Beacon Harlem
Environmental Assessment Statement



Prepared for:
The Community Builders

Prepared by:
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Environmental Assessment Statement

(EAS) Form

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* Beacon Harlem

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23HPD033M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY NYC Housing Preservation and Development			NAME OF APPLICANT The Community Builders (TCB)		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Kristin Nelson, AIA		
ADDRESS			ADDRESS 8 West 38th Street		
CITY	STATE	ZIP	CITY New York	STATE NY	ZIP 10018
TELEPHONE	EMAIL		TELEPHONE 646-661-7460	EMAIL kristin.nelson@tcbinc.org	

5. *Project Description*

The New York Department of Housing and Preservation (HPD), on behalf of The Community Builders Inc., the project sponsor (collectively, the "Applicant), is requesting several discretionary actions including: a zoning map amendment, a zoning text amendment pursuant to MIH, the disposition of City-owned property, the designation of the Project Site (Manhattan Block 1808 Lot 8) as an Urban Development Action Area Project (UDAAP), and a change in the City Map (collectively, the "Proposed Actions").

The proposed zoning map amendment would rezone portions of Block 1808 Lots 1, 8, and 7501 (the "Project Area") from R7X and R7-2 to R8. The proposed zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) would establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Project Area. The proposed change to the City Map would demap a portion of East 120th Street between 1st Avenue and 365 feet east of 1st Avenue. As a result of the change in the City Map, the existing R7X zoning district boundary mapped to the centerline of East 120th Street would be adjusted to the new centerline of East 120th Street.

Approval of the Proposed Actions would facilitate the rehabilitation of an existing community center and the development of a new 21-story affordable housing building on the Project Site in the East Harlem neighborhood of Manhattan Community District (CD) 11. Renovation of the existing five-story community facility building would add an additional story which would include an educational greenhouse, rooftop basketball court, and community recreation space. The proposed residential building would be a 21-story (213-foot-tall not including mechanical equipment) 262,873 gross-square-foot (gsf) building containing approximately 274 affordable dwelling units (DUs) (the "Proposed Project"). In addition, approval of the Proposed Actions would result in the renovation of the 80,290 gsf five-story existing community facility building into a six-story 65,860 gsf building. The renovated community facility building (the "East Harlem Multi-Service Center or MSC) would incorporate a rooftop greenhouse, community recreation space. Finally, the Proposed Project would include a landscaped corridor that would connect East 120th Street to the Wagner Houses campus to the north.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) CB11	STREET ADDRESS 409-413 East 120th Street
TAX BLOCK(S) AND LOT(S) Block 1808, Lots 1, 8, and 7501		ZIP CODE 10035

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Located on the block bounded by Paladino Avenue to the north and east, East 120th Street to the south, and 1st Avenue to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R7-2/R7X	ZONING SECTIONAL MAP NUMBER 6b

6. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☒ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☒ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☒ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

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

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☐ OTHER, explain:

State or Federal Actions/Approvals/Funding: ☐ YES ☐ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

Graphics: *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP	☒ ZONING MAP	☐ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 34,848 sf

Roads, buildings, and other paved surfaces (sq. ft.):

17,591 sf (existing building footprint)

17,257 sf (asphalt surface parking lot)

Waterbody area (sq. ft) and type: N/A

Other, describe (sq. ft.): N/A

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet):

NUMBER OF BUILDINGS:
1 new building (Residential)
1 renovated building (Community Center "MSC")

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):
262,873 gsf (res)
65,860 gsf (CF)

HEIGHT OF EACH BUILDING (ft.):
215' – Residential Building
~110' - MSC

NUMBER OF STORIES OF EACH BUILDING:
21 – Residential Building
6 – MSC

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 34,848 sf

The total square feet not owned or controlled by the applicant: 31,157 sf

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 13,168 sq. ft. (width x length) VOLUME OF DISTURBANCE: 13,168 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 13,168 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	262,873 gsf		65,860 gsf	
Type (*e.g.,* retail, office, school)	274 units		Community Center/Non-profit office space	

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 628 NUMBER OF ADDITIONAL WORKERS: -31

Provide a brief explanation of how these numbers were determined: Assumes 2.29 residents per household based on average household size of Manhattan Community District 11 (2020 Census). Assumes 333 sf per community facility employee and one employee per 25 DU.

Does the proposed project create new open space? ☒ YES ☐ NO If "yes," specify size of project-created open space: 6,226 sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2026

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 30

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Exterior work on the proposed residential building would take approximately 23 months. After month 23, construction activity would be limited to work on elevators, interior wall construction, finishes, MEP and other interior work. Refer to **Attachment B, Supplemental Screening."**

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

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attachment C.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form. See Appendix II		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☒	☐
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒

	YES	NO
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Attachment H		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment B	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☐
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 274 DUs * 41 lb. per week = 11,234 lb. per week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 126.7 MBtu/sf * 262,873 sf = **33,306,009 MBtu**		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☒
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. See Attachment B		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. See Attachment B		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☒	☐
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☒	☐
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See Attachment B		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
PHILIP HABIB	1/5/23

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

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

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

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

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

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

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

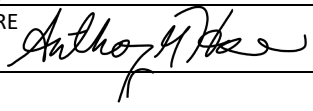
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	DATE
Anthony Howard	December 22, 2023

SIGNATURE 

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, City of New York - Department of Housing Preservation and Development assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which that finds the proposed project:
23HPD033M- The Beacon Harlem - would not result in any significant adverse impacts.

Please refer to the attached negative delcaration dated December 22, 2023.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
Director, Environmental Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	DATE
Anthony Howard	December 22, 2023

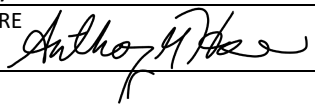
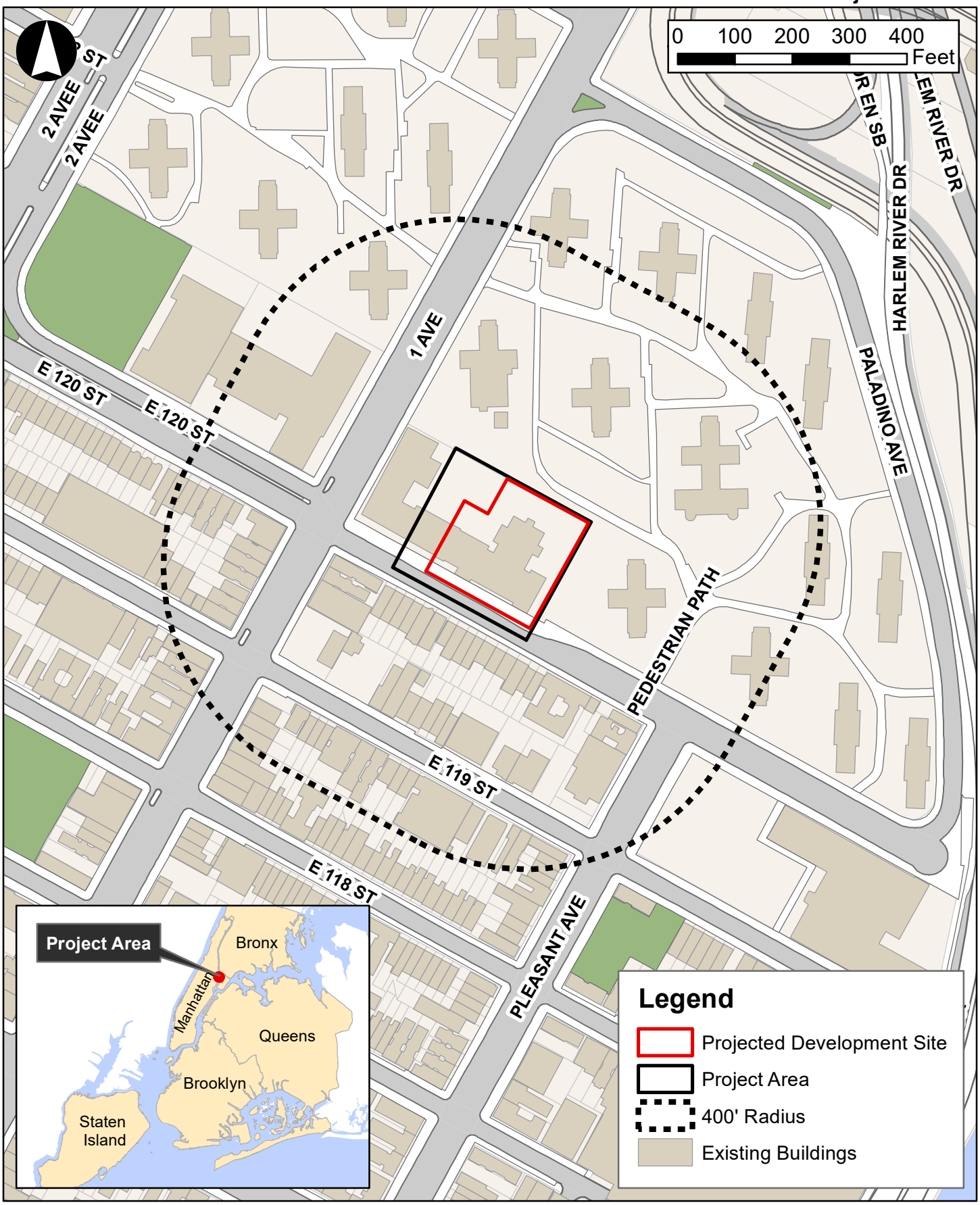
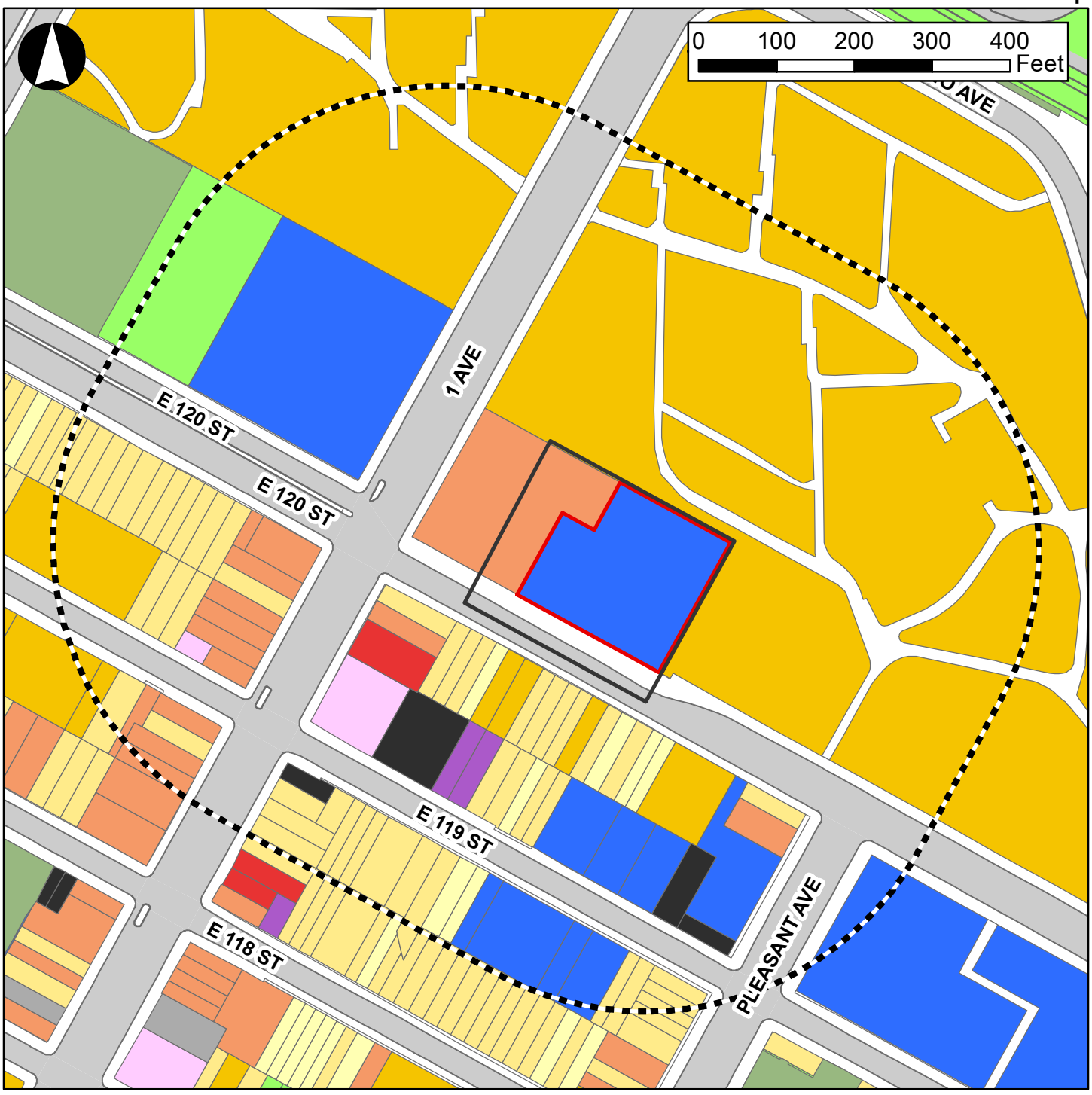
SIGNATURE 

Figure 1
Project Location



Land Use Map

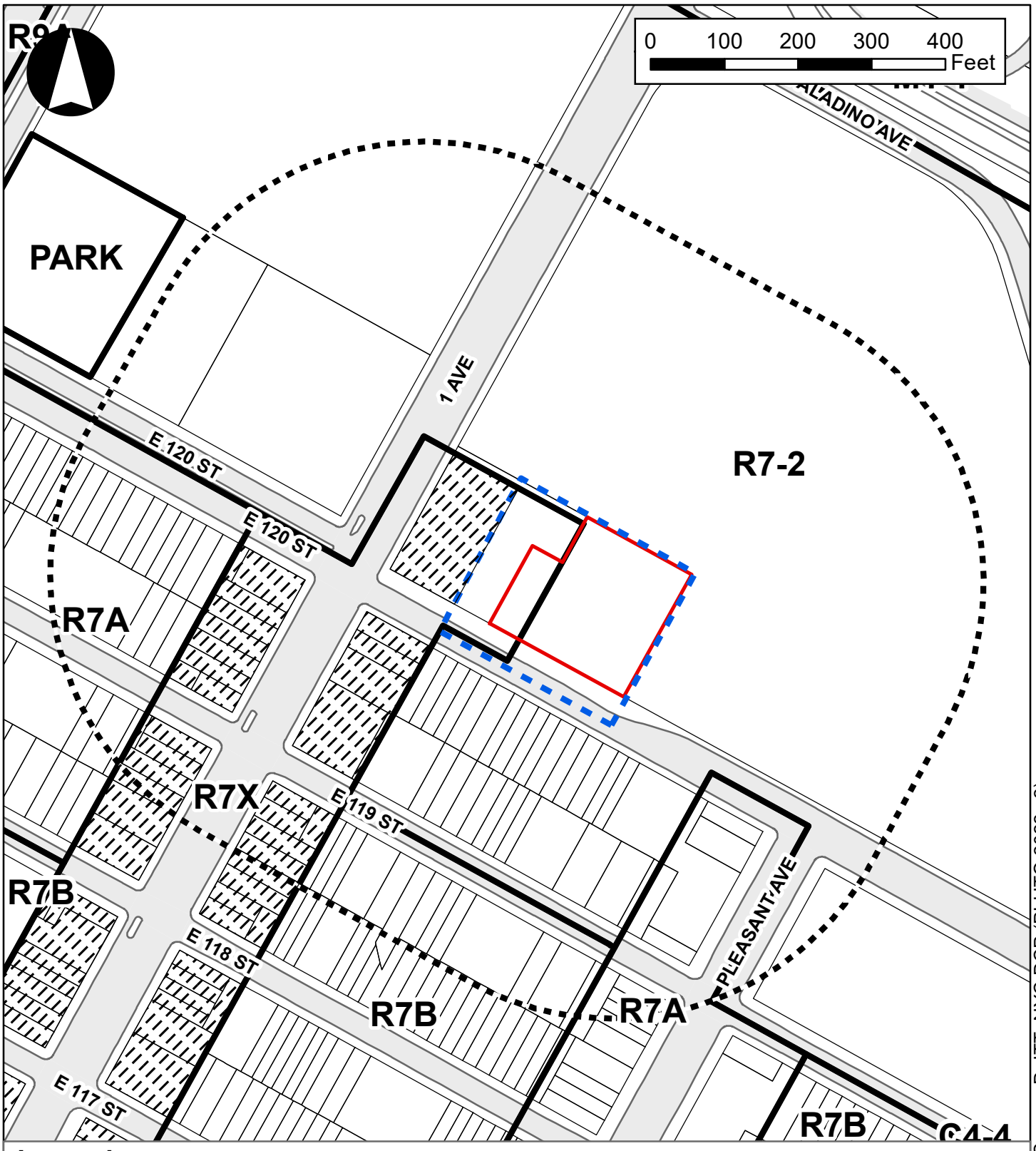


Legend

- Proposed Development Site
- Project Area
- 400' Radius

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking
- Vacant Land



Source: DoITT; NYC DCP (PLUTO 2022 v2)

Legend

- Proposed Development Site
- Project Area (Proposed Rezoning Area)
- Secondary Study Area (400-foot Radius)
- R7-2 Zoning District
- C1-5 Commercial Overlay


NYC Finance
NYC Digital Tax Map
Effective Date : 07-24-2019 14:32:57
End Date : Current
Manhattan Block: 1808
Legend
Streets
Miscellaneous Text
Possession Hooks
Boundary Lines
Lot Face Possession Hooks
Regular
Underwater
Tax Lot Polygon
Condo Number
Tax Block Polygon
Development Site
Area Proposed to be Rezoned
Existing Zoning District Line
Proposed Zoning District Line
R7-2 & R7X Existing Zoning District
R8 Proposed Zoning District
000.00 Property Line Dimensions
#1234 Relational Dimensions
1808
1797
1796
1795
1807
1806
1811
1816
M4-1
R7-2
R8
R7A
R7X
R7B
CONDO #: 2897
CONDO #: 1732
EAST 120 STREET
EAST 119 STREET
EAST 118 STREET
1 AVENUE
PEDESTRIAN PATH
PALADINO AVENUE
PLEASANT AVENUE
HARLEM RIVER DRIVE
FRANKLIN D ROOSEVELT DRIVE
FDR DRIVE GREENWAY
ROBBY WAGNER WALK
Easement
Feet
0 12.5 25 50 75 100



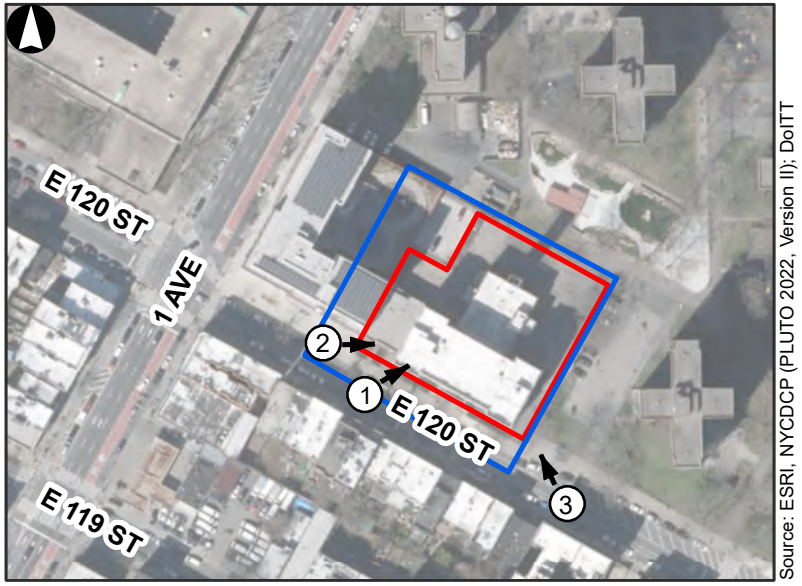
1. View of the existing MSC building facing north from E. 120th Street



2. View of the existing MSC building facing northeast from E. 120th Street



3. View of the Proposed Rezoning Area facing west from E. 120th Street



Attachment A

Project Description

I. INTRODUCTION

The New York Department of Housing and Preservation (HPD), on behalf of The Community Builders Inc., the project sponsor (collectively, the "Applicant), is requesting several discretionary actions including: a zoning map amendment, a zoning text amendment pursuant to MIH, the disposition of City-owned property, the designation of the Project Site (Manhattan Block 1808 Lot 8) as an Urban Development Action Area Project (UDAAP), and a change in the City Map (collectively, the "Proposed Actions").

The proposed zoning map amendment would rezone portions of Block 1808 Lots 1, 8, and 7501 (the "Project Area") from R7X and R7-2 to R8. The proposed zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) would establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Project Area. The proposed change to the City Map would demap a portion of East 120th Street between 1st Avenue and 365 feet east of 1st Avenue. As a result of the change in the City Map, the existing R7X zoning district boundary mapped to the centerline of East 120th Street would be adjusted to the new centerline of East 120th Street. The Proposed Rezoning Area's eastern boundary would be located approximately 365 feet east of First Avenue, the western boundary approximately 100 feet east of First Avenue, the northern boundary approximately 185 feet north of Lot 8's southern property line, and the southern boundary would be the new street centerline of East 120th Street.

Approval of the Proposed Actions would facilitate the rehabilitation of an existing community center and the development of a new 21-story affordable housing building on the Project Site in the East Harlem neighborhood of Manhattan Community District (CD) 11. Renovation of the existing five-story community facility building would add an additional story which would include an educational greenhouse, rooftop basketball court, and community recreation space. The proposed residential building would be a 21-story (215-foot-tall not including mechanical equipment) 262,873 gross-square-foot (gsf) building containing approximately 274 affordable dwelling units (DUs) (the "Proposed Project"). In addition, approval of the Proposed Actions would result in the renovation of the 80,290 five-story gsf existing community facility building. The renovated six-story 65,860 gsf community facility building (the "East Harlem Multi-Service Center or EHMSC) would incorporate a rooftop greenhouse, community recreation space. Finally, the Proposed Project would include a landscaped corridor that would connect East 120th Street to the Wagner Houses campus to the north.

The RWCDS assumes a 2026 build year for analysis, which accounts for development of both the proposed residential building and the renovation of the existing community facility building.

