Response 13-2:** While some passive solar heat gain in winter may be lost in some nearby buildings where incremental shading would be added, this would be limited since existing shading would dominate during the heating season, and since none of the existing buildings are designed with specific passive solar heating design features such as sunspaces or trombe walls. This effect would be negligible on the scale of the energy consumption analysis. Avoiding this effect would require building spacing and/or density which would not be possible in an urban area, negating the large energy benefits of urban density such as building energy density, transit use, and mixed-use design.

#### **CHAPTER 14: TRANSPORTATION**

##### *GENERAL*

**Comment 14-1:** It is CB2's opinion that the DEIS grossly underestimates and does not adequately study the true effects of this project. Because of the tremendous increase in living, working and visiting populations and the accompanying activities that would be engendered, there would be severe adverse impacts on all aspects of transportation, from vehicular movements to pedestrian access to transit ridership to the availability of parking. These negative impacts are especially egregious in view of the NYC Department of Transportation's recent efforts to create a more equitable balance of street space between pedestrians, vehicles and other transportation modes in order to improve livability for all users. By following rigid formulas that allow for things to get worse and that make use of hackneyed and often ineffectual mitigation measures, this plan both flies in the face of NYCDOT's progressive goals and misses a timely opportunity to look for and implement improvements from the outset that can benefit businesses, residents and NYU alike. (CB2 Resolution)

Rather than a hard look at transportation impacts from NYU 2031, the DEIS engages in wishful underestimation. See Exhibit 23 at 16-17 (CB2 Resolution). Greenwich Village's street capacity is already overburdened with vehicular traffic, and the project will increase congestion and endanger safety for pedestrians and cyclists. The increase in congestion, including the large vehicles required for

intensive construction, will pose a particular threat to the local population, which is characterized by a large number of seniors and families with small children. This impact will be especially adverse due to the number of streets with only one traffic lane, including Bleecker and Mercer streets. (GVSHP Statement)

**Response 14-1:** As detailed in Chapter 14, “Transportation,” of the DEIS and this FEIS, reasonable worst-case development scenarios that would be expected to result in greater impacts than NYU’s illustrative plan were used for a conservative analysis of potential transportation impacts. The analysis also took into account numerous conservative factors, such as using conservative trip-making assumptions in the development of trip generation estimates, incorporating trip-making from No Build projects that may not be completed by the FEIS’s analysis years, and analyzing the projected trip-making as new increments to the area, although much of the new space would be used to provide decompression and address NYU’s current crowding issues. These conservative factors were incorporated into an impact assessment in conformance with *CEQR Technical Manual* guidelines. Where significant adverse impacts were identified, NYU has worked together with NYCDCP, NYCDOT, and MTA NYCT to arrive at feasible mitigation measures.

**Comment 14-2:** NYU will wreak havoc for pedestrian traffic, subway entrances, and vehicular traffic on streets and communities that were not designed for midtown high-density zoning. (Alexander, Appel) As part of the project, NYU should improve the already overcrowded subway stations that serve the neighborhood. (BusinessOwners)

The proposed project would result in congested public transport conditions. (May)

NYU’s planned expansion will cause major congestion in an area that is already filled with students and tourists during most of the year. (Boernstein, Bernstein, Haft-White, Rea, Milazzo)

I am mobility-impaired. We cannot tolerate any more pedestrian growth on our sidewalks. (Alexander, Saunders, Teriananda)

**Response 14-2:** As demonstrated by the DEIS and FEIS analyses, the projected traffic and pedestrian impacts could be addressed with standard mitigation measures. The FEIS identifies feasible measures to fully mitigate the subway entrances with significant adverse impacts.

**Comment 14-3:** Within NYU’s plan is 1,000,000 square feet of space below grade level, which allows them to circumvent density restrictions, since this square footage would not be calculated into floor area requirements. But

because it will be used as academic space, it will increase traffic and crowding in the neighborhood. (BusinessOwners)

The proposed 1,000,000 square feet of new academic space (below grade level) will increase crowding in the neighborhood. (BusinessOwners)

**Response 14-3:** All programmable space, including the referenced below-grade space, has been accounted for in its potential to generate trips to and from the area. These trips were then evaluated in the DEIS and this FEIS for their potential impacts to the area's transportation system.

*TRAFFIC*

**Comment 14-4:** Vehicular traffic, which already overburdens street capacity, would increase substantially, intensifying congestion and compromising access and safety, not only on weekdays, but also on weekends and in the night, when tourists and hotel guests join residents, students and faculty in using incoming/outgoing cars, taxis and limousines to recreational and other activities. (CB2 Resolution)

NYU is planning a huge addition to the area, in a place where traffic is already clogged. (Bernstein, Magida, Milazzo, Saunders)

**Response 14-4:** The determination of appropriate peak hours for the transportation study conducted for the DEIS and this FEIS considered time periods during which the proposed project would be expected to have the highest travel by its users and background conditions are also most active. The selection of the weekday AM, midday, and PM peak hours as analyzed in the DEIS and this FEIS was determined by the Lead Agency (NYCDCP), in consultation with NYCDOT, to be the most appropriate. Nonetheless, the DEIS and this FEIS also include an assessment of the Saturday afternoon conditions, principally because of the proposed project's retail and hotel uses. While the Greenwich Village area is a popular evening and weekend destination, its attraction is attributable to many other factors beyond the presence of NYU and its student and staff populations. A substantial portion of the development included in the proposed project is academic space, which is expected to result in a much greater number of trips during the weekday peak hours studied in the DEIS and this FEIS than during night-time/late night hours. Although the proposed project also includes other uses (such as dormitories, faculty housing and potentially a hotel) that would result in some night-time/late night hour trips, many of these trips within the study area would be local in nature and by foot rather than automobile, particularly because the proposed project will not result in an increase of available parking spaces. For these reasons, the peak hours analyzed in the DEIS and this FEIS were deemed adequate to disclose and

provide for appropriate mitigation for the traffic and transportation impacts of the proposed project.

**Comment 14-5:** Streets with one traffic lane, like Bleecker and Mercer, would be particularly stressed, with Mercer suffering heavy truck activity to the new Zipper Building loading docks and blockages from hotel drop-offs/pick ups by taxis, cars and limousines. Bleecker Street already experiences heavy traffic impacts from frequent truck deliveries and oversized tour buses and would suffer further delays and noise. Multi-lane streets would also be encumbered, like Houston Street, a major through thoroughfare, and LaGuardia Place. (CB2 Resolution)

**Response 14-5:** The current plans show the hotel's main entrance would be along West Houston Street, so there is not expected to be the referenced drop-off/pick-up activities along Bleecker and Mercer Streets. Projected traffic conditions, accounting for what is on these streets presently, future growth, and project-generated traffic (including truck deliveries) were analyzed in accordance with *CEQR Technical Manual* guidelines. The significant adverse impacts identified in the DEIS and this FEIS for the Bleecker Street and Mercer Street intersection, as well as others in the study area, could be addressed via practical mitigation measures reviewed with, and approved by, NYCDOT.

**Comment 14-6:** Intensified congestion, loading/unloading and other street blocking activities would increase emergency vehicle delays. The response given to CB2 that "emergency vehicles can maneuver around and through congested areas because they are not bound by standard traffic controls" does not alleviate our concerns. (CB2 Resolution, Magida)

Loading and deliveries along Mercer Street for the Zipper Building and Bleecker Street for the suggested school will cause congestion along this already heavily trafficked area. Both Mercer Street and Bleecker Street have a single lane that would be blocked by increased pick-up/drop-off activity by cars, taxis and limousines surrounding the prospective school and hotel. NYCDOT is already looking at ways to alleviate traffic buildup along the length of Bleecker Street (Duane)

**Response 14-6:** Where significant adverse traffic impacts were identified in the DEIS and this FEIS, practical mitigation measures were recommended to mitigate conditions to No Build levels. Further, the geometry of the design and vehicle maneuvering at the proposed loading facilities were reviewed with and accepted by NYCDCP and NYCDOT. Hence, it is not expected that there would be a notable increase in congestion attributable to the proposed project or a deterioration of delays to emergency vehicles.

**Comment 14-7:** The proposed project will bring traffic problems to an already densely populated area. (BusinessOwners, Mam, May)

The proposed project will create major traffic congestion in the area. (McKellar, Rackow)

The traffic will be beyond what this area can handle, during and after the construction. (Surace)

**Response 14-7:** As detailed in Chapter 14, “Transportation,” and Chapter 20, “Construction” of the DEIS and this FEIS, the potential for significant adverse traffic impacts from the proposed project was analyzed and practical mitigation measures were recommended to mitigate these conditions.

**Comment 14-8:** The corner of Mercer and Houston is already too busy to accommodate a hotel. How will NYU’s fantasy hotel provide additional street space for taxis, tour buses, and guest parking on those already overcharged blocks? (McKellar)

**Response 14-8:** The transportation analyses in the DEIS and this FEIS account for trip-generation rates and travel characteristics of the proposed hotel in determining the potential for significant adverse impacts to traffic, transit, pedestrians, and parking. Where significant adverse impacts were identified, practical mitigation measures were recommended to mitigate these conditions. Furthermore, if the hotel is constructed, MTA NYCT has agreed to relocate the M21 bus shelter on the West Houston Street frontage of the Zipper Building, where the main entry to the proposed hotel would be located. Thus, this area would be used to provide space for the curbside pick-up and drop-off activities associated with the proposed hotel. The M21 bus would be accessible half a block east along West Houston Street, adjacent to the Angelica Theater.

*PARKING*

**Comment 14-9:** Replacing the current 670-space below-grade parking garage in Washington Square Village, which includes public parking, with a 389-space below-grade accessory parking facility would result in a loss of roughly 110 to 135 public parking spaces. This parking shortfall might not be able to be accommodated by other public parking facilities in the area, some of which are slated to be replaced by new buildings, others fully occupied, and others an undesirable distance away. A sizable number of on-street parking spaces would also be eliminated, further displacing parkers. Even if automobile use lessens, there still will be drivers who need to park. A parking shortfall as anticipated would lead to increased circling and cruising for spaces, meaning less safety on the

streets, added congestion, and more polluting emissions. (CB2 Resolution)

The proposed project will create major parking problems in the area. (Rackow)

The proposed project will result in loss of parking in the area. (May)

The DEIS recognizes that NYU 2031 involves replacing a 670-space public parking garage with a 389-space accessory parking garage, and the DEIS does not take a hard look at the capacity of the area to absorb the difference in parking, but rather concludes that “this parking shortfall would not be considered significant due to the magnitude of available alternative forms of transportation.” DEIS at 14-5. This conclusion rather casually dismisses the already critical shortage of available parking spots in Greenwich Village. There are only 280 spaces on both sides of the streets on all four sides of the North superblock. Thus, the total number of lost parking spots will outnumber those already in existence around the North superblock. Between the construction and the constant cruising, idling and double-parking that will result, traffic will be a chaotic mess and air pollution will be exacerbated. The DEIS unfortunately ignores these issues in its analysis. (GVSHIP Statement)

Reducing the available parking by replacing the current 670-space garage below Washington Square Village with a 389-space garage and eliminating on-street parking, while simultaneously significantly increasing the number of both residents and day-time visitors, may cause a shortage of parking in the surrounding area. (Duane)

**Response 14-9:**

Subsequent to the preparation of the DEIS, a more detailed review of area parking facilities was conducted to determine if some of them may potentially be displaced by future development projects. Also, a larger ½-mile off-street parking inventory was conducted to identify additional parking resources that can be accessed via a slightly longer walk than the ¼-mile distance surveyed for the DEIS. The results of these efforts have been documented in this FEIS, which finds that there would be sufficient off-street parking spaces within the ½-mile study area to accommodate the parking demand resulting from the displacement of off-street parking spaces from the North Block. Although both the DEIS and this FEIS have identified a ¼-mile off-street parking shortfall, generally this would be considered a disincentive for motorists to use their automobiles to travel to the area. As a matter of policy, as explained in the *CEQR Technical Manual*, the City has determined that a shortfall in parking within most parts of Manhattan, including the study area, does not constitute a significant adverse environmental impact under CEQR.

*TRANSIT*

**Comment 14-10:** The significant adverse transit impacts that are expected at subway station stairways and entrances would strongly interfere with accessibility and convenience for the numerous people in the area who rely on the subway. Furthermore, it is stated that subway station mitigation measures may be infeasible, and if so, the impacts would remain unmitigated, meaning there would be no attempt at all to alleviate these crowded and untenable conditions (an unwarranted discomfort in view of the unnecessarily excessive scale of this project). (CB2 Resolution)

**Response 14-10:** Since the publication of the DEIS, an engineering analysis to determine the feasibility of implementing the identified mitigation measures was undertaken and the widening of the two impacted stairways (at Broadway-Lafayette and West 4th Street) was determined to be feasible.

**Comment 14-11:** I really worry about the community. At the subway with 12,000 more people coming through our station, what will it be like for them? I don't want every day in my neighborhood to feel like the Halloween parade. (Kohn)

The applicant's proposed project will increase the area's population by approximately 1,500 to 2,000 permanent residents and 10,000 to 12,000 daily students, workers and visitors in an already crowded area. These additional populations will result in clear and lasting impacts on traffic and access that needs to be addressed. Specifically, the influx of people will overwhelm the area's already crowded subway access points at the Broadway-Lafayette and West 4th Street stations. (Duane)

**Response 14-11:** The comment that the Proposed Actions would cause an additional 12,000 people per day to enter a single subway station is incorrect. As noted above and in the FEIS, the analysis found significant impacts of the project on two subway stairs, one at Broadway-Lafayette and the other at the West 4th Street station. The proposed mitigation was subject to additional analysis and, as a result, NYCT has determined the proposed stair widenings to be feasible.

**Comment 14-12:** The DEIS declined to perform a detailed analysis of the impact of NYU 2031 on the subway stops in the area, instead "an analysis of [the Prince Street] station's stairways and control areas will be undertaken for the FEIS and any significant adverse impacts that may be identified for these station elements will be disclosed." DEIS at 14-18. This is not sufficient, as the significant transportation impacts should be considered now, so that the general public and the CPC can meaningfully consider them. This is particularly true here, as the DEIS admits that the

feasibility of subway station mitigation measures “is yet to be determined.” DEIS at 21-12. (GVSHP Statement)

**Response 14-12:** As described in the DEIS, the Prince Street Station stairways and control areas are expected to incur substantially fewer trips attributed to the proposed project than the other analyzed stations. However, in light of the impacts identified for the Broadway-Lafayette and West 4th Street stations, NYCT determined that additional station elements, including those at the Prince Street Station, should be added for analysis and the results to be presented in the FEIS. This analysis effort was undertaken subsequent to the publication of the DEIS. As detailed in Chapter 14, “Transportation,” of this FEIS no additional significant adverse transit impacts beyond those identified in the DEIS were identified. For the impacted subway entrances, an engineering analysis to determine the feasibility of implementing the identified mitigation concepts was undertaken and the recommended mitigation plans were reviewed and found to be feasible by NYCT.

*PEDESTRIANS*

**Comment 14-13:** Pedestrian trips would far exceed the 200 threshold for both the Phase I (2021) and Phase II (2031) build-out, greatly interfering with pedestrian access, safety, comfort, circulation, and orientation (which would be further harmed by the heavy vehicular traffic). Heavy platoons of pedestrians at corners and in crosswalks would both block passage and make crossing more hazardous. (CB2 Resolution)

The increase in pedestrian traffic will dramatically exceed the 200 person threshold for both Phase I (2021) and Phase II build-outs, which will compound the heavily increased vehicular traffic and adversely impact pedestrian access, safety, comfort, circulation and orientation. (GVSHP Statement)

**Response 14-13:** The “200-person threshold” is a screening standard below which no detailed pedestrian analyses would be warranted under CEQR, since such an increment would be considered imperceptible. The DEIS and this FEIS provided an analysis of a sizeable pedestrian study area and concluded that significant adverse pedestrian impacts would occur at only two locations and practical and feasible mitigation measures have been recommended to mitigate these impacts in consultation with the lead agency and NYCDOT.

**Comment 14-14:** The proposed project would have a detrimental impact on the senior citizens in the neighborhood due to overcrowding of sidewalks. Washington Square Park and local streets, especially University Place from Union Square to the NYU core and its surrounding blocks are truly difficult to navigate at times. (Whitney)

**Response 14-14:** As discussed in Chapter 14, “Transportation,” of the DEIS and this FEIS, the incremental pedestrian volumes resulting from the Proposed Actions would not result in any unmitigated significant adverse impacts with respect to sidewalks, corner reservoir, and crosswalk elements. The project would improve pedestrian access across the two superblocks and would provide newly created seating areas along Bleecker and West 3rd Streets where none exist today, as well as within the interior of the North Block in the relandscaped public open space.

*VEHICULAR AND PEDESTRIAN SAFETY*

**Comment 14-15:** The plan for this site does not appear to have made adequate provisions for loading and unloading. Delivery trucks and parent and bus drop-offs/pick-ups would be required to park or double park on Bleecker Street or LaGuardia Place, creating dangerous congestion on these narrow and busy streets. This would create an unsafe environment for children, NYU students and local residents. (CB2 Resolution, Magida)

**Response 14-15:** The proposed project provides for three new off-street loading docks, one on West 3rd Street between Mercer Street and LaGuardia Place and two on Mercer Street between Bleecker Street and West Houston Street to accommodate delivery activities projected for the proposed project. The design and vehicle maneuvers associated with these loading facilities have been reviewed and accepted by NYCDCP and NYCDOT. Furthermore, as stated in the DEIS and this FEIS, should the SCA proceed with a plan for a public school in the Bleecker Building, the SCA would consult with NYCDOT during planning and construction of the new school to incorporate the necessary safety measures. The Department of Education may also be consulted on the likely zones from which the students may travel to identify “safe routes to school” and the need for additional school crosswalks.

**Comment 14-16:** Added turning movements at already dangerous turning areas, increased delivery trucks and service vehicles, and the general proliferation of cars, taxis and school-related transportation, bringing added congestion and decreased safety on the streets, would be especially daunting for a population with many seniors and families with small children, besides overwhelming the general populace. (CB2 Resolution)

**Response 14-16:** Contrary to the comment, as documented in Chapter 14, “Transportation,” the NYU population generally travels by public transportation, by NYU shuttle buses, by bike, or by walking, with a very small percentage by auto or taxi. In addition, the proposed project would introduce a pedestrian corridor through the North Block and a

new pedestrian walkway/connector on the South Block, and would provide traffic calming measures along both West 3rd and Bleecker Streets in the form of neck-downs and two new signal-controlled crosswalks. As detailed in the DEIS and this FEIS, while some significant adverse traffic and pedestrian impacts were identified, they would be fully mitigated with the recommended mitigation measures.

#### **CHAPTER 15: AIR QUALITY**

**Comment 15-1:** Increased congestion, both traffic and pedestrian, may elevate ozone and particulate pollutants. (CB2 Resolution)

**Response 15-1:** Increased pedestrian traffic does not influence ozone and particulate matter emissions or concentrations. The local effect of on-road traffic on carbon monoxide and particulate matter concentrations was analyzed in detail in Chapter 15, “Air Quality” of the DEIS and FEIS, and the Proposed Actions were found to contribute negligibly to concentrations. Ozone is formed downwind from emission sources; any increments in emissions associated with project on-road traffic (assuming these wouldn’t occur elsewhere in the city in the No Build scenario) would not be regionally significant, and would therefore not significantly affect ozone concentrations.

