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Response to Comments on the DEIS

Introduction

This document summarizes and responds to comments on the Draft Environmental Impact Statement (DEIS) for the DeWitt Clinton Park North (801 Eleventh Avenue & 629 West 54th Street) project published on December 12, 2026.

City Environmental Quality Review (CEQR) requires a public hearing as part of the environmental review process. Oral and written comments were received during the meeting held by the New York City Planning Commission on April 1, 2026. Written comments were accepted from issuance of the DEIS through the close of the public comment period, which ended on April 13, 2026. **Appendix C** contains the written comments received on the DEIS. Where relevant and appropriate, the Final Environmental Impact Statement (FEIS) has been modified to incorporate and address substantive public comment on the DEIS.

Section 1 of this document lists the elected officials, organizations, and individuals that provided relevant comments on the DEIS. **Section 2** 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.

1. List of Elected Officials, Organizations, and Individuals who Commented on the DEIS

Elected Officials

No elected officials commented on the DEIS.

Organizations and Interested Public

1. Leslie Boghosian Murphy, Rachel Lee, and Paul Devlin, Manhattan Community Board 4. Written testimony April 9, 2026. (CB4)
2. Paul Devlin, Manhattan Community Board 4. Oral testimony April 1, 2026. Written testimony April 9, 2026. (Devlin)
3. Joe Restuccia, Manhattan Community Board 4. Oral testimony April 1, 2026. (Restuccio)
4. Leo Guttman. Oral testimony April 1, 2026. (Guttman)
5. Theodore Perez, SEUI Local 32BJ. Oral testimony April 1, 2026. (SEUI Local 32BJ)
6. Chad Purkey, Association for a Better New York. Oral testimony April 1, 2026. Written testimony April 1, 2026. (ABNY)
7. Cynthia Clemons. Oral testimony April 1, 2026. (Clemons)
8. Daniel Miller. Oral testimony April 1, 2026. (Miller)
9. Noreen Doyle, Hudson River Park Trust. Oral testimony April 1, 2026. (HRPT)
10. Daniel Kurtz, Hudson River Park Trust. Oral testimony April 1, 2026. (HRPT)
11. Samir Lavingia. Oral testimony April 1, 2026. (Lavingia)
12. Albin Henneberger. Oral testimony April 1, 2026. (Henneberger)
13. Nick Leung. Written testimony April 4, 2026. (Leung)
14. William Meehan. Written Testimony April 5, 2026. (Meehan)

2. Comments and Responses on the DEIS

Comments Received in Support of the Proposed Actions

The following organizations and members of the interested public submitted testimony in support of the Proposed Action: Leo Guttman, SEUI Local 32BJ, ABNY, Cynthia Clemons, Daniel Miller, HRPT, Samir Lavingia, Albin Henneberger, Nick Leung, William Meehan.

C.1 **Friedland Properties and Chapman Group have made a credible commitment to creating good jobs for the workers who will permanently staff the buildings. Good jobs like these mean prevailing wages, meaningful benefits, and a pathway to the middle class for those community members who fill them. We estimate at least 15 permanent building service jobs between the two projects. As the cost of living rises and working New Yorkers struggle to stay in their homes, it's more important now than ever to create both affordable housing and good jobs which uphold industry standards across the city. For these reasons, 32BJ is in strong support of both the 801 11th Avenue and 629 West 54th Street proposals (SEIU Local 32BJ).**

Response: Comment noted.

C.2 **The project has been thoughtfully designed to avoid casting shadows on Dewitt Clinton Park, retain existing auto showrooms and their high-paying jobs, and generate significant revenue for the Hudson River Park Trust through air rights purchases, directly supporting critical park improvements. This collaboration between private development and public infrastructure represents a model of responsible, community-centered urban planning that benefits all New**

Yorkers (ABNY).

Response: Comment noted.

C.3 New Yorkers are facing record rents; housing is desperately needed across New York City. This is a common-sense project to build homes around public space, with transit-oriented development, while bringing a significant number of affordable homes (Leung). The rezoning is needed to address a housing emergency with the current vacancy rate at 1.4% (Miller). This proposal w more than 1,000 homes next to transit. parks, and jobs. It's also crucial that these units remain MIH Option 1 to preserve deeply affordable units (Clemons). We need more affordable housing, especially at the most deeply affordable levels (Lavingia).

Response: Comment noted.

C.4 While CB4's recommendations are well-intentioned, they ignore economic reality by demanding both 30% affordable units and height restrictions that would eliminate the market-rate units needed to cross-subsidize those affordable homes. These are contradictory, unfunded mandates that could function as poison pills jeopardizing the entire project. I encourage the Commission to approve the proposed MIH Option 1, which ensures concrete, deep affordability at 60% rather than an unverified 30% requirement that exists only on paper. New York voters overwhelmingly approved ballot measures demanding more housing built fast, and this Commission must uphold that democratic mandate for growth rather than allow a vocal few to derail a financially viable project that will deliver real affordable units (Henneberger).

Response: Comment noted.

C.5 The Proposed Actions would fund key improvements in Hudson River Park. HRPT's potential ability to sell unused development rights within the special Hudson River Park District is an incredibly valuable tool that has previously resulted in three completed development sales and generated approximately $151 million that we've used for park infrastructure. In consultation with Community Board 4, we've identified Pier 76 as our priority for the use of currently contemplated development rights sales proceeds for this project – with a floor of $29 million. Pier 76 is located in Hell's Kitchen, where there is little public open space, as has been discussed, and it was used by NYPD as a tow pound until 2021, before becoming part of Hudson River Park. Since then, the Trust has operated it as interim public open space. It is a large swath of asphalt, basically. The Trust expects to use the proceeds from the contemplated development right sales to complete one or more urgently-needed aspects of the Pier 76 project, such as a subset of new piles and a structural deck or finished park landscape. We've built certain protections into our agreement with the Applicants, including a minimal floor price for eventual development rights purchases, depending on the final plans for the proposed buildings and future condition of HRPT assets. In the somewhat unlikely event Pier 76 is no longer a need, the Trust has committed to engage in a future discussion with Community Board 4 and our elected officials, and in consultation with others about desired improvements with a focus on the Hell's Kitchen area. Hudson River Park is a defined property, so we can't add to the park, but we can improve the open space. The need for more open space has to be balanced with all the City's needs (HRPT).