This attachment provides a summary and description of the Proposed Actions, including the Project Area, existing conditions, project's purpose and need, RWCDS under future No-Action and future With-Action conditions, and the governmental approvals required. The attached supplemental studies examine the potential for the Proposed Actions to result in impacts in any City Environmental Quality Review (CEQR) technical areas, including separate attachments with detailed analyses of land use, zoning, and public policy, socioeconomic conditions, community facilities, open space, shadows, historic resources, urban design and visual resources, transportation, and noise, in **Attachments C through I**, respectively. All other warranted preliminary screening assessments are summarized in **Attachment B, "Supplemental Screening."**

II. BACKGROUND AND EXISTING CONDITIONS

The area proposed for rezoning is comprised of Block 1808, Lots 1, 8 and 7501, and is located on the block bounded by East 120th Street to the south, 1st Avenue to the west, and Paladino Drive to the north and east. The FDR Drive and Harlem River Drive are located east of Paladino Avenue (refer to **Figure A-1**). Lot 8 is occupied by a five-story 80,290 gsf community facility building owned by the NYC Human Resources Administration (HRA) also known as the East Harlem Multi-Service Center (MSC). The MSC currently hosts a dozen community facility operators providing services to the East Harlem community. Lot 7501 is a 31,157 sf corner located at the intersection of East 120th Street and 1st Avenue. Lot 7501 has approximately 157 feet of frontage on East 120th Street and approximately 190 feet of frontage on 1st Avenue. As shown in **Figure A-1**, only a portion of Lot 7501 is located within the Project Area. Lot 8, and a portion of Lot 7501, were rezoned from R7-2 to R7X in 2015 (CEQR No. 09HPD026M). Lot 8 contains a 12-story 222,137 gsf mixed-use residential and commercial building containing 179 affordable DUs, 5,450 gsf of ground floor local retail, and 4,334 gsf of community facility space. Lot 1 is a 591,075 sf lot. As shown in **Figure A-1**, a small portion of the lot is located within the Project Area. The Lot is currently occupied by the Wagner Houses (discussed below).

Surrounding Area and Context

Land uses within a 400-foot radius (the "surrounding area") of the Project Area include a mix of residential, commercial, manufacturing, and community facility uses. The area to the north of the Project Area is predominantly occupied by the Wagner Houses. The Wagner Houses, operated by the New York City Housing Authority (NYCHA), consists of fourteen 16-story buildings and eight 7-story buildings. The 26.9-acre campus includes approximately 2,162 DUs. To the west of the Project Area, north of East 120th Street is occupied by the Harlem Village Academy Charter School, River East Elementary School, and Jon S Robert Junior High School. West of these schools is the 1.27-acre Wagner Playground.

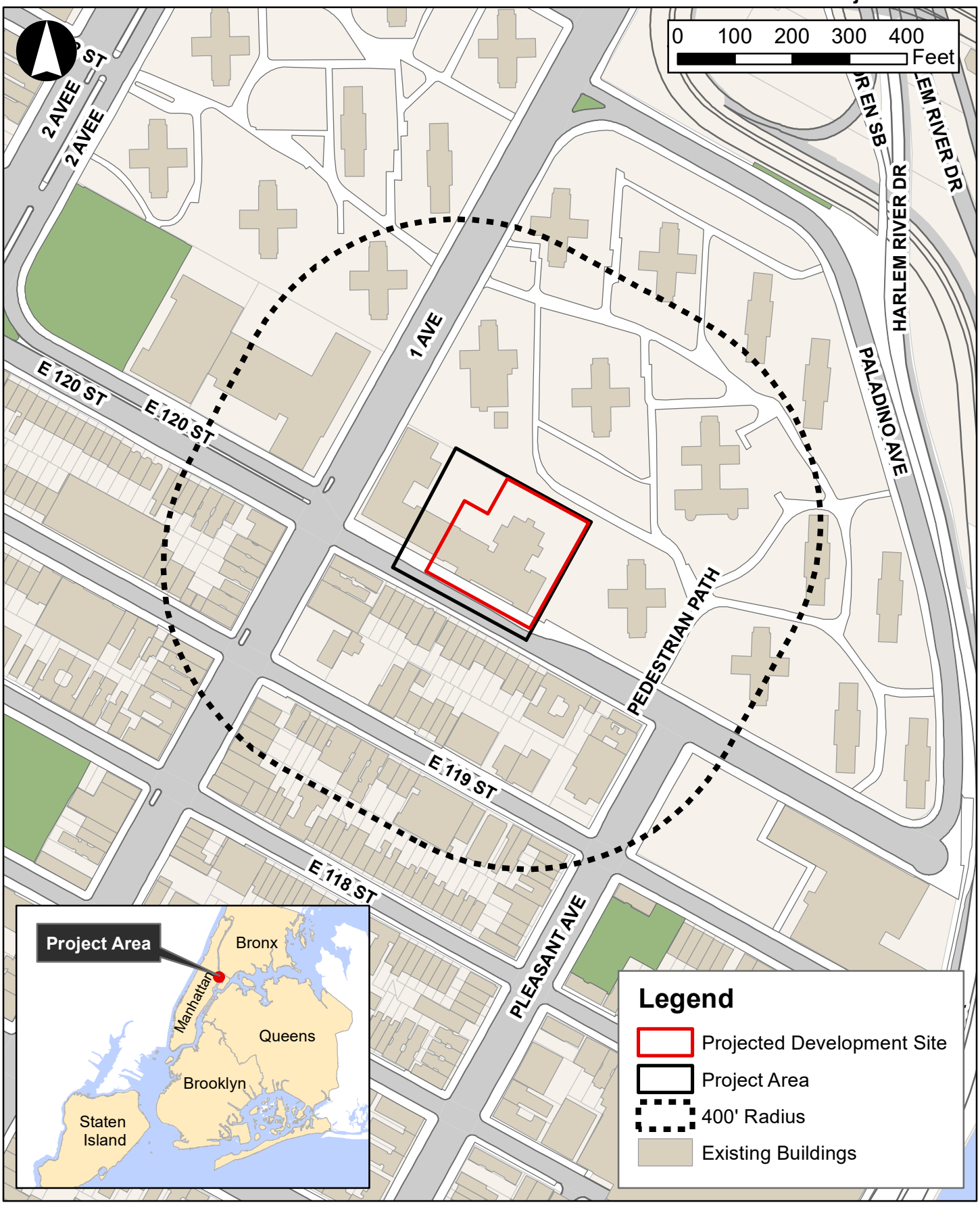
The area south of the Project Area is characterized by multi-family residential buildings, mixed-used residential and commercial buildings with ground floor retail uses, a food store, a gas station, and surface parking. The low-rise context across East 120th Street ranges from three-story walk-ups to six story tenement buildings. Institutional uses in the surrounding area includes a house of worship, offices for non-profit organizations, a religious school, and the playground for P.S. 206 Jose Celso Barbosa.

The Project Area is located within a Transit Zone. The M15 and M116 local bus runs northbound along 1st Avenue. The M15 bus runs north towards 125th Street. The M116 bus runs northbound on 1st Avenue before looping around Paladino Avenue and going west to the Morningside Heights neighborhood. Southbound M15 buses run south on 2nd Avenue to the Financial District.

Zoning

As shown in **Figure A-2**, the Project Area is split between a R7X and R7-2 zoning district. The R7X district is a medium density residential district that is governed by contextual Quality Housing bulk regulations. The R7X district allows Use Groups 1-4 and has a maximum floor area ratio (FAR) of 5.0. The maximum base height in the R7X district is 85 feet. Above 85 feet, buildings must setback 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 120 feet. Parking is required for 50 percent of all market-rate DUs. The R7-2 district is a non-contextual medium density residential district where the Quality Housing program regulations are optional. For developments that opt into the Quality Housing program regulations, developments are allowed a maximum FAR of 4.0, a maximum base height

Figure A-1
Project Location



of 75 feet, and a maximum building height of 80 feet[1]. For developments that opt to not utilize the optional Quality Housing program regulations, a maximum FAR of 3.44 is allowed. Developments can reach a maximum base height of 60 feet. Above 60 feet, buildings must setback in accordance with the sky exposure plane. Parking is required for 50 percent of all market-rate DUs.

The surrounding area is primarily zoned R7-2 north of East 120th Street, R7A, R7B, and R7X to the south, with a C1-5 commercial overlay located along 1st Avenue to a depth of 100 feet.

III. THE PROPOSED ACTIONS

The Applicant seeks the following discretionary land use actions:

Zoning Map Amendment to rezone a portion of Manhattan Block 1808, comprised of portions of Lots 1, 8, and 7501 from R7X and R7-2, as shown in **Figure A-2**. The area to be rezoned would be to a depth of 185 feet north from East 120th Street and between 100 feet and 365 feet east of 1st Avenue. **Table A-1** compares the use and bulk requirements under the existing and proposed zoning districts. The Proposed Actions would allow for an increase in residential FAR, but would not change the allowable uses on-site or increase the FAR for community facility uses. The requested R8 district would also permit an increase in maximum building height compared to the existing R7X district.

TABLE A-1
Comparison of Allowable Uses and Maximum FAR for the Existing and Proposed Zoning

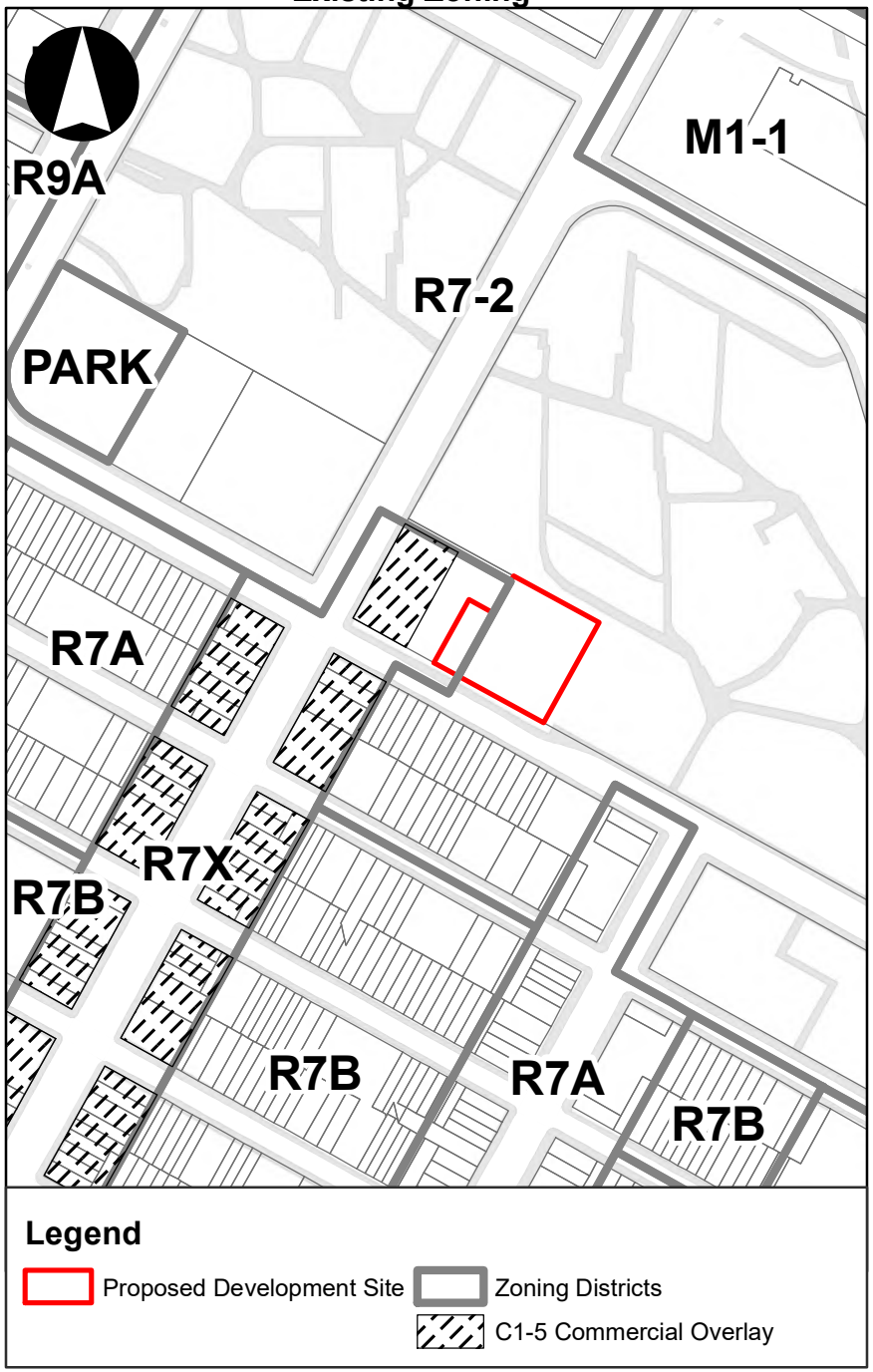
	Existing Zoning		Proposed Zoning
Zoning District	**R7X**	**R7-2**	**R8**
Use Groups	1-4	1-4	1-4
Maximum FAR			
Residential	4.0	3.44	7.2 with MIH[2]
Community Facility	5.0	6.50	6.50
Commercial	N/A	N/A	N/A
Manufacturing	N/A	N/A	N/A
Height and Setback			
Maximum Base Height	85 feet (95 feet with qualifying ground floor)	60 feet or six stories, whichever is less	105 feet (with MIH development)[2]
Maximum Building Height	120 feet (125 feet with qualifying ground floor)	Governed by the Sky Exposure Plane	215 feet (with MIH development)[2]

Source: *Zoning Resolution of the City of New York.*
Notes: The MIH area sets a new maximum permitted residential FAR that supersedes the FAR permitted by the underlying zoning district. With both the designation of the Project Area as an MIH area and its rezoning to a R8 zoning district, the maximum permitted residential FAR within the Project Area would be 7.2, and the maximum building height would be up to 215 feet with MIH.
[1]Assumes the Applicant would utilize the optional Quality Housing program contextual regulations.

Zoning Text Amendment to Appendix F of the *Zoning Resolution (ZR) of the City of New York* to establish the Project Area as a Mandatory Inclusionary Housing (MIH) designated area. The establishment of the

[1] For developments located on a wide street. Under existing conditions, East 120th Street is mapped to a width of 80 feet and is therefore considered by the New York City Zoning Resolution as a wide street. Developments that include a qualifying ground floor could reach a maximum building height of 85 feet.

Existing Zoning



Proposed Zoning

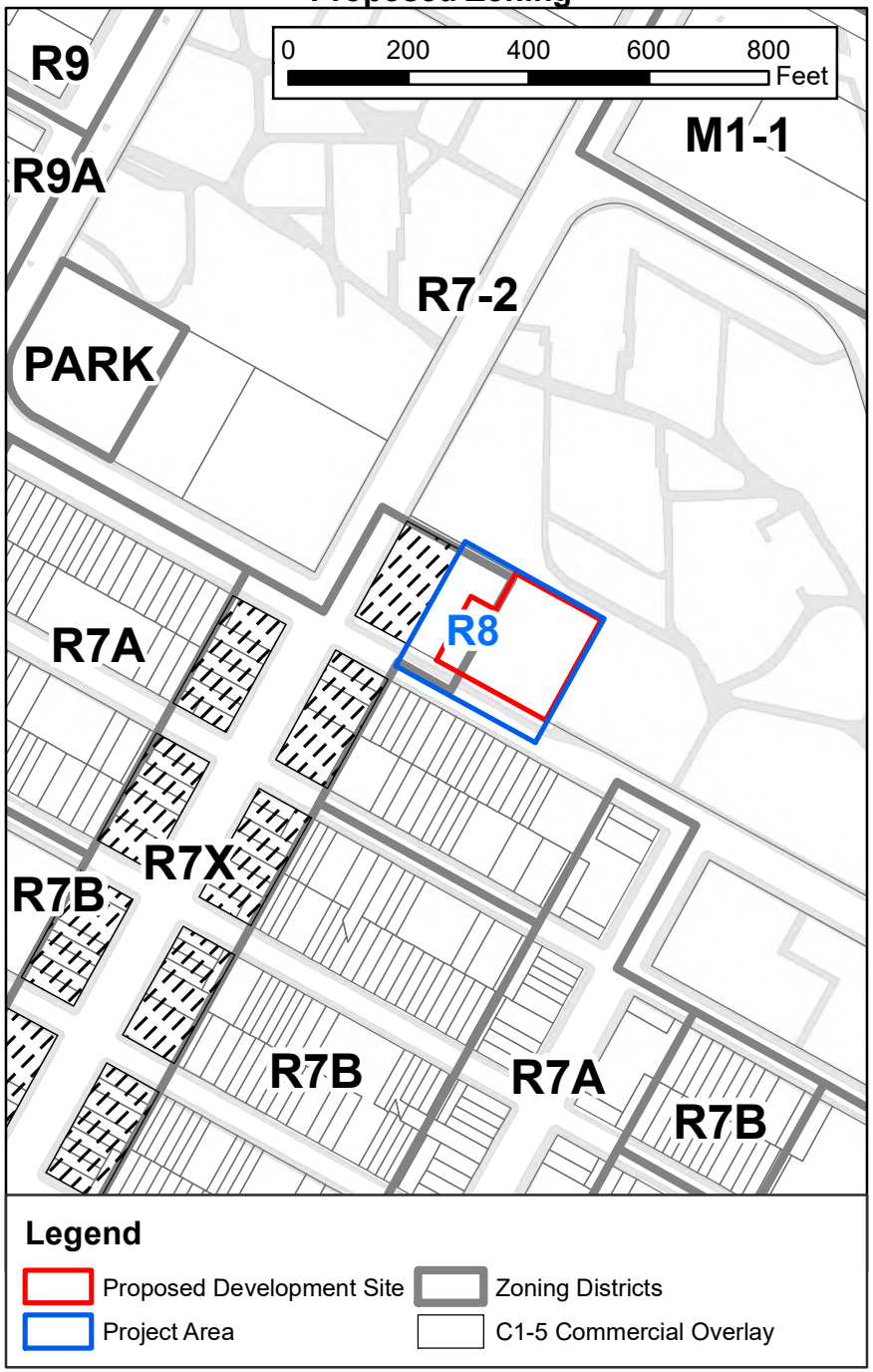


Figure A-2
Existing & Proposed Zoning

MIH designated area would require a share of new housing to be permanently affordable where significant new housing capacity would be created. The MIH program includes two primary options for set-aside percentages with different affordability levels. Option 1 requires that 25 percent of residential floor area be affordable for residents with incomes averaging 60 percent of the area median income (AMI) (with ten percent of the floor area affordable at 40 percent AMI), and Option 2 requires that 30 percent of residential floor area be affordable for residents with incomes averaging 80 percent of AMI. In combination with these options, two other options may be made available. A "Deep Affordability Option" may be utilized under which 20 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 40 percent of AMI. Also, a "Workforce Option" may be utilized provided that 30 percent of residential floor area contains housing units affordable to households with income at a weighted average of 115 percent, with five percent of residential floor area comprising units affordable to households at an income band of 70 percent of AMI and another five percent of residential floor area affordable to households at an income band of 90 percent of AMI. The MIH option that would be applicable within the Project Area would be chosen during ULURP.

Disposition of City-owned property and designation of the Project Area as an Urban Development Action Area Project (UDAAP) to sell the land to the Project Sponsor in order to develop the Proposed Project and allow the Project Sponsor to utilize the UDAAP Tax Incentive. The UDAAP Tax Incentive is a property tax exemption for rehabilitation or new construction of housing on formerly city-owned land, including properties that were transferred to a third party through Local Law 37, in an area which the City Council determines to be in need of urban renewal. UDAAP areas are designated by the City Council.

City Map Amendment to de-map a portion of East 120th Street between 1st Avenue and 365 feet east of 1st Avenue to reduce the mapped width from 80 to 60 feet.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

A portion of the Project Area was rezoned from R7-2 to R7X in 2015 (CEQR No. 09HPD026M) to facilitate the development of approximately 179 affordable DU at an underutilized site and increase the affordable housing stock of East Harlem and the city as a whole. The Proposed Actions seek to build on those efforts by rezoning an additional property for increased residential development. The Proposed Actions would allow another property, similar to the development that has occurred on Lot 7501, to undergo development that would create approximately 274 affordable DUs. The permanently affordable units in the Proposed Project would help to address affordable housing goals set forth by the City in *Housing New York: A Five-Borough, Ten-Year Plan*. The creation of new affordable housing supply at various income levels helps to alleviate the upward pressure on housing prices, and contributes to housing affordability in the surrounding area and larger City. The disposition of city-owned land would allow the Project Sponsor to take possession of the Projected Development Site and construct the Proposed Project. The designation of the Project Area

Finally, the amendment to the City Map would allow the Project Sponsor to conduct renovations in the existing MSC building. Currently, the MSC building is built within the mapped street. The Project Sponsor is unable to renovate the MSC building until the City Map is amended to ensure the existing building is not within the mapped street.

V. APPLICANT'S PROPOSED PROJECT

The Applicant proposes to redevelop the Projected Development Site (Block 1808, Lot 8) at 420 East 120th Street with a new 21-story, approximately 262,873 gsf residential building containing approximately 274 affordable DUs. Depending on the MIH Option selected by the Applicant, between 64 and 77 DUs would be affordable pursuant to the MIH Program. The entire building would be affordable for households earning between 30 percent and 80 percent of the Area Median Income (AMI). Approximately 30 percent of all units in the Proposed Project would be set aside for the formerly homeless. The building would include approximately 4,533 gsf of tenant indoor amenity space including a fitness room, flexible amenity room, laundry, and in-door bike storage. The building would also include 6,226 sf of outdoor amenity space including a private courtyard and north yard.

The Proposed Project would include an entrance to the west of the existing MSC building. The entrance portion of the building would stand approximately 13-stories tall and would be setback approximately 10 feet from the property line. The larger 21-story portion of the building would be located north of the existing MSC building and away from the streetwall.