#### **CHAPTER 16: GREENHOUSE GAS EMISSIONS**

**Comment 16-1:** The DEIS concludes that the new buildings and additional vehicular traffic would not cause significant adverse impacts. However, it also assumes that, without the project, the air quality in the area would continue to improve as technology improved and cleaner fuel was used for heating (DEIS, 15:25). (Gambit)

**Response 16-1:** The DEIS and FEIS do not assume that air quality would improve without the project—they provide that with or without the project, emissions in general will continue to diminish as a consequence of existing federal and state programs.

**Comment 16-2:** Despite the conclusion that the project would not worsen air quality, the DEIS states that the new buildings and associated mobile emissions required for servicing them would produce over 19,000 tons of CO<sub>2</sub>e annually. According to the EPA, this is the amount of carbon sequestered on an annual basis by 3,687 acres of pine or fir forest. Although the measures employed by the authors of the DEIS find no adverse impact on air quality, it is clear that a significant amount of pollution would be generated by the new development, and the impact would be both local and regional in nature. (Gambit, GVSHD-Durniak)

**Response 16-2:** The conclusion that air quality would not be significantly affected by the project is found in Chapter 15, “Air Quality,” of the DEIS and FEIS where rigorous analysis of criteria pollutants demonstrated that conclusion. Greenhouse gasses (GHG), which are analyzed in the Greenhouse Gas Emissions chapter, do not have local impacts—their impacts are global. There is no direct local health impact related to GHG from a specific project, because the impact on climate is mostly stratospheric. This is why EIS analyses in general focus on the reduction in potential GHG emissions, consistent with local and State policies. They also do not, for the most part, focus on ‘incremental’ emissions in the same way that criteria pollutant analyses do because that distinction is often meaningless in the context of reducing emissions: projects are encouraged by local and state policy to reduce emissions, regardless of whether they are ‘incremental.’ For example, with respect to GHG, the ‘No Build’ condition for a proposed residential building would be residents living in another location, which may be more or less efficient depending on design, local transit options, and energy supply sources (such as the proposed project’s efficient use of a central cogeneration plant). The GHG calculated for the proposed project is not incremental—these emissions, and likely more, would occur if this demand were met in a less transit friendly and energy efficient manner.

**Comment 16-3:** The carbon footprint of the new buildings would be 13,089 CO<sub>2</sub>e. By comparison, the newly retrofitted, 2.85 million SF Empire State Building produces 11,421 tons of CO<sub>2</sub>e a year. In other words, the proposed NYU program, although smaller, and despite the presumption of extensive use of sustainable technologies, would produce a greater carbon footprint than an eight-decade-old Empire State Building. (The Empire State Building produced 16,666 tons of CO<sub>2</sub>e before it was retrofitted and reduced its carbon footprint by 40 percent.) (Gambit, GVSHP-Durniak)

**Response 16-3:** It is difficult to compare two analyses, which have different intensities due to the different uses (university facilities have some intense loads not carried by an office building) and analyses assumptions, such as the carbon intensity of grid power (the Empire State Building analysis was not provided or cited). Although by all accounts the coordinated effort for the Empire State Building retrofit was very successful, it seems that the commenter may have misstated the emissions from the Empire State Building; the building’s website reported that the pre-2008 emissions were 25,000 metric tons per year (Empire State Building Company, “Empire State Building Case Study,” 2009). In any case, as

demonstrated in the GHG chapter, the proposed project would outperform similar uses.

**Comment 16-4:**

The DEIS also fails to consider how the loss of open space, including areas planted with trees, bushes and flowers, would also deteriorate the air quality in the area. In its analysis of open space, the DEIS acknowledges that the LaGuardia Garden would lose much of its planting due to increased shade. According to the New York City Department of Environmental Conservation, one tree removes 600 pounds of carbon dioxide from the air over a 40-year period (<http://www.dec.ny.gov/public/43563.html>). For the construction period the trees, grass and other plants in the PDA would be compromised, removed or killed by the increasing amounts of shade. The impact to the air quality in the area because of the loss of natural air cleaners, i.e. trees, grass and plants, is not discussed by the DEIS and was presumably not taken into consideration. (Gambit, LCCG/LMNOP Study)

Reduction in mature trees could contribute to a long-term rise in greenhouse gas emissions, creating health hazards and potentially increasing the asthma rate throughout the area. (CB2 Resolution)

**Response 16-4:**

Sequestration by trees in an area as small as the Proposed Development Area is negligible and therefore was not quantified in the EIS, although it is expected that the net result of the Proposed Actions would be an increase in long-term sequestration. The project has been developed so as to result in net growth in carbon stored in trees by increasing the number of trees by several hundred, and trees that need to be removed for construction will be replaced as per the New York City tree replacement code, as described in Chapter 9, "Natural Resources."

**Comment 16-5:**

Trees, plants and grass also play an important role in reducing the heat island effect that impacts urban areas dominated by concrete. The loss of this green space would potentially make this neighborhood hotter in the summer, increasing cooling costs for the surrounding buildings and generating additional pollution due to the increased use of HVAC. (The tremendous cost savings associated with trees and grass, and a comparison between the two, is articulated by Dr. Sylvan Addnick in "Trees are Sacred, Grass is Bad; Why?", TP1, Turf News March/April2007.) (Gambit, LCCG/LMNOP Study)

**Response 16-5:**

As discussed briefly in the cited source, well-placed trees can have a large direct shading impact on low buildings or homes (a few stories); if these are deciduous trees, they will have energy benefits in summer without adding significant shading in the winter. This type of effect is not expected to change as a result of the project (and as described

above, the project would increase trees on-site). The overall urban heat island effect is also influenced indirectly by green areas and vegetation by reducing heating of paved surfaces and increasing evapotranspiration which has a cooling effect. This type of effect can be felt on a large scale (i.e., not as geographically focused) and will not be influenced significantly by the project, which would not introduce large paved surfaces.

**Comment 16-6:** The complex conditions of the site, with existing buildings interspersed throughout the area, do not lend themselves to a green development. The space constraints and existing uses of the site require that various uses be shifted several times over the course of the twenty-year construction period, leading to a more complex and material-intensive project. For example, the waste and materials involved in demolishing the existing Coles Gymnasium, constructing a temporary gymnasium, demolishing the temporary facility and building a new facility, is resource intensive and would have significant environmental impacts. Developing this project in a location that is better able to accommodate the construction staging and allow for a more linear construction plan could eliminate some of the waste associated with the complex plan for the project area. In addition, if NYU moved some of its proposed development program to existing buildings in some other area of the city, the embodied energy of the existing buildings would be preserved, resulting in less construction waste and fewer construction materials being used. The design possibilities in the project area are limited and the existing buildings would lose natural light and open space with the introduction of the new buildings. (Gambit, GVSHP-Durniak)

**Response 16-6:** Materials use was accounted for in the GHG analysis of the DEIS and FEIS. While some savings of materials might be found if the temporary gymnasium were not built, shifting the project to several locations dispersed throughout the city would result in increased commuting, and would also reduce the benefits found from infill and consolidation of campus energy systems and other infrastructure. The project maintains a mix of uses, including green space, while increasing density in an area well served by public transit, resulting in substantial energy savings, and consistent with PlaNYC.

**Comment 16-7:** The large amount of underground development is particularly resource intensive and would result in permanently higher operation costs for that space. Underground space would clearly require artificial lighting and HVAC at all times. If the project were developed elsewhere, there would potentially be greater opportunity to include natural light, green space, and other elements typically encouraged for a LEED development. (Gambit, GVSHP-Durniak) NYU's Village plan would be

particularly environmentally inefficient because of the below-ground construction. NYU development at other locations by contrast could be much greener and less negatively impactful, and alternate locations would also allow NYU considerably greater opportunity for future growth and expansion. (GVBA-Tessler)

**Response 16-7:** The approach proposed by the commenter suggests a much larger site, which would likely be outside of the denser urban area and would require either displacing other buildings or existing green spaces, contrary to PlaNYC and good planning practice. As discussed above, it would also lose the energy benefits of a consolidated campus. It should be noted that the proposed project building on the North Block contain lightwells to provide natural light to underground spaces, therefore relieving somewhat the need for constant artificial lighting. The project would meet the requirements for LEED Silver certification.

#### CHAPTER 17: NOISE

**Comment 17-1:** In considering noise, the goal of the CEQR Technical Manual is to determine both a “proposed project’s potential effects on sensitive noise receptors” including residential facilities, and “the effects of ambient noise levels on new sensitive uses” of the proposed project. See CEQR Technical Manual (2012) at 19-1. The DEIS analysis is inadequate on both counts.

First, the DEIS concludes that a detailed mobile source noise analysis—an analysis of noise caused by automobiles, buses, trucks and aircraft—is unnecessary. This assertion is based on the unsubstantiated claim that the proposed action would not generate sufficient traffic to have a significant adverse noise impact. See DEIS at 17-1. (GVSHHP Statement)

**Response 17-1:** In order to create a significant noise increase over conditions in the future without the proposed actions, traffic, as measured in Noise passenger car equivalents (PCEs), must at least double with the Proposed Actions. Appendix D of the DEIS and this FEIS presents the screening analysis for the project. This analysis is referenced in the first paragraph of Chapter 17, “Noise,” and demonstrates that changes in traffic would not be sufficient to result in the potential for a significant adverse noise impact. Additionally, Chapter 17, “Noise” examines the level of building attenuation required to protect new sensitive uses.

**Comment 17-2:** The DEIS fails to consider the possibility of increased traffic noise during atypical hours—a likely scenario where a student demographic works and socializes on a schedule different than that of a typical resident (evening dormitory noise is particularly problematic). (GVSHHP Statement)

**Response 17-2:** The trip generation analysis in Chapter 14, “Transportation,” of the DEIS and this FEIS accounts for trips throughout the day from the Proposed Actions, and analyzes the peak periods of the project. The conclusion in the EIS that peak period traffic increases from the project would not create noise impacts would hold for non-peak hours.

**Comment 17-3:** Although the DEIS concludes that there would be no adverse effect from a number of noise sources in isolation, the DEIS does not consider the combined impact of overall noise, or the possibility that the project will bring additional sources of noise into the neighborhood. For example, the addition of new student dormitories will exacerbate the problem of late-night noise from students, and the decrease in parking spaces under the plan will lead to more circling and idling of cars as they look for parking. The additional retail may further attract new visitors and accompanying noise to the neighborhood. (GVSHIP Statement)

**Response 17-3:** While these sources may sometimes result in audible changes in noise levels, such noises would be episodic, rather than continuous, and they would not be expected to result in a significant increase in noise levels under CEQR impact criteria.

**Comment 17-4:** The *CEQR Technical Manual* specifically requires special treatment for “sensitive areas.” For example, “if the proposed project includes a publicly accessible outdoor area requiring serenity and quiet (such as a park for passive recreation),” the CEQR Technical Manual mandates exploring the feasibility and applicability of implementing mitigation measures to bring exterior noise levels to below 55dBA  $L_{10(1)}$ . See CEQR Technical Manual (2012) at 19-21. NYU’s proposed plan contemplates numerous supposedly tranquil open spaces, but the DEIS admits that ambient noise in these newly created open spaces would be greater than the 55dBA  $L_{10(1)}$  threshold. However, instead of exploring mitigation measures as required under CEQR, it concludes that there would be no adverse noise impact because this noise threshold has often been crossed in other open spaces in New York. The DEIS should not be permitted to ignore CEQR mandates simply because other spaces have not addressed the problem.

**Response 17-4:** As discussed in Chapter 17, “Noise,” of the DEIS and this FEIS, noise levels measured in the Washington Square Village courtyard were slightly above the 55 dBA  $L_{10(1)}$  threshold for outdoor areas requiring serenity and quiet. The maximum dBA  $L_{10(1)}$  with the proposed project is expected to be in the high 50’s and low 60’s. Because of the urban setting of the project site and its proximity to traffic noise, there are no feasible and practicable mitigation measures that can be implemented to

achieve a noise level of 55 dBA  $L_{10(1)}$  in the open space areas. (Noise barriers create aesthetic and potential safety concerns because they would limit the line of sight into the publicly accessible open space.) Consequently, based on current CEQR practice and acknowledging the same noise levels in other open space areas and parks throughout the City, the noise levels in these new open spaces are not considered under CEQR to be significant adverse impacts.

**Comment 17-5:** We do not oppose relocation of the dog run. However, noise level on 24 hour access every day are concerns for us and the community at large as the proposed Silver Towers site is proximate to residential buildings. We request that the applicant and Commission study alternatives to the Silver Towers landmark site. (MDR)

**Response 17-5:** As outlined in Chapter 17, “Noise,” the analysis of the potential noise effects from the proposed relocation of the Mercer-Houston Dog Run concludes that noise level increases at nearby noise-sensitive locations would be less than the 3 dBA *CEQR Technical Manual* significance threshold. Consequently, relocation of the Mercer-Houston Dog Run would not result in a significant adverse noise impact. The dog run is proposed to be re-located immediately west of the proposed Greene Street Walk because that area is on NYU property (and therefore available for the dog run relocation), and like the existing dog run, it has frontage on West Houston Street.

**Comment 17-6:** Late-night noise from students is already a major problem in our community. The addition of dormitories will only exacerbate this problem. Increased vehicular traffic would also increase horn honking and idling noise. (CB2 Resolution)

**Response 17-6:** The analysis in Chapter 17, “Noise” of the DEIS and this FEIS finds that the Proposed Actions would not result in any significant adverse noise impacts due to operations of the proposed project. The CEQR quantified noise analysis does not include assessment of late-night noise from students, but this type of episodic noise is assessed qualitatively in Chapter 19, “Neighborhood Character.” With respect to noise from increased vehicular traffic, CEQR prescribes a detailed mobile source noise analysis in cases where there is a potential for a doubling of Noise passenger car equivalents [PCEs] which would be necessary to cause a 3 dBA increase in noise levels, which could result in an impact. The proposed action would not generate sufficient traffic to have the potential to cause a significant adverse noise impacts (see Appendix D for Noise PCE screening analysis results).

**Comment 17-7:** The proposed project will bring noise problems to an already densely populated area. (Mam, Watson-deReynier)

**Response 17-7:** With respect to operational noise conditions, please see the response to Comment 17-6. With respect to construction noise, please see the response to Comment 20-24.

**Comment 17-8:** The noise level will be beyond what this area can handle, during and after the construction. (Surace)

**Response 17-8:** The analyses performed in the DEIS and this FEIS showed that the Proposed Actions would not result in any significant adverse noise impacts during operations. The construction of the proposed project would result in significant adverse noise impacts; please see the response to Comment 20-24.

#### **CHAPTER 18: PUBLIC HEALTH**

**Comment 18-1:** The incredibly sparse three-page DEIS analysis of the public health impacts of this project are woefully inadequate. Indeed, the DEIS closely examines only the public health effect of noise, concluding that even with the supposed mitigation measures NYU plans to take, the CEQR thresholds for significant noise impacts would be exceeded at certain locations during some periods of time. DEIS at 18-3. This is bad enough, and noise is a lesser public health risk when compared to some of the other effects this project will cause. The DEIS ignores the fact that adding a large new population and changing the physical configuration of the neighborhood has the potential to overburden medical infrastructure, local police precincts and other emergency services. Following the closing of St. Vincent's hospital in 2010, the neighborhood already lacks adequate nearby emergency services. Moreover, NYU's plan for the North Block restricts the ability of fire and emergency vehicles to reach apartments, and the removal of through-driveways between Bleecker and W. 3rd Streets will slow the ability of ambulances to reach and depart with patients, who already face too long a ride to the closest hospital. See Exhibit 23 at 17 (Community Board 2 Resolution). (GVSH-Statement)

**Response 18-1:** The *CEQR Technical Manual* addresses the issue of access to health care facilities under Community Facilities and Services and Transportation, not under Public Health. As shown on Table 6-1 in the Manual, an analysis of effects on health care facilities is warranted for the introduction of a sizable new neighborhood (e.g., Hunters' Point South) or a direct impact on the resource(s) (e.g., closure of a hospital). The Proposed Actions would neither create a new neighborhood of the scale of Hunters' Point South nor displace an existing major health care facility. Therefore, as determined during scoping, Chapter 4 of the DEIS

and FEIS does not address impacts on health care facilities. In addition, the traffic analysis for the Proposed Actions, while it identified certain locations where significant adverse traffic impacts would occur, also developed practicable measures to mitigate such impacts. Therefore, an analysis of the effect of project traffic on access to medical care was not warranted.

**Comment 18-2:**

The failure of the DEIS to consider this decreased access to medical services is troubling in light of CEQR's specific protections for sensitive or vulnerable populations—that is, those populations that are vulnerable to the potential health impacts by virtue of their age, or those with pre-existing health conditions. See CEQR Technical Manual (2012) at 20-3. Greenwich Village has a sizeable senior population, as well as families with young children who need fast and reliable access to medical services, and who will be disproportionately harmed by the effects of the proposed project. The DEIS, in violation of CEQR, completely ignores the particular health status, disease burdens, asthma rates and hospitalization statistics of the Greenwich Village community in reaching its conclusions on public health. See *CEQR Technical Manual* (2012) at 20-3. (GVSH-Statement)

**Response 18-2:**

Analyses to determine significant adverse impacts on public health do focus on vulnerable populations, such as small children, seniors, and those of any age who are already in poor health. For example, if the proposed action would release toxic substances, then the CEQR Technical Manual requires a public health study if the EIS has identified significant adverse environmental impacts on air quality or water quality. If the proportion of the affected population is unusually high in vulnerability and there are potentially significant adverse impacts in an environmental impact area that implicates such vulnerability, then a public health assessment is warranted. The DEIS and FEIS found that the Proposed Actions would not result in significant adverse air quality impacts, both during construction and when the project is completed and operational. See Chapter 20, "Construction," and Chapter 15, "Air Quality," of the FEIS. For the Proposed Actions, significant adverse noise impacts were disclosed in the FEIS during certain phases of construction (see below for discussion of noise), but construction noise is not anticipated to increase disease, asthma rates, or hospitalization statistics in the area. Moreover, the neighborhood does not have unusually high concentrations of vulnerable populations. To the contrary, according to the 2010 Census, U.S. Census Bureau, 7.5 percent of residents within a half-mile of the project area are younger than 18. This compares to 14.8 percent under 18 years in Manhattan and 21.6 percent under 18 years in New York City. Thus, the proportion of

children in the study area is about half of that in Manhattan. For the elderly (65 and over) the study area at 11.5 percent is below average compared to Manhattan (13.5 percent) and New York City (12.1 percent). On the two superblocks only, the age distribution is closer to that of Manhattan for persons under 18 (15.5 percent), but somewhat higher for age 65 or over (22.3 percent). The construction activities are not expected to result in significant adverse impacts to public health of residents of the project area, as discussed in response to Comment 18-6, below.

**Comment 18-3:** The DEIS also glosses over the enormous rat problem that the proposed construction will create. Big building projects, especially in old coastal cities, always drive rats up into streets and basements. This routinely happens in downtown Manhattan, and will certainly occur during this project as well, as the proposed plan entails four excavations several stories deep, in an area especially dense with rodents. According to CEQR, rats “may lead to infectious diseases, injuries, and other health problems. The increased presence of indoor pests may contribute, in sensitive persons to asthma symptoms and exacerbations.” *CEQR Technical Manual* (2012) at 20-6. Even the mitigation measures pose unique health risks. For example, NYU plans to contract to have the streets and basements saturated with rodenticide. See DEIS at 20-91. Rat poison has a broad toxic reach, killing squirrels and birds, and leaching into the groundwater. Children are at particular risk of exposure to rodenticide. Again, the DEIS fails to consider whether the “affected population [has] characteristics that may place it at greater risk of exposure to ... environmental hazards” and whether “there are many people potentially affected by the project.” *CEQR Technical Manual* (2012) at 20-7. (GVSH-Statement)

**Response 18-3:** Contrary to the commenter’s assertion, NYU does not propose “to have the streets and basements saturated with rodenticide.” As noted in Chapter 20, “Construction,” construction contracts would include provisions for a rodent (mouse and rat) control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation. During the construction phase, as necessary, the contractor would carry out a maintenance program. Coordination would be maintained with appropriate public agencies. Only U.S. Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (DEC) registered rodenticides would be permitted, and the contractor would be required to perform rodent control programs in a manner that avoids hazards to persons, domestic animals, and non-target wildlife. (See also response to Comment 18-2 concerning vulnerable populations.)