Response: Comment noted.

C.6 I am very supportive of new mixed-income housing in Hell's Kitchen. Rents have grown substantially in the area thanks to the Special District effectively banning new housing

(Meehan).

Response: Comment noted.

General Comments on the Proposed Actions

C.7 We're generally supportive of the project but want to continue to push for higher percentage of affordability, and as such have recommended to deny the project (Devlin, CB4).

Response: Comment noted.

C.8 We think that the 12th Avenue building should be lower than the West 54th Street building (Devlin, CB4).

Response: Comment noted.

C.9 The current rules for inclusionary say 65% of the floors for affordable distribution – we have asked for 80%. We've asked that the finishes be the same throughout affordable and market rate apartments (Restuccia, CB4).

Response: Comment noted. The distribution of affordable housing units within a building and the interior finishes of residential units are design considerations that do not affect the environmental analyses presented in the EIS. The Proposed Projects are being designed to comply with the applicable Mandatory Inclusionary Housing (MIH) requirements, which include the distribution of affordable units across a minimum of 65 percent of the floors within each building containing residential uses. With respect to interior finishes, it is anticipated that the market-rate and affordable units will have equivalent finishes. These design elements do not alter the conclusions of the environmental review.

Comments Related to EIS Analyses

Land Use, Zoning, and Public Policy

C.10 Please study a plan to address potential flooding in the area due to higher temperatures and rising seas. This should include awareness of current and future flooding potential, especially given the proximity to the Hudson River. This should also include working with the different City and State agencies considering long-term solutions to flood resiliency, including large-scale projects providing coastal protection. CB4 requests that a more detailed study be done in the EIS to address potential flooding in the area beyond the limited technical definitions and limitations of the current CEQR standards, but more expansive to include the 2050 1% chance possibilities (CB4).

*Response: The FEIS includes New York City Waterfront Revitalization Program (WRP) Policy Assessment, which includes a detailed evaluation of potential flooding and sea level rise consistent with WRP requirements (see **Appendix A** of the FEIS). As described in **Appendix A**, the analysis discloses sea level projections for the 2020s, 2050s, 2080s, and 2100s, which also incorporate the consideration of either one percent flood elevation or 0.2 percent flood elevation. Development Site 1 is currently outside of the 100-year flood area (i.e., the 1-percent annual chance floodplain) based on the 2015 FEMA FIRMs. However, a small portion of the lot would be within the 1-percent annual chance floodplain by the 2050s (see Figure 3 of Appendix A). Development Site 2 is currently outside of the 100-year flood area and would remain so during its lifespan. The WRP Consistency Assessment Form (CAF) assesses whether the Proposed Projects' design and operational measures are consistent with WRP policies. Future flood risks at the Developments Sites are discussed in the WRP CAF. According to the WRP CAF, the Proposed Project on Development Site 1 would be built to a design flood elevation (DFE) of +13 feet*

(NAVD 88). While the average elevation of the cellar at 3 feet is below the elevation of the current 1-percent annual chance floodplain, residential uses and entries of the Proposed Project on Development Site 1 would be located above the 1-percent annual chance floodplain of 12.33 feet under mid-Sea Level Rise (SLR) projection in the 2050s at an elevation of 15 feet. Commercial uses located at the ground floor and cellar would be below the 1-percent annual chance floodplain under mid-SLR projection in the 2050s, but this area would be dry-flood proofed. Critical systems serving commercial and residential uses would be located on the second floor, above the SLR projections during the lifespan of the building.

C.11 I don't think car dealership space is the best use of some of the most amenity-rich space in the entire world, near subways, near open space, given the dire housing crisis, especially affordable housing crisis faced by the City. (Guttman) We need to house people, not cars (Clemons). The current showroom is horrible for pedestrians. They park on the sidewalk, and we need to get rid of these showrooms, they just don't have a place in Manhattan. We need to do what's right and add more housing instead (Lavingia).

Response: The Proposed Developments would deliver over 1,000 new units of housing, including approximately 274 to 328 permanently affordable housing units pursuant to MIH, alongside the proposed auto dealership space. As discussed in ***Chapter 2, Land Use, Zoning, and Public Policy,*** *the proposed mixed-use developments, predominantly residential with auto dealerships occupying the lower levels, would be compatible with existing land uses and future land use trends in the surrounding area. The EIS considers a potential Maximum Residential Scenario with residential space in lieu of auto dealership space on the second and third floors of both development sites, and a Maximum Commercial Scenario in which the commercial uses in each building would include retail on the ground floor and office on the second and third floors, rather than auto dealership space.*

Socioeconomic Conditions

C.12 CB4 requests that the FEIS provide a step-by-step explanation of each displacement screening determination. (CB4)

Response: A detailed explanation of each displacement screening determination is provided in the ***Environmental Assessment Statement (EAS) Part II: Supplemental Analysis****.*

C.13 CB4 requests that the FEIS clearly define study areas and analytical assumptions, including how the Maximum Residential Scenario is applied. (CB4)

Response: A detailed description of the Maximum Residential Scenario is provided in FEIS ***Chapter 1, Project Description. Chapter 3, Socioeconomic Conditions****, analyzes the Maximum Residential Scenario because this scenario assumes the highest amount of residential units which has more potential to affect socioeconomic conditions when following the CEQR Technical Manual guidelines. The Maximum Residential Scenario is applied by using the residential population estimated for the Maximum Residential Scenario, which is the most conservative of the two scenarios, in Step 2 of the Indirect Residential Displacement Preliminary Assessment in the DEIS (see the With-Action Condition section of Chapter 3). Note that Step 2 in the DEIS Indirect Residential Displacement Preliminary Assessment is Step 1 in the FEIS Indirect Residential Displacement Preliminary Assessment, and Step 2 is eliminated, to be consistent with the updated 2025 CEQR Technical Manual. The study area is more clearly defined in the text and accompanying figure in Chapter 3.*

C.14 CB4 requests that the FEIS fully disclose all data sources and timeframes used for rent, demographic, and trend analyses. (CB4)

Response: Links to the data sources have been added to the FEIS in the Data Sources section of ***Chapter***