The Proposed Project would also include the renovation of the existing five-story 80,290 gsf MSC building. The renovation would include the development of a sixth-floor greenhouse and community recreation space and partial demolition of the existing building. The renovated MSC building would be a six-story 65,860 gsf building. In addition, the Proposed Project would include the development of a landscaped corridor connecting East 120th Street

VI. ANALYSIS FRAMEWORK

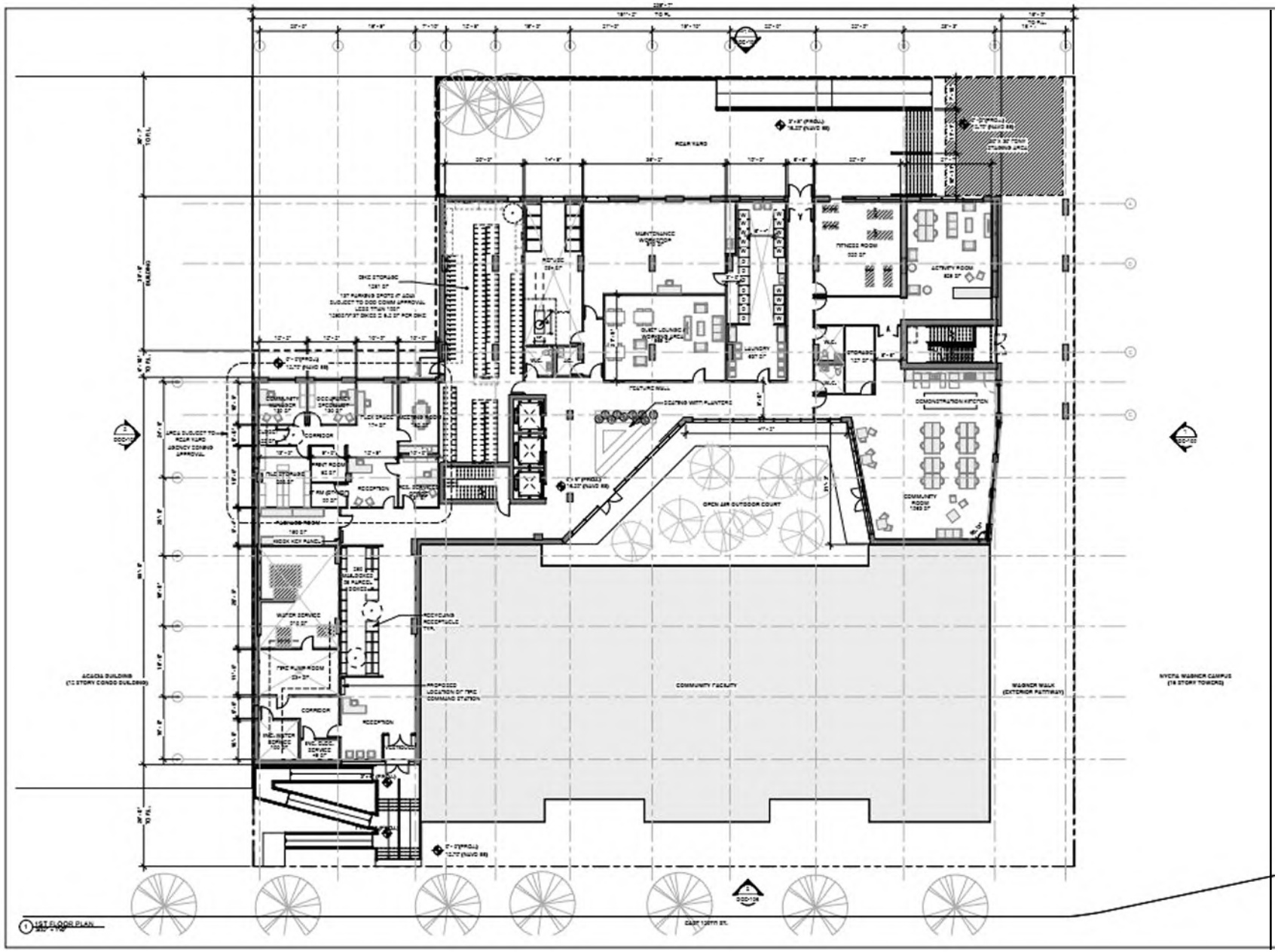
Identification of Development Sites

As discussed above, the proposed zoning map amendment would affect the Applicant-controlled Projected Development Site, as well as one additional tax lot (Block 1808, Lot 7501). Thus, in addition to the Applicant-controlled Projected Development Site, there is an additional property that could be considered a "soft-site" under CEQR criteria. Per *CEQR Technical Manual* criteria, "soft sites are sites where a specific development is not currently proposed or being planned, but may reasonably be expected to occur by the projected build year".

The *CEQR Technical Manual* lists factors to be considered when evaluating whether some amount of development would likely be constructed by the build year. Specifically, the CEQR Technical Manual considers:

- The uses and bulk allowed: Buildings built to substantially less than the maximum allow floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area; and

- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose



Beacon Harlem EAS

Figure A-3
Ground Floor Plan



Figure A-4
Elevation Plan - Facing West

as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing this criteria.

As described above, in addition to the Projected Development Site (Lot 8), the Project Area includes two additional lots, Lots 1 and 7501. As mentioned above Lot 1, is a 591,075 sf lot occupied by the NYCHA Wagner Houses. As shown in Figure A-1, a small portion of Lot 1 would be located within the Project Area and is therefore unlikely to be redeveloped as a result of the Proposed Actions. Although Lot 7501 is greater than 5,000 sf, it was recently developed in 2015 to a FAR of 5.0. Under the Proposed Actions, a maximum FAR of 7.2 would be allowed in the Project Area. Therefore, the Proposed Actions are not expected to offer additional incentive to redevelop Lot 7501.

Analysis Year

Construction of the Proposed Project is expected to begin in 2024, following approval of the Proposed Actions, and would be completed in approximately 30 months, by 2026. The Applicant's project is expected to be constructed in a single phase. Accordingly, the RWCDS assumes a 2026 build year for analysis of future conditions.

Future without the Proposed Actions (No-Action Condition)

Under the No-Action condition, it is assumed that Lot 8 would remain the same as under existing conditions.

Future with the Proposed Actions (With-Action Condition)

In the future with the Proposed Actions (With-Action condition), the proposed zoning map amendment, zoning text amendment, disposition of city-owned land, UDAAP designation, and city map amendment would be approved. As such, the Project Area would be mapped with an R8 zoning district and would be designated as a MIH area. Under the With-Action condition, residential uses would become allowed as-of right in the Project Area, at a maximum FAR of 7.2 FAR when fully utilizing the additional FAR under the MIH Program. The maximum allowable FARs for commercial/manufacturing and community facility uses would remain unchanged compared to the No-Action condition, at 0.0, and 6.5, respectively).

The With-Action condition would include the 21-story, approximately 262,873 gsf residential building containing approximately 274 affordable DUs as well as the renovation of the MSC building described above.

Possible Effects of the Proposed Actions

Table A-2 below provides a comparison of the No-Action and With-Action conditions identified for CEQR analysis purposes. As shown, the incremental (net) change that would result from the Proposed Actions is the addition of 262,873 gsf of residential uses, with approximately 274 DUs, of which approximately 69 would be affordable units (83 under MIH Option 2). The Proposed Actions would result in an approximately 14,430 gsf reduction in community facility space in the Project Area. In terms of population, the Proposed Actions are expected to generate an estimated 582 incremental residents and a decrease of 32 employees, as compared to the 2026 No-Action condition.

TABLE A-2
Comparison of No-Action and With-Action Development Scenarios

	No-Action	***With-Action***	***Increment***
Residential GSF	-	262,873 gsf	+262,873 gsf
Community Facility GSF	80,290 gsf	65,860 gsf	-14,430 gsf
Total GSF	**80,290 gsf**	**326,348 gsf**	**+246,058**
Proposed DU	-	274	+274
Employees	241	210	-31
Residents	-	628	+628

Note: Assumes 2.29 residents per household based on average household size of Manhattan Community District 11 (2020 Census). Assumes 333 sf per community facility employee and one employee per 25 DU.

VII. REQUIRED APPROVALS

The proposed zoning map amendment, zoning text amendment, disposition of city-owned land, and UDAAP designation are discretionary public actions that are subject to both the Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR). The disposition also requires approval by the Borough Board of business terms for the sale of City-owned property pursuant to Section 384(b)(4) of the City Charter.

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: the Community Board; the Borough President; the CPC and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months. The process begins with certification by CPC that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Brooklyn Community Board 1). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Brooklyn Borough President then has up to 30 days to review the application. The CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. If CPC approved, the application is then forwarded to the City Council, which has 50 days to review the ULURP application.

CEQR is a process by which agencies review discretionary actions to identify the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). In addition, the City has published a guidance manual for environmental review, the *CEQR Technical Manual*.

Attachment B

Supplemental Screening

I. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidance and methodologies presented in the 2021 *City Environmental Quality Review ("CEQR") Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the Proposed Actions to determine whether detailed analysis of any technical area may be appropriate.

As described in **Attachment A, "Project Description,"** approval of the Proposed Actions would facilitate the construction of a new 21-story affordable housing building on the Project Site in the East Harlem neighborhood of Manhattan Community District (CD) 11. Renovation of the existing five-story community facility building would add an additional story which would include an educational greenhouse, rooftop basketball court, and community recreation space. The proposed residential building would be a 21-story (215-foot-tall not including mechanical equipment) 262,873 gross-square-foot (gsf) building containing approximately 274 affordable dwelling units (DUs) (the "Proposed Project"). In addition, approval of the Proposed Actions would result in the renovation of the 59,296 gsf existing community facility building. The renovated community facility building (the "East Harlem Multi-Service Center or MSC) would incorporate a rooftop greenhouse, community recreation space. Finally, the Proposed Project would include a landscaped corridor that would connect East 120th Street to the Wagner Houses campus to the north.

Part II of the EAS Form identifies those technical areas that warrant additional assessment. For those technical areas that warranted a "Yes" answer in Part II of the EAS Form, supplemental screening assessments are provided in this attachment. The supplemental screenings contained herein identified that additional analyses are required in the areas of Land Use, Zoning, and Public Policy, Socioeconomic Conditions, Community Facilities and Services, Open Space, Historic Resources, Urban Design and Visual Resources, and Noise. These analyses are provided in **Attachments C to I**, respectively, and are summarized in this attachment. The remaining technical areas detailed in the *CEQR Technical Manual* were not deemed to require supplemental screening because the project increment did not trigger initial CEQR thresholds and/or are unlikely to result in significant adverse impacts. Table B-1 presents a summary of analysis screening information for the Proposed Actions.

II. SUPPLEMENTAL SCREENING AND SUMMARY OF DETAILED ANALYSES

Land Use, Zoning, and Public Policy

As outlined in the *CEQR Technical Manual*, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. The Proposed Actions include a zoning map and zoning text amendment. Therefore, a land use, zoning, and public policy assessment is provided in **Attachment C, "Land Use, Zoning, and Public Policy."** As discussed therein, no significant adverse land use, zoning, or public policy impacts are expected in the future with the Proposed Actions. The Proposed Actions would facilitate new residential development of approximately 274

affordable dwelling units in an appropriate location within the New York City Coastal Zone that is well served by public facilities and infrastructure, and that is characterized by similar uses.

TABLE B-1
Summary of CEQR Technical Areas Screening

CEQR TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	ANALYSIS REQUIRED
Land Use, Zoning, & Public Policy			X
Socioeconomic Conditions			X
Community Facilities and Services			X
Open Space			X
Shadows		X	
Historic & Cultural Resources			X
Urban Design & Visual Resources			X
Natural Resources	X		
Hazardous Materials		X	
Water and Sewer Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation - Traffic & Parking - Transit - Pedestrians		 X X X	
Air Quality - Mobile Sources - Stationary Sources		 X X	
Greenhouse Gas Emissions	X		
Noise			X
Public Health		X	
Neighborhood Character		X	
Construction		X	

Socioeconomic Conditions

The *2021 CEQR Technical Manual* states that a socioeconomic assessment should be conducted if the project would: (a) directly displace more than 500 residents; (b) directly displace more than 100 employees; (c) directly displace a business that is unusually important because its products or services are uniquely dependent on its location, is the subject of other regulations or publicly adopted plans aimed at its preservation, or that serves a population uniquely dependent on its services in its present location; (d) result in the development of more than 200 residential units or more than 200,000 sf of commercial uses; (e) result in the development of 200,000 sf or more of retail on a single development site; and/or (f) affect conditions within a specific industry.

As the Proposed Actions would introduce a net residential increment of 274 dwelling units (DUs), which would exceed the CEQR threshold of 200 units, a preliminary analysis of indirect residential displacement is provided in **Attachment D, "Socioeconomic Conditions."** As discussed therein, the Proposed Actions would not result in any significant adverse socioeconomic impacts due to indirect residential displacement.

The Proposed Actions would not result in any significant adverse impacts to the five socioeconomic areas studied under CEQR including direct residential displacement, direct business/institutional displacement,

indirect residential displacement, indirect business/institutional displacement, and adverse effects on specific industries, in accordance with *CEQR Technical Manual* guidance. The Proposed Actions would not result in the direct displacement of any residents or businesses, indirect business displacement, or adverse effects on specific industries.

With respect to potential indirect residential displacement, a preliminary assessment finds that the Proposed Actions would not result in a significant adverse indirect residential displacement impact. The Proposed Actions and associated RWCDS would introduce 274 residential units as compared to the No-Action condition. The Proposed Actions would increase the study area's residential population by less than three percent; the Proposed Actions would not introduce a substantial new population that could substantially affect residential real estate market conditions in the study area. The Proposed Actions would advance the goals of advancing the goals of Mayor Adams' *Housing Our Neighbors: A Blueprint for Housing and Homelessness*. The creation of new housing supply, including 274 affordable DUs, is expected to help alleviate the upward pressure on housing prices, and contribute to housing affordability in the neighborhood and larger City.

Community Facilities and Services

Potential direct or indirect effects of a proposed action can trigger the need for analysis of community facilities. Direct effects occur if a project would "physically alter a community facility, whether by displacement or other physical change." Indirect effects occur if a project would add population to an area, which may potentially affect service delivery. While no community facilities would be directly displaced by the Proposed Actions and subsequent development, the proposed actions would facilitate the development of up to 274 residential units (all of which would be affordable). The *CEQR Technical Manual* provides density thresholds, which are used to make an initial determination of whether detailed studies are necessary to determine potential indirect impacts. These density thresholds are summarized in Table B-2.

TABLE B-2
Preliminary Screening Analysis Criteria

Community Facility	Threshold for Detailed Analysis	Minimum Number of Residential Units in Manhattan that Trigger Detailed Analyses
Public Elementary/ Intermediate Schools	50 or more elementary/intermediate school students	475 (in Manhattan CSD 4)[1]
Public High Schools	150 or more high school students	7,500 (in Manhattan)[1]
Libraries	More than five percent increase in ratio of residential units to libraries in the borough	1,033
Health Care Facilities (outpatient)	Introduction of sizeable new neighborhood	N/A
Child Care Centers (publicly funded)	More than 20 eligible children under age six based on number of low- to moderate-income units	170
Fire Protection	Introduction of sizeable new neighborhood	N/A
Police Protection	Introduction of sizeable new neighborhood	N/A

Source: *CEQR Technical Manual*

[1] Based on newly released student generation rates for Manhattan CSD 4 (0.0724 elementary school students per unit; 0.0329 intermediate school students per unit; and 0.02 high school students per unit).

Public Schools

The proposed actions are not expected to generate more than 50 elementary and intermediate school students or 150 high school students, which are the *CEQR Technical Manual* thresholds for analysis, and therefore a detailed assessment of the potential impacts of the proposed actions on public schools is not warranted. The New York City School Construction Authority (SCA) recently released new Projected Public School Ratios data as part of the documents used in drafting the DOE/SCA Fiscal Year (FY) 2020-2024 Capital Plan (February 2019). According to these data, multipliers for primary and intermediate schools have been refined to reflect how many pupils are generated by new housing at the community school district level based on the 2010 Decennial Census, housing completions from the Department of Buildings, and administrative enrollment data from the Department of Education (multipliers for high schools have been maintained at the borough level).

Based on the newly released student generation rates for Manhattan Community School District (CSD) 4 (0.0724 elementary school students per unit; 0.0329 intermediate school students per unit; and 0.02 high school students per unit), the 274 DUs to be created as a result of the proposed actions are expected to generate 29 elementary and intermediate school students (20 elementary school students and 9 intermediate school students), and 5 high school students. As this number of students is less than the *CEQR Technical Manual* analysis thresholds, a detailed assessment of public schools is not warranted, and significant adverse impacts are not anticipated in this technical area.

Child Care Facilities

The *CEQR Technical Manual* requires a detailed analysis of publicly-funded child care centers when a proposed action would produce substantial numbers of subsidized, low- to moderate-income affordable housing units that may therefore generate a sufficient number of eligible children to affect the availability of slots at group child care facilities. Typically, a proposed action that generates 20 or more eligible children under age six requires further analysis. As shown in Table B-2, above, based on *CEQR Technical Manual* multipliers, 170 affordable housing units in Manhattan would yield more than 20 children under age six eligible for publicly-funded child care.

As noted above, the RWCDS for the proposed actions would facilitate the construction of up to 254 affordable dwelling units, all of which are currently envisioned to be affordable to households earning up to 80 percent AMI. As the number of housing units expected to be subsidized and targeted for incomes of 80 percent AMI or below (the affordable units considered in a CEQR child care analysis) is more than the *CEQR Technical Manual* analysis threshold of 170 units in Manhattan, the proposed actions would generate more than 20 children under age six eligible for publicly funded child care, and a detailed assessment is warranted and provided in **Attachment E, "Community Facilities"**.

As discussed in **Attachment E, "Community Facilities,"** the Proposed Actions would not result in any significant adverse impacts to publicly funded childcare facilities. Development as a result of the Proposed Actions would create demand for 32 new childcare seats. Under With-Action conditions, publicly funded childcare centers would operate at approximately 114.10 percent capacity. The incremental 32 seats generated by the proposed actions would constitute a 2.09 percent increase in utilization rate over No-Action conditions. As this increase would not be greater than five percent, the Proposed Actions would not result in a significant adverse impact on publicly funded child care facilities.

Libraries, Health Care Facilities, and Fire and Police Protection

The proposed actions would not result in the introduction of a sizeable new neighborhood and would therefore not result in a more than five percent increase in the ratio of residential units to libraries in Manhattan (i.e., would result in the development of fewer than 1,033 DU), analyses of fire and police protection, health care facilities, and libraries are not warranted, and significant adverse impacts are not anticipated in these technical areas.

Open Space

Based on the *CEQR Technical Manual*, an open space assessment is typically warranted if an action would directly affect an open space or if it would increase the population by more than 200 residents or 500 workers. The RWCDS for the Proposed Actions is expected to result in an estimated 628 new residents and a decrease of 31 workers as compared to the No-Action Condition. As the Proposed Actions increase residents above the *CEQR Technical Manual* threshold for analysis, a residential open space analysis is provided in **Attachment F, "Open Space."** As discussed in detail in **Attachment F**, no significant adverse impacts to open space are expected as a result of the Proposed Actions.

Shadows

A shadows assessment considers proposed actions that result in new shadows long enough to reach a publicly accessible open space or sunlight-sensitive historic resource (except within an hour and a half of sunrise or sunset). For proposed actions resulting in structures less than 50 feet high, a shadow assessment is generally not necessary unless the site is adjacent to a park, historic resource, or important natural feature (if the features that make the structure significant depend on sunlight). According to the 2021 *CEQR Technical Manual*, some open spaces contain facilities that are not sunlight-sensitive, and do not require a shadow analysis including paved areas (such as handball or basketball courts) and areas without vegetation. As a RWCDS, the Proposed Actions would facilitate the construction of a 21-story residential building with a maximum height of 215 feet (not including mechanical equipment). Therefore, further analysis is warranted.

Tier I and Tier II Screening

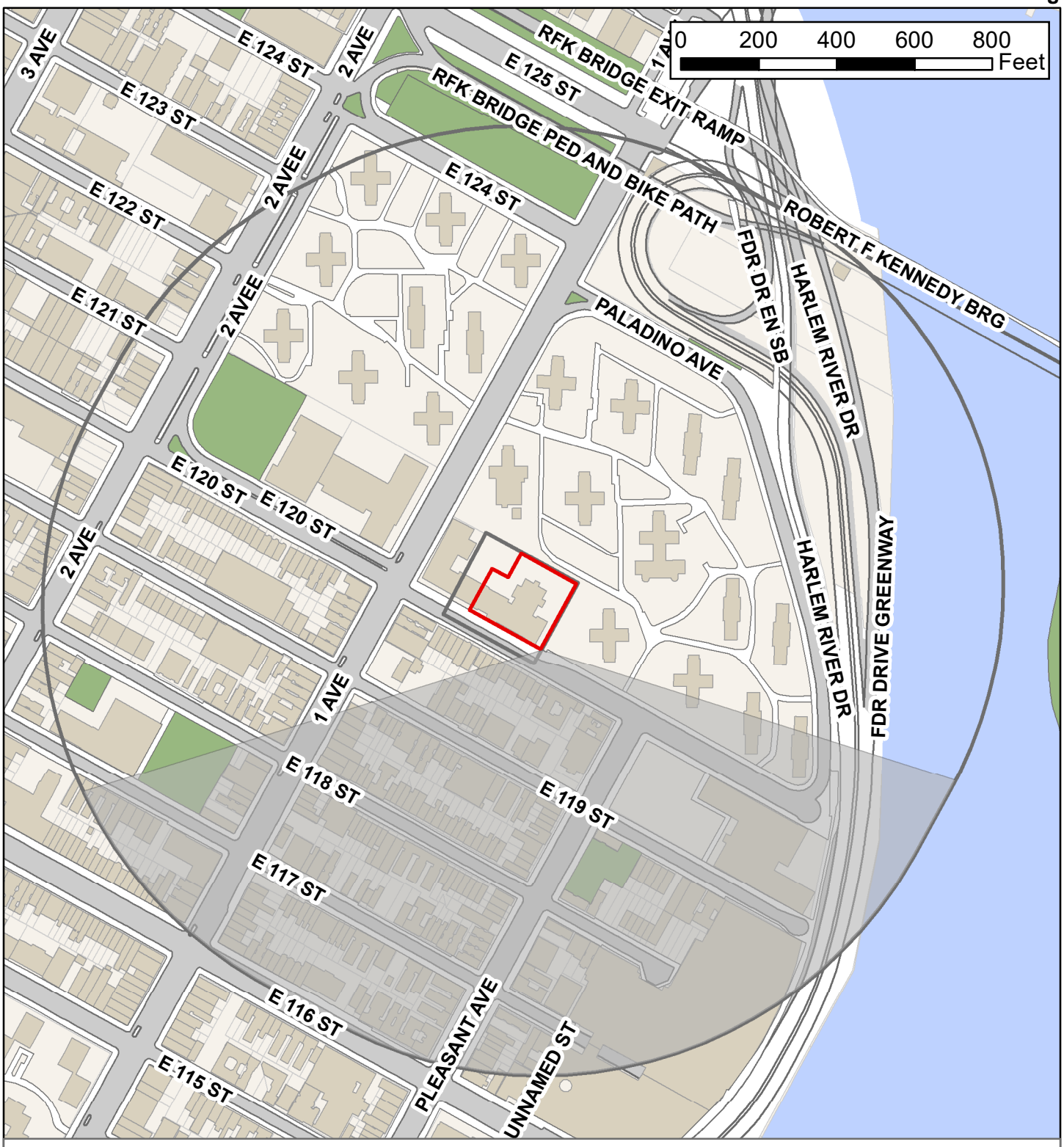
According to the *CEQR Technical Manual*, the longest shadow a structure would cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. Therefore, per *CEQR Technical* guidance, the maximum shadow radius (Tier 1 Assessment) for the RWCDS would be 1,096.5 feet[1]. As shown in **Figure B-1**, there are five sunlight-sensitive resources within this longest shadow study area. These resources include the Harlem River, Wagner Playground, P.S. 155 Playground, Diamante Garden, and Othmar Ammann Playground/Wagner Pool. Therefore, a further assessment of shadows is warranted.

Tier III Screening

According to the *CEQR Technical Manual*, a Tier III screening assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed project can reach

[1] Assumes a 215-foot-tall building plus 40 additional feet of mechanical equipment for conservative analysis purposes.