**Comment 18-4:** NYU’s expansion plans would turn the neighborhood into an unhealthy construction site for years, if not decades. (Winer) Not only is this massive development a huge and long-term disruption to the community, but it is a potential health hazard. (Coler, Mostel, NoName4) This massive construction project will create serious problems, particularly health problems, for those living near it. NYU’s proposed mitigations do not adequately address these. (DavisE)

**Response 18-4:** The Proposed Actions would not “turn the neighborhood into an unhealthy construction site for years.” Construction would occur at specific locations on the two superblocks during specific time periods. For example, during the construction of the Zipper Building, it is anticipated that that specific area of the eastern portion of the South Block, with a safety buffer area, would be a construction site. During that period of time, other areas of the South Block – and no areas of the North Block – would be under construction, much less the entire “neighborhood.” The conceptual construction schedule would not permit an extensive overlap in intensive construction activities associated with different buildings, to minimize the intensity of construction activities occurring during any specific time period, and to minimize the construction footprint during any specific period of time. The construction techniques used would generally be standard construction methods, except that NYU has committed to a comprehensive program to minimize diesel emissions and construction noise, and has committed to an extensive program of noise mitigation to reduce interior noise levels. These commitments would be included in the Restrictive Declaration. The commenter puts forward no evidence that these construction activities – which occur all over New York City without such extensive environmental measures to minimize construction impacts – would result in “unhealthy” conditions.

**Comment 18-5:** As a health care professional, I am deeply concerned about the consequences that this 19 year continual disruption will have on the health and welfare of individuals, families, the community itself, and the environment. It is unconscionable of NYU to subject residents in this area to 19 years of unremitting destruction and construction with its consequent bombardment of noise, dirt, rodent infestation, disorder, and physical, mental, and emotional stress. (Mariano)

**Response 18-5:** While the overall period of construction would last 19 years (from the fourth quarter of 2013 to 2031), the commenter’s assertion that any resident would be subject to the direct effects of construction for 19 years is inaccurate. Construction activities would move from one specific location to another specific location as the four project buildings are built. A resident living in a specific apartment on the

superblocks (depending on location) may experience no significant noise impacts or—at other locations—several years of significant noise impacts. None of the apartment locations would experience significant adverse noise impacts for a period of 19 years. In addition, construction would be limited to particular hours (generally Monday through Friday, 8:00 AM to 4:30 PM), and apartments that would experience significant adverse noise impacts would be provided with noise attenuation measures that would partially mitigate impacts if the apartment does not already have double-paned windows. As to “dirt” and “rodent infestation,” NYU has committed to a comprehensive program to minimize construction dust and rodents, as described in Chapter 20, “Construction.” The DEIS conclusion that the proposed construction activities would not result in a significant adverse impact to public health is accurate.

**Comment 18-6:**

The DEIS outlines the "proactive approach" that NYU plans on taking to minimize noise during the construction period, such as using portable noise barriers, enclosures and acoustical tents, but these measures can only go so far. The DEIS concedes that even with such measures, significant adverse impacts will occur at numerous locations and again claims that NYU will examine whether there are any additional practical measures that could be used to mitigate the adverse noise effects, but makes no promises. In addition, the DEIS drastically underestimates the extent and duration of the noise that will be caused by the extended construction, so the effectiveness of the mitigation measures should be analyzed over a longer period of time. As the plan now stands, the mitigation measures will not prevent Greenwich Village residents from being subjected to extremely high noise levels for the duration of the 20-year project. According to the World Health Organization, prolonged and daily exposure to unwanted noise at the levels the plan predicts is known to cause significantly increased risk of hypertension and ischemic heart disease, and to disrupt the sleep patterns of both children and adults in ways that negatively affect cognitive performance, even when the noise occurred during daylight hours. See Department of Music Resolution, dated May 3, 2012. The World Health Organization further reports that children who are chronically exposed to loud noise show impairments in attention, memory, problem-solving and the ability to learn to read. The DEIS fails to consider these significant adverse effects on the health and well-being of the area's residents, and the limited mitigation measures NYU suggests are grossly insufficient to address these serious health concerns. (GVSHS Statement)

**Response 18-6:**

As described in Chapter 20, “Construction,” and noted by the commenter, the DEIS describes the proactive approach that NYU has

committed to implementing to minimize noise effects during the construction period. However, even with this proactive approach construction-related activities would result in increased noise levels for a prolonged period of time, which at a number of locations would exceed the CEQR construction noise impact criteria and result in significant adverse noise impacts. The DEIS acknowledges that construction related activities would produce noise levels that are audible indoors and intrusive. However, no feasible and practicable measures were identified between publication of the DEIS and this FEIS that could be implemented to achieve any additional significant reductions in outdoor noise levels. (Absent the proactive noise reduction approach, the construction-related activities – using the standard construction practices that are widespread in New York City and elsewhere – would produce noise levels that would be approximately 10 dBA higher than those predicted to occur with the proposed noise abatement program.) While the increased noise produced by construction-related activities would be undesirable, the magnitude of the resulting noise (which is generally expected, at most locations, to be high 60 to mid-70 dBA range) is not unusual for locations in Manhattan. Noise levels of this magnitude typically occur at locations (including residential locations) adjacent to roadways with heavily traffic volumes (i.e., major north-south and crosstown streets). Unlike noise levels at these locations, construction noise would be limited to the construction hours for the project (M-F, 8:00AM-4:30PM) and would be limited in duration to the periods during which the significant adverse noise impacts would occur at each receptor location. These noise levels also reflect a conservative assessment that assumes simultaneous operation of noisy equipment, elevating modeled noise increments, which are based on peak hour usage estimates. Accordingly, even during the periods in which the FEIS discloses a significant adverse construction noise impact at a particular receptor location, during some hours of the day noise levels would be lower than the peak hour estimates presented in the FEIS.

Moreover, the exterior noise levels reported in Chapter 20, “Construction,” do not reflect the noise levels inside adjoining apartment buildings that would occur during construction. In the interiors of the adjoining buildings, noise levels would be less than the exterior noise levels presented in Chapter 20. Even without implementation of the proposed mitigation measures, attenuation values for the Washington Square Village buildings range from 17-24 dBA, and attenuation values for the Silver Tower buildings range from 19-21 dBA. Implementation of the proposed mitigation measures (such as storm windows and the provision of an interior cover to air conditioning

units) would increase attenuation by an additional approximately 5 dBA for the Washington Square Village buildings and an additional approximately 7 dBA for the Silver Tower buildings. Thus, noise levels in the interior of the apartment buildings would be much less than the outdoor noise levels.

As noted by the commenter, the website of the European Regional Office of the World Health Organization (WHO) identifies certain potential health effects of noise. These general statements, which are not tied to exposure at specific dBA levels, appear to be generalizations drawn from a WHO publication entitled “Guidelines for Community Noise” (WHO Noise Guidelines). World Health Organization, *Guidelines for Community Noise* (Birgitta Berglund et al. eds., 1999).

As its name suggests, the WHO Noise Guidelines is a guidance document intended to provide “target” noise levels for non-industrial settings (sometimes called community or environmental noise) to be achieved in the long term for the “complete physical, mental and social well-being” of all people. WHO Noise Guidelines at vii, xviii-xix, 1-2, 72-73. Acknowledging the extremely weak correlation between health effects and noise, the WHO Noise Guidelines caution that additional research is needed to replicate and improve current understandings, and that “cost effectiveness and cost-benefit analyses should be considered as potential instruments when making [noise] management decisions.” *Id.* at xviii-xix, 72-73. In other words, the WHO cautions that any practical regulatory application of its Guidelines must take into consideration the economic practicality of noise management measures, as well as their relative costs, risks and payoffs.

It is well established that the primary health concern related to noise is the risk of hearing loss. Hearing damage risk has been extensively studied in occupational settings. The WHO Noise Guidelines state that no hearing impairment is expected from non-occupational, A-weighted noise exposures as great as 70 dB over a 24 hour period. *Id.* at viii-ix, 23-24. With the project, mitigated interior noise levels are expected to be well below that threshold during the 8 hour construction day.

The WHO Noise Guidelines identify a 35 dBA guideline level for a 16 hour daytime period in an indoor residence, but this is not a threshold for significant adverse impacts to public health, as this guideline level is routinely exceeded in occupied apartments, with or without nearby construction activities. *Id.* at xiv, xvi, 45, 47. The 35 dBA guideline level was suggested to “enable casual conversation indoors during daytime hours,” and represents a baseline noise level in an empty room. *Id.* at xiv, 26. This level does not reflect indoor noise levels in occupied rooms with common residential noises sources, such as people

conversing and the performance of typical domestic activities. At times when people are at home and awake, indoor noise levels are commonly controlled by such sounds of domestic activity (rather than by exterior neighborhood noise sources), resulting in interior noise levels that typically exceed 35 dBA.

The WHO Noise Guidelines do not establish a threshold for significant adverse impacts to public health from community exposure to elevated noise levels. For example, the WHO Noise Guidelines state that epidemiological associations are too weak and too inconsistent to draw conclusions with respect to cardiovascular and physiological effects of community noise and call for more research. *Id.* at 30, 41. Accordingly, the WHO found that “no guideline values can be given.” *Id.* The absence of persuasive evidence of health-based effects extends to other issues examined in the WHO Noise Guidelines as well, such as night-time sleep disturbance caused by day-time noise, mental health effects of noise, and the potential effects of noise on cognitive performance, etc. *Id.* at 21-36. No research conducted since publication of the WHO Noise Guidelines has meaningfully advanced the state of the art in understanding of potential health consequences of residential exposure to construction noise.

In sum, as a result of NYU’s noise reduction measures and the proposed noise mitigation program, interior noise levels within the adjoining apartment buildings would be at levels that are not uncommon in New York City. There is no evidence that noise levels of this magnitude (which would be elevated due to constructive activities only during Monday to Friday daytime hours and only when construction activities would occur proximate to any specific reception location) would result in significant adverse health impacts.

## CHAPTER 19: NEIGHBORHOOD CHARACTER

**Comment 19-1:** The DEIS widely misses the mark in concluding that “the Proposed Actions would not have a significant adverse impact on neighborhood character in the study area.” DEIS at 19-2. The addition of millions of gross square feet of new development seriously imperils the residential character of the historic Greenwich Village neighborhood. At 1.3 million square feet above ground and 1.1 million square feet below-grade, NYU 2031 is the largest development proposal ever in this neighborhood, and will more than double the zoning floor area of the superblocks. The construction would result in thousands of new residents and would bring over ten thousand additional people into the area each day. (GVSHP Statement) The proposed expansion would add a great number of transients as well as residents to an area already crowded with people. (Whitney) I ask the commission to scale back this

project to a reasonable size that will not impact the character of this unique part of the city so drastically. (Feldstein, Jackness, Schaper)

**Response 19-1:**

As noted in Chapter 19, “Neighborhood Character” of the DEIS and this FEIS, “a well-established range of compatible and diverse land uses are one of the defining features of the neighborhood. Within the Core Washington Square campus, while NYU plays a prominent role, there is a broader mix of open space, residential, institutional, cultural and commercial uses, and a dynamic street life that contributes to defining the area.” The study area cannot be characterized as having only a residential character. The Proposed Actions would add a mix of uses similar to those within the Core and overall study area to the two superblocks that comprise the Proposed Development Area. The Proposed Actions would intensify development on the two superblocks, which currently contain development whose building scale and tower-on-plaza urban design stand in clear contrast to its surroundings. By confining the University’s expansion to the two superblocks, which already contain urban forms distinct from those in the surrounding area, the Proposed Actions would limit the project’s effect on neighborhood character to one well-defined location within the Core and study area.

As discussed in Chapter 1, “Project Description,” Chapter 3, “Socioeconomic Conditions,” and elsewhere in the DEIS and FEIS, the Proposed Actions are intended to create a central space for NYU to accommodate the growth in student population, faculty and related workers and visitors in the future without the Proposed Actions. Thus, the actual increase in residential and visitor population in the overall study area from the Proposed Actions would be small (a maximum of 1,750 residents and 4,836 non-residents), not the 10,000 cited above.

**Comment 19-2:**

The rezoning would drastically affect the residential character of the neighborhood, as nearly all of the new construction would be for nonresidential uses. (GVSHP Statement, Phillips-Fein, Surace) 50) This zoning would completely change the neighborhood residential character of the superblocks, because nearly all of the new building will be for non-residential uses, including hotel, dormitory, public school, athletic facility, academic and ground floor retail uses (approximately 2.2 million sq. ft.). (CB2 Resolution) It is our belief that the bulk in density permitted would forever alter the character of this special neighborhood—more than doubling the zoning floor area and reducing by half of the open space requirement of the super blocks—completely changing the residential character of the super blocks. Because nearly all the new buildings would be for non-residential uses, adding thousands of new residents and bringing an additional 10,000 people into the area daily. (CB2-Holyman, O’HaraP, Vargo)

- Response 19-2:** As noted in Chapter 1, “Project Description,” the Proposed Actions would construct between 180,000 and 775,000 gross square feet of dormitory and residential uses out of a total development program of 2.5 million square feet. The Illustrative Program assumes 475,000 gross square feet of residential use, out of a total of 2.47 million gross square feet, or 19 percent. The new mix of uses would change land use in the Proposed Development Area, which is currently almost entirely residential. However, as noted above and in Chapter 1, “Project Description,” and Chapter 2, “Land Use, Neighborhood Character and Public Policy,” the surrounding neighborhood contains a well-established, broad mix of uses, and the proposed uses would be consistent with that mix (see Figure 1-3 or Figure 2-2).
- Comment 19-3:** In particular, area residents—and all New Yorkers and visitors to our city—would be deprived of the Sasaki Garden, an internationally renowned work of landscape architecture. (GVSHP Statement)
- Response 19-3:** The EIS discloses that the Proposed Actions would create a significant adverse impact on the historic resources within the Proposed Development Area that could not be fully mitigated (see Chapter 7, “Historic and Cultural Resources”). The Sasaki Garden would be displaced under the Proposed Actions. Because the Sasaki Garden is within a fenced site and elevated above street level, it is not readily visually or physically accessible to the public. The Proposed Actions are intended to open up large areas of the superblocks to the public and would replace the displaced gardens with new, publicly accessible open space that is located at grade, removing vehicular pathways and making it more pedestrian-friendly. For these reasons, the displacement of the Sasaki Garden, although a significant adverse impact to historic and cultural resources, is not considered to constitute a significant adverse impact on neighborhood character.
- Comment 19-4:** The hotel proposed as part of the Zipper building would alter the character of the neighborhood, which is primarily residential and institutional, and would attract a transient population and commercial uses to serve this population. (Nadler) A commercial hotel on Mercer Street would drastically change and not benefit in any way this residential neighborhood. (WilsonC)
- Response 19-4:** Although a hotel use would be new to the Proposed Development Area and to the immediately surrounding blocks, the use would not be new in the ¼-mile land use and socioeconomic study areas. As noted in Chapter 3, “Socioeconomic Conditions,” there are several hotels located within the ¼-mile study area, including Washington Square Hotel at 103 Waverly Place, The Mercer at 147 Mercer Street, Lafayette House at 38

East 4th Street, and the Cooper Square Hotel at 25 Cooper Square. As noted above and in Chapter 19, “Neighborhood Character,” the Proposed Actions would change the character of the Proposed Development Area from one that is primarily residential to the broader mix of uses similar to the surrounding neighborhood. Hotels are permitted as of right in the C6-2 zoning district immediately east of the Proposed Development Area, and in other zoning districts in the surrounding area.

**Comment 19-5:** NYU seeks a commercial overlay area rezoning, which threatens to inundate the residential neighborhood with retail facilities targeting young adults, such as national chains and large eating and drinking establishments. (GVSHP Statement)

**Response 19-5:** As described in Chapter 1, “Project Description,” the retail conceived for the Commercial Overlay Area would be for neighborhood retail uses in existing street level spaces in existing NYU buildings. As such, they would have relatively small floor areas and would not be suitable for large retail or large eating and drinking establishments.

**Comment 19-6:** Thousands of new students for NYU are unacceptable in the Village. With them come more and more bars and dorms. NYU is bringing down an irreplaceable community of worthy people and buildings, park space, and gardens. (Bartels, Boernstein, Coe, Devaney, Goldberg, Millazo, O’HaraP)

**Response 19-6:** As noted in the response to Comment 19-1, the Proposed Actions would not introduce additional students above what is anticipated in the future without the Proposed Actions. However, the project would concentrate these students on a new, clearly defined campus. This would change the character of the Proposed Development Area from primarily residential to a mix of uses more typical of a campus. These changes would increase the density of development and the activity on the two superblocks, but would not have a significant adverse impact on the character of the neighborhood.

**Comment 19-7:** NYU’s plan would continue to tip the balance of neighborhood character in the Village strongly in the direction of domination by a single institution. (Alexander, Appel, BAN, Bartels, Sarah D., Fogel, Gould, Green, GVSHP-Berman, GVSHP-Petition, HulleyL, Ponce, Pultz, Ramsdell)

**Response 19-7:** The Proposed Actions would increase the presence of NYU in the Proposed Development Area. However, instead of spreading the anticipated growth of the institution throughout the study area as would necessarily have to happen if the Proposed Actions were not approved,

the Proposed Actions would concentrate that growth primarily to a designated section of the neighborhood.

**Comment 19-8:** We live and work and shop in the small stores here. We eat in the small restaurants along Washington Square Park. It is we, the permanent residents, who are the heart and soul of this neighborhood. Granting NYU the right to rezone the area around Washington Square Park will allow ordinary, homogenized commercial establishments to dwarf the Arch, the Park, and History itself. (CVCA) This monstrous plan would destroy forever qualities that have made the Washington Square area a lovely place to live. (HulleyK, Winer)

**Response 19-8:** As described in Chapter 1, “Project Description,” the retail conceived for the Commercial Overlay Area would be in existing street level spaces in existing NYU buildings. As such, they would have relatively small floor areas that would not be suitable for large retail or large eating and drinking establishments. The Proposed Actions would accommodate NYU’s future growth by concentrating that growth on the two superblocks south of West Third between Mercer Street and LaGuardia Place, rather than spreading that growth throughout the neighborhood.

**Comment 19-9:** This plan would destroy the unique character of Greenwich Village in the area, swallowing open green spaces, blocking sunlight and air circulation, creating a construction site of noise and pollution for 10 years or more. (Garabedian) The project would undermine the aesthetic and quality of the neighborhood and its residents. (Struensee)

**Response 19-9:** As noted in Chapter 19, “Neighborhood Character,” as well as responses to other comments, the Proposed Actions would be limited to the two superblocks that comprise the Proposed Development Area. As such the new development would be limited to an area that already contains development that is atypical of Greenwich Village, and would not have significant impacts on neighborhood character. As described in Chapter 1, “Project Description,” the Proposed Actions have been designed to increase public access to the superblocks, to expand the amount of open space that is publicly accessible and to orient buildings to minimize their effect on other existing structures on the superblocks and in the immediately surrounding area. Chapter 20, “Construction,” assesses impacts from construction and Chapter 21, “Mitigation,” proposes mitigation measures for identified impacts during the construction period.