***3, Socioeconomic Conditions**. Where applicable, rent and demographic data sourced from the US Census Bureau is shown in the FEIS for the years 2010, 2020, and/or 2022 (depending on which US Census Bureau dataset was used). The dataset and year used for each table and corresponding text can be found in the sources referenced in each table in the chapter. Asking rents sourced from StreetEasy and information related to NYCHA developments were sourced in July 2024 as described in the chapter footnotes.*

C.15 CB4 requests that the FEIS present transparent thresholds and calculations that trigger a detailed displacement analysis. (CB4)

*Response: Per the 2025 CEQR Technical Manual, the threshold for requiring an Indirect Residential Displacement Detailed Analysis is if the estimated population increase of the new development over the study area population is greater than 10 percent or if the population increase is between 5 and 10 percent, the expected average income of the new population would exceed the average income of the study area population, and the proposed project has the potential to accelerate an existing trend of increasing rents. As determined in **Chapter 3, Socioeconomic Conditions**, under the Maximum Residential Scenario the Proposed Actions would not increase population in the study area by more than 5 percent, therefore, no further analysis is warranted per the CEQR Technical Manual. The threshold for requiring a detailed analysis has been added to the FEIS in the Indirect Residential Displacement Methodology section of the chapter. The calculations of the new estimated population and the percentage of population increase can be found in the With-Action Condition section of the chapter.*

Community Facilities

C.16 Despite the technical "Action" and "No Action" implications showing "no significant adverse impacts," there is clearly an Intermediate Schools deficiency. This is likely a correlation between the effects of cumulative developments occurring across the district without an analysis of cumulative impacts. CB4 requests that the EIS recognizes the Adverse Impact of pending developments on the Intermediate Schools and offers mitigation. (CB4)

Response: Per 2025 CEQR Technical Manual guidance, the NYC School Construction Authority (SCA) enrollment projections were used to determine intermediate school enrollment for Subdistrict 3 of Community School District (CSD) 2 in the No-Action condition. SCA enrollment projections include SCA's Projected New Housing Starts, which incorporate the projected increase in students from new housing developments in CSD 2, Subdistrict 3. Furthermore, per CEQR Technical Manual guidance, there would be no significant adverse impact on intermediate schools as the Proposed Actions would not introduce more than 100 students over the No-Action condition.

Open Space

C.17 CB4 requests that the EIS recognize the Adverse Impact on DeWitt Clinton Park and offer mitigation. CB4 supports the developer working in consultation with Councilmember Brewer, the Parks Department, and CB4 to work out a commitment by the developer to contribute to Parks Department funds to improve, beautify, and maintain DeWitt Clinton Park. (CB4)

Response: As part of the CEQR process, the open space analysis, including identification of study area resources, characterization of their use, and assessment of potential impacts from the Proposed Actions, was reviewed in detail by the New York City Department of Parks & Recreation (NYC Parks). NYC Parks concurred with both the methodology and the conclusion that the Proposed Actions would not result in any significant adverse open space impacts under the CEQR Technical Manual criteria. Specifically, NYC Parks reviewed the projected population increase, the defined study area and open space

inventory, and the quantitative and qualitative assessments of active and passive open space conditions, including DeWitt Clinton Park. NYC Parks agreed that, when the incremental demand from the Proposed Actions is evaluated within the broader open space network serving the study area, it does not constitute a significant adverse impact on DeWitt Clinton Park or on the open space system as a whole. Because CEQR requires mitigation only where a significant adverse impact is identified, and no such significant adverse open space impact was found—with NYC Parks' concurrence—no open space mitigation is required under CEQR for the Proposed Actions.

C.18 I don't think looking strictly at the open space ratio is a great measure for new housing because definitionally, if you're increasing the population, that ratio will go down. I think it's a ratio that's better used for assessing where to upgrade or add additional open space, like with a nearby park (Guttman).

Response: Comment noted. Along with the quantitative assessment of the change in open space ratio that would be caused by new residential population introduced by the Proposed Developments, ***Chapter 5, Open Space,*** *includes a qualitative assessment of the condition and utilization of open spaces surrounding the Development Sites. In coordination with DCP and Parks, no significant adverse impacts were identified, and therefore no mitigation measures (including existing park upgrades or the introduction of new open space) are warranted.*

Shadows

C.19 CB4 notes that the technical definitions of "no impact" do not take into consideration the negative effect on people using the bike lanes and walkways being cast in shadows for up to five and a half hours during the days. CB4 requests the EIS recognize the adverse impact of losing five hours of sunlight on the pedestrian and bike paths of Hudson River Park and offers mitigation (CB4).

Response: The FEIS Shadows analysis includes a detailed analysis for Hudson River Greenway which consist of the protected bike lane and running path (See FEIS, ***Chapter 6, Shadows****). The shadows analysis on this sunlight-sensitive open space was performed in accordance with 2025 CEQR Technical Manual guidance. The analysis considered not only the incremental shadow durations, but also the extent of new shadows, and their effects on usability of and plantings within Hudson River Greenway, and concluded that no significant adverse impacts would occur in accordance with CEQR impact criteria. As part of the CEQR process, the shadows analysis was reviewed in detail by the New York City Department of Parks & Recreation (NYC Parks). NYC Parks concurred with both the methodology and the conclusion that the Proposed Actions would not result in any significant adverse shadow impacts under the CEQR Technical Manual criteria. Because CEQR requires mitigation only where a significant adverse impact is identified, and no such significant adverse shadow impact was found—with NYC Parks' concurrence—no mitigation related to shadow impacts is required under CEQR for the Proposed Actions.*

Urban Design and Visual Resources

C.20 We are not satisfied with the envelope of the proposed building along Twelfth Avenue. The height should taper down as it approaches the river. We should not have tall buildings as a wall adjacent to the Hudson River, and we have requested that some of the bulk be moved into a lower position (Devlin, CB4). We don't want to reduce the bulk. It may require a waiver, but we would prefer a building that fits in the character of our district going west, as opposed to Riverside South coming south (Restuccia, CB4). CB4 requests that, in accordance with the Applicant's commitments, the Applicants further evaluate a redistribution of floor area across the site, including a reduction in overall tower height and a reconfiguration of massing that

more closely aligns with lot-line street wall conditions, particularly along Twelfth Avenue, in order to mitigate potential adverse impacts on urban design and neighborhood character. (CB4)

Response: Consistent with 2025 CEQR Technical Manual guidance, the EIS evaluated the Proposed Actions' bulk, height, and massing—including tower heights and relationships to lot-line street walls along Twelfth Avenue and other frontages—in the context of existing and No-Action conditions. The analysis concluded that the resulting urban design would be compatible with the surrounding built form, would not introduce an anomalous condition, and would not adversely affect streets, blocks, or the overall scale and character of the study area. As such, the EIS does not identify a significant adverse urban design or neighborhood character impact that would necessitate a redistribution of floor area, reduction in tower height, or reconfiguration of massing under CEQR.