Figure B-1
Tier I and Tier II Shadow Screening



Legend

- Proposed Development Site
- Project Area
- Tier I: Longest Shadow Study Area (1,096.5')
- Tier II: Area that cannot be shaded
- Open Space
- Harlem River

a sunlight-sensitive resource, thereby warranting a detailed shadows analysis. The Tier III screening assessment is used to determine if shadows resulting from a proposed project can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

As project-generated shadows could reach nearby sunlight-sensitive resources, a Tier III assessment was performed using three dimensional (3D) computer mapping software. The 3D model was used to calculate and display project-generated shadows on individual representative analysis dates. The model contained 3D representations of the elements in the base map used in the preceding assessments and a 3D model of the With-Action development. At this stage of the assessment, surrounding buildings and structures within the study area were not included in the model so that it may be determined whether project-generated shadows would reach any sunlight-sensitive resources.

Figures B-2a and **B-2b** illustrate the range of project-generated shadows that could occur in the absence of existing buildings on the four representative analysis days. As shown in these figures, no project-generated shadow would be cast on any of the sunlight-sensitive resources identified above. Therefore, further analysis is not warranted.

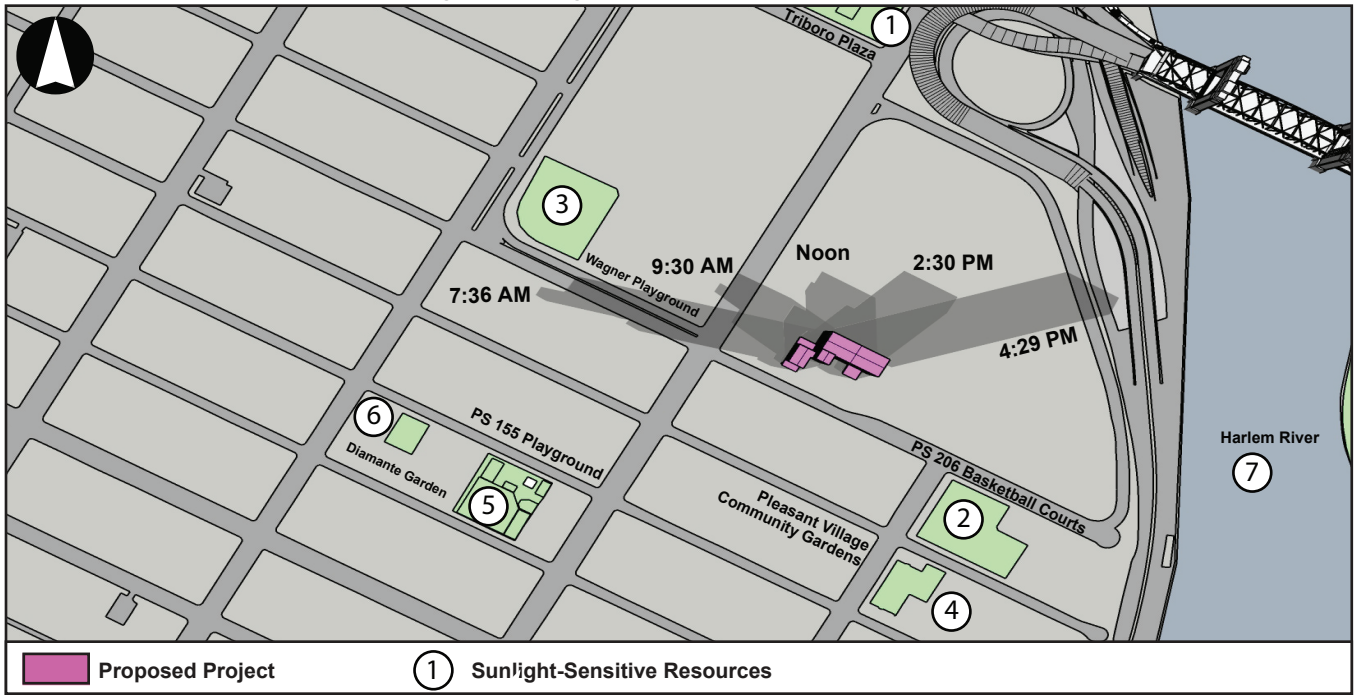
Historic and Cultural Resources

Historic and cultural resources are defined as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. These include properties that have been designated or are under consideration as New York City Landmarks or Scenic Landmarks, or are eligible for such designation; properties within New York City Historic Districts; properties listed on the State and/or National Register of Historic Places (S/NR); and National Historic Landmarks. An assessment of architectural and archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

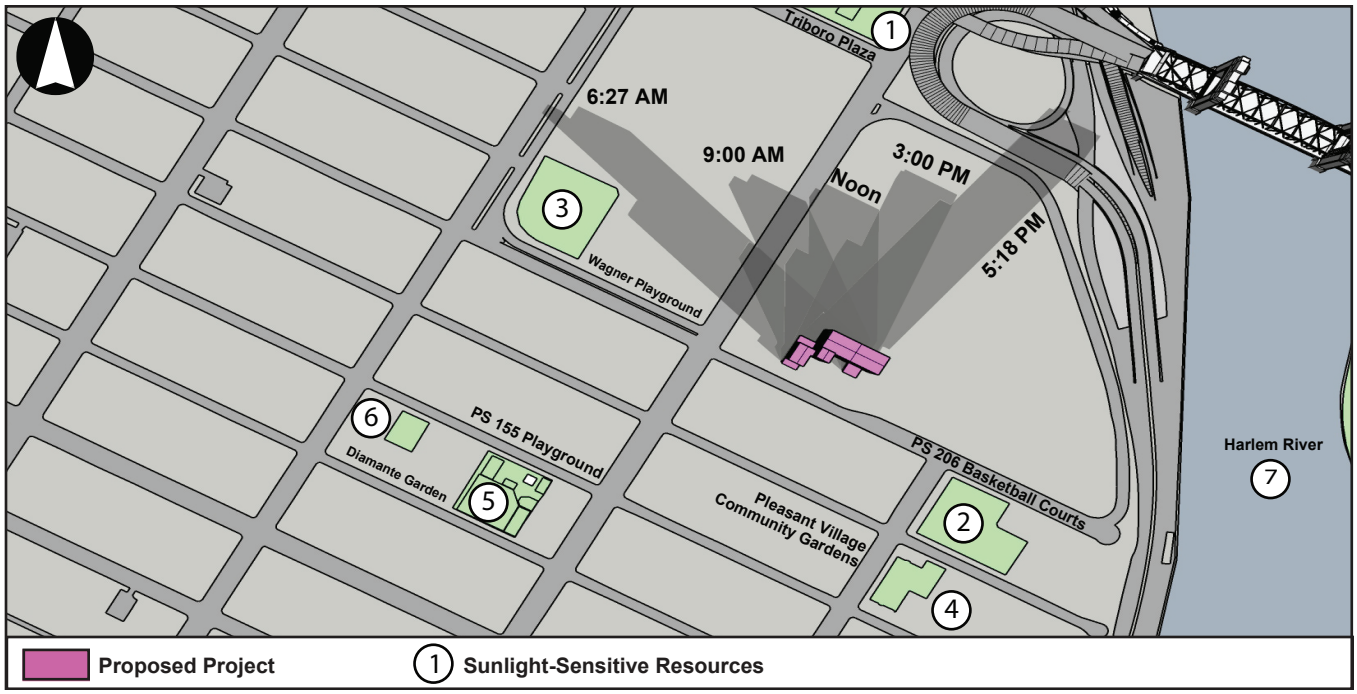
According to *CEQR Technical Manual* guidance, impacts on historic resources are considered on those sites affected by a proposed action(s) and in the area surrounding identified development sites. The historic resources study area is therefore defined as the area within a 400-foot radius of the Project Area. Pursuant to *CEQR Technical Manual* guidance, archaeological resources are considered only in those areas where new excavation or ground disturbance is likely and would result in new in-ground disturbance compared to No-Action conditions. In a letter dated October 27, 2022, LPC confirmed that none of the lots comprising the Project Area contain any architecturally or archaeologically significant resources (refer to **Appendix I**). Therefore, the Proposed Actions and associated RWCDS would not have the potential to result in any significant adverse archaeological impacts.

As the Project Area is located across the street from the S/NR-listed East Harlem Historic District, a detailed analysis of historic and cultural resources was required for the Proposed Actions, and is provided in **Attachment G, "Historic & Cultural Resources."** As detailed therein, the Proposed Actions would not result in significant adverse impacts on historic architectural resources. Development facilitated by the Proposed Actions would not eliminate or substantially obstruct significant public views of architectural resources or introduce incompatible elements to the setting and context of the East Harlem Historic District. As the Project Area is located within 90 feet of the S/NR-listed historic district, construction facilitated by the Proposed Actions would be subject to the New York City Department of Buildings (DOB)'s

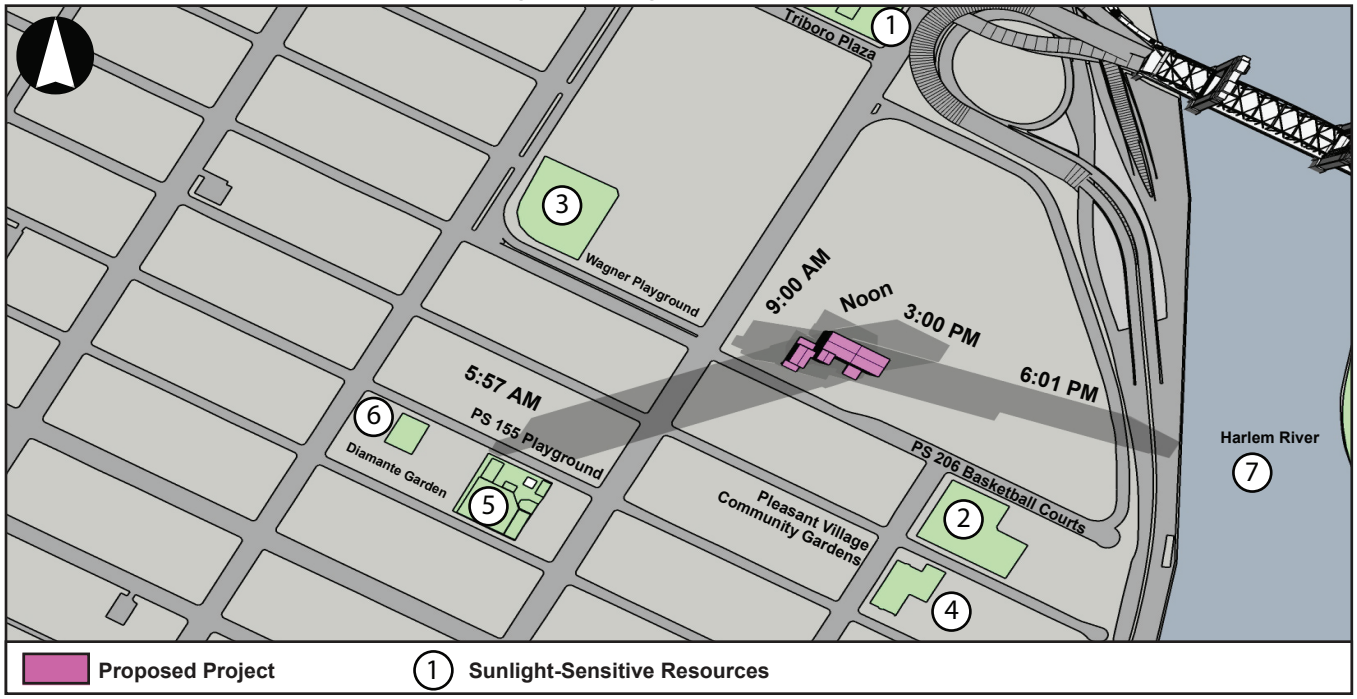
Analysis Day: March/September 21



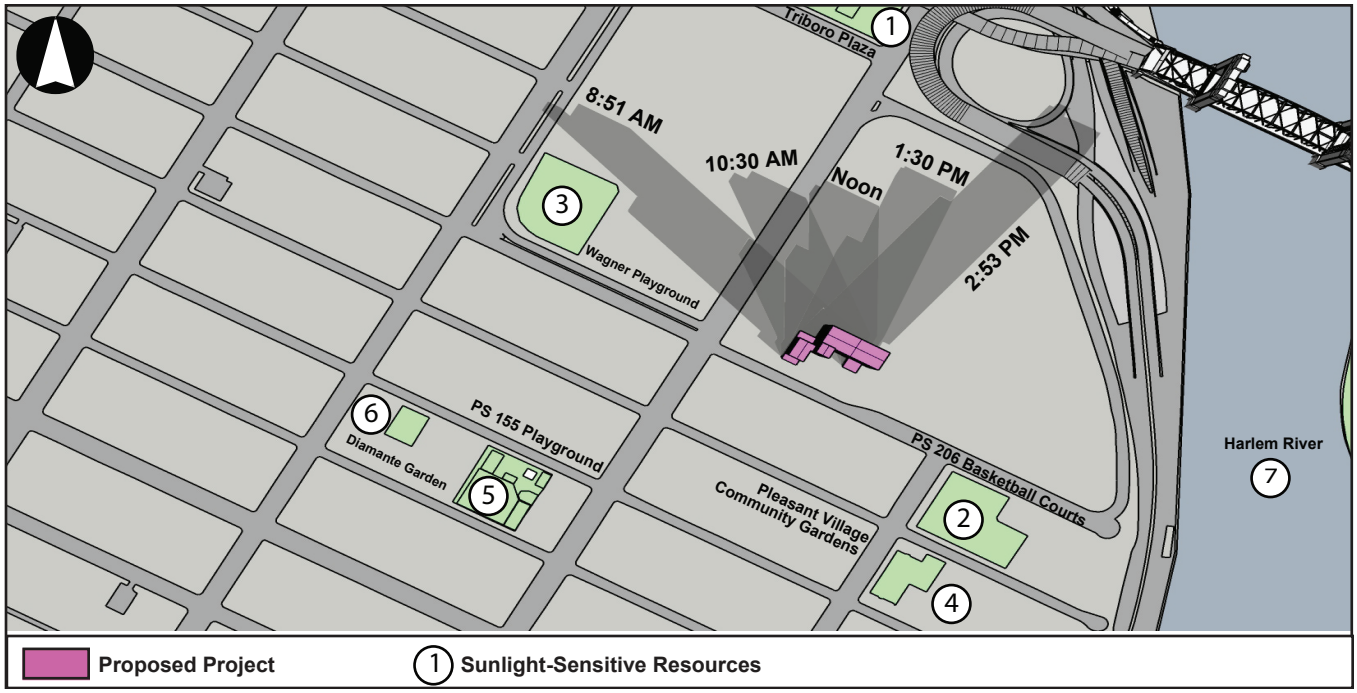
Analysis Day: May/August 6



Analysis Day: June 21



Analysis Day: December 21



Technical Policy and Procedure Notice (TPPN) #10/88. Under the TPPN, a construction protection plan (CPP) would be provided to LPC for review and approval prior to any work in the Project Area. The construction protection plan would take into account the guidance provided in the *CEQR Technical Manual*, Chapter 9, Section 522, "Construction Protection Plan." The CPP would be included in the land disposition and regulatory agreements. As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions. Refer to **Attachment G** for further discussion.

Urban Design and Visual Resources

An area's urban components and visual resources together define the look and character of the neighborhood. The urban design characteristics of a neighborhood encompass the various components of buildings and streets in the area. These include building bulk, use and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business.

An analysis of urban design and visual resources is appropriate if a proposed action(s) would (a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use or arrangement than exists in an area; (b) change block form, demap an active street or map a new street, or affect the street hierarchy, street wall, curb cuts, pedestrian activity or streetscape elements; or (c) would result in above-ground development in an area that includes significant visual resources.

The Proposed Actions involve the rezoning of the Project Area from R7X and R7-2 to R8, which would result in a development that would differ from what is currently permitted as-of-right, and as such, an analysis of urban design and visual resources is appropriate. This analysis is provided in **Attachment H, "Urban Design and Visual Resources."** As discussed in **Attachment H**, there would be no significant adverse impacts to urban design and visual resources due to the Proposed Actions.

Hazardous Materials

As defined in the 2021 *CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs) and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) an action would increase pathways to their exposure; or (c) an action would introduce new activities or processes using hazardous materials.

Phase I Environmental Site Assessment (ESA)

A Phase I Environmental Site Assessment was prepared by ALC Environmental in June 2022. A copy of the report's executive summary is included in the Appendix. ALC Environmental concluded that there is one recognized environmental condition (REC) and one historical recognized environmental condition (HREC) present at the Proposed Development Site. ALC's recommendations are listed below.

- ALC recommends a tightness test be conducted on the tank system (tanks and the pipe system) to assess the integrity of the onsite tank.

- Suspect asbestos-containing materials in the form of roofing materials, sheetrock, joint compound, vinyl floor tiles, and ceiling plaster, were observed to be present at the subject building. The materials appeared to be in good to fair condition. Prior to any repair or renovation work that will affect the referenced materials, asbestos testing should be conducted. If determined to contain asbestos, the referenced materials should be abated by a certified asbestos abatement contractor prior to commencement of the renovation work, as per all applicable local, state, and federal regulations.

- Regarding the localized flaking paint observed ceiling throughout the fifth-floor classrooms and hallway, all areas of the subject building exhibiting damaged paint should be repaired by a Repair Renovation and Painting (RRP) certified worker.

- In regards to the evidence of water intrusion on the 5th floor ceiling and basement plaster walls, the sources of the water intrusion should be investigated and permanently repaired to prevent further water damage and the proliferation of mold growth.

The Phase I does not recommend that any further testing be conducted at the site. A tightness test of the tank system at the site will be conducted and would be required through provisions contained in the Land Disposition Agreement (LDA) between HPD and the project sponsor. If the tank fails the tightness test or if leakage is discovered, Phase II testing will be conducted and a DEP-approved Remedial Action Plan (RAP) will be required through the provisions contained in the LDA. Therefore, no significant adverse impacts related to hazardous materials would be expected to occur as a result of the Proposed Actions and resultant development.

Transportation

The *CEQR Technical Manual* identifies minimum development densities that have the potential to result in significant adverse impacts to transportation and therefore require a detailed transportation analysis. As shown in Table 16-1 of the *CEQR Technical Manual*, actions that result in fewer than 50 peak hour vehicle trips are generally not likely to cause significant adverse impacts. For projects in Zone 2 (which includes areas of Manhattan north of 60th Street), the development thresholds requiring trip generation analysis are 200 DUs and 15,000 gsf of local retail space.

The Proposed Project would result in the net increase of 274 DUs compared to the No-Action condition. As the number of incremental dwelling units would exceed 200, per *CEQR Technical Manual* guidance, a preliminary trip generation assessment is warranted and has been provided below. Per CEQR guidance, a screening assessment was completed to determine if the Proposed Actions and RWCDS warrant detailed analyses of traffic, parking, transit, or pedestrians. The screening assessment consisted of a Level 1 Project Trip Generation.

Traffic

As shown below in Table B-4, the Proposed Project is anticipated to generate 24 vehicle trips in the weekday AM peak hour, 18 vehicle trips in the weekday midday peak hour, 20 vehicle trips in the weekday PM peak hour, and 21 vehicle trips in the weekend midday peak hour. As the number of vehicle trips generated in any peak hour does not exceed the 50 peak hour vehicle trip CEQR threshold for analysis, there are no significant impacts anticipated for the Proposed Project and a detailed analysis is not warranted.

Transit and Pedestrians

The objective of transit and pedestrian analyses is to determine whether a proposed action would have a significant impact on public transit facilities and services and on pedestrian flows. According to the general thresholds used by the Metropolitan Transportation Authority specified in the *CEQR Technical Manual*, detailed transit analyses are not required if the proposed action is projected to result in less than 200 peak hour rail or bus transit riders; the *CEQR Technical Manual* also states that detailed pedestrian analyses are not required if less than 200 pedestrians are assigned to a single pedestrian element.

As shown in Table B-4, the Proposed Project would result in a total of 145, 90, 135, and 146 subway trips in the AM, midday, PM, and Saturday midday peak hours, respectively. The Proposed Project would result in a total of 19, 12, 17, and 19 bus trips in the AM, midday, PM, and Saturday midday peak hours, respectively. As the Proposed Project would not exceed the CEQR threshold of 200 trips for detailed subway or bus analysis in any peak hour, it is not anticipated to result in significant adverse transit impacts, and a detailed analysis is not warranted.

Table B-3 – Transportation Planning Assumptions

Land Use:	**Residential**	
Size/Units:	274 DUs	
Trip Generation:	(2)	
Weekday	8.180	
Saturday	9.08	
	per DU	
Temporal Distribution:	(2)	
AM	9.3%	
MD	5.6%	
PM	8.5%	
SAT	8.4%	
	(3)	
Modal Splits:	All Periods	
Auto	9.0%	
Taxi	1.0%	
Subway/Shuttle	70.0%	
Bus	9.0%	
Ferry	0.0%	
Walk/Bike/Other	11.0%	
	100.0%	
	(1)	
In/Out Splits:	In	Out
AM	22%	78%
MD	50%	50%
PM	63%	37%
SAT	51%	49%
Vehicle Occupancy:	(2)	
	All Periods	
Auto	1.09	
Taxi	1.30	
Truck Trip Generation:	(1)	
Weekday	0.06	
Saturday	0.02	
	per DU	
Truck Temporal Distribution:	(1)	
AM	12.0%	
MD	9.0%	
PM	2.0%	
SAT	9.0%	
Truck In/Out Split:	In	Out
AM	50.0%	50.0%
MD	50.0%	50.0%
PM	50.0%	50.0%
SAT	50.0%	50.0%

Notes :

(1) Based on data from *East New York Rezoning FEIS* (2016)

(2) Based on 2021 *City Environmental Quality Review (CEQR) Technical Manual*

(3) 2016-2020 ACS Journey-to-Work data for Manhattan Census Tracts 178, 188, 192 & 194

Table B-4 – Travel Demand Forecast

Peak Hour	Net Vehicle[1]			Person Trips											
				Total Subway			Total Bus			Net Walk			Total Pedestrian Trips[2]		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
AM	7	17	24	31	114	145	4	15	19	5	18	23	40	147	187
MD	9	9	18	45	45	90	6	6	12	7	7	14	58	58	116
PM	12	8	20	85	50	135	11	6	17	14	8	22	110	64	174
SAT	11	10	21	74	72	146	10	9	19	12	11	23	96	92	188

[1]Includes Auto, Taxi and Truck trips for all peak hours
[2]Includes Walk-Only trips and pedestrians en route to/from nearby bus stops

Based on the travel demand, the Proposed Project would generate approximately 23, 14, 22, and 23 walk only trips in the AM, midday, PM, and Saturday midday peak hours, respectively. The total number of pedestrian trips (including transit trips) generated by the Proposed Project would be approximately 187, 116, 174, and 188 in the AM, midday, PM, and Saturday midday peak hours, respectively (refer to Table B-3). As no pedestrian element would experience a pedestrian increment greater than 200 pedestrians in any peak hour, no significant pedestrian impacts are expected, and further analysis is not warranted.

Air Quality

According to *CEQR Technical Manual* guidance, air quality analyses are conducted to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by "mobile sources," pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., "stationary sources." As per the *CEQR Technical Manual*, an air quality assessment should be carried out for actions that can result in either significant adverse mobile source or stationary source air quality impacts.