**Comment 19-10:** You are turning the Village into a private/non-taxed environment instead of the neighborhood it has always been. (Brone, Cohn)

**Response 19-10:** The Proposed Actions would not create a private enclave. They would result in the mapping of two public parks and a net increase of approximately 3.3 acres of publicly accessible open space.

**Comment 19-11:** NYU should not be given or entrusted with our public space. We have very little in this area. There is Washington Square Park—which after its recent makeover is beautiful. However, it is also very crowded. During the school year, it is saturated with NYU students—who regard the park as their quadrangle. On the weekends tourists, day visitors and uptown New Yorkers join the crowds. It is noisy and always full of activity. Though the park is a short block from my apartment, I rarely go there to enjoy the out-of-doors. Instead, I head for La Guardia Place and the superblocks. There it's quiet and peaceful. I sit in a café across the street from the public strip of riotous ivy on La Guardia and W. 3rd—that always makes me smile. Or I go to the Sasaki Garden to read under the trees. This section of the Village reminds one of the newer sections of Paris where they seem to always remember that green open space is so important for city dwellers. (WilsonC)

**Response 19-11:** As described in Chapter 19, “Neighborhood Character,” the Proposed Actions would add to publicly accessible open space on the two superblocks that comprise the Proposed Development Area. They would also add resident and daily population to those superblocks. Therefore, the new spaces would be more extensively used than the existing condition. However, except for the playgrounds, all of the publicly accessible open spaces in the Proposed Development Area would be for passive use, with student behavior subject to NYU rules. The area centers of the two superblocks would retain their greenery and park-like setting and two parks would be created on the Mercer and LaGuardia Strips on the North Block. Although the DEIS and this FEIS acknowledge that the character of these two superblocks would change, the analysis finds that the Proposed Actions would not have a significant adverse impact on the character of the study-area neighborhood.

**Comment 19-12:** Is our belief that the [Proposed Actions would] greatly increase density and create newly designed public spaces, including walkways and pedestrian paths, designed without public consultation and creating, what we think, would be a closed off university quadrangle, resulting in new buildings with height and bulk that will tower over the neighborhood, casting shadows over gardens and open spaces as far as Washington Square Park. (CB2-Hoylman, Vargo)

**Response 19-12:** As presented in Chapter 1, “Project Description,” the open areas proposed for the two superblocks would be fully publicly accessible,

including a variety of spaces and landscaped pathways that would allow the public to traverse both blocks on approximately the axis of the former Greene Street between Bleecker and Houston Streets and would provide wide points of access to the publicly accessible open space on the North Block. Although the shadows analysis did identify some impacts on open spaces on the two superblocks (see Chapter 6, “Shadows”), shadows from the proposed buildings would not reach as far as Washington Square Park. With respect to density, please see the discussion of land use and zoning in Chapter 2, “Land Use, Zoning, and Public Policy,” and the response to Comment 2.

**Comment 19-13:** As members of the Bleecker Area Merchants’ and Residents’ (BAMRA), we are concerned that another change that NYU 2031 would bring are the types of retail attracted to all the new commercial space, especially bars. Noise is one of our biggest problems, and the 10,000 to 12,000 expected new trips through our area during the day and more bars open until late at night will greatly reduce our quality of life. (Bastone, Cotterell, Handler, Hoxie, Michals, Ragsdale, Tyree, Valentin)

**Response 19-13:** As noted in Chapter 1, “Project Description,” the Proposed Actions’ Illustrative Program would not markedly increase the amount of retail space on the two superblocks above what is already there. The neighborhood retail that would be included with the proposed project would not contribute to a substantial share of the proposed project’s trips in the study area and would not be expected to result in a significant change to ambient noise levels in the study area.

**Comment 19-14:** A blanket rezoning of the superblocks is inappropriate. The bulk, density and height of the NYU ULURP are dramatically inappropriate for this long-standing and diverse residential community, which, except for NYU’s own buildings on the superblocks, is generally low scale and, in large part, designated as an historic district. The superblocks departed from this general neighborhood pattern but provided publically accessible open spaces to compensate for the height and bulk of their buildings. The vast amount of new building called for in the NYU 2031 Plan would destroy the planning principles that justified formation and development of the superblocks at their present scale. (CB2 Resolution)

CB2 rejects NYU’s request for a blanket re-zoning of the Proposed Development Area from R7-2 to C1-7, and the establishment of a Large Scale General Development Special Permit that would facilitate four new buildings because it would forever alter the character of this historic neighborhood. (CB2 Resolution)

**Response 19-14:** Comment noted. Chapter 19, “Neighborhood Character” of the DEIS and this FEIS concludes that the Proposed Actions would not have a significant adverse impact on neighborhood character in the study area. The Proposed Actions would introduce a new mix of uses within the Proposed Development Area, but these uses would be consistent with the mix of uses throughout the study area. Major new buildings would be confined to the two superblocks that comprise the Proposed Development Area, and these blocks stand in physical contrast to the rest of the neighborhood, because they break the street grid and their development dates back only 50 years to the era of urban renewal, while the preponderance of the study area contains smaller-scale, much older buildings, in a regular, if distinctive street grid. The increased access to the open spaces within the superblocks, the new public pathways through the blocks, and the improved streetscape on these blocks would be generally beneficial to neighborhood character. Thus, although the new structures would change the character of the Proposed Development Area and along its periphery, they would not create a significant adverse impact on neighborhood character. While the Proposed Actions were found to have a significant impact on historic resources because of the removal of the Sasaki Garden, LaGuardia retail building and parking garage on the North Block, this impact would be generally limited to the visitors’ and residents’ experience of that block, and thus was not considered to be significantly adverse to overall neighborhood character. The proposed development on the two superblocks would not adversely affect the character of the historic districts in the surrounding area, since the newer, distinct superblocks already stand in their midst.

**Comment 19-15:** The vastly overcrowded sidewalks and streets, teeming with a huge expanded volume of university-related pedestrian traffic, also would interfere with the community-friendly character and neighborhood-scale dynamic that give this area its special quality and appeal. (CB2 Resolution)

**Response 19-15:** As described in Chapter 19, “Neighborhood Character” of the DEIS and this FEIS, the mix of project uses would add students, faculty, and visitors to the area. The travel associated with this population would increase utilization of the area’s transportation facilities and in some cases would result in significant transportation impacts for which mitigation measures have been identified (see Chapter 21, “Mitigation,” of the FEIS). While there would be increased activity, the resulting conditions would be similar to those seen in the high activity urban neighborhoods defining the study area and would not result in density of activity or service conditions that would be out of character with the

surrounding neighborhoods. With respect to pedestrian circulation through the Proposed Development Area, the project would create new and improved opportunities for traversing the north block, by providing increased pathways, enhanced landscaping, clearer visibility, due in part to moving the central open space to grade, and expanded capacity. On the south block, the notable change would be the provision of a major new north-south walkway following the alignment of Greene Street. By recessing the walkway into the block, demand would be shifted from Mercer Street sidewalks to a new corridor with a more park-like path with benches and landscaping. Thus, the changes in transportation due to the Proposed Actions would not result in significant adverse impacts on neighborhood character.

**Comment 19-16:** Shifting the university center south and establishing a more intense campus environment on the superblocks would forever destroy a thriving residential community and transform it into a private NYU campus, changing the character of the area forever. It would also have significant negative impacts on surrounding neighborhoods to the east, south and west such as NoHo, SoHo, and the West Village—areas where students are not a dominant presence. Sidewalks would become crowded with students, existing retail would be displaced and open space would be oriented towards classrooms, instead of the kinds of places that support the vibrant and diverse community that currently exists. (CB2 Resolution)

**Response 19-16:** The DEIS and this FEIS acknowledge that the changes proposed for the Proposed Development Area would intensify University land uses there, but the two superblocks are already within the area of the Washington Square campus. Locating the proposed four new buildings on the superblocks would allow NYU to meet its needs for long-term growth (which would occur without or with the Proposed Actions) while minimizing its need to expand the footprint of its campus into the surrounding neighborhoods. Thus, the Proposed Actions would limit more intense activity to the area immediately surrounding the Proposed Development Area, in contrast to the Future without the Proposed Actions, which would see a more widespread increase in the presence of students and faculty.

**Comment 19-17:** The diversity of age groups and occupations within our community is what keeps it viable. A great influx of students with no investment in our neighborhood would disrupt this already stressed balance. (Appel, Marti, Ragno, Rosenthal) With the expansion, the students would outnumber the residents. (Marti)

The proposed project would drastically alter the balance between the community and the University in ways that would undermine the Village as an asset and adornment of our city. (Goldin, KleinI, KleinJ) NYU is destroying the neighborhood and turning it into an NYU campus. (McDaniel) The neighborhood has already been gentrified too much. (Collier)

It's great to have a university in the neighborhood, but not when it begins to swallow the neighborhood whole. (Georgi, Ramsdell, Seidenbaum, Simons)

**Response 19-17:** As noted above, the purpose of using its two superblocs to focus the facilities needed to meet the anticipated growth of students, faculty, and academic programming would allow the University to expand without continuing its ad hoc acquisition of properties throughout Greenwich Village and nearby neighborhoods. The student population in the proposed dormitories to be located on the superblocs would bring more students to the Proposed Development Area, but their presence there would not substantially change the demographic mix of age groups in the ¼-mile neighborhood character study area (see Table 5-8 as compared with Table 5-13 in Chapter 5, "Open Space").

**Comment 19-18:** The proposed project would destroy the quality of life of long-time residents of the Village, as well as the fabric of the neighborhood itself. (Bedrosian, Das, Ganti, Goldin, Greenberg, Kiser, Mam, Mariano, May, McKellar, Mostel, Ponce, Rackow, Ramsdell, Stuart, Waddell, Walsh, Wapner, Watson-deReynier, Weisberg, Wilson)

NYU's proposed, massive expansion plan would have a tremendously negative impact on the entire Village and the surrounding neighborhoods, including NoHo, Union Square, Chelsea, and East Village. (Georgi, Quennell, Verter) The massive over-building will destroy the Village. (CAAN, Green, Margolis, NoName4, O'Hara)

NYU cannot be allowed to absorb an entire neighborhood. (Spadavecchia) This plan for expansion would destroy the neighborhood. (Marti)

**Response 19-18:** Chapter 19, "Neighborhood Character" of the DEIS and this FEIS finds that the Proposed Actions would not result in significant adverse impacts on neighborhood character.

**Comment 19-19:** The views of merchants like myself were not taken into account in NYU's Expansion Plan. We and all local merchants with whom we've spoken are opposed to NYU's plan. Our customers are interested in a glimpse of "Old Greenwich Village." (Dollak)

- Response 19-19:** As discussed in Chapter 19, “Neighborhood Character,” the new construction would be limited to the two superblocks, which are already distinctly different from the older, more historic character of Greenwich Village.
- Comment 19-20:** As recently evidenced by the Kimmel Center, NYU cannot be trusted to build within the character of the neighborhood. See Exhibit 25 “GVSHIP, After the Kimmel Center: How Can We Better Plan to Protect Our Neighborhoods, Parks, and View Corridors?, Sept. 9, 2002.” (GVSHIP Statement)
- Response 19-20:** If the proposed project is approved, the placement of buildings and their shape, as well as public open spaces and other project amenities, would be subject to compliance with the requirements of the large scale special permit and related restrictive declaration. Chapter 8, “Urban Design and Visual Resources,” of the DEIS and this FEIS finds that the massing, height, bulk and design of the buildings would not have adverse impacts with respect to urban design.
- Comment 19-21:** The plan would have an enormous impact for us. It would change the supermarket where we buy our food, the playground where we take our children, the park where we sit and read, the dog run, the gym we use, etc. More important, it would change our community in ways that nobody can even assess at this point. (Marti)
- Response 19-21:** The Proposed Actions would create a net increase in playgrounds, city parkland, and publicly accessible open space; it would provide for a new dog run on West Houston Street; it would replace the supermarket in the proposed Zipper Building, and it would replace the Coles Gym with a new gym, also in the proposed Zipper Building. The new locations for these uses, like their current locations, are on the South Block. For discussion of disruption during construction and mitigating measures to be adopted, see Chapter 20, “Construction.”
- Comment 19-22:** On the ground floor of the proposed high rise and on the ground floors of other buildings in Washington Place, the “zoning overlay” will allow for the establishment of large retail stores and restaurants. The street will turn into a mini-Broadway, overcrowded and full of generic establishments catering to students. The quiet and small-scale segment of the two or three blocks leading directly up to Washington Square Park will be transformed into the kind of generic retail space that could be found anywhere in the U.S. (Lounsbery)
- Response 19-22:** As detailed in Chapter 1, “Project Description,” the Reasonable Worst Case Development Scenario, developed in coordination with DCP, found that the proposed commercial overlay would produce a total of

approximately 23,000 square feet for new retail, in six buildings. The spaces in existing buildings and the potential new university building at 15 Washington Place within the Commercial Overlay Area (which would be an as-of-right construction in the future with or without the Proposed Actions) would not be large enough for large retail stores or restaurants.

**Comment 19-23:** The massive projects centering on Washington Square Village and Silver Towers are even more destructive. They will essentially dismantle an entire neighborhood full of families, many of them with young children. Sunlight, green space, a playground, a dog run, and a community garden will all be sacrificed so that NYU can build (among other things) a commercial hotel on this site. (Cahn, Lounsbury)

**Response 19-23:** As noted in Chapter 19 and other chapters of the EIS, the Proposed Actions would increase publicly accessible open spaces, including playgrounds, and would allow public access to areas that currently contain private open spaces. The proposed hotel—which is presented as a potential use in the DEIS, with the space alternatively used for faculty housing or dormitories—would occupy only a small portion of the Zipper Building (less than 15 percent of total gsf of building area under the Illustrative Program).

**Comment 19-24:** Greenwich Village’s richness of the arts and theater is being destroyed. (Alavi)

**Response 19-24:** The proposed project would not displace any arts and theater uses. NYU, through its various programs and its Tisch School of the Arts, is a substantial contributor to the arts and theater character of Greenwich Village and surrounding neighborhoods, as discussed in Chapter 1, “Project Description.” The Proposed Actions would enable the university to continue its support of arts-related, theater and other cultural programs, with increased space for these activities.

**Comment 19-25:** This latest expansion plan will surely prove to be the nail in the coffin of the West Village. The West Village is an architectural gem that deserves your protection. Though NYU is a worthy institution and an economic engine for the City, the scale of their proposed expansion is unreasonable. What makes the West Village charming and special is its low-rise, low-density architecture and unique collection of restaurants and clubs. This quaint village ambiance that attracts visitors and dollars from around the world will be lost to accommodate NYU’s greed in their never-ending ambition to dominate the neighborhood. (Gigante)

**Response 19-25:** Although this comment refers to the West Village (which lies west of Sixth Avenue), it appears to focus on that portion of Greenwich Village

between Sixth Avenue and LaGuardia Place. By placing NYU's proposed expansion within the two superblocks that already stand in contrast to the surrounding, smaller scale houses and buildings of Greenwich Village, the Proposed Actions would reduce the effect of NYU's new facilities on urban design and the character of the surrounding area, so that there would be no significant adverse impact on neighborhood character.

**CHAPTER 20: CONSTRUCTION**

**Comment 20-1:** The DEIS does not adequately address the myriad significant adverse impacts of 20 years of construction in a dense residential area. (CB2 Resolution) The noise, traffic, fumes, dust, construction debris, and construction vehicles including dangerous cranes for over 20 years would cause innumerable dangerous health and safety conditions that are wrong and unacceptable for the neighborhood. (Garabedian, Harada, Mostel, CPON-Rackow, Polsky, RackowSP) The heavy trucks and delivery vehicles associated with large-scale construction will severely congest the area, creating hazardous conditions on both streets and sidewalks. (Duane)

**Response 20-1:** Chapter 20, "Construction," of the DEIS and this FEIS provides a comprehensive analysis of construction-period impacts in the areas of traffic, parking, transit, pedestrians, air quality, noise and vibration, historic and cultural resources, hazardous materials, natural resources, open space, socioeconomic conditions, community facilities, and land use and neighborhood character. These analyses consider the effects of construction on the project site as well as in the surrounding neighborhood. The construction analyses identify measures to be implemented to avoid or partially mitigate impacts.

**Comment 20-2:** CB2 is very concerned about the potential negative impacts of this project during construction—such as noise, dust, dirt, vibration, vermin, and other health and safety challenges for residents and businesses—many of which are acknowledged in the DEIS, especially since they will be felt for 20 years. (CB2 Resolution) The project will saddle this neighborhood with all of the burdens of construction over the next two decades, including increased noise, traffic, threats to public safety and health and a declining quality of life. These adverse impacts are not temporary. (Mastro) The sustained and lasting negative impact that nearly 20 years of continuous construction will have on the two superblocks and surrounding area cannot be overstated. (Duane) NYU should not be allowed to turn the Village into a 20-year construction site. (Anderson, Collura, Sarah D., Fogel, GVSHP-Berman, HulleyK, Ramsdell) The project would turn a residential area into a 20-year

construction zone. (Gould, May, Rea, Tessler) The proposed phasing would impose decades of continuous disruption to the area. (CB2 Resolution) Twenty years of construction in the middle of a residential neighborhood would have an unbelievably damaging effect. (Albin, Altman, Alutto, Amato, Apiccidic, Armstrong-Gannon, BAN, Boernstein, Bourten, Bononno, Bromm, Brone, CampbellC, Chadwick, Charlton, Coe, Cohl, Collier, Cornwell, Crane, Duchesne, E13thCA, Eckhaus, EdwardsMP, Fiorenzo, FletcherAG, Garabedian, Goldin, Goldman, GoldmanB, Green, Grugliano, Gussow, Hanja, Harlib, Harris, Hellstrom, High, Horowitz, Horwitz, Howell, Johns, Kasowitz, Kelleher, KleinS, Kremsdorf, Leaf, Leonard, LevyS, LewisE, LewisS, Libby, Lundin, Lunceford, Luty-Zullo, Martinez, Mitcheltree, Monti, Moskowitz, Perrone, Polsky, Ponce, Postal, Pultz, RackowSP, Radoczy, Ragno, Ratner, Raymond, RebovichF, RebovichJ, Robb, Rosenberg, Rosenthal, Schwartzkopf, Shapley, Shapiro, Singer, SmithB, SmithBJ, Stenn, Strand, Teriananda, Thompson, Tornes, Underby, Unreadable12, Unreadable13, Valente, Wardle-Mortenson, Wauper, Weisberg, WeisnerG, White-Weisner, Zelisko) The current plan will blight the area for 20 years. (Bedrosian, Das, Friedman, Ganti, Green, Hart, Jones, Kiser, Lounsbery, Mam, Mariano, Mostel, Ponce, Reznick, Schoonover, Stuart, Walsh, Weisberg) We object to the years of construction the project will bring. (Eisenberg, Unreadable4, Watson-deReynier) Twenty years of construction will have a tremendously damaging impact. (Seidenbaum) The enormous amount of new construction would cause decades of disruption to local residents, many of whom are seniors. (CB2-Hoylman) Many of us will spend the rest of our lives on a construction site. Babies now being born will go off to college having spent their entire childhood in the toxic environment. (Hearn) This project will have devastating impacts on the NYU community, especially its faculty, because they will be forced to live for the next two decades in the middle of a construction zone. (Garabedian, Leaf, Mastro, Rooney, Walden) Among the host of negative consequences from the Proposed Actions would be ear-splitting noise as well as dust and debris from months, if not years, of constant construction, and the potential drop in property values in some homes. (Geronimus, Boernstein, Mam, Weisberg)

**Response 20-2:**

As discussed in Chapter 20, “Construction,” no portion of the area around the Proposed Development Area would be subject to the full effects of the construction for the entire construction period. Except for the six months needed to erect the temporary gymnasium, construction would be limited to the South Block during Phase 1 and to the North Block during Phase 2. For the vast majority of the time, only one building is planned to be under construction at one time. The major

construction tasks are planned to be consequent and not concurrent, which limits the area being disrupted by construction. Please also see the response to Comment 20-1. Chapter 21 identifies proposed mitigation to address significant adverse construction-related impacts.