C.21 CB4 requests the Applicants incorporate masonry and other contextual materials into the tower elevations to better relate the project to the existing built environment, thereby mitigating potential adverse visual resource impacts. (CB4)

Response: Per 2025 CEQR Technical Manual guidance, the visual resources assessment considered the Proposed Actions' visibility from key public vantage points, the relationship of façade materials and articulation to the surrounding context, and the potential for adverse effects on important views or visual resources. The DEIS determined that the proposed façade design and materials would be compatible with the existing and No-Action built environment and would not result in a significant adverse visual resource impact. However, the Applicant intends to incorporate masonry and other contextual materials into the tower elevations, as feasible.

C.22 We want the Eleventh Avenue street wall to remain uninterrupted. This would be consistent with the rest of the district and would help address some of our public safety concerns in the neighborhood (Devlin, CB4). With respect to 801 Eleventh Avenue, CB4 requests that the applicant revise the entrance design to align with the lot-line street wall on Eleventh Avenue and West 55th Street in order to better integrate the building with existing conditions, reinforce street wall continuity, and mitigate potential adverse impacts on neighborhood character. (CB4)

*Response: The urban design analysis reviewed building base conditions, including building entrances, transparency, and street wall continuity along Eleventh Avenue and West 55th Street. As detailed in **FEIS Chapter 7, Urban Design and Visual Resources**, the Proposed Actions would maintain active ground-floor uses and street wall continuity and would not create a significant adverse impact on urban design. Per 2025 CEQR Technical Manual criteria, revisions to the entrance design at 801 Eleventh Avenue are not required to avoid or mitigate a significant adverse impact.*

Hazardous Materials

C.23 It is concerning that, as was noted, the Phase 1 Environmental Site Assessments identified a Recognized Environmental Condition (REC) and several Business Environmental Risks (BERs) at the development sites. The DEIS asserted that potential impacts would be reduced or eliminated through subsurface investigation and, if applicable, remediation. These issues remain a concern. As does the fact that the DEIS admits "Implementation of the DEP-approved Phase II ESI Work Plan for Development Site 1 has not occurred as of yet since the existing tenant at the site has denied access for further site investigations due to concerns that testing would disrupt and negatively impact business operations. The fact that this study has not been completed leaves this issue at best an open one, and at worst one that could cause harm to the surrounding area. A designation on a zoning map is a step in the right direction, but it would be more reassuring with known test and analysis results as opposed to relying on an internal

notation to possibly conduct a study, and then if necessary, to remediate. With 133 years of potential impact of auto shops, repairs, and industrial discharges, CB4 remains concerned about the impact of hazardous materials. With DeWitt Clinton Park, where families and children visit and play every day, just a few feet across the street from one of the Project Areas, CB4 remains very concerned about the impact of hazardous materials both now and into the future. CB4 requests that all environmental studies are completed and that all mitigation measures are in place prior to approvals of any building permits. (CB4)

Response: The DEP approved Phase II Environmental Site Investigation (ESI) Work Plan for Development Site 1 has been implemented, and the investigation was completed on October 29, 2025. The results of the Phase I/Phase II work confirm the presence of Recognized Environmental Conditions associated with historical automotive and industrial uses, and these findings are being addressed under the hazardous materials E-designation (E-869) placed on Development Sites 1 and 2.

Pursuant to the E-designation, prior to issuance of any building permits that would allow soil disturbance, the Applicant will submit to the NYC Mayor's Office of Environmental Remediation (OER) a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) for review and approval. The RAP and CHASP will govern the management of contaminated soil and groundwater (if encountered), the mitigation of soil vapor, and dust, odor, and emissions monitoring and control during construction for worker and community protection, accounting for nearby sensitive receptors such as DeWitt Clinton Park and adjacent residential buildings.

With OER review and approval of the completed Phase II investigation and implementation of the OER-approved RAP and CHASP, together with compliance with all applicable federal, state, and local regulations, the Project will satisfy enforceable preconditions to construction. As such, there would be no significant adverse impacts related to hazardous materials.

Water and Sewer Infrastructure

C.24 CB4 requests that the Applicant provide a construction-phase stormwater and wastewater impact assessment and mitigation strategy addressing the potential for dewatering discharge, sediment-laden runoff, and other construction-related impacts on the City's combined sewer infrastructure. Additionally, CB4 requests that the final EIS include specific commitments regarding the green infrastructure and best management practice measures to be implemented at each development site upon completion. (CB4)

Response: The project will adhere to all DEP requirements regarding infrastructure impacts, including during the construction phase and through the implementation of a Stormwater Pollution Prevention Plan (SWPPP). SWPPPs are site-specific plans required for construction and development projects in NYC. These plans must be reviewed/approved by DEP and ensure that best management practices are correctly installed and meet water quality standards especially as it pertains to construction stormwater runoff.

Transportation

C.25 CB4 agrees with the DEIS findings on the need for increased M57 and M12 service and that these enhancements must be in place by the time the new buildings are occupied. We emphasize the need to improve rider comfort and safety along Eleventh Avenue, including upgraded waiting areas and shelters from W 54th Street through W 57th Street. Therefore, CB4 requests that M57 and M12 service be increased, with service enhancements implemented no later than building occupancy, and that bus waiting areas on Eleventh Avenue and bus shelters be installed at all stops from W 54th Street through W 57th Street to ensure and

improve the quality of the commute. (CB4)

Response: The FEIS identifies the need for additional M57 and M12 service to accommodate incremental demand from the Proposed Actions. It is NYCT's policy to monitor whether the projected bus load demand actually materializes before providing additional bus service, and any additional service is subject to financial and operational constraints. The decision to site and install bus shelters along Eleventh Avenue between West 54th and West 57th Streets are at NYCT and NYCDOT's discretion.