Mobile Sources

As stated in the *CEQR Technical Manual*, a project – whether site-specific or generic- may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants, or add new users near mobile sources. According to the *CEQR Technical Manual* screening threshold criteria for the Project Area, if 170 or more project-generated vehicles pass through an intersection in any given peak period a detailed analysis of carbon monoxide (CO) is required. If a project would result in a substantial number of local or regional diesel vehicle trips, there is potential for mobile air quality impacts and a detailed analysis of PM2.5 and PM10 is required.

As stated in the *CEQR Technical Manual*, a project – whether site-specific or generic- may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants, or add new users near mobile sources. According to the *CEQR Technical Manual* screening threshold criteria for the Project Area, if 170 or more project-generated vehicles pass through an intersection in any given peak period a detailed analysis of carbon monoxide (CO) is required. If a project would result in a substantial number of local or regional diesel vehicle trips, there is potential for mobile air quality impacts and a detailed analysis of PM2.5 and PM10 is required.

As the Proposed Actions would generate a maximum of 24 incremental vehicle trips in any peak hour[2], and, as such, would not exceed the *CEQR Technical Manual* carbon monoxide (CO) mobile source air quality screening of 170 vehicles. It is conservatively assumed that all vehicles would travel directly to and from the Projected Development Sites as there are no off-street public parking facilities near the Proposed Rezoning Area. Vehicles would travel eastbound on East 120th Street towards the site, arrive, and then depart continuing eastbound on East 120th Street. Based on this configuration only 12 vehicle trips across the entire East 120th Street frontage would occur. As shown in Table B-5, $PM_{2.5}$ calculations, at 12 trips the Proposed Actions would pass the screening**.** As shown below, using the Equivalent Truck Calculator provided in the *CEQR Technical Manual* the incremental vehicles generated by the proposed actions would not exceed the screening threshold for $PM_{2.5}$ and $PM_{10,}$ Therefore, a detailed analysis of mobile source air quality impacts is not warranted.

Table B-5: $PM_{2.5}$/PM_{10} Equivalent Truck Calculation

Road Types	Equ. truck	Screen value	PM2.5 Screen
Paved road < 5000 veh/day	6	13	Pass Screen
Collector roads	6	20	Pass Screen
Principal and minor arterials	3	23	Pass Screen
Expressways and limited access roads	3	23	Pass Screen

Source: *CEQR Technical Manual* & NYS Department of Transportation Functional Class Viewer

Stationary Sources

Stationary source impacts could occur with actions that create new stationary sources or pollutants, such as emission stacks for industrial plants, hospitals, or other large institutional uses, or a building's boiler stacks used for heating/hot water, ventilation, and air conditioning ("HVAC") systems, that can affect surrounding uses. Impacts from boiler emissions associated with a development are a function of fuel type, stack height, minimum distance of the stack on the source building to the closest building of similar or greater height, building use, and the square footage of the source building. In addition, stationary source impacts can occur when new uses are added near existing or planned emissions stacks, or when new structures are added near such stacks and those structures change the dispersion of emissions from the stacks so that they affect surrounding uses.

A preliminary stationary source screening analysis, using Figure 17-3 of the *CEQR Technical Manual* was conducted to identify if a detailed stationary source analysis is warranted, and if the proposed actions would result in any significant adverse impacts on air quality. As discussed in **Attachment A, "Project Description**," the Proposed Development would have a maximum building height of 215 feet. A survey of existing residential land uses and other sensitive receptor sites within 400 feet of the Projected Development Site was conducted through field observation and the use of MapPLUTO data. The closest existing or planned building of similar or greater height Proposed Project's HVAC stack (approximately 215 feet or taller) that could be affected by HVAC emissions generated by the Proposed Project is the 35-story

[2] 24 incremental auto vehicle trips would be generated under the With-Action Scenario during the Weekday AM peak hour. The trip generation for the With-Action Scenario is included above.

(325-foot-tall) mixed-use building located at 2383 Second Avenue, approximately 1,100 feet northwest of the Project Site.

As seen in **Figure B-3**, the Proposed Development's total floor area and distance from buildings of a similar or greater height indicates that the Proposed Actions would not have any significant impact on air quality. Emissions from the Proposed Project would fall below the applicable curve and would therefore not result in any adverse air quality impacts. As such, no further analysis of HVAC emissions from the proposed actions is warranted. In addition, the Project Sponsor intends to develop an all-electric building.

Based on a review of area land uses, there are no existing properties within 400 feet that have DEP light industrial air permits, and therefore no further analysis of air toxics is warranted.

Noise

The purpose of a noise analysis is to determine both a proposed action's potential effects on sensitive noise receptors and the potential effects of ambient noise levels on new sensitive uses introduced by an action. The principal types of noise sources affecting the New York City environment are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building HVAC systems), and construction noise (e.g. trucks, bulldozers, power tools, etc.).

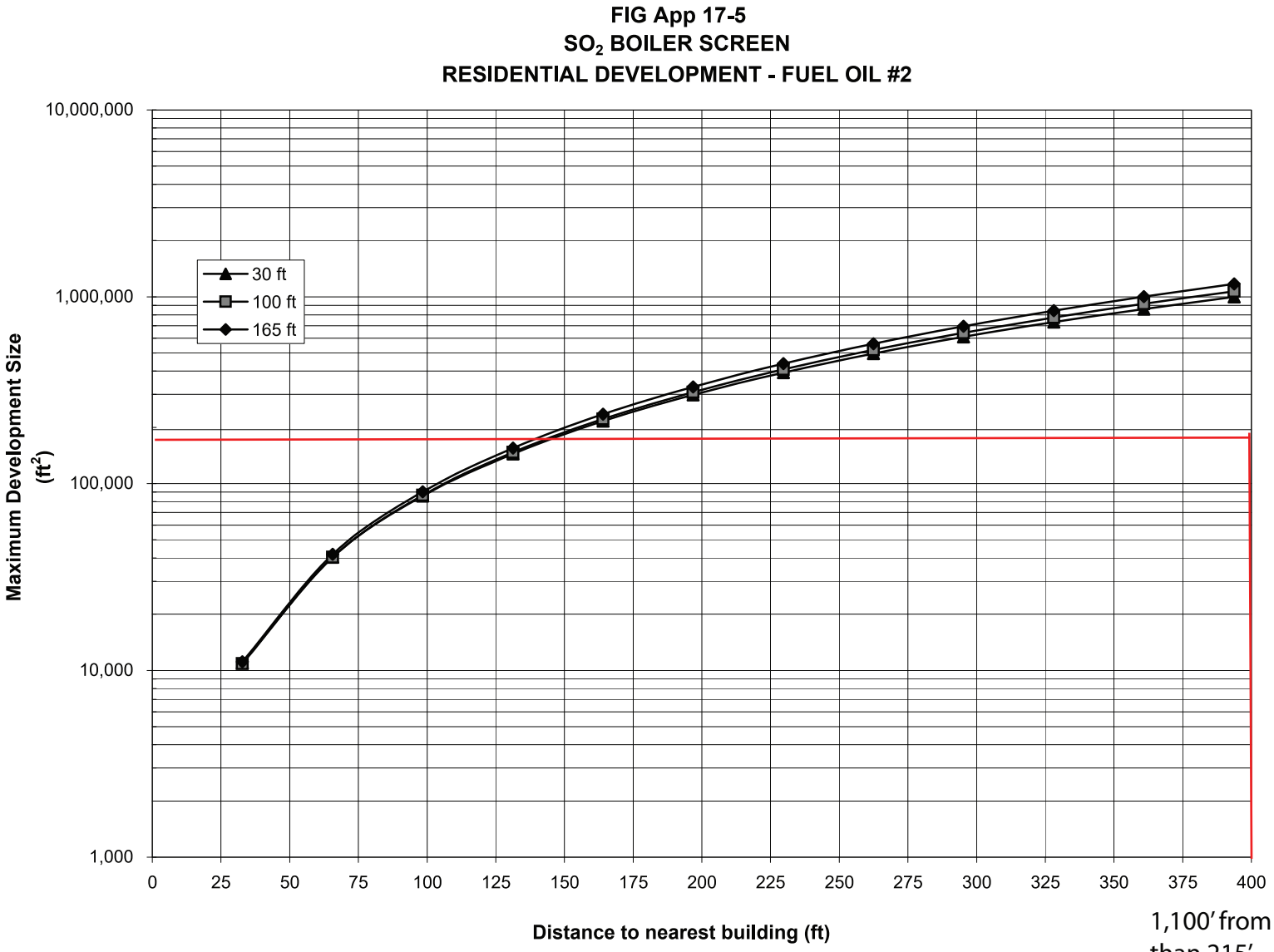
As the Proposed Actions would introduce new sensitive uses within the Project Area, a detailed noise analysis was conducted in compliance with *CEQR Technical Manual* guidance to determine whether traffic generated by the Proposed Project would have the potential to result in significant noise impacts and determine the level of building attenuation necessary to ensure development resulting from the Proposed Actions would achieve interior noise levels that satisfy applicable interior noise criteria of 45 dBA or less for residential uses.

As discussed in **Attachment I, "Noise,"** the Proposed Actions would not result in any significant adverse noise impacts. The With-Action noise levels would fall under the "Marginally Acceptable CEQR noise exposure category. The maximum L_{10} noise level at noise receptor location 1 would be less than 70 dBA. Therefore, no special attenuation measures beyond standard construction practices would be required for the Proposed Project's southern frontage facing East 120th Street. Utilization of standard construction practices at the Project Site would provide sufficient attenuation to achieve *CEQR Technical Manual* interior noise level guidance of 45 dBA or lower for residential and community facility uses, and therefore, the Proposed Actions and associated RWCDS would not result in any significant adverse noise impacts related to building attenuation.

Public Health

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, water quality, hazardous materials, and noise.

According to the 2021 *CEQR Technical Manual*, a public health assessment may be warranted if a project results in (a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; (b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases



1,100' from nearest building taller than 215'

of substances that might have affected or might affect groundwater to be used as a source of drinking water; (c) solid waste management practices that could attract vermin and result in an increase in pest populations; (d) potential significant adverse impacts to sensitive receptors from noise and odors; (e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts; (f) exceedances of accepted federal, state, or local standards; or (g) other actions that might not exceed the preceding thresholds but might, nonetheless, result in significant health concerns.

As detailed in the analyses provided in this EAS, the Proposed Actions and RWCDS would not result in significant adverse impacts in the areas of air quality, water quality, hazardous materials, or noise. Therefore, the Proposed Actions do not have the potential to result in significant adverse public health impacts, and further assessment is not warranted.

Neighborhood Character

According to the 2021 *CEQR Technical Manual*, an assessment of neighborhood character may be appropriate if a proposed action(s) has the potential to result in significant adverse impacts on land use, zoning, public policy, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise, or when an action may have moderate effects on several of the elements that define a neighborhood's character. As the EAS provides assessments of land use, zoning, and public policy (**Attachment C**), open space (**Attachment F**), urban design and visual resources (**Attachment H)**, and noise (**Attachment I**), a preliminary screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted.

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personality." According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the technical areas mentioned. Per the analyses provided in this EAS, although the Proposed Actions required supplemental screening or assessment of some of these technical areas, there would be no action-generated significant adverse impacts.

The *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the Proposed Actions would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the *CEQR Technical Manual* indicates that neighborhood character impacts are rare and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

The Proposed Actions would not adversely affect any component of the surrounding area's neighborhood character, conflict with the surrounding activities, or significantly affect land use patterns. The development facilitated by the Proposed Actions would bring occupancy and activity to the underutilized portion of the Project Site currently occupied by a surface parking lot. The Proposed Project would add affordable housing and convenient amenities to the neighborhood, which are expected to further enhance the mixed-use character of the area. As the Proposed Actions would not be considered to have any significant adverse effects on any of the technical areas relating to neighborhood character, a neighborhood character assessment can be screened out, and no significant adverse neighborhood

character impacts would occur. Therefore, no additional analysis is warranted for neighborhood character.

Construction

Although temporary, construction impacts can include noticeable and disruptive effects from an action that is associated with construction or could induce construction. Determination of the significance of construction impacts and need for mitigation is generally based on the duration and magnitude of the impacts. Based on *CEQR Technical Manual* guidance, when the duration of construction is expected to be short-term (less than two years), any impacts resulting from construction generally do not require detailed assessment. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and air quality conditions.

The proposed zoning change is expected to facilitate the development of a single residential building at the Project Site. Construction of the Proposed Project is expected to begin in 2024, following approval of the Proposed Actions, and would be completed in a single phase in approximately 30 months, by 2026. A preliminary construction schedule is presented in **Figure B-4.**

As shown in **Figure B-4,** exterior work including demolition/abatement, excavation/foundation, superstructure work, and construction of the façade and elevators would occur over a 23-month period. Exterior work would be the most likely to result in dust, noise, and mobile source emissions. After month 23, work on the Proposed Project would be interior including but not limited to, interior wall construction, finishes, and MEP installation (refer to **Figure B-4**).

Most construction activity would take place Monday through Friday, although the delivery and installation of certain equipment could occur on weekend days. Hours of construction are regulated by the DOB and apply in all areas of the City. In accordance with those regulations, almost all work would occur between 7 AM and 6 PM on weekdays, although some workers would arrive and begin to prepare work areas before 7 AM. Occasionally, Saturday or overtime hours could be required to complete time-sensitive tasks. Weekend work requires a permit from the DOB and, in certain instances, approval of a noise mitigation plan from DEP under the New York City Noise Code.

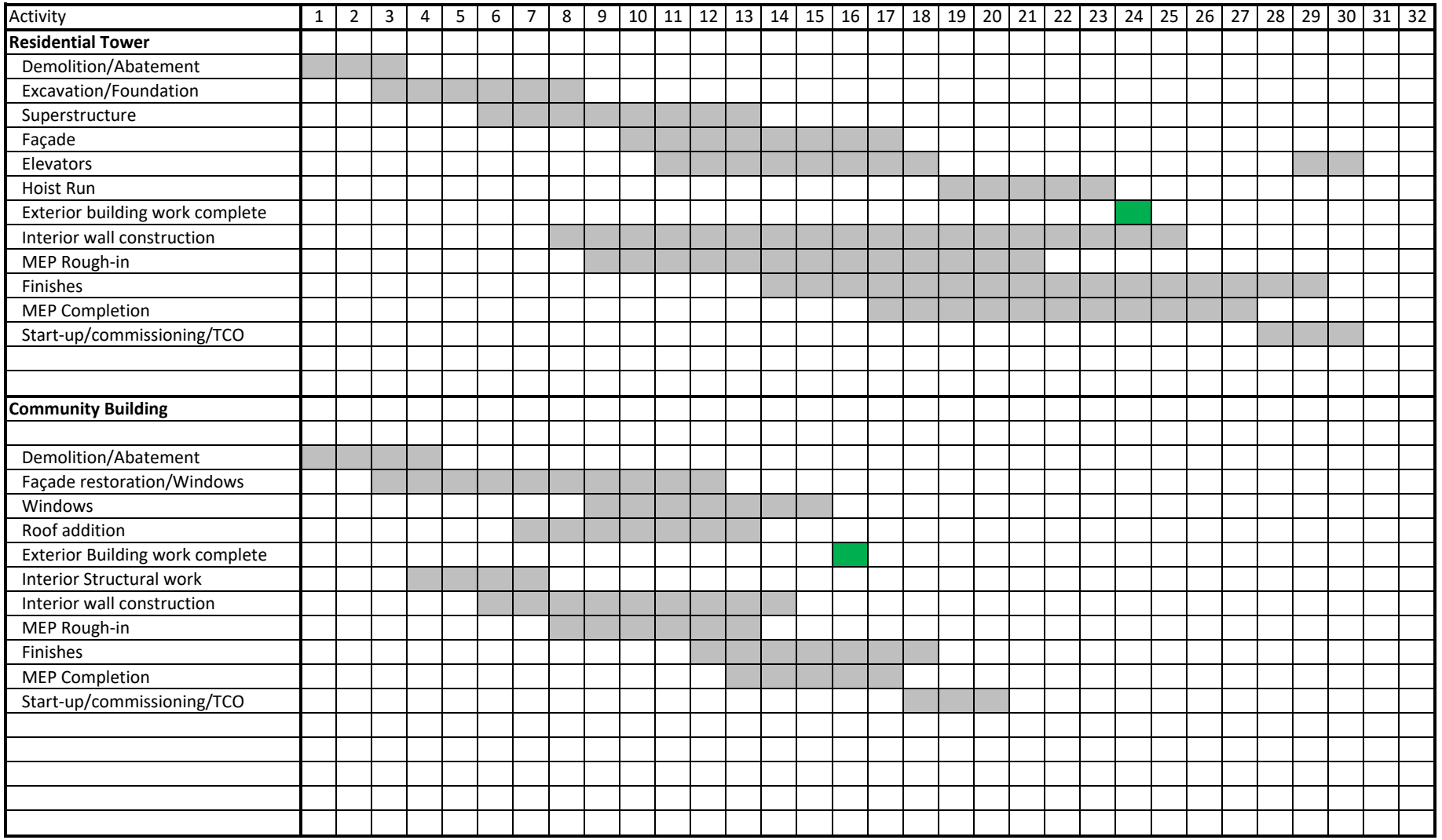
Construction activities are not expected to adversely affect surrounding land uses. As required by City regulations, sidewalk protection bridges and full height plywood barriers would be installed to protect the public right of way. Construction of the Proposed Project would follow applicable federal, state, and local laws for building and safety, as well as local noise ordinances, as appropriate. Construction specifications would require that construction contractors comply with all applicable legal requirements including environmental regulations and obtain necessary permits for the duration of construction.

In addition, as the Proposed Project would be located within 90 feet of the S/NR-listed East Harlem Historic District, the additional protective measures of the Department of Building's (DOB) Technical Policy and Procedure Notice (TPPN) #10/88 would apply.

The Proposed Actions would result in temporary disruptions including construction related traffic, dust, noise, or mobile source emissions. However, these effects would be temporary, as the duration of exterior construction activities, which would emit the most noise and dust and have the greatest potential for impacts, for the Proposed Project would not exceed 24 months and would be considered short-term. As

Beacon
High Level Construction Schedule

Month



Beacon Harlem EAS

Figure B-4
Preliminary Construction Schedule

such, potential effects are expected to be minimal and the Proposed Actions are not expected to have any significant adverse construction impacts, and no further analysis is warranted.

Attachment C

Land Use, Zoning, and Public Policy

I. INTRODUCTION

Under 2021 *CEQR Technical Manual* guidance, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action(s) and determines whether the action(s) would be compatible with those conditions or potentially adversely affect them. Similarly, the analysis considers the proposed action's compliance with, and effect on, the area's zoning and other applicable public policies.

As discussed in **Attachment A, "Project Description,"** the Proposed Actions involve zoning changes that would affect the southwestern portion of a single block (Manhattan Block 1808) near the corner of 1st Avenue and East 120th Street in the East Harlem neighborhood of Manhattan Community District (CD) 11. Under the Reasonable Worst-Case Development Scenario (RWCDS) in the future with the Proposed Actions, the Applicant-owned Project Site (Block 1808, Lot 8) would be developed to include a new 21-story (215-foot tall), residential building behind the existing community facility building. The proposed residential building would total 262,873-gross square feet (gsf) and include 274 affordable dwelling units (DUs) and the existing six-story 80,290-gsf community facility building would be renovated as a five-story 65,860 gsf community facility building.

According to the *CEQR Technical Manual*, a land use and zoning analysis is warranted for actions facilitating a change in land use or zoning. As the Proposed Actions involve zoning map and text amendments that would result in new permitted land uses and increase in the allowable density, an analysis of land use and zoning is warranted. Furthermore, the *CEQR Technical Manual* recommends that if a preliminary assessment cannot succinctly describe land use conditions in the study area, or if a detailed assessment is required in the technical analyses of socioeconomic conditions, neighborhood character, transportation, air quality, noise, infrastructure, or hazardous materials, a detailed land use assessment is appropriate. As such, a detailed land use and zoning assessment is warranted for the Proposed Actions.

II. METHODOLOGY

The purpose of this attachment is to examine the effects of the Proposed Actions and determine whether they would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidance of the *CEQR Technical Manual* and examines the Proposed Actions' consistency with land use patterns and development trends, zoning regulations, and other applicable public policies. As described in **Attachment A, "Project Description,"** in order to assess the possible effects of the Proposed Actions, a RWCDS was established for the future without the Proposed Actions (the No-Action condition) and future with the Proposed Actions (the With-Action condition) for the 2026 analysis year.

This attachment includes a description of existing land uses and zoning within the directly affected area and the broader study area. Following the guidance of the *CEQR Technical Manual*, the analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the Proposed Actions to such conditions, assesses the nature of any changes on these conditions that would

be created by the Proposed Actions, and identifies those changes, if any, that could be significant or adverse.

Existing land uses were identified through review of a combination of sources including field surveys and secondary sources, as well as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2022 and websites, such as New York City's Zoning and Land Use Map (ZoLa, https://zola.planning.nyc.gov) and NYCityMap (http://gis.nyc.gov/doitt/nycitymap/). New York City Zoning Maps and the Zoning Resolution (ZR) of the City of New York were consulted to describe existing zoning districts and provided the basis for the zoning evaluation of the future No-Action and future With-Action conditions. Relevant public documents including documents recognized by the New York City Department of City Planning (DCP) and other City agencies were utilized to describe existing public policies pertaining to the study areas.