**Comment 20-3:** Given the project site’s location, directly beneath residential buildings housing thousands of people, including hundreds of NYU faculty, any construction interruptions would be especially impactful upon the quality of life of the neighborhood. On a less complex site, without existing uses, potential impacts would be less problematic. (GVSHP-Durniak)

**Response 20-3:** Chapter 20, “Construction,” of the DEIS and this FEIS, provides an analysis of the potential for land use, neighborhood character and socioeconomic impacts related to construction activities. The analysis finds that construction of the Proposed Actions would not result in significant adverse impacts in these areas.

**Comment 20-4:** The DEIS is clearly deficient in many aspects of its analysis. Yet, in at least one critical area, it engages in no analysis whatsoever. The DEIS entirely neglects to consider the environmental impact of at least 20 years of construction at the doorsteps of 40 percent of the NYU faculty and their families. Given the congestion and density in the superblocks and the high concentration of NYU faculty there, this project will have innumerable adverse impacts on their health, safety, welfare, and ability to perform their jobs. Many professors use their apartments to perform work, host meetings, and conduct some of their out-of-class academic business. Thus, at home and for much of their out-of-classroom work, they will be subjected to unremitting construction for two decades. The DEIS ignores these unique circumstances, and thus should not be considered “adequate with respect to its scope and content.” See 6 RCNY §617.9; 62 RCNY § 6-09, 6-10(a). The DEIS would not be complete without a full evaluation of a special at-risk population, particularly one that resides in a building in connection with their employment. In its failure to evaluate the buildings currently inhabited by faculty, the DEIS could not possibly assess the direct impacts of the planned construction on building residents. (GVSHP Statement)

**Response 20-4:** The DEIS and FEIS include an assessment of the environmental impacts of construction of the project facilitated by the Proposed Actions. The study area includes the Silver Towers and Washington Square Village buildings where faculty members and non-affiliated residents live and includes the apartments of both faculty and non-affiliated residents in its analysis. The analysis finds that the construction work would result in significant adverse noise impacts under CEQR criteria at certain

locations during certain phases of the construction work, but would not result in significant adverse impacts with respect to air quality or public health. The Draft and Final Scopes did not identify the faculty as a “special at-risk population” with respect to construction impacts because the criteria for significant adverse noise, air quality, traffic and other construction impacts are no different for faculty members than for other members of the general public. In any event, faculty members are likely to have offices outside of their homes. Accordingly, consistent with the methodology outlined in the CEQR Technical Manual, the DEIS and FEIS employ the same impact criteria for all residents and workers in the study area, regardless of their affiliation or non-affiliation with NYU.

**Comment 20-5:** Although the DEIS says nothing about these impacts, NYU has admitted to specific harms in two memoranda to selected administration members. In these recent memos, NYU recognized that the construction would have a significant impact on the lives of the faculty who live in the affected buildings, including by increasing noise, dust, and emissions. Exhibits 26, 27 (Memoranda to NYU Deans and Directors regarding Mitigation Steps and Important Points about NYU 2031, Apr. 4, 2012). While these letters set forth vague suggestions for mitigations such as modified construction hours and noise and dust reducing air condition units, there has been no official mention of these adverse effects or needed mitigations in the formal public review process for this plan, or even to the faculty as a whole beyond the few select administrators who received these letters. The admittedly prolonged and detrimental impacts on the faculty-who will be living and working in the middle of a construction site for 20 years, in buildings that already suffer long-standing problems themselves-were not assessed in any way in the DEIS. (GVSH Statement)

**Response 20-5:** In the referenced memos, NYU acknowledged the conclusions of the DEIS that the construction work would result in significant adverse noise impacts and referenced and highlighted the extensive noise mitigation program outlined in the DEIS. NYU’s memos also acknowledge that, as stated in the DEIS, the noise mitigation program would not fully mitigate the significant adverse construction noise impacts, and, in an effort to address its tenants’ concerns with respect to the construction noise impacts disclosed in the DEIS, offered to reduce rent for any tenant on the superblocks during the period of time in which his or her specific apartment would experience significant adverse construction noise impacts, which were disclosed in the DEIS/FEIS noise impacts analysis. Contrary to the comment, the DEIS did identify the noise impacts that were the subject of these NYU

memos. Also contrary to the comment, NYU has not stated that “dust” or “emissions” would have a “significant impact on the lives of the faculty [or other residents] who live in the affected buildings.” The DEIS and FEIS analyses conclude that the construction work, which would include extensive measures to reduce dust and emissions, would not result in a significant adverse air quality impact at the residential locations in the area, including the apartment buildings on the superblocks.

**Comment 20-6:** The new buildings under construction across narrow streets like Mercer and LaGuardia Place will flood the residential buildings across those streets with intense light during nighttime hours. (GVSHP Statement) The DEIS does not appear to adequately consider the adverse impact of construction on visual pollution. See Exhibit 23 at 19 (CB 2 Resolution).

**Response 20-6:** Construction activities are not expected to occur during nighttime hours. As described in Chapter 20, “Construction,” construction is expected to take place Monday through Friday 8:00 AM to 4:30 PM and with minimal work on Saturdays. Limited exceptions to these hours would apply to meet the schedule or complete certain construction tasks. An extended workday would generally last until about 6:00 PM and therefore, night lighting is not anticipated during the construction period. The areas under construction would appear as construction sites, but would be limited to the footprints of the individual buildings under construction, and the adjoining buffer and staging areas; construction would occur in different areas of the Proposed Development Area during the different phases of construction, focused on the area in which an individual building is under construction. At no time would the entire Proposed Development Area be under construction.

*CONSTRUCTION COMMITMENTS*

**Comment 20-7:** Stringent monitoring and regulation of construction activities, including limitations on hours of construction, related truck movements, forbidding truck idling, use of low sulfur fuels, closed truck beds, noise dampened construction equipment, commitment to no after hours or weekend work, etc. is required to keep the neighborhood safe and livable. In the event any part of the NYU plan is approved, there must be established and enforced through a restrictive declaration the mitigation measures described above including traffic controls, noise and light suppression, off-site construction staging and laydown, restoration of the public open spaces to public use between project phases, etc. NYU’s compliance with these measures should be monitored and enforced through appointment of an environmental

compliance monitor as has been done in the case of Columbia University. The monitor should have the authority to halt any construction activities that violate the terms of the restrictive declaration and to report on a regular basis to CB2 and the Borough President, Council Member and City Planning Commission. (CB2 Resolution, Duane) NYU should hire an independent monitor to ensure compliance with all construction regulations and mitigation. (Stringer, MBP) To ensure compliance with environmental controls, continuous third party monitoring must take place. This monitor must have the ability to suspend construction activities that are violating standards and report regularly to the community. (Duane) NYU should be required to participate in a continuing CB2/NYU Development oversight committee with an emphasis on ecological impacts like continuous air and sound monitoring; live on-line scheduling and updates; and green planning committees. (JonesZ)

**Response 20-7:** As discussed in Chapter 20, “Construction,” NYU has made a number of commitments to minimize construction-period impacts, which would be ensured through the project’s restrictive declaration. Some of these commitments are discussed further in the next few responses to Comments.

**Comment 20-8:** NYU should limit hours of construction to from 8 AM to 4:30 PM and also limit weekend activity. (Stringer, MBP) NYU should adhere to limitations on hours of construction—after-hours and weekend work should be prohibited. (Duane)

**Response 20-8:** Comment noted. Please see the response to Comment 20-6.

*DEWATERING/BELOW GRADE SPACE*

**Comment 20-9:** The DEIS does not appear to adequately consider the adverse impact of construction on dewatering. See Exhibit 23 at 19. Dewatering a site can cause surface cracks in foundations and in pavements, uneven settlement of dry area, possible effects on trees and other plantings, and permanent changes in the surface of an area. CB2 encourages the Freeze Method should be investigated, aside from dewatering. (CB2 Resolution).

**Response 20-9:** Groundwater beneath the site is located within pore spaces of compacted glacial sediments, and dewatering of glacial sediments is not associated with uneven settlement and shifting of foundations. The water table rises and falls under normal seasonal fluctuations related to precipitation, drought, and tidal fluctuations. The existing depth to water was documented as being approximately 23 to 34 feet below grade and dewatering, which will be localized to the construction site, will not impact area surface plantings.

**Comment 20-10:** The “bathtubs” created by NYU’s huge underground plans would divert underground water which may affect foundations of nearby buildings. (CB2 Resolution) The proposed underground construction can displace the water table and underground springs and possibly damage the foundations of the surrounding historic buildings. (Coler, Glick)

**Response 20-10:** The groundwater aquifer exists in the underlying sediments throughout the project site and surrounding areas, so there is no “new” area that can become saturated. Changes to the aquifer include rising and falling of the water table, and these changes are determined by the amount of precipitation, drought, and tidal fluctuations. Groundwater flow direction is determined by hydraulic gradient, and the proposed foundations, which are estimated to exist between 5 and 17 feet into the water table, are not expected to change the regional hydraulic gradient for the groundwater system or damage the foundations of the surrounding historic or other buildings.

**Comment 20-11:** The ramifications of 1.1 million square feet in four stories of underground construction on both superblocks over the course of 20 years is not adequately addressed in the DEIS, and would be staggering. In addition, the proposed above-ground construction in conjunction with the below-grade excavation would have a devastating effect. (CB2 Resolution) The construction of below-grade space still requires incredible above-ground disruption. (Glick)

**Response 20-11:** The impacts analysis in Chapter 20, “Construction,” of the DEIS and this FEIS takes into account the construction activities associated with the project, including the below-grade and above-grade activities. The analysis concludes that construction activities would have significant adverse noise and traffic impacts during certain phases of the construction activity.

*CONSTRUCTION EFFECTS ON BUSINESSES/ECONOMY/TAX BASE*

**Comment 20-12:** Twenty years of construction would drive away the tourists and film crews that are otherwise attracted to the Village. (Campo) Tourists will be less likely to visit the Village if NYU goes ahead with its expansion. The construction and resulting pedestrian congestion would discourage people from coming to the neighborhood. (Gellman, Seidenbaum, Townsend) The construction would have a negative impact on the tax base. (Campo) Given the project site’s location directly beneath residential buildings housing thousands of people, including hundreds of NYU faculty, any construction interruptions would substantially reduce economic benefits. (GVSHD-Durniak)

**Response 20-12:** Chapter 20, “Construction,” of the DEIS and this FEIS, provides an analysis of the potential for socioeconomic impacts. The analysis finds

that construction of the Proposed Actions would not result in significant adverse impacts in this area. The effects of construction would be localized to the Proposed Development Area and certain immediately adjoining areas; they would not be experienced by the larger Greenwich Village neighborhood.

**Comment 20-13:** We know from the ongoing Second Avenue subway project that long-term construction is devastating to area businesses. Although projects may eventually bring more customers to the area, many small businesses will close in the meantime. Construction equipment, sidewalk sheds and traffic backups will discourage pedestrian and vehicular visits to the neighborhood. (BAMRA-Fiedler) Construction of the proposed project will force small businesses on the affected blocks to lose business. (McKellar)

**Response 20-13:** The EIS presents a comprehensive detailed analysis of construction impacts consistent with the guidelines of the *CEQR Technical Manual*. As disclosed in the EIS, the impacts of construction will be significant and long term, however, it is not accurate to compare the project with the Second Avenue subway project, which involves long term tunneling and excavation under public streets. The effect of the project's construction will be most pronounced on the superblocs themselves; the frontage of business across the street or on adjacent blocks would not be occupied by equipment or construction sheds that would impair pedestrian circulation.

*CONSTRUCTION EFFECTS ON OPEN SPACE*

**Comment 20-14:** The 20-year construction period would destroy the area's precious open space. (Alutto, GVSH-P-Berman, Mostel)

**Response 20-14:** Chapter 20, "Construction," of the DEIS and FEIS provides a comprehensive analysis of impacts on open space during construction. The analysis finds that the Proposed Actions would result in significant adverse direct open space impacts to the LaGuardia Corner Gardens due to the potential displacement of this resource during construction and to other nearby open spaces due to construction noise. In addition, the Proposed Actions would result in temporary significant adverse indirect open space impacts within the residential (1/2-mile) study area during a portion of Phase 2 of construction. Chapter 21, "Mitigation," discusses the measures that would be instituted to mitigate the identified temporary significant adverse open space impact during construction.

**Comment 20-15:** The DEIS fails to evaluate the impact of proposed phasing decisions on open space and to evaluate alternatives. For example, by starting the project by relocating the Key Park to enable construction of a temporary

gym, a large portion of the Sasaki Garden would be displaced by the temporary playground, and by building the entire north block site as a single project, the entire project area would have no real children's playground for 10 years beginning in 2022. (CB2 Resolution)

**Response 20-15:** Chapter 20, "Construction" of the DEIS and this FEIS provides detailed direct and indirect analyses of the effects of construction on study area open spaces over the course of the construction period. Note that the North Block will not be built as a single project; rather, while it is referred to collectively as "Phase 2," construction on the North Block has several component parts—the proposed Mercer Building and central open space, followed by the LaGuardia Building—which were not analyzed as a single project. With respect to the relocation of the Washington Square Village (Key) Playground, Chapter 26 of this FEIS considers the effects of the Potential Modifications under consideration by the CPC, which include an alternate construction phasing scenario for Phase 2, which would retain the Washington Square Village (Key) Playground in its existing location until the later stages of Phase 2 (2028).

**Comment 20-16:** In the short term, the noise and dust from construction would render open areas in the entire area inhospitable. The few areas designated for playspace will be unusable. Nearby residents will be forced to go elsewhere to walk their dogs or play with their children. (LCCG/LMNOP Study)

**Response 20-16:** The analysis in Chapter 20, "Construction Impacts" finds that the Proposed Actions would not result in significant adverse air quality impacts on any public open spaces during construction. The analysis also finds that there would be significant adverse noise impacts on the project's newly created central open spaces on the North Block during construction. As described in Chapter 21, "Mitigation," no practical and feasible mitigation measures have been identified that could be implemented to reduce noise levels to below the 55 dBA L<sub>10(1)</sub> guideline and/or eliminate project impacts, as discussed in response to Comment 17-4. Consequently, construction activities would result in noise levels in these open space locations that would result in temporary unmitigated significant adverse noise impacts.

**Comment 20-17:** The temporary gym location as planned by NYU is unacceptable. The community would lose use of playgrounds and public open space on the North Block for a lengthy period. If NYU truly needs a temporary gym, it should be located on a vacant site outside of the immediate neighborhood. (CB2 Resolution)

**Response 20-17:** The temporary gym is proposed to be located on NYU’s private property and would not result in the long-term displacement of public open space.

**Comment 20-18:** Scaffolding the community garden for 3–5 years will dissipate the garden community. (Jones)

**Response 20-18:** Under the two staging options for construction affecting the LaGuardia Corner Gardens, one would require shedding over the gardens for up to 27 months, the other for 39 months (see Chapter 20, “Construction,”). This is recognized as a significant adverse impact in the DEIS and this FEIS, and Chapter 21, “Mitigation,” describes measures to partially mitigate these impacts.

*CONSTRUCTION-PERIOD TRANSPORTATION*

**Comment 20-19:** Unrelenting construction activities over the duration of this project will have heavy transportation impacts in all areas. The cumulative effect of heavy truck use generated by deliveries, movement of materials and removal of debris, extra construction worker pedestrian trips, and an expected increase in private motor vehicles (and the accompanying increased parking demand), would exacerbate congestion and create hazardous conditions on both streets and sidewalks. The DEIS suggests that mitigation measures could be infeasible. These factors, coupled with the setting up of temporary structures, such as sheds, construction bridges and a gym (blocking access and flow), along with continuous relocations of such items, will lead to 20 years of unrelenting obstruction to safety, flow, orientation and access in every transportation mode. (CB2 Resolution, GVSHP Statement) Construction will be traffic-causing. (Surace) The DEIS fails to adequately address the transportation impacts of the construction of the project, including adverse effects on vehicular traffic and parking availability. (GVSHP Statement)

**Response 20-19:** As discussed in Chapter 20, “Construction,” of the DEIS and this FEIS, the potential transportation impacts during construction would be within the envelope of impacts described in Chapter 14, “Transportation,” for the full build-out of the proposed project and can be addressed with the same types of mitigation measures. During construction, all site logistics, including the maintenance and protection of traffic and pedestrians, will be conducted in accordance with NYCDOT approvals. Travel by construction workers would be made primarily during the shoulders of the commuter peak hours while truck delivery traffic would be distributed throughout the day. The DEIS’s analysis of peak construction activities during Phase 1 construction concluded no significant adverse transportation impacts. During Phase 2 construction,

due to cumulative effects of activities from construction and from the completed Phase 1 project, significant adverse transportation impacts were disclosed and they can be addressed in the same manner as those described for the build-out of the proposed project.

**Comment 20-20:** The DEIS fails to adequately address the transportation impacts of the construction of the project, including adverse effects on pedestrian access to transit. (GVSHIP Statement)The adverse transit impacts predicted at subway station stairways and entrances will be more severe during the construction period because of the substantial number of construction worker subway trips. (CB2 Resolution) The DEIS does not take a hard look at the significant adverse effects on subway stations during construction. (GVSHIP Statement)

**Response 20-20:** For the identified subway impacts, coordination with MTA NYCT has taken place to arrive at engineering-feasible solutions to address significant adverse impacts identified for station entrance locations at the Broadway-Lafayette and West 4th Street stations, as discussed in Chapter 14, “Transportation.” The significant adverse effects on subway stations were attributed almost entirely to the activities from completed portions of the proposed project, rather than from trip-making associated with construction workers. Hence, the mitigation of these impacts can be addressed in the same manner as those described for the build-out of the proposed project.

Chapter 20, “Construction,” of the DEIS and FEIS provides a comprehensive analysis of impacts in the areas of traffic, parking, transit, pedestrians. The construction-related transportation analysis finds that construction of the proposed project is expected to result in significant adverse traffic, transit, and pedestrian impacts during Phase 2 construction. The proposed project is not expected to result in significant adverse parking impacts during construction.

*CONSTRUCTION-PERIOD AIR QUALITY*

**Comment 20-21:** The DEIS does not appear to adequately consider the adverse impact of construction on air quality. See Exhibit 23 at 19 (CB 2 Resolution). Contrary to the conclusions in the DEIS, CB2 believes this plan would cause significant negative impacts on air quality. It is during construction when the major assault on air quality would take place. The plan as proposed would create a 20-year tightly compressed construction zone. (CB2 Resolution) A goal of PlaNYC is to have the cleanest air quality of any American city, but the 20-year, large-scale, multi-site development proposed by NYU would be a major source of local air pollution, including the physical destruction of existing buildings, the construction of several new towers, and the emissions

from transportation and construction vehicles moving in, out, and around the neighborhood for 20 years. (Seamans) There will be dust and debris from months, if not years, of constant construction. (Boernstein, Geronimus, Weisberg) The construction of the proposed project will pour pollutants into the air for over 20 years. (McKellar, Reznick, Walsh) Construction will be polluting. (Surace)

**Response 20-21:**

Chapter 20, “Construction,” in the DEIS and this FEIS provides a comprehensive analysis of construction activities on air quality. As discussed in Chapter 20, NYU has committed to implementing an emissions reduction program for all construction activities, consisting of measures that address diesel equipment reduction, clean fuel, best available tailpipe reduction technologies, utilization of newer equipment, source location, dust control, and idle restrictions. With these measures, the detailed analysis of the combined effects of on-site and on-road emissions finds that the proposed project would not result in significant adverse impacts with respect to air quality. Dust control measures, including watering of exposed areas and dust covers for trucks, would be implemented to ensure compliance with the New York City Air Pollution Control Code.