C.26 Given the distance to nearby subway stations, CB4 expects increased bicycle use by residents, visitors, and delivery workers. The Proposed Actions should thus make significant on-site and curbside bicycle accommodations. CB4 supports widening and upgrading the W 55th Street bike lane into a two-way configuration to help calm traffic and improve pedestrian safety at crossings. CB4 requests that the EIS include an analysis of bicycle traffic and that the Project provide a substantial allocation of parking dedicated to secure bicycle parking, supported by one or more in- roadway bicycle corrals and a large in-roadway bike-share station adjacent to the site entrances. (CB4)

Response: The transportation analysis includes projections of bicycle trips associated with the Proposed Actions. However, because increased bike traffic does not result in significant adverse environmental impacts, neither the CEQR Technical Manual or NYCDOT require or provide guidance for conducting a detailed analysis of the potential impacts of bicycle travel. The project will provide secure on-site bicycle parking in accordance to zoning requirements. This on-site bicycle parking is intended to accommodate anticipated demand and promote cycling as a sustainable mode of transportation. Other means of promoting bike usage, such as installation of in-roadway bicycle corrals and a bike-share station adjacent to the site are implemented at NYCDOT's discretion.

C.27 CB4 requests that the W 55th Street bike lane be widened and upgraded into a permanent two-way bike lane to calm traffic and improve pedestrian crossing safety. (CB4)

Response: Applicant is generally supportive of NYCDOT's efforts to enhance bicycle safety and traffic calming on West 55th Street. However, changes to the configuration of the West 55th Street bicycle lane, including widening and conversion to a two-way protected lane, fall under NYCDOT's jurisdiction. Such changes are not proposed in connection with the projects and therefore are outside the scope of the EIS.

C.28 CB4 remains concerned about pedestrian safety around the West Side Highway, particularly at the W 55th Street crossing, where traffic movements create dangerous conditions. Safety improvements at this gateway to the highway will benefit new residents as well as the broader Hell's Kitchen community and will improve access to Hudson River Park. CB4 requests that the Applicant coordinate with NYC and State DOT to improve pedestrian safety at and around the West Side Highway, including at the West 55th Street crossing, through measures such as shorter crossing distances, exclusive turning signal phases, and increased pedestrian walk time. (CB4)

Response: The FEIS included a safety analysis of four intersections along Twelfth Avenue, including at the intersection with West 55th Street. The review of the crash history concluded that these intersections are not high-crash locations, per the CEQR Technical Manual criteria, and there were no more than two bicyclist/pedestrian crashes per year at the analysis locations. The duration of pedestrian walk times along these intersections were sufficient per NYCDOT's criteria, and exclusive turn phases are provided at intersections with high turn volumes, such as for the northbound 12th Avenue left turn at West 55th Street. Physical changes to reduce the crossing distances may be constrained by the corridor geometry, traffic volumes, and the corridor's arterial function; the Applicant

is open to supporting coordination efforts with NYCDOT to improve pedestrian safety outside the scope of environmental review as such coordination is not warranted as part of the EIS analyses.

C.29 CB4 requests that traffic mitigation for the Saturday peak-hour impact at Twelfth Avenue and West 55th Street be revisited with realistic assumptions regarding State DOT signal constraints, and that alternatives, including diverting some highway-bound traffic to West 57th Street, be evaluated if signal timing reductions on highway approaches are infeasible. (CB4)

Response: Signal timing and operations on Twelfth Avenue are managed by NYCDOT. The FEIS identifies signal timing modifications to mitigate significant traffic impacts to the intersection of 12th Avenue and West 55th Street during the Saturday peak hour; this measure has been reviewed and approved by NYCDOT. The FEIS traffic assignment distributes project trips along logical routes to 12th Avenue based on the location of entrances to the development site and nearby parking facilities; these trips were assigned along the most logical routes to both West 55th Street and West 57th Street.

C.30 CB4 requests that safety improvements be implemented at West 57th Street and Eleventh Avenue, including bus waiting areas, protected turning signal timing (including red-arrow protections where appropriate), and bulb-outs. (CB4)

Response: The FEIS identifies the intersection of West 57th Street and Eleventh Avenue as a high crash location due to the number of pedestrian/bicyclist crashes in the years 2018 and 2019; there was a decrease in pedestrian/bicyclist crashes in the third analysis year (2023). However, the incremental traffic at this intersection from the Proposed Actions is modest and therefore is not expected to materially worsen safety conditions. It should be noted that in the summer of 2019, NYCDOT converted Eleventh Avenue south of West 57th Street from a two-way roadway to a one-way southbound roadway. Additional NYCDOT changes adjacent to the intersection included implementation of pedestrian islands, bump-outs, and a protected bike lane along Eleventh Avenue. These improvement measures were designed to improve safety along this corridor and, as noted, there was a decrease in pedestrian/bicyclist crashes in the third analysis year. Accordingly, the Final EIS has been updated to describe NYCDOT's recent improvements.

C.31 CB4 supports streetscape measures that enhance the pedestrian experience, including closely spaced elongated tree pits, and expects that building operations will not compromise sidewalk access (including that garbage staging will occur within a loading dock and not on the sidewalk). Sidewalk widening does not appear necessary for this Project. CB4 requests that elongated tree pits be installed at close intervals to improve the pedestrian experience, and that Con Edison access be provided from within the building where feasible; if not, utility grates should be located between tree pits in the furnishing zone. (CB4)

Response: Street tree plantings will be conducted in accordance with the underlying zoning requirements, to the extent feasible. Where Con Edison vaults may constrain planting locations, the Applicants will consider appropriate alternatives in coordination with the relevant agencies.

C.32 CB4 requests that all refuse and garbage staging occur within a building loading dock and never on the sidewalk. (CB4)

Response: The projects are being designed so that refuse and garbage staging would occur within the buildings from an internal loading dock, without requiring curbside set-out. The loading docks will be designed consistent with City standards such that loading dock vehicles would not intrude onto the sidewalk.

C.33 CB4 requests that the Applicant present a construction-period traffic and pedestrian

management approach that minimizes disruption to traffic operations and maintains safe, continuous pedestrian access along sidewalks and crossings. (CB4)

Response: Construction will comply with all applicable New York City regulations, including preparation and implementation of Maintenance and Protection of Traffic (MPT) plans which are reviewed and approved by NYCDOT's Office of Construction Mitigation and Coordination (OCMC). The MPT plans will specify traffic management measures, potential lane or sidewalk closures, and location of staging areas to maintain safe operations for vehicles, pedestrians and other roadway users.