Analysis Year

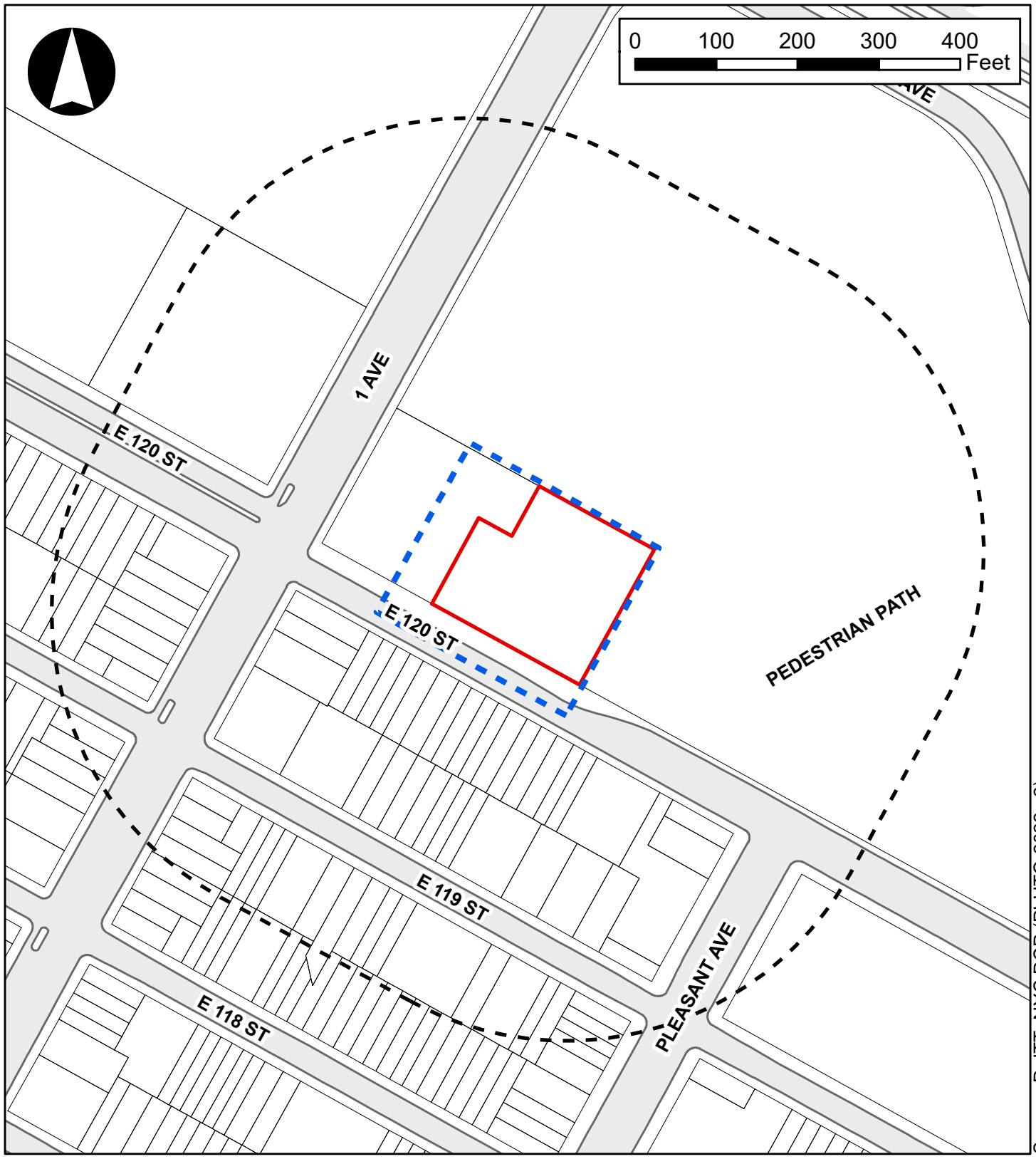
As discussed in **Attachment A, "Project Description,"** development of the Proposed Project is expected to begin in 2024, following approval of the Proposed Actions, and is expected to be completed in no more than 30 months. Therefore, for the purposes of determining potential impacts, this analysis assesses current conditions and forecasts those conditions to 2026. Future No-Action conditions account for planned land use and development projects, initiatives, and proposals that are anticipated to be completed by 2026.

Study Area Definition

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning, and public policy is related to the type and size of an action, as well as the location and context of the area that could be affected. Study area boundaries vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project. The study areas for the Proposed Actions have been established in accordance with *CEQR Technical Manual* guidance and are shown in **Figure C-1**.

As shown in **Figure C-1**, land use, zoning, and public policy are addressed and analyzed for two geographical areas for the Proposed Actions. The study areas include: (1) the directly affected area (or "Project Area"), which comprises the proposed rezoning area (Manhattan Block 1808, Lots 1, 8, and 7501), including the Applicant-owned development site; and (2) a secondary study area that encompasses an area that has the potential to experience indirect impacts as a result of the Proposed Actions. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is bounded by the New York City Housing Authority (NYCHA) Wagner Houses to the north and east, the mid-block of East 118th Street and East 119th Street to the south, and Wagner Playground to the west.

Figure C-1
Study Area



Source: DoITT; NYC DCP (PLUTO 2022 v2)

Legend

- Proposed Development Site
- Project Area (Proposed Rezoning Area)
- Secondary Study Area (400-foot Radius)

III. DETAILED ANALYSIS

Existing Conditions

Land Use

Primary Study Area (Project Area)

The primary study area includes one lot, and portions of two lots, on the south-western portion of Manhattan Block 1808. The block is bound by Paladino Avenue to the north and east, East 120th Street to the south, and First Avenue to the west. The primary study area is located on the southwest corner of the block, bound by East 120th Street to the south, First Avenue to the east, and Lot 1 to the north and east, which comprises a portion of the NYCHA Wagner Houses. The primary study area consists of three tax lots (Lots 1, 8, and 7501) that totals approximately 66,005 sf. As shown in **Figure C-1**, only a small portion of Lot 1 is located within the Project Area. East 120th Street and First Avenue are considered wide streets as defined by zoning as they have mapped widths wider than 75 feet (100 feet wide each). East 120th Street is a one-way, east-bound local road with one moving lane and two parking lanes. East 120th Street also contains an east-bound unprotected bike lane. First Avenue is a major one-way, north-bound road with three moving lanes, two parking lanes, and a dedicated bus lane. First Avenue also contains a dedicated bike lane located on the western side of the roadway. First Avenue is also a designated local truck route. As shown in **Figure C-2**, the non-Applicant controlled lot (Lot 7501) within the primary study area accommodates a mixed residential and commercial building whereas the Applicant's lot (Lot 8) accommodates a public facility and institution.

The Project Site (Block 1808, Lot 8), which is under the Applicant's control, is an approximately 34,848-sf lot with approximately 210 feet of frontage along East 120th Street. The Project Site located at 413 East 120th Street is currently improved with a 5-story, approximately 59,296-gsf community facility building (1.7 FAR) and parking spaces for the private use of authorized vehicles accessible via a curb cut along East 120th Street.

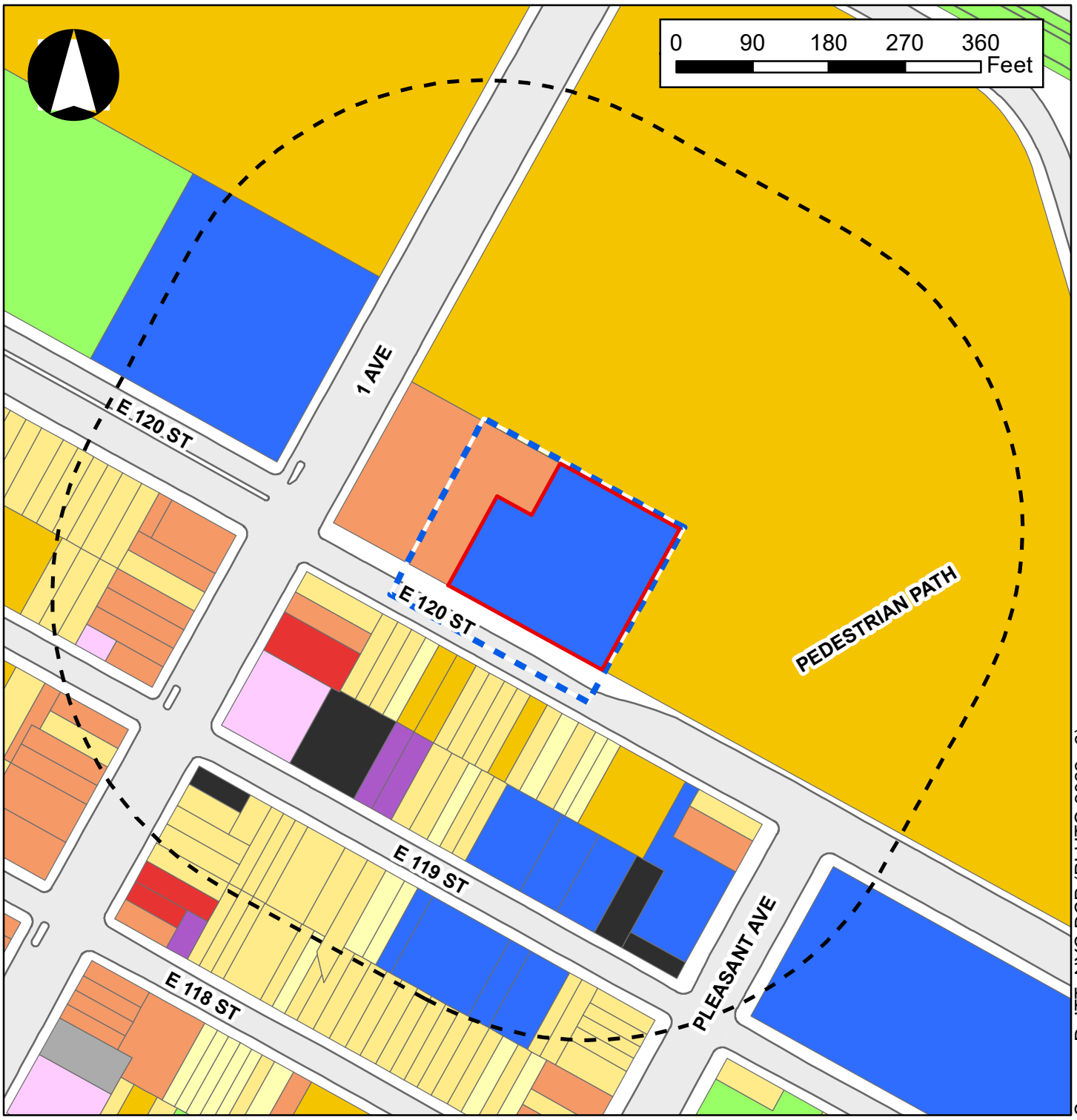
The other lots within the primary study area (Block 1808, Lots 1 and 7501), which are not under the control of the Applicant, comprises 31,157-sf with approximately 154 feet of frontage on East 120th Street and approximately 182 feet of frontage along 1st Avenue. Block 1808, Lots 7501, or 409 East 120th Street, is improved with a 12-story, 222,137-gsf condominium building constructed in 2017 (7.19 FAR). The building contains 179 condominiums, one ground floor retail use, one ground floor community facility use, and 29 accessory parking spaces accessible via a curb cut on East 120th Street. Lot 1 is a 591,075 sf lot occupied by the Wagner Houses. Approximately 1,200 sf of Lot 1 is located within the Project Area.

Secondary Study Area (400-foot Radius)

As show in **Figure C-2**, land uses within the secondary study area are varied, with a mix of one- and two-family residential uses, as well as multi-unit housing, mixed-use commercial and residential, public transportation-related, public facilities and institutions, commercial, manufacturing/industrial, and vacant uses. There are no open space uses located completely within the secondary study area.

Residential uses are located throughout the secondary study area along all streets with a 400-foot radius. One- and two-family buildings and multi-family walkup buildings are located along East 120th and East 119th Streets and generally occupy rectangular-shaped lots of smaller size. Large multi-unit residential

Figure C-2
Land Uses



Legend

- Proposed Development Site
- Primary Study Area (Proposed Rezoning Area)
- Secondary Study Area (400-foot Radius)

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Multi-Family Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

uses are also located along East 120th and East 119th Streets, including 414-416 East 120th Street directly south of the Project Area. The NYCHA Wagner Houses, which is located on the subject block, represents the largest multi-family elevator lot containing 1,815 units. Of the 22 residential buildings that make up the complex, five are entirely located within the secondary study area.

Mixed-use commercial and residential uses are generally clustered along 1st Avenue, which is a major corridor. Many are generally small, rectangular-shaped lots that contain local retail uses. The largest mixed-use commercial and residential building, 409 East 120th Street, which was built in 2017, is located within the primary study area on the corner of 1st Avenue and East 120th Street. One commercial use is located along 1st Avenue. The secondary study area's two transportation uses are located along East 119th Street, and consists of a gas station and auto service shop.

There are ten public facilities and institutions within the secondary study area (including the Applicant-owned site). They include River East Elementary, located at 2345 1st Avenue, a women-specific substance abuse treatment center, two developmental disability services centers, and several buildings affiliated with Holy Rosary Church located at 446 East 119th Street (including the church, a convent, a rectory, and a Catholic school). There are no parking uses located within the secondary study area, but the four vacant lots along East 119th Street are used as informal parking lots.

Table C-1 provides a description of existing land use within the secondary study area. As shown in **Table C-1**, residential uses are the most prevalent throughout the study area and constitute the highest percentage of tax lots, lot area, and building area (approximately 62, 74.6, and 56.1 percent, respectively). Of the residential uses, multi-family walkup houses comprise the highest percentage of total lots (approximately 46.8 percent). Mixed-use commercial and residential buildings comprise the second largest percentage of total lots, accounting for approximately 13.9 percent of lots within the secondary study area, but approximately 6.0 percent of lot area and 17.6 percent of building area. Public facilities and institutions account for the third largest percentage of total lots at approximately 12.7 percent, approximately 15.7 percent of lot area, and 25.3 percent of building area. Vacant land account for approximately 5.1 percent of total lots and 1.6 percent of lot area. Transportation/utility and industrial/manufacturing uses account for approximately 2.5 percent of lots, each. Commercial/office buildings account for 1.3 percent of all lots. There are no open space or parking facilities located within the secondary study area.

TABLE C-1: Existing Land Uses in the Secondary Study Area

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	49	62.0%	700,156	74.6%	936,873	56.1%
One & Two Family Buildings	*7*	*8.9%*	*13,472*	*1.4%*	*20,026*	*1.2%*
Multi-Family Walkup Buildings	*37*	*46.8%*	*79,697*	*8.5%*	*209,616*	*12.5%*
Multi-Family Elevator Buildings	*5*	*6.3%*	*606,987*	*64.7%*	*707,231*	*42.3%*
Mixed Commercial/Residential Buildings	11	13.9%	55,999	6.0%	293,601	17.6%
Commercial/Office Buildings	1	1.3%	5,137	0.5%	10,000	0.6%
Industrial/Manufacturing	2	2.5%	5,046	0.5%	4,900	0.3%
Transportation/Utility	2	2.5%	10,006	1.1%	2,758	0.2%
Public Facilities & Institutions	10	12.7%	147,113	15.7%	422,558	25.3%
Open Space	0	0.0%	0	0.0%	0	0.0%
Parking Facilities	0	0.0%	0	0.0%	0	0.0%
Vacant Land	4	5.1%	15,386	1.6%	0	0.0%
All Others/No Data	0	0.0%	0	0.0%	0	0.0%
Total	**79**	100.0%	**938,843**	100.0%	**1,670,690**	100.0%

Source: NYC Department of City Planning (PLUTO 2022 v2)

Zoning

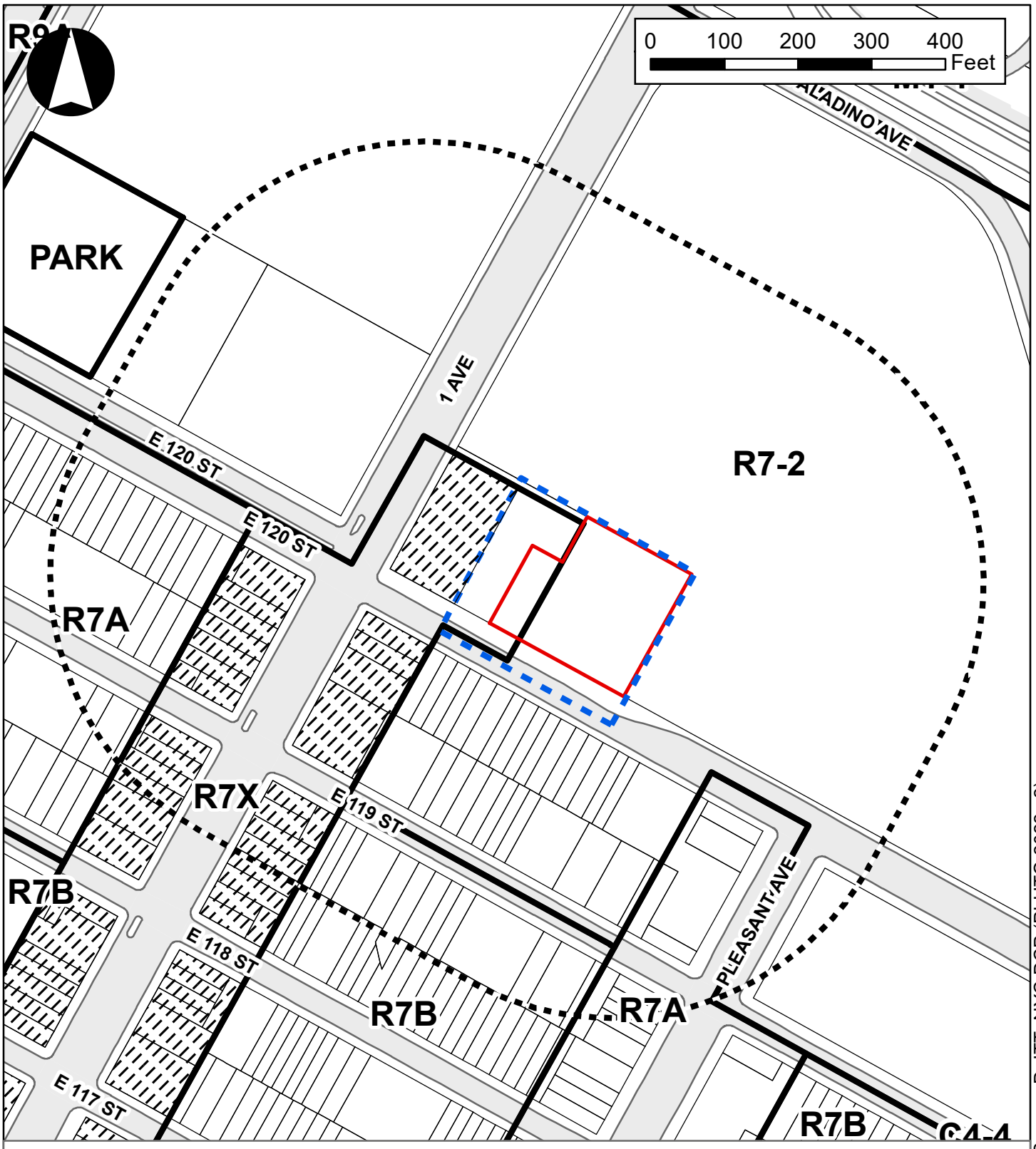
Primary Study Area

As shown in **Figure C-3**, the primary study area is currently zoned R7-2 and R7X. R7-2 districts are medium-density districts, which permits residential and community facility uses (Use Groups 1 to 4). Residential uses are permitted up to 3.44 FAR and community facility uses up to 6.50 FAR. R7X districts also permit residential and community facility uses (Use Groups 1 to 4), but with residential uses permitted up to 4.0 FAR and community facility uses up to 5.0 FAR. Commercial and manufacturing uses are not permitted in R7-2 or R7X districts.

The primary study area is not mapped within any of the City's special purpose districts or special purpose sub-districts.

Secondary Study Area

Zoning classifications within the secondary study area are also shown in **Figure C-3** and **Table C-2** and consist of residential zoning districts and mapped commercial overlays along 1st Avenue. As shown in **Figure C-3**, R7-2 zoning districts are mapped north of East 120th Street and north of East 119th Street west of Pleasant Street. R7A districts are mapped along Pleasant Avenue and west of 1st Avenue south of East 120th Street. R7B districts are mapped south of East 119th Street between Pleasant Avenue and 1st Avenue. R7X zoning districts are mapped along the 1st Avenue corridor and contain all the mapped C1-5 commercial overlays. C1-5 commercial overlays allow retail uses up to 1.0 FAR when mapped over R1 to R5 districts, or 2.0 FAR when mapped in R6 to R10 districts. C1-5 overlays are mapped at a depth of 100 feet and are not subject to accessory parking requirements. Zoning classification within the secondary study area is described in **Table C-2**.



Source: DoITT; NYC DCP (PLUTO 2022 v2)

Legend

- Proposed Development Site
- Project Area (Proposed Rezoning Area)
- Secondary Study Area (400-foot Radius)
- R7-2 Zoning District
- C1-5 Commercial Overlay

TABLE C-2: Existing Zoning Districts within the Secondary Study Area

Name	Definition/General Use	Maximum FAR
Residential Districts		
R7-2	R7 districts are medium-density apartment house districts with height factor regulations that encourage lower apartment buildings on smaller zoning lots and, on larger lots, taller buildings with less lot coverage. As an alternative, developers may choose the optional Quality Housing regulations to build lower buildings with greater lot coverage. R7-2 districts have lower parking requirements. Allow Use Groups 1 to 4. Maximum building and streetwall heights depend on bulk regulation choice.	R: 0.87-3.44 (HF); 3.44-4.6 (QH); CF: 6.5; C/M: 0.0
R7A	R7A districts are widely mapped in built-up, medium-density areas. R7A districts are contextual residential zoning districts that mandate Quality Housing. Off-street accessory parking is required for 50 percent of DUs, but could be waved or modified.	R: 4.0; 4.6 (IH); CF: 4.0; C/M: 0.0
R7B	R7B districts are contextual districts widely mapped in built-up, medium-density neighborhoods. Off-street accessory parking is required for 50 percent of DUs but could be waved or modified.	R: 3.0; CF: 2.0; C/M: 0.0
R7X	R7X contextual residential districts typically produce taller, bulkier buildings than R7A and R7B districts, with a maximum base height of 60 to 85 feet and a maximum building height of 125 feet.	R: 5.0; 6.0 (IH); C: 0.0; CF: 5.0; M: 0.0
Commercial Districts		
C1-5 (overlay)	C1 commercial overlays are mapped within residential districts along streets that serve local retail needs, as well as meet broader shopping and service needs. In mixed-use buildings, commercial uses are limited to one or two floors and must always be located below the residential uses. C1 commercial overlay districts permit a fewer range of uses than C2 districts.	R & CF: Same as underlying R district; C: 1.0 within R1-R5 districts & 2.0 within R6-R10 districts; M: 0.0

Source: Zoning Resolution of the City of New York
Notes: R=Residential; C=Commercial; CF=Community Facility; M=Manufacturing; IH=Inclusionary Housing

Public Policy

According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires and analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If a proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

While there are not specific initiatives and goals in the City's *Housing New York 2.0* plan that relate specifically to the primary or secondary study areas, it is citywide policy initiative that would be applicable to the study areas and is, therefore, included also in this analysis. The primary study area and secondary study area are also located within the Food Retail Expansion to Support Health Program (FRESH) discretionary tax incentive area. The study areas are not part of, or subject to, an Urban Renewal Plan, adopted community 197-a Plan, Business Improvement District (BID), or Industrial Business Zone (IBZ). The Proposed Actions also do not include a largely publicly sponsored project, and as such, consistency with the City's OneNYC for sustainability is not warranted. The primary study area and a large portion of the secondary study area are both located within New York City's designated Coastal Zone, and therefore the Proposed Actions are subject to review of consistency with the City's Waterfront Revitalization Program (WRP), which is discussed in detail below.

Housing New York 2.0

In 2014, the de Blasio administration released *Housing New York: A Five-Borough, Ten-Year Plan Housing Plan* (*Housing New York*), a plan to build or preserve 200,000 affordable residential units. Building on the foundation laid by *Housing New York*, in 2017 the de Blasio administration released *Housing New York 2.0*, a new plan intending to complete the initial goal of 200,000 affordable homes two years ahead of schedule by 2022, and generate an additional 100,000 homes over the following four years. To achieve this goal, the plan aims to prioritize construction of residences for seniors, create new programs and modernize existing ones to encourage homeownership, develop neighborhood-based anti-displacement strategies, promote innovation in new construction methods, activate underutilized sites for new housing, create new partnerships and draw on resources from the State, and protect and expand federal resources for affordable housing. The plan details the key policies and programs for implementation.