The DEIS provided a comprehensive air quality analysis of the construction-related effects of the proposed project’s construction activities on the surrounding community. NYU investigated all means available for reducing construction related air pollutant emissions and as discussed in Chapter 20, “Construction,” NYU has committed to implementing a robust program for reducing particulate matter emissions during construction. The level of tailpipe emissions reduction required by this program is Tier 3 or Tier 4 (for Phase 2 work), which is achieved by either retrofitting Tier 3 engines, or using engine already certified as Tier 4 by the original engine manufacturer. Early use of grid power, a detailed dust prevention program (including on-site speed limits, wetting and/or the application of gravel to temporary routes on-site, truck covers, wheel washing, the use of chutes for drops from upper floors, avoiding multiple operations with loose material, and more), and strong anti-idling policies would be included as well. Detailed specifications would be required to be included in all construction contracts and construction related air quality requirements will be included in the Restrictive Declaration for the proposed project. With this stringent emissions reduction program in place, the analysis of the worst-case construction scenarios for both Phases resulted in no predicted significant adverse impacts on air quality.

*CONSTRUCTION-PERIOD NOISE*

**Comment 20-22:** The proposed construction would continue for at least two decades and would result in continuous disruption to the area, adversely affecting noise levels for two decades. (GVSHHP Statement) Construction will be noisy. (Surace) There will be ear-splitting noise from months, if not years, of constant construction. (Boernstein, Geronimus, Weisberg) I'm absolutely speechless by NYU's declaration that there will be no significant impact on noise levels due to the construction. This is beyond understatement. (Siegel)

**Response 20-22:** Chapter 20, "Construction," of the DEIS and this FEIS provides a comprehensive analysis of construction activities on noise levels during the construction period. That chapter does not state that there would be no significant adverse impacts on noise levels due to construction, and instead identifies significant adverse impacts at various locations (see Figure 20-13 of the FEIS). It should be noted that as described in response to Comment 20-2, no one portion of the area around the Proposed Development Area would be subject to the full effects of the construction for the entire construction period.

**Comment 20-23:** With respect to noise actually experienced during the construction of a project, CEQR is particularly sensitive to the harms noise inflicts on a residential neighborhood. Thus, CEQR requires the DEIS analysis of noise to take into account, "factors such as the location of the project site in relation to existing residential uses or other sensitive receptors" and "the intensity of the construction period." See *CEQR Technical Manual* (2012) at 22-6. CEQR also requires that the DEIS take into account the anticipated duration of noise when determining the significance of the impact—for example, short-term noise lasting less than two years may not require detailed analysis. See *CEQR Technical Manual* (2012) at 22-1. The DEIS claims the adverse noise impacts will last only two to three years. In fact, the adverse impacts on noise will last much longer: first, when NYU moves their baffles to a new area, the sound will be deflected to the one they just left. Second, and more importantly, once someone has been exposed to noise over a period of years, the resulting sensitivity reaches a level that makes even a lesser exposure unbearable.<sup>1</sup> 16 See Exhibit 23 at 19 (CB2 Resolution). (GVSHHP Statement)

The DEIS states that there will be adverse noise-related effects, but claims they will only last two or three years. This is incorrect for two

---

<sup>1</sup> For a further analysis of the impact of noise in construction, see Construction (Section 10), *infra*.

reasons: first, when NYU moves their baffles to a new area, the sound will be deflected to the one they just left. Second, once someone has been exposed over a period of years, the resulting sensitivity reaches a level that makes even a lesser exposure unbearable. In addition, the expected noise will be a significant disruption to residents and visitors; an increase of even one dbA constitutes a tenfold increase. Constant monitoring of noise and suppression of any noise in violation of city codes should be part of the on-going environmental commitments. (CB2 Resolution)

**Response 20-23:** Table 20-22 in the DEIS and FEIS, which shows the construction noise analysis results, contains a column which shows the impact durations on a site by site basis (detailed information is also included in Appendix E). As shown in the table, depending upon the specific location, significant adverse noise impacts are predicted to occur for durations running from approximately 2 to 10 years (not the two or three years referenced by the commentor). Second, there is no scientific information to support the claim that sensitivity to noise increases based upon the length of time of exposure, and the *CEQR Technical Manual* significant adverse impact criteria do not reflect this claim. Third an increase of 1 dBA is smallest change in sound that most people can recognize when comparing two sounds. An increase in sound of 2 to 3 dBA is a barely perceptible change in sound. Depending upon no build noise levels, the *CEQR Technical Manual* considers an increase of 3 to 5 dBA as the criteria for determining significant changes in noise levels.

**Comment 20-24:** The DEIS admits that “significant adverse noise impacts are predicted to occur for two or more consecutive years at forty-seven (47) of the seventy-three (73) analyzed receptor sites.” DEIS at 21-18. Notably, the receptors were located at grade level and on rooftops, but not on any of the floors in-between where the noise may be even greater. See DEIS at 20-56. In spite of this fact, a significant majority of the receptors registered noise levels greater than the CEQR threshold. (GVSHHP Statement)

**Response 20-24:** As discussed in the noise portion of Chapter 20, “Construction,” of the DEIS, significant adverse construction noise impacts are predicted to occur at various floors of the buildings at forty-seven (47) of the seventy-three (73) receptor sites analyzed. Utilizing modeling results derived from the CadnA model, specific floors where impacts occur are denoted in Table 20-22, and Appendix E.

**Comment 20-25:** The DEIS acknowledges the particular adverse impact the noise levels will have on NYU faculty, the population living and working at the heart of the 20-year construction site. In the Washington Square Village

and Silver Towers Buildings where many faculty live, the windows are only single-pane. DEIS at 21-19. For technical reasons the noise will be difficult to mitigate, see DEIS 20-62, and the DEIS acknowledges the likelihood that “construction activities would result in significant adverse noise impacts that would not be fully mitigated at both the Washington Square Village and Silver Tower buildings during portions of the construction period.” DEIS 21-20 (emphasis added). The DEIS should have taken a harder look at the particular impact of this non-CEQRA compliant level of construction noise, which will have a unique impact on NYU faculty and their families. The DEIS makes no mention of this at all in its analysis, a glaring and irresponsible omission. (GVSHS Statement) The noise and vibrations from the large amount of below-grade excavation and above-grade construction will have severe and unrelenting adverse effects on the neighborhood. (Duane) The noise and vibrations from the large amount of below-grade excavation and above-grade construction will have severe and unrelenting adverse effects the residents in Washington Square Village due to this unremitting construction. (Duane)

**Response 20-25:**

The DEIS disclosed that construction-related activities would result in significant adverse noise impacts at the Washington Square Village and Silver Tower Buildings and in Chapter 21, “Mitigation,” described a program of mitigation measures that would be implemented to improve building window/wall attenuation. These measures include the following: Windows at the NYU-owned Washington Square Village and Silver Tower buildings would be re-caulked and storm windows would be offered; For the Washington Square Village buildings, NYU would offer to insulate/seal existing air conditioning units and provide an interior cover that improves the sound attenuation of the through-the-wall air conditions units, or NYU would offer to provide new air conditioning units; and, For the Silver Tower buildings, NYU would offer to replace existing PTAC units with high-attenuation PTAC units installed to fit properly/snugly in the PTAC sleeve. As a result of the existing building attenuation and these mitigation measures, interior noise levels in the Washington Square Village and Silver Tower buildings would be far lower than the exterior noise levels. The construction noise modeling analysis included all apartment buildings in the area of the proposed construction activities, including those in which NYU faculty reside. The FEIS provides further information and a refined construction noise analysis.

**Comment 20-26:**

The DEIS acknowledges the significant adverse impact of noise on the precious open spaces in the neighborhood. The noise levels in these publicly accessible open spaces (Mercer Playground, Washington

Square Village Elevated Garden, Silver Tower Oak Grove) are already above the level recommended in the *CEQR Technical Manual* for outdoor noise levels. See DEIS at 21-22. The DEIS admits that “[n]o practical and feasible mitigation measures have been identified that could be implemented to reduce noise levels below the 55dBA L<sub>10(1)</sub> guideline and/or eliminate project impacts. Consequently, construction activities would result in noise levels in open space locations that would result in a significant adverse noise impact.” *Id.* (GVSHHP Statement)

**Response 20-26:** The comment is correct. Updated information regarding this issue is contained in this FEIS. However, it should be noted that it would not be feasible to reduce open space noise to levels below existing conditions, which already exceed the referenced noise guideline.

**Comment 20-27:** I want to discuss the noise and construction situation. I live on a block with seven or eight or nine liquor licenses. I have noise until 4:30 AM. That’s pretty late. If NYU starts doing construction at 8 AM, that’s giving me 3½ hours of relative quiet time. And trust me, there are garbage trucks picking things up and other things in that time period. Greenwich Village is a night time neighborhood. The block I live on at one point, and it probably still is true, was one of the 10 noisiest blocks in all of New York City. Now when NYU starts construction, I guarantee we’re going to the absolute top of the list because that was pretty much based on nighttime noise. It’s unfair to put the community through that. (Remacle)

**Response 20-27:** Construction noise impacts have been disclosed in Chapter 20, “Construction” of the EIS. To the maximum extent practicable, significant noise impacts would be mitigated. Please see the response to Comment 20-22.

## CHAPTER 21: MITIGATION

**Comment 21-1:** Under CEQR, the DEIS must include "mitigation measures proposed to minimize the environmental impact" of a project. 6 N.Y.C.R.R. § 617(f)(7). The technical analysis of mitigation must be sufficient to allow the lead agency to understand how effective the mitigation would be, what effort would be involved in implementing it, and whether it would produce any new significant impacts of its own. See CEQR Technical Manual (2012) at 3-3. The DEIS fails to conduct this level of analysis, and would not allow the CPC to adequately assess the proposed mitigation. Instead, the measures proposed fall far short of truly addressing the negative impacts. (GVSHHP Statement)

**Response 21-1:** Chapter 21, “Mitigation,” analyzes the potential impacts of proposed mitigation. None of the proposed mitigation would result in additional significant, undisclosed significant adverse impacts.

**Comment 21-2:** The DEIS admits that shadows cast by the Bleecker building would have significant adverse impacts on the LaGuardia Corner Gardens but, after dismissing more complete mitigation measures, only suggests planting shade tolerant species and/or installing raised planting beds, which it admits would not fully mitigate the adverse effects to the plant life. For the most part, the DEIS defers the issue, vaguely promising that NYU will explore the feasibility of relocating the park. (GVSHHP Statement)

The DEIS identifies significant adverse impact caused by the construction staging that would take place in LaGuardia Corner Park, particularly the installment of a construction shed, which would render the park inaccessible and block essentially all direct sunlight for an approximately 27-month period. The only mitigation measure the DEIS explores is the potential relocation of the LaGuardia Comer Park discussed in the shadows analysis. Should relocating the park not be feasible, the DEIS claims that NYU would explore other options, but this analysis has not yet been conducted. (GVSHHP Statement)

**Response 21-2:** The FEIS identifies several specific measures for primarily mitigating these impacts, which are presented in Chapter 21, “Mitigation.” For clarification, the LaGuardia Corner Gardens is not a park.

**Comment 21-3:** Changes to Washington Square Village would remove key elements of its architectural integrity and have a significant adverse impact. Again, the DEIS includes only the least burdensome mitigation suggestions, such as preserving photo documentation and liaising with the Office of Parks, Recreation and Historic Preservation. (GVSHHP Statement)

**Response 21-3:** As described in Chapter 7, “Historic and Cultural Resources,” NYU and DASNY have consulted with OPRHP to develop measures to partially mitigate the adverse impact of the Proposed Actions on Washington Square Village. These measures have been memorialized in a Letter of Resolution (LOR) among NYU, DASNY and OPRHP. Mitigation measures include: preparation of Historic American Buildings (HABS) Level II documentation of Washington Square Village which would include photographic documentation, historic plans, and an accompanying historical narrative; NYU consultation with OPRHP at specific points in the design process regarding proposed changes to the first floor facades of Washington Square Village’s north and south buildings as design plans proceed; NYU will consult with OPRHP regarding the proposed new construction of two new academic buildings, below-grade academic space, street level publicly accessible open space and below-grade parking, with plans submitted to OPRHP at the preliminary and pre-final stages of development; prior to the commencement of construction of the Proposed Project, in consultation

with LPC and OPRHP, NYU will develop and implement Construction Protection Plans (CPPs) for Washington Square Village, University Village (100 and 110 Bleecker Street and 505 LaGuardia Place), and Shimkin Hall (50 West 4th Street).

Additionally, prior to the commencement of construction of the Proposed Project, NYU will provide a scaled landscaping plan documenting the existing Sasaki Garden that will include the existing flora species and their locations, as well as the existing walking paths and original garden features. To the extent available, the original landscaping plans, or information about those plans, will also be documented. NYU will include one or more plaques or historic markers in its modifications to the North Block that will be developed in consultation with OPRHP to provide a historical interpretation of the Sasaki Garden and Washington Square Village. The use of historic plaques or markers shall illustrate the history of the superblock development and the significance of the Sasaki Garden.

**Comment 21-4:** The DEIS claims that NYU would develop a Construction Protection Plan, but does not provide the details of that plan. (GVSHIP Statement)

**Response 21-4:** As described in the Principal Conclusions section of Chapter 7, “Historic and Cultural Resources,” the Construction Protection Plans (CPPs) will be prepared to protect historic resources located within a lateral distance of 90 feet from construction-related activities in the Project Area and the Commercial Overlay Area. These resources include Washington Square Village, University Village, and Shimkin Hall, and the buildings in the Commercial Overlay Area that would be directly affected by ground floor alterations and buildings immediately adjacent to these buildings. As stated in the FEIS and as provided in the project’s restrictive declaration, the CPPs will be prepared in coordination with a licensed professional engineer in consultation with LPC and the New York State Office of Parks, Recreation and Historic Preservation and will follow the guidelines set forth in section 523 of the *CEQR Technical Manual*, including conforming to LPC’s *New York City Landmarks Preservation Commission Guidelines for Construction Adjacent to a Historic Landmark* and *Protection Programs for Landmark Buildings*. The CPPs will also comply with the procedures set forth in the New York City Department of Buildings (DOB)’s *Technical Policy and Procedure Notice (TPPN) #10/88*.

**Comment 21-5:** The potential for increased traffic impacts, according to the DEIS, would occur at select intersections during weekday peak hours. Community Board 2 has already pointed out that this analysis is inadequate because it does not conduct an impact analysis for late night

hours where there is already significant traffic, and the mitigation measures that the DEIS proposes for the effects it did analyze are also insufficient. First, the suggested measures such as changing light patterns and eliminating parking spaces require approval from the NYCDOT, and are not measures that NYU can guarantee. (GVSHIP Statement, MAS)

**Response 21-5:** As stated in the response to Comment 14-4, the selected analysis peak hours were determined by the Lead Agency (DCP), in consultation with NYCDOT, as appropriate to evaluate the potential impacts from the proposed project. Regarding the recommended mitigation measures, they were reviewed by NYCDOT, which has found them to be reasonable and appropriate. The actual implementation of these measures will be determined by NYCDOT and funded by NYU at the appropriate points in time.

**Comment 21-6:** The massive additional influx of students, residents, and construction workers would clog subway entrances and stairwells, and create hazardous conditions. The DEIS admits that there would be a significant adverse impact and suggests widening the tops of impacted stairways or increasing access locations, but again, these changes could only be made by the MTA and their feasibility has not even been assessed. The DEIS suggests no back-up plan if the measures are not found to be feasible. The DEIS also fails to specifically analyze the particular problem these crowded spaces will pose to the considerable senior population of Greenwich Village. (GVSHIP Statement)

**Response 21-6:** The FEIS, in Chapter 21, "Mitigation," indicates that the recommended widening of the two subway station stairs, at the Broadway-Lafayette and West 4th Street stations, is feasible. The Draft Scope did not contemplate using different impact criteria for senior and non-senior pedestrians and transit users. The *CEQR Technical Manual* criteria are considered adequate for all pedestrians and transit users, including seniors. Moreover, seniors could utilize the elevator at the West 4th Street subway station.

**Comment 21-7:** The Commission should require as mitigation for the adverse impacts of the Boomerangs, that they be significantly reduced in size and replaced by below grade construction. (However, below grade construction should not be permitted below the open spaces on LaGuardia Place and Mercer Street which are being mapped as parkland in a companion action, as such construction would destroy mature trees and would prevent desirable landscaping of the new parkland.) (Lefkowitz)

**Response 21-7:** Contrary to the suggestion of this commenter, the location of the Mercer and LaGuardia Buildings adjacent to the areas presently mapped as City

streets would not result in adverse shadow impacts on the NYCDOT Strips that would require mitigation. Setting the buildings back from the streets would result in an inferior design, because the buildings would crowd the interior of the north block and reduce the size and utility of the publicly accessible open space in the central area of the block.

Construction of the proposed buildings on the North Block requires the use of the Mercer Street and LaGuardia Place Strips on the North Block for construction. Use of the LaGuardia Place Strip is required for construction of the proposed LaGuardia Building. Use of the Mercer Street Strip is required for construction of the proposed Mercer Building. Construction of either of these buildings requires that building materials (steel, concrete, sheet rock, glass, pipes, electrical conduit, etc.) be delivered to an area adjacent to the building. These deliveries require hundreds of truck deliveries; information as to the number of truck trips is provided in Chapter 20, “Construction” of the DEIS and this FEIS. With the exception of concrete trucks (which pump concrete to the building site), the standard method of unloading the trucks is via a crane that swings over the truck to unload the material. For this reason, construction of buildings of this size requires direct access to an adjacent city street. The streets adjacent to the proposed LaGuardia and Mercer Buildings are LaGuardia Place and Mercer Street, but these streets are separated from the locations of the LaGuardia and Mercer Buildings by the intervening NYCDOT Strips, which are currently mapped as City streets. As with the construction of any other sizeable building, it would be necessary to use the area between the City street and the building site for construction. To the extent that the commenter is suggesting that construction access proceed through the portals beneath the Washington Square Village apartment buildings, this suggestion is not practical because of the number and size of construction trucks involved, the excavation of the areas near the portals in connection with the construction work, the need for continuous “nose-in, nose-out” access where trucks do not need to backup to leave the site, and the project goal of designing construction logistics to minimize impacts to local residents.

**Comment 21-8:**

The Boomerangs should be required to comply with applicable height and setback regulations in order to mitigate impacts on occupants of buildings across Mercer Street and Laguardia Place, on the users of these public streets and on the newly created parkland bordering these streets, which will be permanently cast in shadow by the Boomerangs. As further mitigation, the Boomerangs should set back at least 20 feet from the newly created parks and the required existing 60 foot setback and sky exposure plane should be respected. These are practicable

measures that should be adopted to mitigate the impacts disclosed in the DEIS. (Lefkowitz) The waiver of the height and setback requirements so that the proposed buildings can pierce the new R8-equivalent district's sky exposure plane would eliminate vital light and air to the neighborhood, its visitors, and thousands of existing residents. (Duane)

**Response 21-8:**

The new parkland proposed to be mapped on the North Block's Mercer Street and LaGuardia Place Strips and the other sun-sensitive public areas surrounding the LaGuardia and Mercer Buildings would not be permanently cast in shadow as a result of the Proposed Actions. Shadows are not permanent; they move west to east and clockwise over the course of a day and also fall further to the north or south depending on the season.