Air Quality

C.34 The Air Quality section does not address emissions related to traffic idling, congestion, or stop-and- go conditions near the project site. As a result, it is unclear whether localized vehicle-related air quality impacts have been fully evaluated. While the Transportation study estimates the number of trips generated by the project, it does not analyze traffic flow or idling conditions, and no additional information is provided to support the Air Quality analysis. Therefore, CB4 requests a localized air quality analysis of project-generated vehicle trips, including congestion, stop- and-go conditions, and idling, with quantitative results. (CB4)

*Response: The FEIS includes a quantitative localized air quality screening analysis of project-generated vehicle trips per 2025 CEQR Technical Manual guidance (see **Chapter 11, Air Quality**). A detailed analysis of these trips, which entails modeling vehicle emissions using traffic congestion information in addition to other refined inputs, is only required if the screening analysis concludes that significant adverse environmental impacts may result from the projects. In the screening analysis, which considers the peak period with the largest projected traffic increments, and is therefore more conservative than a detailed analysis, peak-hour vehicle trips at affected intersections presented passing results for the pollutants of concern. Therefore, no potential for an air quality impact from the project-generated vehicle trips was projected, and a detailed analysis was not required.*

C.35 CB4 requests an analysis of emissions and air quality impacts from building heat and hot water systems, including the fuel/source assumptions and expected operational emissions profile. (CB4)

Response: The FEIS includes an analysis of the project's heat and hot water systems emissions per 2025 CEQR Technical Manual guidance. A screening analysis was conducted for the heat and hot water systems using Figure 17-2 of the CEQR Technical Manual. The analysis conservatively assumed 100% usage of natural gas for both the heat and hot water systems and considered the maximum building square footages. The screening passed for both buildings based on their exhaust stack heights and actual distances to the nearest buildings of potential impact. Therefore, a detailed analysis was not required and it was concluded that a significant air quality impact would not result from the project's heat and hot water systems.

C.36 CB4 requests a construction-period air quality analysis covering on-site emissions and off-site mobile source emissions associated with construction activity, including construction equipment, delivery trucks, fugitive dust, and worker vehicles, with quantitative results and clearly stated assumptions (CB4)

*Response: The FEIS includes a quantitative analysis of construction air quality emissions from both on-site and off-site sources, which include construction equipment, fugitive dust, delivery trucks, and worker vehicles (see **Chapter 16, Construction**). The analysis detailed the input assumptions and output results and concluded that there is no potential for significant air quality impacts from on-site or*

off-site construction emissions.

C.37 CB4 requests an analysis of traffic delays attributable to the project, especially during construction, and the resulting idling emissions, including concrete delivery truck routing, staging/queuing locations, expected idling duration, and quantified air quality impacts. (CB4)

Response: The FEIS's quantitative construction air quality analysis accounted for moving and idling emissions associated with all construction trucks (including concrete delivery trucks). The analysis accounted for truck emissions resulting from trucks traveling at a low speed in and around the construction site and the extended idle time of concrete trucks compared to those of other trucks. As presented in the chapter, the analysis indicates that there is no potential for an air quality impact from any of the construction sources.

C.38 CB4 requests a detailed asbestos and hazardous materials remediation plan, including an emergency exposure plan for residences within a one-half-mile radius, that goes beyond general statements about minimizing exposure. (CB4)

Response: Please refer to the response to C.23. As described in the FEIS, hazardous materials will be managed under the project's E-designation (E-869) and OER oversight. Prior to any soil disturbance, the Applicant will prepare and obtain OER approval of a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP), which will govern management of contaminated soil and groundwater (if encountered), and the mitigation of soil vapor. The RAP and CHASP will include dust, odor, and emissions monitoring and control during construction to protect workers and nearby residents and park users. Asbestos-containing materials and other building-related hazardous materials will be surveyed and abated by licensed contractors in accordance with all applicable federal, state, and local regulations prior to demolition. These are required and enforceable measures for E-designated sites and are sufficient to avoid significant adverse impacts.

C.39 CB4 requests evaluation and adoption, where feasible, of low-carbon and carbon-negative building materials across the project, including CO_2-capturing materials where appropriate. (CB4)

*Response: As discussed in further detail in **Chapter 12, Greenhouse Gas Emissions and Climate Change** of the FEIS, future development at the development sites under the Proposed Actions will comply with the 2025 Energy Conservation Construction Code of New York State and 2025 New York City Energy Conservation Code, which govern performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. Additionally, future development at the development sites will comply with the Local Law 97 requirements.*

C.40 CB4 requests an assessment of construction-related air quality impacts on DeWitt Clinton Park and Hudson River Park, including potential exposures affecting families and children using these parks, with protective measures informed by the findings. (CB4)

*Response: Construction-related air quality impacts were considered on the DeWitt Clinton Park and the Hudson River Park through air quality modeling, and are presented in **Chapter 16, Construction**, of the FEIS. The results of the analysis concluded that there is no potential for air quality impacts due to construction at those locations.*

Greenhouse Gas Emissions and Climate Change

C.41 While flood resilience measures are described, additional clarity is needed to better understand how the project will reduce greenhouse gas emissions and remain resilient to future climate conditions, especially given the site's location in a coastal, flood-prone area. Therefore, CB4 requests a comprehensive plan addressing current and future flooding risks

associated with sea level rise and climate change impacts, with clear assumptions and coordination with relevant City and State agencies on long-term resiliency solutions, including large-scale coastal protection projects. (CB4)

*Response: As discussed in **Chapter 2, Land Use, Zoning, and Public Policy**, of the FEIS, the Proposed Actions are in alignment with the NYC WRP. Current and future flood risks are assessed in the WRP (see **Appendix A** of the FEIS). As the Development Sites are not directly on the waterfront, shoreline erosion measures would not be implemented. Development Site 1 is currently outside of the 100-year flood area (i.e., the 1-percent annual chance floodplain) based on the 2015 FEMA FIRMs. However, a small portion of the lot would be within the 1-percent annual chance floodplain by the 2050s (see Figure 3 of **Appendix A**). Development Site 2 is currently outside of the 100-year flood area and would remain so during its lifespan. The building on Development Site 1 would incorporate on-site flood management and resilience measures under both the Maximum Commercial Scenario and the Maximum Residential Scenario, including dry floodproofing of the cellar and ground floor and compliance with Appendix G of the NYC Building Code where required.*

C.42 CB4 requests confirmation that the Proposed Project will comply with Local Law 33 of 2018 / Local Law 95 of 2019 regarding Building Energy Efficiency Rating labels and required posting near building entrances, as applicable; and confirmation that the Proposed Project will comply with Local Law 97 of the Climate Mobilization Act, including applicable greenhouse gas emissions limits for buildings over 25,000 square feet. (CB4)

Response: The Proposed Projects would be developed in compliance with Local Law 33 of 2018, Local Law 95 of 2019, and Local Law 97 (Climate Mobilization Act).