Food Retail Expansion to Support Health Program (FRESH)

The Food Retail Expansion to Support Health Program (FRESH) was developed in response to a citywide study, "Going to Market," conducted by the DCP in 2008, which highlighted the widespread shortage of neighborhood grocery stores providing fresh food options in several communities of New York City. The FRESH Program offers zoning incentives and financial benefits in the identified underserved communities. Its goal is to encourage the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables, and other perishable goods in addition to a full range of grocery products. The program offers a set of zoning incentives that provide additional floor area in mixed buildings, reduce the amount of required parking for food stores and permit larger grocery stores as-of-right in light manufacturing districts. The financial benefits, administered by the NYC Industrial Development Agency (IDA), exempt or reduce certain taxes for qualifying FRESH food stores.

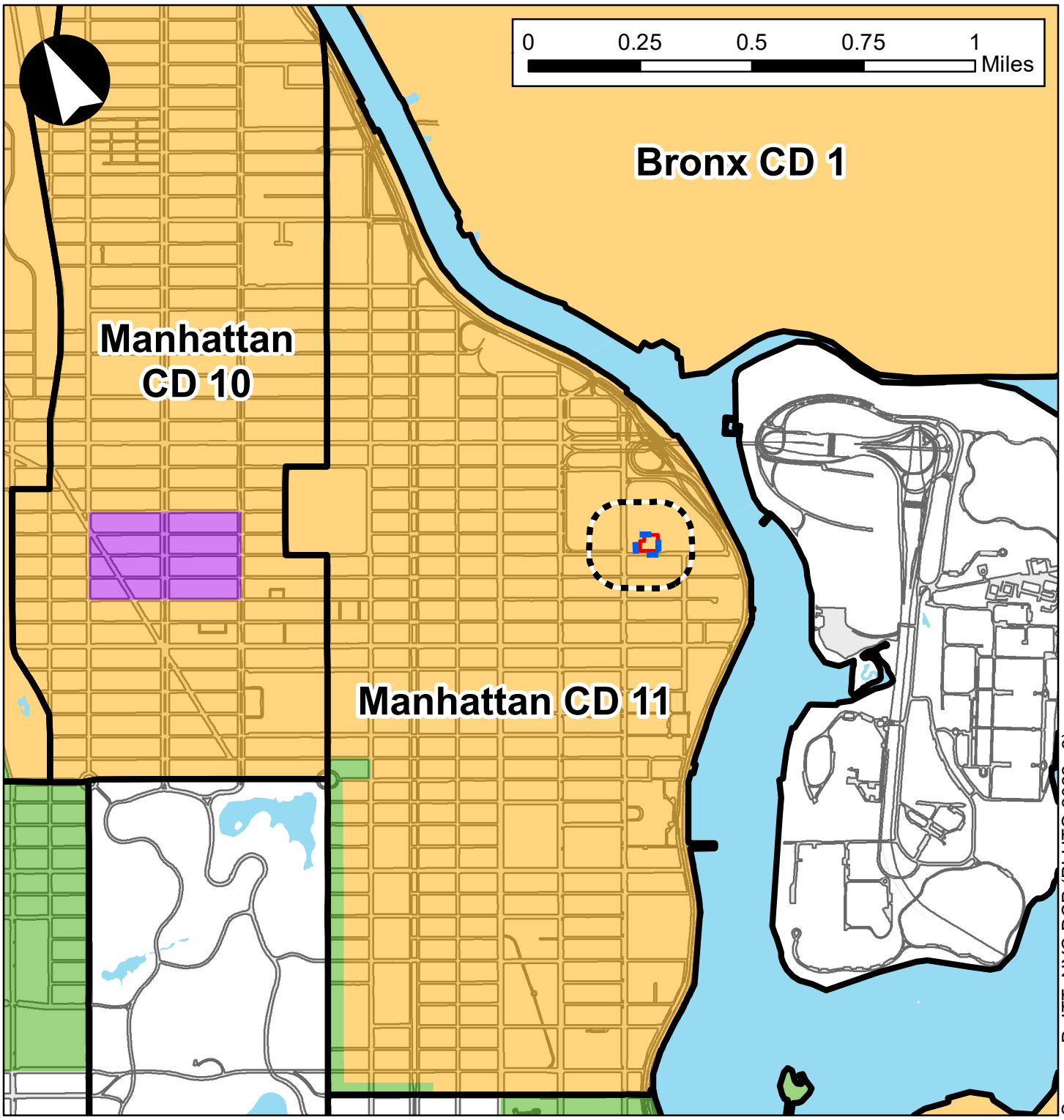
The primary study area and secondary study area are within Manhattan Community District (CD) 11, which is entirely within the area subject to zoning and discretionary tax incentives (see **Figure C-4**). Discretionary tax incentives are available through the IDA. The tax incentives are discretionary and will be assessed on a per case basis for eligibility in the FRESH program.

Waterfront Revitalization Program (WRP)

As shown in **Figure C-5**, the Project Area and a large portion of the secondary study area are located within the City's designated coastal zone. As such, in accordance with the guidance of the 2021 *CEQR Technical Manual*, a preliminary evaluation of the Proposed Actions' potential for inconsistency with the City's WRP policies was undertaken. Actions located within the City's Coastal Zone generally require submission of the WRP Consistency Assessment Form (CAF). This form is intended to assist an applicant in certifying that a proposed action(s) is consistent with the WRP by identifying the extent to which a proposed project may have a promoting or hindering effect on the achievement of particular WRP policies. The completed CAF and accompanying information are used by City and State agencies to review the applicant's certification of consistency. The WRP CAF for the Proposed Action is provided in **Appendix III**.

According to the 2021 *CEQR Technical Manual*, where the answers to a CAF indicate that a proposed project does not have any potential effect on any particular policy (i.e., the policy is not applicable to the project), no further assessment of the project's potential effects on WRP policies is required or necessary.

Figure C-4
FRESH Zones



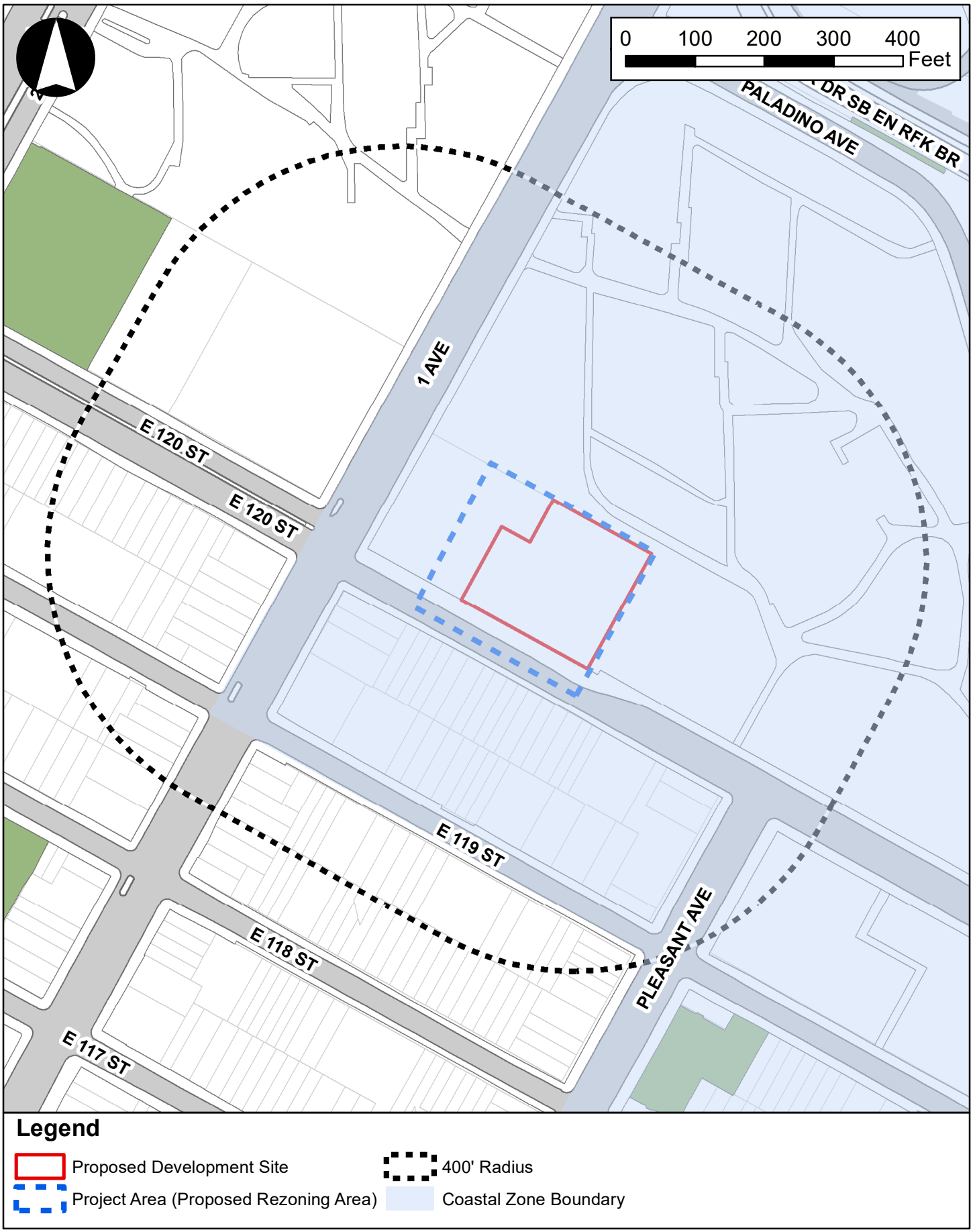
Legend

- Proposed Development Site
- Project Area (Proposed Rezoning Area)
- Secondary Study Area (400-foot Radius)

FRESH Zones

- Discretionary tax incentives
- Zoning and discretionary tax incentives
- Zoning incentives

Figure C-5
Coastal Zone Boundary



Where answers to the questions indicate that the project may have a potential effect on a particular identified policy or policies set forth in the WRP ("promote" or "hinder"), further examination through preparation of a detailed analysis is warranted. As shown in the CAF in **Appendix III**, several policies warranted further assessment, and therefore an assessment of the Proposed Action's consistency with each of these policies is provided in **Section IV** below.

The Future without the Proposed Actions (No-Action Condition)

Land Use and Zoning

Primary Study Area

As presented in **Attachment A, "Project Description,"** in the 2026 future without the Proposed Actions, it is anticipated that no zoning changes would occur within the directly affected area, and the existing uses would remain. The Applicant-owned Block 1808, Lot 8 would remain the same as under the existing conditions and the MSC building would not be renovated.

Secondary Study Area

Existing land use patterns are anticipated to continue in the surrounding area. There are no known zoning changes proposed, and no new developments anticipated to be completed by the 2026 analysis year in the 400-foot secondary study area.

For the purposes of other technical analyses that assess conditions in a larger study area, developments anticipated within an approximately ¼- and ½-mile of the primary study area are summarized in **Table C-3** and shown graphically in **Figure C-6**. As presented in **Table C-3**, in the future without the Proposed Actions, it is anticipated that 301 residential DUs, approximately 104,867-gsf of commercial, and approximately 125 parking spaces would be developed within a ½-mile of the primary study area at nine sites.

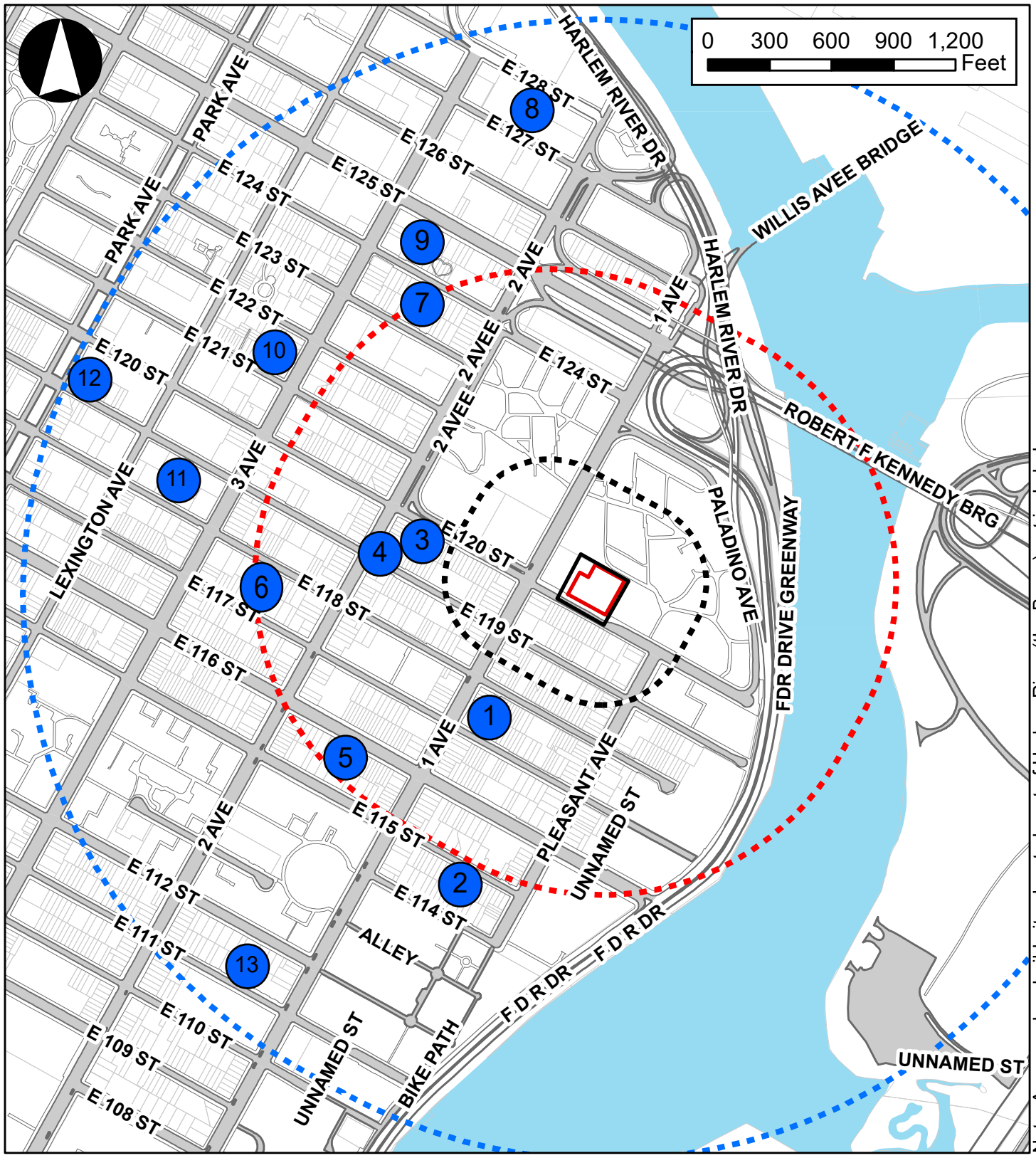
TABLE C-3: Known No-Action Developments within ½-Mile of the Primary Study Area

No-Action Developments Within ¼-Mile									
Map No.[1]	**Block**	**Lot**	**Address**	**Residential (DUs)**	**Commercial (GSF)**	**Office (GSF)**	**Community Facility (GSF)**	**Manufacturing (GSF)**	**Parking Spaces**
1	1711	44	402 East 118th Street	35	1,040	0	0	0	0
2	1708	33	440 East 115th Street	15	0	0	0	0	0
3	1796	44	320 East 120th Street	5	0	0	0	0	0
4	1796	106	309 East 119th Street	8	0	0	0	0	0
5	1687	40	324 East 116th Street	9	137	0	0	0	0
6	1667	11	221 East 117th Street	12	0	0	0	0	0
7	1788	13	231 East 123 Street	11	0	0	0	0	0
No-Action Developments Within ½-Mile									
8	1792	5	2495 2nd Avenue	0	63,067	0	0	0	91
9	1789	45	212 East 125 Street	113	2,866	0	0	0	34
10	1770	36	181 East 121 Street	0	37,757	0	95,669	0	0
11	1767	27	159 East 118th Street	12	0	0	0	0	0
12	1768	69	1717 Park Avenue	57	0	0	0	0	0
13	1683	34	336 East 112th Street	24	0	0	0	0	0
Total				**301**	**104,867**	**0**	**95,669**	**0**	**125**

Sources: NYCDOB Active Major Construction

Notes: List does not include developments located in the Bronx or Randall's Island within radii.

[1] Keyed to **Figure C-6**



Note: Areas and no-build sites located east of Harlem River (the Bronx) not included.

Legend

- Proposed Development Site
- Proposed Rezoning Area
- 400' Radius
- 1/4-Mile Radius
- 1/2-Mile Radius

Public Policy

In absence of the Proposed Actions, no changes to public policies are anticipated in the primary or secondary study areas.

The Future With the Proposed Action (With-Action Condition)

Under the With-Action condition, the Proposed Actions would be approved. As described in **Attachment A, "Project Description,**" under the RWCDS, the Proposed Actions would facilitate the incremental development of approximately 262,873 gsf of residential space (274 total affordable DUs). The existing80,290 gsf community facility building would be renovated as a five-story, 65,860 gsf building under the With Action conditions.

Land Use

Primary Study Area

The Proposed Actions would result in changes to land use within the primary study area by increasing the allowable density and introducing new residential uses. Under the RWCDS, the Project Site would be redeveloped to its maximum FAR. The Proposed Actions would facilitate new residential development on an underutilized site that contains a community facility building. The proposed residential building would be consistent with the existing neighborhood character and support existing uses already present in the surrounding area. The proposed residential use is expected to complement existing one-and two family homes, multiunit walkup residential apartment buildings, and mixed-use residential and commercial buildings near the Project Site on the bounding streets.

The Proposed Actions would not generate land uses that would be incompatible with surrounding uses, nor would they directly displace land uses in such a way as to adversely affect surrounding land uses. The introduction of housing in a transit accessible area would further contribute to the mission and purpose of integrating housing with transportation and jobs, thus encouraging live-work communities and transit-oriented development. Additionally, the Proposed Actions would complement development the mixed-use residential, commercial, and community facility development that has occurred on the adjacent lot within the Project Area. Therefore, the Proposed Actions would support land use trends, and no significant adverse land use impacts are expected.

Secondary Study Area

The Proposed Actions are not expected to alter development trends or patterns in the secondary study area. The secondary study area would not undergo any changes because of the Proposed Actions. The Proposed Actions would have no direct effect on land use nor zoning in the secondary study area. The proposed residential uses at the Project Site would complement and be consistent with the mix of residential uses in the secondary study area. As noted above, land uses in the secondary study area are varied with a dense mix of residential, public facilities, and commercial uses.

Therefore, the Proposed Actions would not introduce any new land uses that would be incompatible with their surroundings, and the Proposed Actions would not represent a significant adverse impact on land use in the secondary study area in accordance with the criteria set forth in the *CEQR Technical Manual.*

Zoning

In the future with the Proposed Actions, the existing zoning in the primary study area would change along East 120th Street at a depth of approximately 363 feet east from 1st Avenue. The existing R7-2 and R7X district would be rezoned to an R8 district.

The proposed zoning district would continue to allow residential and community facility uses (Use Groups 1-4). It would also increase the allowable density and would create additional zoning capacity in a transit-accessible area to support new housing creation and increase the number of affordable housing units available in New York City. The proposed rezoning area is well suited for additional development, given its proximity to public transit and as 1st Avenue and East 120th Street are major arterial roads that support additional density. As detailed in Manhattan CD 11's Statements of Community District Needs and Community Board Budgetary Requests for the fiscal year of 2023, affordable housing is one of the three most pressing issues for CD 11, as housing supply is low and demand is very high making affordable housing options almost non-existent in the area.

The proposed zoning district would permit residential FAR of 7.2 (with the Mandatory Inclusionary Housing (MIH) Program), community facilities up to 6.5 FAR, and commercial uses up to 2.0 FAR (with the proposed commercial overlay). Buildings would have a maximum height of 215 feet (with MIH and a qualifying ground floor). Buildings would have a maximum base height of 105 feet (with MIH and a qualifying ground floor). Off-street accessory parking would be required for 40 percent of market-rate dwelling units.

The proposed zoning text amendment would establish an MIH area coterminous with the rezoning area through ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for CD 11. The proposed text amendment would require the Applicant to develop in accordance with the MIH program, and would mandate the provision of affordable housing. Future qualifying development of all sites within the rezoning area would also be required to adhere to the requirements of the MIH program. Pursuant to the MIH program, a percentage of the new dwelling units would be affordable units, resulting in an affordable housing set-aside for either 25 percent of the residential floor area at an average of 60 percent of the Average Median Income (AMI) (Option 1) or 30 percent of the residential floor area at an average of 80 percent of AMI (Option 2). The final MIH Option will be chosen by the City Council through the ULURP. The proposed affordable housing set asides would ensure that the development within the rezoning area would help to address the need for housing to serve diverse incomes.

Secondary Study Area

The Proposed Actions would only apply in the primary study area and would not affect lots beyond this area. The proposed zoning map and text amendment would align with the City's land use, zoning, and public policy objective to encourage denser development in area served by public transit and facilitate the development of affordable housing. The proposed zoning changes would be consistent with other residential and mixed-use zoning in the secondary study area as the entire secondary study area is zoned for residential uses with the avenue mapped with commercial overlays. The Proposed Actions would not result in any significant impacts to zoning patterns in the area, nor have a significant impact on the extent of conformity within the current surrounding area.

Public Policy

As detailed below, the Proposed Actions would not result in any significant adverse public policy impacts to the primary or secondary study areas. The proposed zoning changes are expected to help foster diverse

and livable neighborhoods with mixed-use residential and commercial buildings in an underutilized area and ensure housing supply increase in an equitable way, building new affordable housing units.

Housing New York 2.0

The proposed zoning actions would be consistent with the *Housing New York 2.0* plan and would result in a net increase of approximately 274 affordable DUs. Under Option 1 of MIH, approximately 25 percent of the new residential units would be permanently affordable to residents with incomes averaging 60 percent of the Area Median Income (AMI) ($64,440 for a family of three in 2021). The affordable dwelling units under the With-Action condition would provide the area with a mix of new affordable housing and market-rate units and would support the City's efforts to increase the overall amount of affordable housing and help foster diverse and livable neighborhood. Therefore, the Proposed Actions would be supportive of this key public policy goal and further analysis is not warranted.

Waterfront Revitalization Program

As discussed above, the WRP CAF lists the WRP policies and indicates whether the Proposed Actions would promote or hinder that policy or if that policy would not be applicable (see **Appendix III**). Per the WRP CAF, Policies 1.1, 1.3, 1.5, 5,1, 6.1, 6.2, and 7.1 warrant further assessment and are discussed below.