Additional studies were conducted to compare shadows resulting from the Proposed Actions with shadows resulting from a modification in building bulk that would comply with R8-equivalent height and setback requirements (i.e., a scenario without any height and setback waivers). The analysis showed that the reduction in shadows on the surrounding sun-sensitive resources would range from negligible to none, with the following exceptions: there would be, in the early afternoon throughout the year, an approximately 50 percent reduction in the extent of project-generated shadow on the southern portions of Mercer Playground, in Phase 1, and on Mercer Entry Plaza in Phase 2; and on the May 6/August 6 and June 21 analysis days only, there would be an approximately 50 percent reduction in the extent of project-generated shadow during an approximately 90 minute period in the late morning on the LaGuardia Corner Gardens.

A similar analysis was performed comparing shadows from the Potential CPC Modifications with shadows from a version of the Potential CPC Modifications that complied with the R8- equivalent height and setback requirements. This analysis concluded virtually the same very minor differences in shadows as described above.

*GENERAL*

**Comment 21-9:**

CB2 finds it impossible to agree with the conclusion of the DEIS that NYU's expansion plan will have only temporary negative impacts and that the levels of potential danger fall into an acceptable range and/or can be sufficiently mitigated. (CB2 Resolution)

**Response 21-9:**

The EIS identifies the potential for significant adverse impacts from operations of the proposed project upon completion of Phase 1 (in 2021), for the full build condition (in 2031), and it identifies the potential for significant adverse impacts from construction of the proposed project. Chapter 20, "Construction," identifies the anticipated

duration of significant adverse impacts resulting from the construction of the proposed project. Chapter 21, “Mitigation,” of the EIS identifies potential mitigation for identified significant adverse impacts, and describes the extent to which impacts could be reasonably and practicably mitigated.

*TRAFFIC IMPACT MITIGATION*

**Comment 21-10:** Potential mitigation approaches, such as small re-timings of traffic signals and added signage, would be insufficient to offset significant adverse vehicular impacts identified at several locations, and in some cases would be hazardous, e.g., adding green time at dangerous crossings like Houston Street at LaGuardia Place. (CB2 Resolution)

**Response 21-10:** The traffic mitigation measures described in the DEIS and this FEIS have been vetted by NYCDOT and determined to be appropriate under CEQR, including consideration of maintaining adequate crossing time for pedestrians, to address the projected significant adverse impacts.

*PEDESTRIAN IMPACT MITIGATION*

**Comment 21-11:** The suggested pedestrian mitigations would not be a cure-all. In fact, one statement claims: “crosswalks and street corners are not easily measured in terms of free pedestrian flow.” (CB2 Resolution)

**Response 21-11:** The pedestrian mitigation measures described in the DEIS and this FEIS have been vetted by NYCDOT and determined to be appropriate under CEQR to address the projected significant adverse impacts. The statement, “crosswalk and street corners are not easily measured in terms of free pedestrian flow,” refers to pedestrians having to observe traffic signals at intersection crosswalks, which contributes to the service levels of these crosswalks and their connecting corners. Hence, unlike sidewalks, which rely solely on walking speeds and available width, pedestrian flow at crosswalks and corners also depends on intersection control and storage.

*CONSTRUCTION IMPACT MITIGATION*

**Comment 21-12:** NYU should mitigate construction impacts on air quality, dust, and noise, and provide mitigation for apartments with single-pane windows within the project-affected area (primarily Washington Square Village and Silver Towers). (Stringer, MBP) The applicant must ensure that noise does not violate City codes at any time. (Duane)

**Response 21-12:** As described in Chapter 20, “Construction,” of the DEIS and this FEIS, the Proposed Actions would not result in significant adverse construction-related air quality impacts. As described in Chapter 21, “Mitigation” of the DEIS and this FEIS, the applicant has committed to

implementation of all relevant and practicable mitigation measures for significant adverse impacts identified in the FEIS. NYU's commitments would be included in the Restrictive Declaration.

## CHAPTER 22: ALTERNATIVES

### *ALTERNATE LOCATIONS FOR THE PROPOSED ACTIONS*

**Comment 22-1:** NYU should relocate to the Financial District, where NYU's academic, cultural, and housing facilities would be welcome and are needed. Growth potential in the Financial District or Downtown Brooklyn is considerably greater, while historic and predominantly residential neighborhoods like the Village, East Village, SoHo, and NoHo clearly have their limits, which NYU has more than met. (Agee, Ain, Albin, Allen, Altman, Alutto, Amato, Amer, Amila, Anthony, Appel, Aspillera, Auletta, AvinsV, Bacon, Bader, BAN, Barbas, Barea, Baresch, Barton, Bear, Bedrosian, Bella, Bendewald, Bensam, Berenblatt, Blohm, Blount, Boernstein, Bogen, BogenJ, Brandt, Brashear, Brennan, Bromm, Brone, BrownL, Buhler, Burdin, Cahn, Cameron, Canion, Cannon, Carduner, Castoro, CCBA, Cerullo, Chandler, Chase, Cherry, Chiasson, Clarke, Clerk, Coe, Coles, Cooper, Cooper-Hecht, Crane, Curtis, Dalin, Davies, DavisE, DavisM, Devaney, Donohue, Doyel, E13thCA, Eckhaus, Edwards, EdwardsM, EdwardsMP, Ehlinger, Eltobgy, Elves, ElvesJ, Evans, Felix, Ferrer, Fiorenzo, Fischer, FisherN, Fouratt, Freedman, Fritsch, FullerW, Gamme-Leigh, Gary, Geballe, Gitlin, Gluck, GoldbergLisa, Goldman, GoldmanB, GoldsteinA, Goodwin, Gordon, Gottlieb, GouldA, Graham, Grande, Greenstein, Greininger, Grubler, Grugliano, Guilloton, Gullo, Haberman, Haikalis, Hanesian, Hanja, HanjaR, Harlib, Harris, Hayes, Haynes, Healy, HealyGM, Hechtman, Hernay, High, Horan, Horland, Horwitz, Hudson, HulleyK, Hyman, Isola, Jacobs, Johns, JohnsonJamie, JohnsonS, Kaplan, KaplanR, Kasowitz, KaufmanM, Keith, Kelleher, Kiely, Knox, Kruth-Cirtanic, Kruz, Lamb, Lanyon, Leaf, Leonard, LevyS, LewisE, LewisM, Lunceford, Luty-Zullo, Lynn, Maggio, Magida, Malon, Mariano, Marten, Martin JI, MartinJ, Marx, MarxR, McDarrah, McFadden, McRoyslie, Miata, MincerA, Mintz, MintzR, Mitcheltree, Morris, Moses, Moskowitz, Mostel, Mulkins, Muller, NadlerW, Naor, Nash, Negrin, Nelson, Nemethy, Nicholson, Nickas, Niedoroda, Niv, Novak, O'HaraP, Optor, Ortner, Packer, Pau, Paul, Peterson-Lewis, Pettibone, Phillips-Fein, Pichard, Polsky, Ponce, Pope, Quart, Raab, RackowSP, Ratner, Rea, RebovichF, Recnick, Reich, Rennert, Riccobono, Robb, Roberts, Rogers, Rose, Rosenblatt-Robert, Rosenstein, Ross, Rothenberg, Rowland, Samton, Sanders, Savin, Schanck, Schmidt, SchwartzA, Sealy, Seidman, Selman, Shellooc, Siddiq, Siedun, Simoncelli, SmithB, SmithBJ, Soker, Sphin, Spicciatie,

Standish, Stawski, Steed, Steinhagen, SteinhagenR, StewartF, Stolz, Stults, Swan, SwanC, Taub, Taylorson, Teriananda, Texidor, Thea, Thompson, Toms, Tschunkil, Tynes, Uhlenbech, Underby, Unreadable 13, Unreadable 14, Unreadable 15, Unreadable 16, Unreadable 17, Unreadable 18, Unreadable 19, Unreadable 20, Unreadable 21, Unreadable 22, Unreadable 23, Unreadable 24, Unreadable 25, Unreadable 26, Unreadable 27, Vargo, Vishner, VonMayrhauser, Vromo, Walsh, Weber, WeinerD, Weinstock, WeisnerG, WhiteV, Whiting, Wigotsky, WilliamsR, Winer, Witherspoon, Wolpe, Yarmolinsky, YoungM, Zenchil, Zuluaga, Zupan)

The City has identified such areas as the Financial District, Downtown Brooklyn, Long Island City, and Hudson Yards as places where long-term large-scale growth is not only desirable but necessary. NYU development in these areas would have greater economic benefits and fewer negative impacts. (Gould)

NYU did not explore all possibilities and alternatives. (Edwards) The plan fails to adequately address alternatives, such as a far greater expansion of the Brooklyn NYU-Polytechnic campus, with only a more modest, more sensitively developed expansion in the core. Such a plan could preserve the widely-acclaimed Sasaki Garden as a central feature of any expansion. (Haikalis) Many large universities have solved their space requirements by expanding to satellite campuses, why should NYU be any different? If NYU can build a satellite campus in Abu Dhabi and Shanghai, it can certainly have one in an area where a large-scale development plan would be more amenable, potentially just a few subway stops away in the Financial District, Downtown Brooklyn, or Long Island City. (AndersonR) (BAN, GVSHP-Berman) (Seidenbaum) The University should curtail its building ambitions in its “core” and instead refocus its attention on more practical outside possibilities, such as satellite or auxiliary campuses. (Geronimus) Potential locations could include:

1. The Health Corridor around East 26th Street (Geronimus)
2. Governor’s Island (Geronimus). Governor’s Island would allow NYU to have an urban school with immense recreational and dorm facilities. (Edwards)
3. Financial District (Geronimus). For years, Community Board No. 1 in the Financial District has urged NYU to look in its neighborhood for sites of expansion and continues to do so. Why won’t the University at least seriously entertain this possibility? (Edwards, Geronimus, Jones, LevyC, McKellar)

4. Downtown Brooklyn (Haikalis). MAS suggests that NYU reduce the proposed density by focusing more development in places where greater density would be desirable such as Downtown Brooklyn. The building stock in Downtown Brooklyn is far more compatible with what NYU is proposing to develop in Greenwich Village, and it is an area where the thoughtful integration of new academic buildings could dramatically improve the streetscape and increase the energy and vitality of that neighborhood. NYU's Polytechnic campus is currently located in Downtown Brooklyn, and the University is in negotiation for the former NYC Transit Headquarters located at 370 Jay Street, a 459,000 square foot building for use as NYU's Center for Urban Sciences and Progress or for other academic functions. Further investment and co-location of additional departments would follow NYU's goal to foster interdepartmental collaboration and would in turn help revitalize Downtown Brooklyn by creating a hub for science and technology and providing a connection to the growing tech community in DUMBO and throughout the city. (MAS)

5. Areas like the Financial District or Downtown Brooklyn could much more easily bear such impacts from a long-term construction project. (Albin, Altman, Alutto, Apiccidic, Armstrong-Gannon, BAN, Bourten, Bononno, Bromm, Brone, CampbellC, Chadwick, Charlton, Coe, Cohl, Collier, Cornwell, Crane, Duchesne, E13thCA, Eckhaus, EdwardsMP, Fiorenzo, FletcherAG, Garabedian, Goldin, Goldman, Green, Grugliano, Gussow, Hanja, Harlib, Harris, Hellstrom, High, Horowitz, Horwitz, Howell, Johns, Kelleher, KleinS, Kremsdorf, Leaf, Leonard, LevyS, LewisS, Libby, Lunceford, Lundin, Luty-Zullo, Martinez, Mitcheltree, Monti, Moskowitz, Perrone, Polsky, Ponce, Postal, Pultz, RackowSP, Radoczy, Ragno, Ratner, Raymond, RebovichF, RebovichJ, Robb, Rosenberg, Rosenthal, Schwartzkopf, Shapley, Shapiro, Singer, SmithB, Stenn, Strand, Teriananda, Thompson, Tornes, Underby, Unreadable13, Unreadable12, Valente, Wardle-Mortenson, Wauper, Weisberg, WeisnerG, White-Weisner, Zelisko)

6. Long Island City.

7. Unspecified Location. So many depressed areas could benefit from NYU and new construction projects. That is what NYU should do. It is too crowded in the Village. (Marti) The satellite campus approach could help areas of the city that would greatly benefit from this kind of redevelopment. (GVSHPLloyd) If NYU can go to Dubai, they can certainly move development some blocks south, in lower Manhattan, for example. (AndersonR)

NYU could build much greener in areas like the Financial District, Downtown Brooklyn, Long Island City, or Hudson Yards. (Gould)

NYU is a university that is comprised of self-contained, smaller schools. Its current structure lends itself easily to creating auxiliary campuses in other locations. (GVSHP Statement) Through its recent merger with Polytechnic Institute in Brooklyn, NYU has once again become a “full-service” university. Mayor Michael Bloomberg’s recent competitive initiative to create one or more centers for science and technology in NYC has turned the spotlight on NYU’s Brooklyn campus. Many experts in higher learning have urged that a stand-alone engineering school makes little sense in today’s complex integrated economy. NYU would be wise to expand its Brooklyn campus to add centers for learning in the fine arts, performing arts, education and history to meet NYC’s education needs for the 21st Century. With 2.5 million residents, including many young people from abroad, Brooklyn needs an extraordinary university, built on an expanded Polytechnic Institute, to reach its full potential. (Haikalis)

If the university must expand to prosper, then it must look to areas where there is room to expand. This plan will not build up the Village, it will break it. (Clark, HDC)

NYU’s administration claims that considering alternative locations like the Financial District are impractical, because they must locate their facilities within a 10–15 minute walk of each other around Washington Square. But this belies the experience of universities across the country. They maintain their facilities spread out over considerably greater distances than a 10–15 minute walk. To illustrate this, GVSHP has submitted to the Commission a study called “The Myth of the 10-Minute Walk from Washington Square,” which looks at the geographic distribution of the facilities of a variety of U.S. colleges—urban, suburban, and rural; large and small; public and private. We took the outlines of the location of their facilities and overlaid and compared them with NYU’s Washington Square “core” and surrounding facilities. What we found is that most schools maintain campuses and facilities over distances considerably greater than the 10–15 minute walk NYU claims it must maintain. In fact, most schools seem to have facilities spread out over distances the equivalent of those between Washington Square and the Financial District, and in many cases over considerably greater distances—even schools without “satellite” campuses. Further, few if any of these campuses have the wealth of mass transit options that allow travel between Washington Square and a location like the Financial District to take as little as 5–10 minutes. In fact, most of these other campuses require walking times of much more than 10–15 minute between facilities, as NYU claims is essential. The university is seeking to take public land, overturn zoning rules and open space preservation requirements, undo urban renewal deed restrictions, and violate the

terms under which they were originally given public land 50 years ago. With the best of arguments they would be hard-pressed to justify such an outcome. Given the specious basis for their claims, we urge you in the strongest of terms to reject NYU's 2031 application. (GVSHP-Davis)

Just as our children take public transportation to middle and high schools every day, a MetroCard provides a quick, easy, safe, and sustainable method of transportation, so travel to other parts of New York City should not be an issue when considering NYU's application. (Bastone, Handler, Hoxie, Michals)

There are other areas throughout the city that need and welcome just the type of construction that NYU seeks, and where the benefits to New York City would be multiplied. These are a shorter distance away than what many NYC middle and high-school children now travel to and from daily, and what peer universities include in their campus. We believe that those options should be prioritized over destroying a treasured historic neighborhood. (CAAN-Cude, Tessler)

NYU says that building dorms, labs, and classrooms two subway stops from the Washington Square campus will make it impossible for students to get back and forth between the two campuses in the 10 minutes presently allotted between classes, but (a) entire schools with dorms, labs, classrooms, and parking could be moved to the Wall Street area so that students do not have to run back and forth; (b) if scheduling is a problem, each campus can schedule classes so that students have 30 minutes between Wall Street and Washington Square campuses; and (c) NYU is not concerned about the students on the branch campuses throughout the tri-state area having long commutes. (McKellar)

NYU should either seek space in other areas where its presence would not have such a negative impact and may even be welcomed, or give up on the idea of expansion and concentrate instead on pursuing academic excellence. (Sampson) NYU should not shoehorn more and more facilities into an area with limited capacity to handle that growth, but instead partner with the City to find nearby locations that can absorb the growth, and where the expansion of a university would be maximally beneficial to the city and leave room for continued growth of the university. (GVSHP-Lloyd)

It is worthwhile considering the Financial District as an alternative site for NYU's expansion plans. Historic and predominantly residential neighborhoods like the Village, East Village, SoHo, and NoHo clearly have their limits, which NYU has more than met. (Abrash, Bedrosian, Doyel-Hoy, Fein, Friedman, Gilford, Kiser, LewisE, Margolis, Ponce, Samuels, Schoonover, Woodland)

NYU should expand in other parts of the city. The Village is already saturated. (Gallagher, Glaser, Green, HDC, LewisE, Margolis, O'Hara, Schoonover, Schwartz, Spadavecchia, Weisberg, Woodland)

Downtown Brooklyn or Governors Island offer much greater growth potential for NYU. (Seidenbaum)

If NYU were serious about its job growth argument, it would develop in the Financial District, or even Detroit, which is a lot closer than Abu Dhabi. (Mostel)

Other locations easily connected by mass transit to NYU's facilities could accommodate not only the next 19 years of NYU's growth, but also the next several decades. The Financial District, Downtown Brooklyn, Long Island City, and Hudson Yards are places where long-term, large-scale growth is not only desirable but necessary. (BAN, Campo, Fogel, Green, Greitzer, GVSHP-Lloyd, GVSHP-Petition, Hellstrom, HulleyK, HulleyL, Milazzo, Ponce, Pultz, Tinker, Walsh, Winer, Zagachkivsky) Besides Downtown Manhattan and Brooklyn, look at the Bronx, where NYU had a prior campus. (Cotterell, Ragsdale, Tyree, Valentin)

Roosevelt Island is another site alternative for this project. (Lunceford)

The central business districts (CBDs) in two boroughs—Downtown Brooklyn and Long Island City—would greatly benefit from the cultural enrichment and economic stimulus that institutions of higher learning can provide. Both CBDs were recently rezoned to accommodate higher levels of development. Yet the recent economic downturn has left many development sites unused. (Haikalis)

Expand in Downtown Brooklyn which has space and seeks additional development. Unlike Greenwich Village, which is already bursting at the seams, Downtown Brooklyn offers room for NYU to grow. Businesses and institutions there would be enhanced by an expansion of an institution of higher learning. Many development sites have already been rezoned for higher densities, and the Watchtower complex of some five million square feet of residential and commercial space will soon become available, as that entity advanced its plan to relocate to Upstate New York. (Haikalis)

NYU should withdraw its current expansion plan in the Village and prepare a new one with welcoming residents and businesses in Brooklyn. While some expansion may eventually be appropriate in the Village, this should be considered only after a Brooklyn expansion plan is carefully crafted. (Haikalis)

**Response 22-1:** As noted in the response to public comments on the Draft Scope of Work (the “Draft Scope”), alternative locations for the Proposed Actions were not assessed in the EIS because they would not meet the goals and objectives of the Proposed Actions. The DEIS, in Chapter 1, “Project Description,” describes the purpose and need for the Proposed Actions and the basis for the site selection. In addition, based on public comments, the FEIS contains further description of NYU’s stated need for the Proposed Actions, and for each proposed use; see Chapter 1, “Project Description” of the FEIS.