Noise

C.43 The DEIS assumes mechanical equipment noise will be acceptable based primarily on compliance statements; does not discuss cumulative noise impacts; monitoring locations do not reflect park edges, playgrounds, or the most affected residences; construction noise mitigation language remains vague (e.g., "where feasible"); and does not take into account noise effects from the cruise terminal. Therefore, CB4 requests that the Applicants commit to enforceable measures for mechanical equipment placement, screening, and noise limits (not solely compliance-based conclusions). (CB4)

Response: While the mechanical equipment is still under design for both projects, each building's mechanical equipment would be designed in compliance with local building code and the NYC Noise Code. The NYC Noise Code sets specific noise limits for mechanical equipment, and therefore certain measures (e.g., screening) may be needed in order to assure that noise from the mechanical equipment meets the requirements of the NYC Noise Code. NYC DOB will verify compliance with the NYC Noise Code. The noise measurements conducted on site, including along 12th Ave and W 54th St that face the directions of these potential noise sources. Based on the results of this analysis, appropriate window/wall attenuation requirements have been incorporated into the E-Designation to ensure that interior noise levels comply with CEQR criteria. With these measures in place, no significant adverse noise impacts are expected. Please refer to the response of C46 for additional explanation.

C.44 CB4 requests that the Proposed Actions include monitoring that covers DeWitt Clinton Park and other sensitive outdoor spaces, including park edges and playground areas;

*Response: As detailed in **Chapter 13, Noise**, of the FEIS, noise measurement were conducted along West 54th Street directly adjacent to DeWitt Clinton Park. The noise analysis presented in Chapter 13 concludes that the Proposed Actions would not result in significant adverse noise impact at these outdoor, publicly accessible open spaces. Additionally, as a part of **Chapter 16, Construction**, the*

construction noise analysis considered the effects of construction on nearby sensitive open space receptors, including DeWitt Clinton Park and Clinton Cove at Hudson River Park. The analysis concludes there is no potential for significant adverse noise impacts due to construction on these sensitive open space receptors.

C.45 CB4 requests that the FEIS define construction noise mitigation measures with specificity, including monitoring and a response framework (with clear standards rather than "where feasible") (CB4).

Response: Due to the nature of construction activities, there are limited ways to fully mitigate the construction noise impact, and as described in ***Chapter 21, Unavoidable Significant Adverse Impacts****, construction noise impacts would occur at the existing commercial office building at 619 West 54th Street located east of Development Site 1. With adherence to existing construction noise regulations and the implementation of a Construction Noise Mitigation Plan (CMP), including an 8-foot construction noise barrier, construction noise would be reduced but still exceed the thresholds for significant adverse construction noise impacts. However, as can be found through street and field observation, the building at 619 West 54th Street already has a central AC system as an alternative means of ventilation, and the building's windows seem to be modern and of good quality with thicker than normal glass, which would likely reduce the construction noise impacts at the building. As there are no further practicable and feasible mitigation to fully mitigate identified significant adverse impacts related to construction noise, noise levels at this building would at times during the construction period exceed the impact criteria. Because these impacts cannot be fully mitigated, there would be temporary unavoidable significant adverse impact due to construction noise.*

C.46 CB4 requests the FEIS address cumulative noise impacts, including from the cruise terminal, to the extent relevant to the affected area. (CB4)

Response: Manhattan Cruise Terminal is an existing facility that is currently in operation. As presented in ***Chapter 13, Noise****, of the FEIS, noise measurements were performed at several locations, including 20-minute noise measurements located along each of the Development Sites' frontages, as well as a single 24-hour noise measurement along the West Side Highway/U.S. 9A at Development Site 1 (to capture both operations from the Manhattan Cruise Terminal and the NYC Department of Sanitation facility). Noise measurements were conducted at times when the Manhattan Cruise Terminal and NYC Department of Sanitation facility were in operation, during both weekday and Saturday peak periods. 24-hour noise level measurements were performed during the weekday because vehicle trips during the weekday were significantly higher than those observed during the weekends (see* ***Chapter 10, Transportation****, of the FEIS). In addition, during the 24-hour noise measurement, at least one cruise dis-embarkment and one cruise departure at the Manhattan Cruise Terminal were observed, ensuring that the operations of the terminal were captured by the 24-hour noise measurement. Therefore, the FEIS adequately addresses the concerns regarding cumulative noise effects.*

Public Health

C.47 With a combined 1,094 new dwelling units between the two Project Areas, CB4 remains concerned about the impact on Public Health and the areas we noted above, both for the existing residents, workers, and visitors as well as the new ones. This is especially so as no analysis or studies were done on the topics we requested above. CB4 requests a detailed analysis of the studies requested in February 2025 as to the impacts of close to 2,000 new residents on the demands on our health care systems. (CB4)

Response: As stated in the 2025 CEQR Technical Manual, an assessment of new residential demand on healthcare facilities is warranted if a proposed development would introduce a sizeable new neighborhood where one has not previously existed. Since the Proposed Projects would not constitute a

*sizeable new neighborhood, an assessment of health care facilities is not required per CEQR Technical Manual guidance and no significant adverse impacts on health care facilities are anticipated (see **Chapter 4, Community Facilities and Services**).*

Construction

C.48 The DEIS treats analysis as sufficient without committing to mitigation; explicitly states a community communication plan is "not required"; lacks enforceable commitments on construction coordination, complaint response, and real-time monitoring; does not clearly address cumulative construction impacts in the surrounding area; and does not consider construction effects from the cruise terminal. Therefore, CB4 requests that the Proposed Actions require a Construction Community Protection Plan, including designated community liaison; advance notice of disruptive work; complaint response timelines; regular coordination with CB4; and real-time monitoring during high-impact phases. (CB4) The construction task force is very important to us. (Devlin, CB4)

Response: While outside the scope of CEQR, the Applicants are open to establishing a regular forum for communication regarding construction activities, including periodic meetings (no more frequently than once every three months during active construction) to discuss schedule and milestones, street closures, and hours and types of work.

C.49 CB4 requests that the Proposed Actions include debris management and rodent abatement plans with defined responsibilities and enforcement mechanisms. (CB4)

*Response: As described in **Chapter 16, Construction,** a variety of measures in compliance with NYC Building Code will be employed to ensure public safety during construction of the Proposed Projects. Such measures will include (but not limited to) the use of sidewalk bridges to provide overhead protection for pedestrians passing by the construction site and the installation of safety nettings on the sides of the project as the superstructure advances upward to prevent debris from falling to the ground. In terms of rodent control, per the NYC Health Code (Article 151 of Title 24 of the Rules of the City of New York), property owners and contractors are required to take measures to prevent rodent dispersal from the site. Rodent control programs are typically carried out throughout construction, beginning with surveying and baiting appropriate areas prior to construction and providing for proper site sanitation and maintenance during construction. Signage is posted, and coordination is conducted with appropriate public agencies. Only EPA- and NYSDEC-registered rodenticides are permitted, and the contractor is required to implement the rodent control program in a manner that is not hazardous to the general public, domestic animals, and non-target wildlife.*

C.50 CB4 requests that the FEIS analyze cumulative/overlapping construction impacts in the surrounding area, including cruise terminal-related construction effects where applicable. (CB4) We have a lot of development going on in this community simultaneously, lots of construction projects interacting with one another (Devlin, CB4).

Response: Based on consultation with NYCEDC, the construction timeline for the proposed modernization of the Manhattan Cruise Terminal is unknown at this time. Without access to a definitive construction timeline, an assessment of the cumulative/overlapping effects of construction are not practical. However, in the event there is construction overlap between the Development Sites and the Manhattan Cruise Terminal modernization, any lane or sidewalk closures would require coordination and approval by DOT's OCMC.

Alternatives

C.51 CB4 requests that an Alternative Proposal be studied in the EIS without the added bonuses as

a result of the transfer of development rights from Hudson River Park. Please study an Alternative Proposal of development on these lots without added bonuses, meaning one that was not a receiving site of development rights from Hudson River Park, nor with the additional residential FAR. We need to understand the incremental difference of impacts between what could be built with a simple zoning change to a commercial zone versus what they plan to build as a receiving site with 14 FAR (CB4).

Response: The Draft Environmental Impact Statement (FEIS) includes a No Special Permit Alternative that directly responds to this request. This alternative analyzes a development scenario in which only the proposed zoning map amendments would occur—specifically, the rezoning from M2-3 and M2-4 to C4-7—without the special permit that would allow the transfer of development rights from Hudson River Park.

Under the No Special Permit Alternative, development at both sites would be limited to what is permitted as-of-right under the proposed C4-7 zoning district, without any additional residential floor area obtained through the transfer of development rights. This is precisely the scenario CB4 has requested: a zoning map amendment to a commercial zone without added bonuses through additional development rights and additional residential floor area.

*As detailed in **Chapter 20, Alternatives**, of the FEIS, the No Special Permit Alternative would result in:*

- *Maximum Commercial Scenario: A reduction of 185,719 gross square feet (gsf) and 219 dwelling units (DUs) compared to the Proposed Actions, including a reduction of 44 to 65 affordable units pursuant to Mandatory Inclusionary Housing (MIH).*
- *Maximum Residential Scenario: A reduction of 184,234 gsf and 217 DUs compared to the Proposed Actions, including a reduction of 43 to 65 affordable units pursuant to MIH.*

The reductions in density under the No Special Permit Alternative reflect the absence of the transferred development rights that would otherwise be obtained through the special permit. The commercial square footage remains the same as under the Proposed Actions because the requested C4-7 zoning would permit the same commercial development as-of-right; the difference lies solely in the residential density, which would be limited to what the C4-7 zoning allows without the benefit of transferred residential floor area.

The environmental analysis demonstrates that the No Special Permit Alternative would result in similar significant adverse impacts as the Proposed Actions, though with slightly reduced magnitude in certain technical areas due to the lower residential density. However, this alternative would not achieve the Proposed Actions' goal of facilitating critical repairs and rehabilitation of piers, bulkheads, and infrastructure in Hudson River Park. The No Special Permit Alternative would also result in substantially fewer housing units, including up to 65 fewer permanently affordable units, and so would contribute less to the Proposed Actions' goal of creating new housing, including new affordable housing.

The No Special Permit Alternative analyzed in the FEIS therefore constitutes the "No Added Bonuses Alternative" requested by CB4 and provides the comparative environmental analysis of impacts between the Proposed Actions and a development scenario limited to the underlying zoning map amendment without additional development rights or residential floor area bonuses.

C.52 CB4 requests that the Applicant increases the percentage of affordable units from 25% of residential floor area to 30% of the overall floor area of the entire development. (CB4) We understand this project must work with 485X, but given the rents in our district, that mandates a 25% component at 60% AMI. A studio is at $4,800 in the market; a one-bedroom

is at $7,000, and a two-bedroom is at $10,000. Those high market-rate rents could cross-subsidize an additional 5% increment of affordability, and we asked the Commission to look at how we can include moderate middle-income housing. We have a lot of projects that have 30% affordability, and having that 5% increment at 80% to 100% AMI would be helpful. We have zoning mechanisms that exist in our district that allow this to happen (Restuccia, CB4).

Response: The Applicants have studied the possibility of exceeding the amount of affordable housing required under the MIH program. Exceeding the MIH program requirements while complying with the requirements of Section 485-x of the NYS Real Property Tax Law would undermine the feasibility of these projects, making it unlikely that the Applicants would be able to deliver the much needed housing and contributions to Hudson River Park that are proposed by these projects. Due to those factors and consistent with the requirements of Section 485-x of the NYS Real Property Tax Law, while the applications request the mapping of MIH Options 1 and 2, the Applicants intend to utilize MIH Option 1.