**Comment 22-2:** NYU’s administration claims that considering alternative locations like the Financial District are impractical, because they must locate their facilities within a 10–15 minute walk of each other around Washington Square. But this belies the experience of universities across the country. They maintain their facilities spread out over considerably greater distances than a 10–15 minute walk. To illustrate this, GVSHP has submitted to the Commission a study called “The Myth of the 10-Minute Walk from Washington Square,” which looks at the geographic distribution of the facilities of a variety of U.S. colleges—urban, suburban, and rural; large and small; public and private. We took the outlines of the location of their facilities and overlaid and compared them with NYU’s Washington Square “core” and surrounding facilities. What we found is that most schools maintain campuses and facilities over distances considerably greater than the 10–15 minute walk NYU claims it must maintain. In fact, most schools seem to have facilities spread out over distances the equivalent of those between Washington Square and the Financial District, and in many cases over considerably greater distances—even schools without “satellite” campuses. Further, few if any of these campuses have the wealth of mass transit options that allow travel between Washington Square and a location like the Financial District to take as little as 5–10 minutes. In fact, most of these other campuses require walking times of much more than 10–15 minute between facilities, as NYU claims is essential. The university is seeking to take public land, overturn zoning rules and open space preservation requirements, undo urban renewal deed restrictions, and violate the terms under which they were originally given public land 50 years ago. With the best of arguments they would be hard-pressed to justify such an outcome. Given the specious basis for their claims, we urge you in the strongest of terms to reject NYU’s 2031 application. (GVSHP-Davis).

**Response 22-2:** As set forth in Chapter 1, “Project Description,” an important objective of the Proposed Actions is to allow NYU to maximize the use of its current footprint within the Washington Square area, where the NYU

core campus is located. NYU believes a central, core campus has substantial educational advantages. For example, co-locating faculty offices, classrooms, research facilities, student service spaces, dormitories and faculty housing at the Washington Square Campus encourages interaction among NYU's faculty and students, interaction between faculty members in diverse disciplines, interdisciplinary research teams and academic and social engagement with the University. NYU believes that physical proximity at a core campus is the best way to promote integration of disciplines and interaction among the faculty and students, and thus to create a learning and research community.

Because of the educational benefits afforded by concentrating faculty, students and researchers in proximity to one another in a Core campus area, the concept underlying the "10 minute walk" has been used by many educational institutions in campus planning initiatives. For example, the University of Virginia, which was originally designed by Thomas Jefferson and is regarded as a paradigm for academic-space planning, is organized around an academic village where faculty and students live in proximity to each other and to the facilities for learning, studying and social interaction. This concept, that proximity matters in the academic experience, appears to be a planning concept used in the master plan development for Princeton, Columbia, Harvard, Yale and Washington University, among others.

As a result, if a closer look is taken at the campus areas of the universities that are cited in GVSHP's study, it is clear that those campuses also have a walkable central campus core in which buildings are within a 10-minute walk of a central location; the core campuses of most of the universities cited in the GVSHP study are walkable areas commensurate with the size of NYU's Core Washington Square campus. Located beyond those academic core areas are other institutional, athletic and housing areas that support the academic core or are self-contained institutions like medical schools. Such a layout is similar to NYU's planning, which has placed major NYU facilities in the Medical Corridor and downtown Brooklyn. The existence of these satellite NYU campuses for discrete and specific functions (such as the Medical and Dental Schools in the Medical Corridor or the engineering and graduate technical research institutions in Brooklyn) does not imply that educational programs that are more closely integrated academically and socially with NYU's Washington Square Core campus would be better located at other remote locations, not within the Core.

There are also significant differences between many of the campuses in GVSHP's study and the NYU campus. For example, NYU was initially

located and continues to exist within a growing urbanized city. Many of the other schools cited by GVSHP were originally founded on a large tract of underdeveloped contiguous property that was set aside for the exclusive use of the university. The campuses cited by GVSHP generally do not have core academic functions located at remote distances from each other with intervening neighborhoods comprised of non-university buildings, as GVSHP asserts should be the case for NYU were it to change its educational philosophy and seek to establish a new campus in another neighborhood of New York City, such as the Financial District. In addition, many of the campuses cited by GVSHP are primarily accessed via private vehicles, with significant areas devoted to surface parking lots and facilities like a football stadium that do not exist on the NYU Washington Square campus.

Finally, even if – after scouring the several hundred universities in the United States – one could identify a number of institutions that do not have a core campus, such counterexamples would merely establish that some institutions may have a different educational philosophy than the one that NYU has determined to be the best approach to university education, which emphasizes faculty-student and student-student interaction, interdisciplinary study and collaboration, and engagement with the university. The purpose and need for this project is based in part on NYU's judgment that a core campus is an essential element to the success of its approach to university education, as explained at length in the Purpose and Need discussion of the DEIS and this FEIS. Alternative models for university education that do not involve a core campus may suggest that NYU's judgment as to the elements central to the success of university education may differ from the judgment of other academic institutions, but such differences would not suggest that NYU should seek to expand its core campus into the Financial District rather than build within its walkable Washington Square core campus.

**Comment 22-3:**

Not only does the DEIS materially understate the negative impacts of the proposed project, its consideration of alternatives is cursory at best. Although the DEIS goes through the motions of examining alternate scenarios, and admits that various lesser density alternatives would go some way towards mitigating adverse effects, it blithely dismisses these options on the grounds that they would not sufficiently meet NYU's goals and objectives. For example, NYU did not consider the use of empty classroom space. NYU reportedly has significant unused classroom space, including in the Woolworth building. These findings of no feasible alternative, however, rely on the assumption that NYU must locate its expansion on the two superblock site. As the Gambit Consulting report discusses at length, if NYU's planned expansion were

instead placed in another neighborhood—the Financial District or Downtown Brooklyn, for example—NYU could easily meet its need for additional space and avoid adverse effects on the environment and on the unique character of the neighborhood. See Exhibit 24 at 23-24 (Gambit Consulting Report). (GVSHP Statement)

**Response 22-3:** Alternatives have been assessed consistent with the Final Scope of Work. In addition, in response to public comments, the FEIS includes additional information on NYU’s stated purpose and need for additional classroom space, and NYU’s rationale for desiring to locate additional classroom space within the Proposed Development Area. See also the responses to Comments 22-1 and 22-2.

**Comment 22-4:** A modified plan with fewer and lower-storied buildings would be a better option. (Surace)

**Response 22-4:** Chapter 22, “Alternatives,” of the DEIS and FEIS considers a Lesser Density Alternative to the Proposed Actions, but concludes that it would not meet project objectives or materially reduce or eliminate adverse impacts. Between the DEIS and FEIS potential modifications to the Proposed Actions, which, at the time of this FEIS are under consideration by the CPC, have been identified and are analyzed in Chapter 26, “Potential Modifications Under Consideration by CPC,” of this FEIS.

**Comment 22-5:** Of course, the one alternative that exists now, but was unknown at the time the DEIS was prepared, is the NYU Modification. That Modification, in point of fact, contains more changes than any of the alternatives set forth in the Alternatives section of the DEIS. The fact that the DEIS authors took the time to evaluate environmental impacts of lesser alternatives is proof positive that a new DEIS is required in light of the allegedly substantial changes brought about through NYU’s agreement, embodied in the NYU Modification. (GVSHP Statement)

**Response 22-5:** The presentation of alternatives in the DEIS is required by the CEQR regulations and does not imply the need to prepare a new DEIS to study the Manhattan Borough President’s recommendations to reduce the size of the proposed project and the extent of its environmental impacts. The public review process would be undermined if the lead agency were not permitted to consider such recommendations in the course of its review. Under the SEQRA/CEQR regulations, the potential need for the lead agency to consider whether to prepare a Supplemental Environmental Impact Statement (SEIS) is triggered only by changes that would result in new significant adverse environmental impacts not disclosed in the DEIS; there is no basis for concluding that the project scope reductions that were recommended by the Borough President would result in new

environmental impacts that would warrant an SEIS. The analysis presented in Chapter 26 of the FEIS, which considers several of the Borough President recommendations as well as further changes to the proposed project to address the concerns of the public and members of the CPC indicate that reducing the size of the proposed project, as recommended by the Borough President, is not expected to result in new significant adverse environmental impacts that would warrant an SEIS.

**Comment 22-6:**

NYU has proposed to construct 770,000 square feet of academic space below grade on the Superblocks. Clearly then, below grade construction is a practical alternative to construction of the Boomerangs, or an alternative for a significant portion of the above grade Boomerang Buildings. The EIS should analyze, and the Commission should consider, construction of significant below grade space in lieu of the Boomerang Buildings so as to eliminate or at least reduce the impacts described above. Similarly, construction of these buildings in accordance with existing zoning (setback at 60 feet) and without height and setback waivers is a lesser impact alternative that must be considered. (Lefkowitz)

**Response 22-6:**

As described in Chapter 1, “Project Description,” of the DEIS and this FEIS, NYU has designed the new buildings to accommodate program below grade and thus limit the size, height, and bulk of buildings above grade, and maximize open space and circulation at grade level. This strategy is possible because below-grade spaces are well-suited for certain academic program needs such as classrooms, study areas, rehearsal spaces, lounges, computer rooms, and student activity areas. By accommodating these uses below grade, the above-grade building component can accommodate academic program elements that require windows such as faculty offices and departmental and research space. However, as further detailed in this FEIS, these above-ground uses also are critical to NYU’s stated purpose and need for the Proposed Actions.

**Comment 22-7:**

Did NYU ever consider buying the Children’s Aid buildings on Sullivan Street or the Puck building on Lafayette Street? (RebovichF) Why not utilize the buildings already empty in the NYU/Village area? (Surace)

**Response 22-7:**

As described in Chapter 1, “Project Description,” of the DEIS and FEIS, the NYU Core project reflects NYU’s determination that the amount of space needed for its academic programs at Washington Square cannot be accommodated by ad hoc acquisitions of properties at other locations in the area. Furthermore, NYU believes that the need for ad hoc acquisitions, which often creates friction with local communities over individual building initiatives, should be minimized.

**Comment 22-8:** We believe that a compromise can be struck so that this rezoning benefits the community by increasing the amount of quality, publicly accessible open space; lowering the overall density to remain consistent with the surrounding neighborhood; refraining from overwhelming our community with commercial development; maintaining affordable housing at 505 LaGuardia Place and Washington Square Village; and providing infrastructure improvements, like renovating the subway stations and paying for a new school for our neighborhood (which already has too few seats for the kids who live here). (BusinessOwners)

**Response 22-8:** Comment noted. It should be noted that the Proposed Actions would increase the amount of publicly accessible open space on the project site, and the analysis in Chapter 5, “Open Space” of the DEIS and FEIS finds that the proposed project would not result in significant adverse open space impacts in 2021 or 2031 (full build). Chapter 5, “Socioeconomic Conditions” finds that the Proposed Actions would not result in significant adverse impacts due to direct or indirect displacement of residents or businesses. Chapter 14, “Transportation,” identifies the potential for significant adverse [transit stairwell] impacts, and Chapter 21, “Mitigation” describes measures that could be implemented to fully mitigate the impacts. Chapter 4, “Community Facilities” finds that the Proposed Actions would not result in a significant adverse impact on public schools.

**Comment 22-9:** The Zipper Building should be constructed within the footprint of the current Coles Sports Center. (BusinessOwners)

**Response 22-9:** Commented noted. Chapter 22, “Alternatives” of the DEIS and FEIS assess a “No Demapping Alternative” under which the proposed Zipper Building would have the same footprint as the current Coles Sports Center. Under the No Demapping Alternative, the Greene Street Walk would be narrower and would provide approximately 0.12 fewer acres of publicly accessible passive open space than the Greene Street Walk under the Proposed Actions (the Greene Street Walk would be reduced in width from 26 feet to six to eight feet). With a narrower Greene Street Walk, there would be limited, if any, opportunities for seating and tables along the walk under this alternative. Unlike the Proposed Actions, the No Demapping Alternative would include approximately 0.15 acres of publicly accessible passive open space along the Zipper Building’s Mercer Street frontage. This area would be programmed as publicly accessible passive open space, similar to the existing Coles Plaza, but would be interrupted with multiple building entrances/exits, driveways and loading docks. In total, by eliminating approximately 0.12 acres of passive open space associated with the Greene Street Walk and providing 0.15 acres of passive open space along the Zipper

Building's Mercer Street frontage, this Alternative would result in a net increase of approximately 0.03 acres of passive open space compared to the Proposed Actions.

**CHAPTER 26: POTENTIAL MODIFICATIONS UNDER CONSIDERATION BY THE CPC**

**Comment 26-1:** NYU should reduce the total floor area of its proposed construction by approximately 370,000 gsf by (1) eliminating 185,000 gsf of development below the public parks proposed on the North Block, (2) eliminating 85,000 gsf from the Mercer and LaGuardia buildings and limiting the height of the Mercer Building to no more than 162 feet; (3) eliminating the approximately 55,000 gsf of dormitory proposed above the space reserved for a public school; (4) removing one level of below-ground space beneath the public school (10,000 gsf); (5) eliminating the 20,700-gsf temporary gym from the proposal; and (6) removing approximately 15,000 gsf from the northeast section of the Zipper Building along the Mercer Street frontage so as to add 15 feet of separation between that building and the residences along the east side of Mercer Street. (Stringer, MBP)

NYU should delay construction of the Mercer building and preserve the Key Park playground until after the LaGuardia building is complete, to reduce construction impacts for residents along Mercer Street. (Stringer, MBP)

**Response 26-1:** This FEIS includes an assessment of the environmental effects of potential modifications to the Proposed Actions, including a number of those recommended by the Manhattan Borough President and others, under consideration by the CPC; see Chapter 26, "Potential Modifications Under Consideration by the CPC."

**Comment 26-2:** NYU should maintain equal or greater playground space throughout the development period. (Stringer, MBP) The Temporary Gymnasium should be relocated to an area outside of the core zone so that it doesn't needlessly disrupt the neighborhood. (BusinessOwners)

**Response 26-2:** The DEIS and this FEIS assess the effects of the proposed temporary gym, and the effects of the proposed project on open spaces, including the direct effects on playground space. When accounting for the displacement of both public and private playground areas within the Proposed Development Area, by 2031 the proposed project would result in a 0.06-acre net increase in the total amount of playground space within the Proposed Development Area. Study area residents with children would have access to three new playground spaces on the North Block in addition to an expanded playground on the South Block; all of these spaces remain flexible in their programming and age targets. In addition, this FEIS includes an assessment of potential modifications

to the Proposed Actions under consideration by the CPC at the time of preparation of this FEIS, which include the elimination of the proposed temporary gym. The elimination of the temporary gym would delay the displacement of the private Washington Square Village Playground and the public Mercer Playground; see Chapter 26, “Potential Modifications Under Consideration by the CPC.”

**Comment 26-3:** The revised proposal is completely unacceptable. A small reduction in the size of the buildings does nothing to address the plan’s fundamental problems. (Bedrosian, Schoonover, Weisberg) NYU and the proposed compromise by Scott Stringer do not begin to address community concerns. (Stuart) Only a politician could say that the 15-percent decrease in size is a compromise. That does not address any of the important issues NYU has ignored and is trying to get away with. (Charlton) A 16 percent reduction is a paltry concession, considering that this would be the largest development project in the Village’s history. (BAN) The Stringer compromise is insufficient. (Schaper)

**Response 26-3:** Comment noted. NYU’s proposal has not been revised. As a result of the public review of the Proposed Actions as part of the Uniform Land Use Review Procedure (ULURP), however, the CPC is considering various modifications to the Proposed Actions (see Chapter 26, “Potential Modifications Under Consideration by the CPC”).

**Comment 26-4:** The revised plan presented after the BP’s recommendations show that NYU would be allowed to acquire, build upon, modify, or destroy the city-owned open space. Whether via construction staging, sheds, or shadowing, or putting a building on or modifying them so they do not provide the uses created—and paid for—by community volunteers, this conversion of public land to private use completely contravenes NYU’s frequently repeated statement that they are building on their own land. (CAAN-Cude)

**Response 26-4:** The EIS assesses the potential environmental effects of the Proposed Actions on all City-owned strips along LaGuardia Place and Mercer Street on the superblocks. The Proposed Actions would map the LaGuardia Place and Mercer Street Strips on the North Block as City park land. Please also see responses to Comments 1-17 and 1-28.

**Comment 26-5:** The redesigns do not meet the needs of our residents and the community as a whole. We need more open space, not redesigned open space. (32WSW)

**Response 26-5:** Comment noted.

- Comment 26-6:** While the “Zipper” building—which would replace the Coles Gymnasium—is now slightly shorter in height in one area, it would still cast shadows and destroy light and air for buildings on Mercer Street. (Glick)
- Response 26-6:** Potential modifications to the Proposed Actions under consideration by the CPC as of the time of preparation of this FEIS do not include a reduction in the height of the proposed Zipper Building (see Chapter 26, “Potential Modifications Under Consideration by the CPC”).
- As described in the *CEQR Technical Manual*, CEQR shadow analyses assess whether new structures may cast shadows on sunlight sensitive publicly-accessible resources or other resources of concern such as natural resources. The buildings on Mercer Street in the area affected by project shadows do not meet the above-described criteria warranting analysis.
- Comment 26-7:** While the Applicant has agreed to make the Bleecker Street Building shorter than proposed in the DEIS, it will still have an impact on light and shadows on the surrounding area as well, including the long standing community gardens that will be adversely impacted. (Glick)
- Response 26-7:** Chapter 26, “Potential Modifications under Consideration by the CPC,” provides an analysis of the shadow impacts of the proposed Bleecker Building without the dormitory tower.
- Comment 26-8:** Under Scott Stringer’s negotiation with NYU, NYU has agreed not to take the park land between 3rd and Bleecker, but is being disingenuous that pulling back 15 feet, which is equivalent to allow light for the buildings across the street is ridiculous. It is simply not their property and to allow NYU to use it as a plaza, as bicycle parking, or for hotels is something the City officials should not be able to take from the community. (Alexander)
- Response 26-8:** The Proposed Actions being advanced by NYU have not changed as a result of the Borough President’s recommendations made during ULURP. However, Chapter 26, “Potential Modifications Under Consideration by the CPC,” of this FEIS assesses the environmental effects of modifications to the Proposed Actions under consideration by the CPC at the time of this FEIS, which include recommendations made by the Borough President and others such as the elimination of below-grade academic space beneath the mapped rights-of-way of Mercer Street and LaGuardia Place on the North Block.
- Comment 26-9:** There must be a new approach and not merely minor modifications of a fundamentally flawed plan to meet NYU’s needs. (Kahn)

**Response 26-9:** Comment noted.

**Comment 26-10:** The vague analyses, which run throughout the discussion of mitigation measures, cannot be the basis for meaningful consideration of the adverse effects of this project. And, it is apparent that, whatever the flaws in the DEIS, it analyzes a project that is quite different from what is currently planned. The modifications made by NYU and Borough President Stringer and the fact that the final outlines of the project remain in flux render inaccurate much of the environmental data considered in the DEIS, which dealt with the entire plan as a whole. Moreover, the modifications to the original proposal may change the phasing and construction timeline of the project, invalidating the build year used in the DEIS and rendering suspect many of its conclusions on the cumulative impacts over time. The CPC, and the public, cannot and should not be expected to determine the merits of the plan based on figures and opinions that are no longer relevant. (GVSHHP Statement)

**Response 26-10:** The information disclosed in the DEIS and this FEIS is adequate to understand the nature and scale of potential significant adverse impacts from the Proposed Actions, and the mitigation proposed to ameliorate them. The Potential CPC Modifications under consideration by the CPC (which include some of the recommendations made by Manhattan Borough President Stringer), as described in Chapter 26 of this FEIS, would reduce the size of buildings and reorder the sequencing of construction on the North Block, but would not change the nature of the project. As discussed in Chapter 26 of the FEIS, there would be no new impacts from the Potential CPC Modifications. \*