Consistency with Applicable WRP CAF Policies

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

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

Neither the Project Area nor the Applicant-owned Project Site are located on the waterfront. The Project Site is located in an appropriate location for residential development as it is located in East Harlem, a diverse neighborhood in Manhattan comprised of mainly residential, community facility, and commercial land uses and building types that is well-served by existing infrastructure and public transportation. According to the FEMA National Flood Hazard Layer (NFHL) Viewer, the Project Area is primarily located within the 1% Annual Chance Floodzone. A small area in the eastern part of the Project Area, closest to the waterfront, is located within the 0.2% Annual Chance Floodzone. The Proposed Actions are necessary to facilitate the development of new affordable housing in the Project Area. The proposed residential building would adhere to all elements of Appendix G of the New York City Building Code. The Proposed Actions would introduce land uses and zoning that would be consistent with the surrounding area. The directly affected area is not located within a Significant Maritime and Industrial Area (SMIA), Recognized Ecological Complex (REC), Priority Maritime Activity Zone (PMAZ), Special Natural Waterfront Area (SNWA), or West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA), as defined in the WRP, and is therefore not located in a special area that may be inappropriate for the development of new residential uses. As such, the Proposed Actions would promote Policy 1.1 of the WRP.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate of will be developed.

Although located in the coastal zone, the Project Area is not a waterfront site. It is well suited for residential development, as the site currently contains a community facility building and the site is underutilized. The area is well served by existing public facilities and infrastructure services, including

public transit, with the 116th Street 6 subway station located approximately 0.4 miles southwest of the Project Area, and the M15, M15 SBS, and M116 bus routes running in the vicinity of the Project Area.

As discussed in Policies 6.1 and 6.2 below, the proposed building design will place all of the critical uses, including all residential dwelling units and mechanical equipment, above the ground floor. The proposed development would not have a cellar level. The rehabilitated community facility building's cellar level would be eliminated which would minimize the potential for flood damage at the building.

The Project Site is connected to the City's sewer system and served by the Wards Island Wastewater Resource Recovery Facility (WRRF). The Wards Island WRRF has a capacity of 275 million gallons per day (MGD) and would be able to accommodate flows from the proposed 274-unit development. Furthermore, the Proposed Action is not located in one of the drainage areas specified in the 2021 *CEQR Technical Manual* drainage areas requiring infrastructure and would not require improvements to existing public infrastructure. As such, the Proposed Actions would encourage redevelopment in an appropriate area within the coastal zone and is supportive of WRP Policy 1.3.

Policy 1.5: ***Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to Policy 6.2.***

The Project Area is located approximately 1,000 feet west of the Harlem River and not located along the waterfront. The Project Area is located in the 1% annual chance floodplain. Refer to discussion of Policies 6.1 and 6.2 for additional information on design considerations that acknowledge climate change and sea level rise. The Proposed Actions would not hinder the goals of Policy 1.5.

Policy 5: **Protect and improve water quality in the New York City coastal area.**

Policy 5.1: ***Manage direct or indirect discharges to waterbodies.***

Stormwater would be treated in accordance with the NYS DEC SPDES General Permit Regulations. Stormwater collected from both buildings will be managed through a single combined detention tank constructed under the residential building in compliance with NYC Plumbing Code for Storm Drainage. The detention tank will be designed and constructed to withstand the static pressure conditions in the event of a flood condition, as required for tanks located below the design flood elevation. Therefore, the Proposed Actions would promote the goals of Policy 5.1.

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

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

The Project Area lies within the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (PFIRMs) 1-percent annual change floodplain and 500-year floodplain (refer to **Figure C-7**). The proposed building design will place all of the critical mechanical and electrical utility systems above the design flood elevation (DFE). As further discussed in Policy 6.2 below, the Proposed

National Flood Hazard Layer FIRMette



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

Project Area

Development will contain a residential development with 274 total DUs, located on floors two through 21. Additionally, the first floor of the Proposed Development would be +/- 3.40 feet above the base flood elevation (BFE) and +/- 1.30 above the DFE and would not house any of the building's dwelling units; they would all be located above the DFE and the BFE.

The proposed building will comply with flood resistance measures required by Appendix G of the 2014 New York City Building Code. However, the Applicant intends to elect to comply with additional flood resistance measures, including dry floodproofing below the Design Flood Elevation (NAVD88 11.90). The only uses below Design Flood Elevation will be the ground floor of the residential building, which would be a residential lobby and contain laundry rooms, bike storage, shared gathering rooms and work spaces, a gym, and the mail room. HVAC units, towers, and emergency generators will be located on the roof. Mechanical, plumbing and electrical systems will be located above the Design Flood Elevation (NAVD88 11.90), as required by Appendix G of the Building Code. These systems will be located on the first floor, which will be raised to NAVD +1.30. Other Appendix G requirements include provision of electrical connections for temporary external generators capable of providing power for at least 72 hours, located above Design Flood Elevation (see Sections G304.5.2 and G304.5.3 of the Building Code), and an emergency connection plan demonstrating how temporary external generators will be connected. Therefore, the proposed building would meet the requirements of building-scale resiliency measures to reduce the risks of damage from current and future coastal hazards and would be consistent with Policy 6.1.

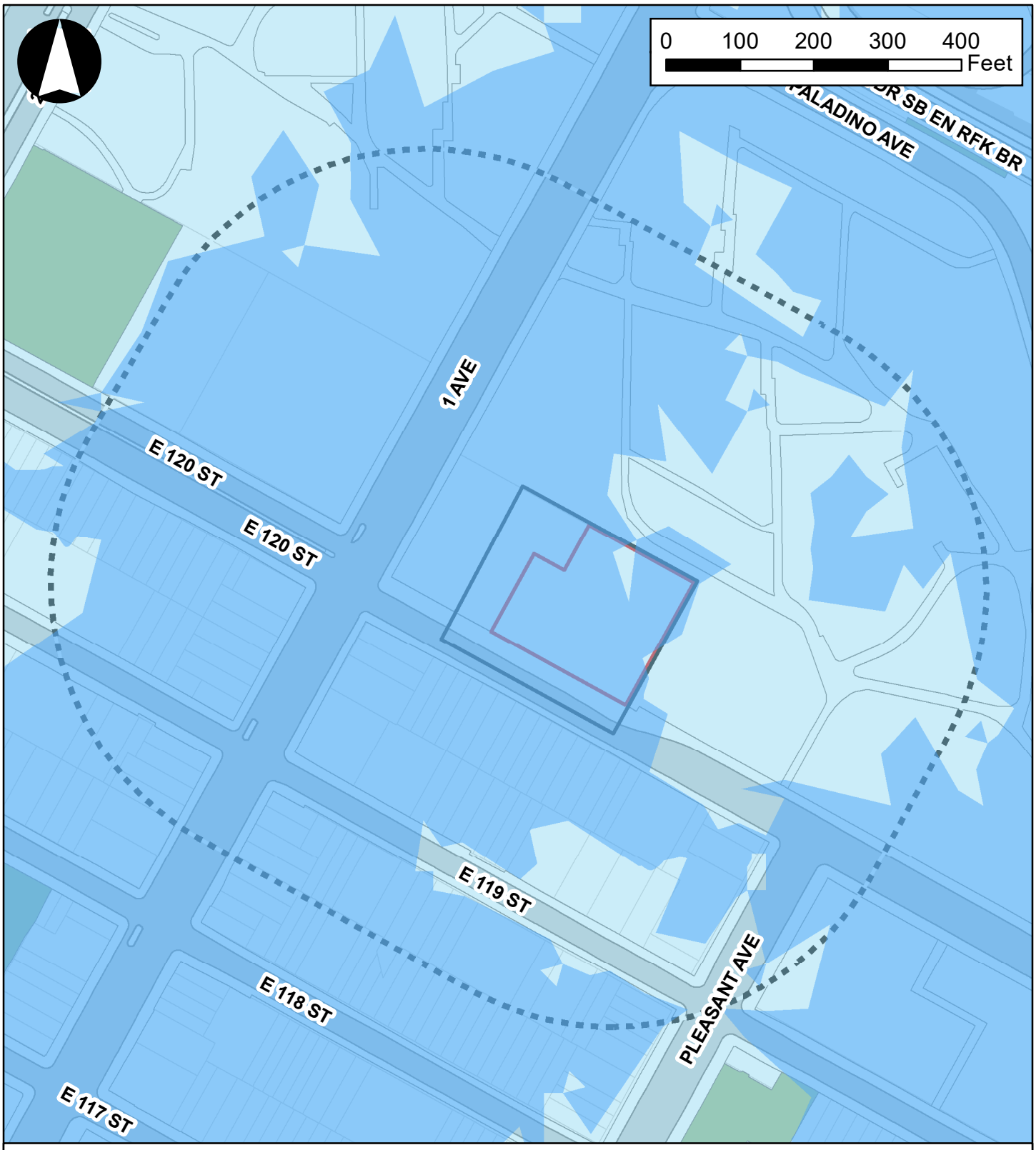
Policy 6.2: ***Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the New York City Panel on Climate Change or any successor thereof) into the planning and design of projects in the City's Coastal Zone.***

As outlined in The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document, for site-specific actions that include (or would facilitate the development of) new vulnerable, critical, or potentially hazardous features, the detailed methodology approach should be utilized to assess a project or action's consistency with Policy 6.2 of the WRP. The detailed Policy 6.2 methodology assessment is provided below.

Flood Insurance Rate Maps and Base and Design Flood Elevations

In 2015, FEMA issued updated PFIRMs for New York City. These maps were intended to replace the currently effective FIRMs issued by FEMA in 1983 with adopted revisions dated 2007. However, the City filed a technical appeal of the PFIRMs and FEMA subsequently announced that it agreed with the City's findings, and would work with the City to revise the PFIRMs and issue new maps in the coming years that better reflect current flood risk. They identify the 100-year (1 percent annual chance) floodplain with the 100-year flood water levels projected to reach the specified BFEs. They also identify the 500-year (with an annual probability of flooding between 0.2 percent and 1 percent) floodplain. FEMA does not identify the BFE for the 500-year floodplain. Areas within the 100-year floodplain are subject to NYC Building Code and FEMA flood-resistant construction requirements. These include requirements that all habitable space and critical building systems be located above the DFE; permitted uses below the DFE include parking, storage, and access areas. As shown in **Figure C-6,** the Project Area is located within the currently applicable 2020s 100-year flood zone and within the 2020s 500-year flood zone. As shown in **Figure C-7**, the Project Area will be in the 100-year and 500-year flood zones by the 2050s.

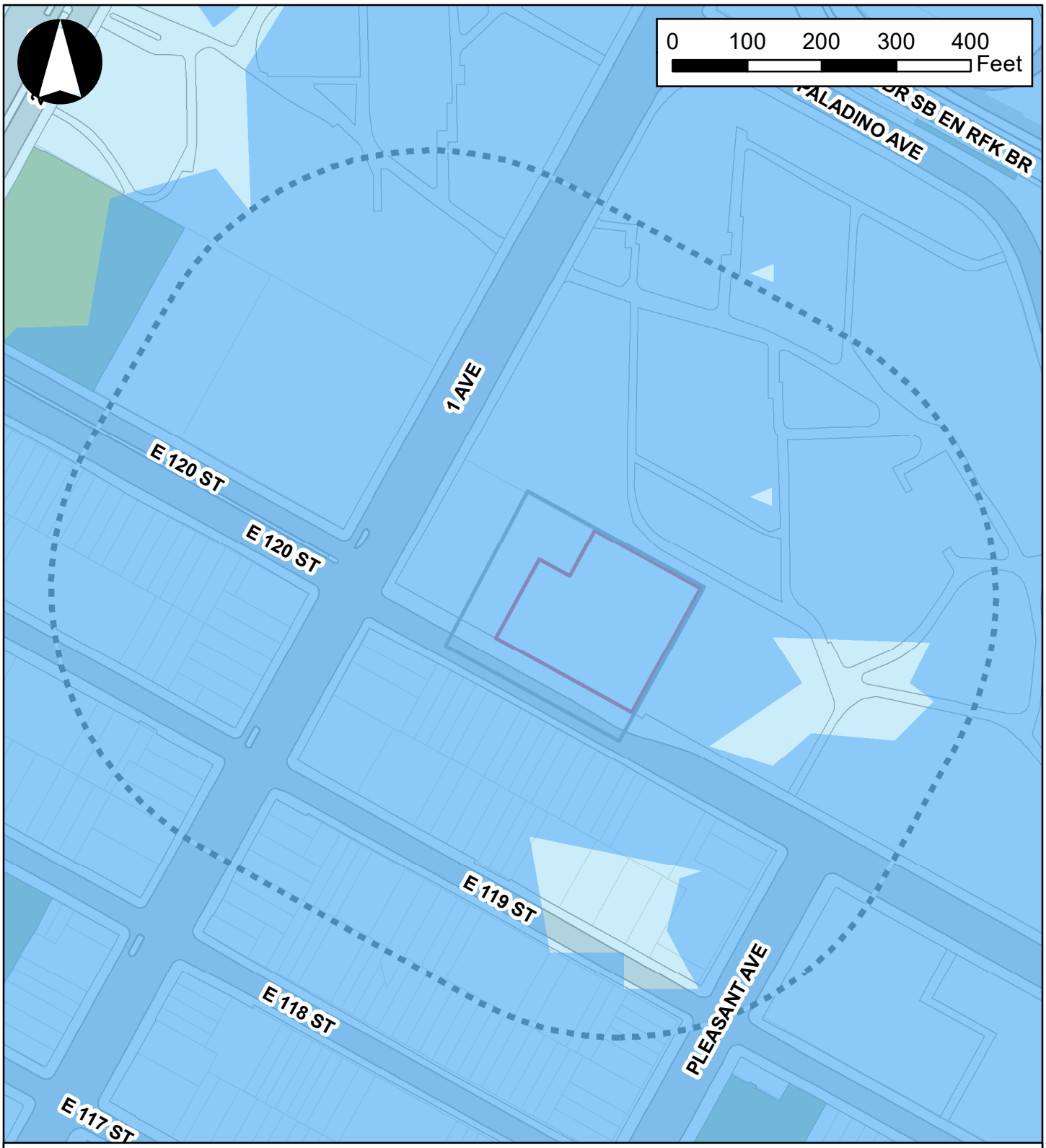
FEMA NPCC 2020s Floodplain Projections



Legend

- Proposed Development Site
- Project Area (Proposed Rezoning Area)
- 400' Radius
- 2020s 500-Year Projections
- 2020s 100-Year Projections

FEMA NPCC 2050s Floodplain Projections



Legend

- Proposed Development Site
- Project Area (Proposed Rezoning Area)
- 400' Radius
- 2050s 100-Year Projections
- 2050s 500-Year Projections

There are two types of 100-year floodplains; "V" zones with the added hazard of high-velocity wave action with a projected wave height of 3 feet or more and "A" zones, which are projected to be inundated with the 100-year flood but without wave action from waves of 3 feet or more. The PFIRMs also introduced a new area defined as the "Coastal A Zone" designated by a boundary called the Limit of Moderate Wave Action (LiMWA). This zone is the portion of an A Zone, also referred to as the "Coastal AE Zone", where moderate wave action with projected wave heights between 1.5 and 3 feet is expected during the base flood event. The City of New York has adopted the BFEs specified in either the PFIRMs or the currently effective FIRMs as revised in 2007, with the more restrictive of the two, i.e., having a higher BFE, applicable until new effective FIRMs are available for the purposes of determining compliance with all flood-proofing requirements and for establishing base plane elevations for new buildings to measure their compliance with zoning building height requirements.

Project Area Location in Relation to the PFIRM 100- and 500-year Floodplains

As defined in both 2015 PFIRM and the 2007 effective FIRM, the Project Area is located within applicable 100-year floodplain and within the 500-year floodplains. The 1-percent flood elevation for the closest point within the flood zone has a BFE of +11' NAVD 88, which is used in this analysis. This area is designated an "A" zone and indicates high flood risk.

As noted above in the "Existing Conditions" section discussing the WRP, the NPCC predicts that mean annual temperatures will increase by 2 to 3˚F and by 4 to 6.5˚F by the 2020s and 2050s, respectively; total annual precipitation will rise by 0 to 10 percent and 5 to 15 percent by the 2020s and 2050s, respectively; sea level will rise by 4 to 11 inches and 11 to 31 inches by the 2020s and 2050s, respectively; and by the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration. Coastal flooding is also very likely to increase in frequency, extent, and elevation. Based on these projections, the Project Area will be in both 100-year and 500-year floodplains by the 2050s (see **Figure C-7**), but BFEs are not indicated in the NPCC prediction. The NPCC recommends assessing the impacts of projected sea level rise on the lifespan of projects. Because of limitations in the accuracy of flood projections, the NPCC recommends that these 2020s and 2050s maps not be used to judge site-specific risks and advises that they are subject to change.

Detailed Assessment

Pursuant to guidance issued by DCP, an assessment of consistency with Policy 6.2 has been prepared consistent with the detailed methodology identified therein. There are three basic steps required under this methodology: (1) identify vulnerabilities and consequences; (2) identify adaptive strategies; and (3) assess policy consistency.

Identify Vulnerabilities and Consequences

For this assessment, building features are defined in one of four categories: (1) *vulnerable*: project features that have the potential to incur significant damage if flooded; (2) *critical*: project features that, if damaged, would have severe impacts on the project and its ability to function as designed; (3) *potentially hazardous*: project features that if damaged or made unsecure by flooding could potentially adversely affect the health and safety of the public and the environment; and (4) *other*: project features that are entirely open and unenclosed spaces (except the open storage of potentially hazardous materials), which may be damaged by flooding, but are unlikely to present significant consequences and are more easily repaired.

The Flood Elevation Worksheet was prepared for the Proposed Development and is provided in **Appendix III**. This worksheet serves as a tool that identifies current and future flood elevations in relation to the elevations of the Development Site and features of the Proposed Development, presenting a range of future flood elevations as affected by sea level rise (SLR), from high (90th percentile) projections to low (10th percentile) projections. In other words, the "high" projection refers not to the predicted likelihood, which is estimated at an approximately 1/10 probability, but to being a high-end projected increase in flood elevation and, as such, physically higher than the "low" projections. Conversely, the "low" projection is more likely to occur, estimated at an approximately 9/10 probability.

Project Area

As shown in **Figures C-6** and **Figure C-7**, the Project Area is located within the baseline one percent annual chance floodplain (i.e., the "100-year floodplain") and within the two-percent annual chance floodplain (i.e. the "500-year floodplain"), and within both floodplains by the 2050s projections. As the proposed building would not contain a cellar level, the only portion of the build that would be below the BFE is the ground floor. With an elevation of +0.0 NAVD 88, the ground floor would be susceptible to flooding. However, it would not house critical equipment to the building nor would it house residential units. The building's ground floor would be located at the DFE with an elevation of approximately +1.30 NAVD 88 and would contain laundry rooms, bike storage, shared gathering rooms and work spaces, a gym, and the mail room. The residential rooms would be located on floors two through 21, which would all be above the DFE and BFE. The second floor would be located at an elevation of +30.0 NAVD88.

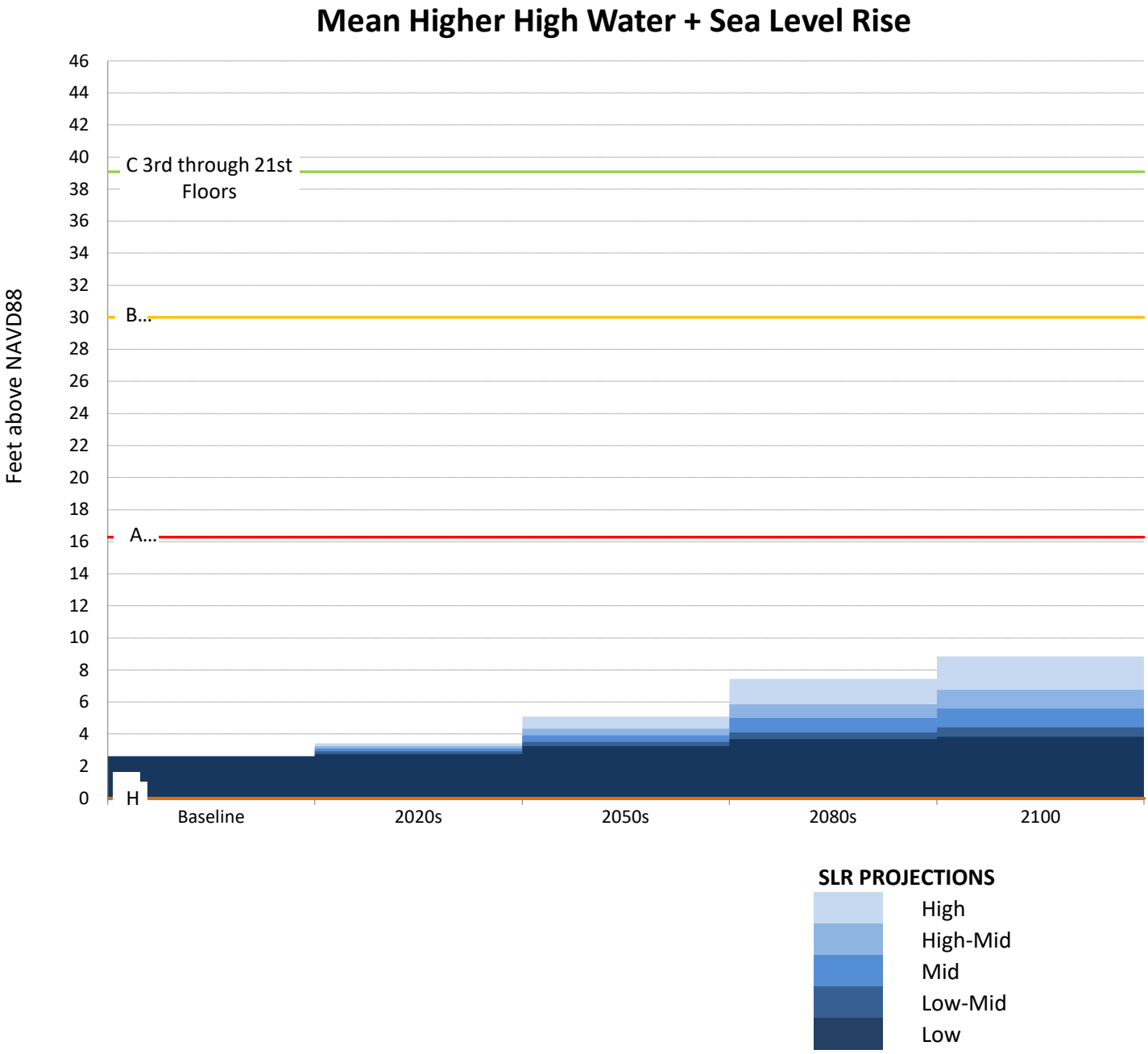
The residential rooms at +30.0 NAVD 88 would be above the 100-year and 500-year annual chance floodplain in the future at all forecast levels (2020s, 2050s, 2080s, and 2100s). The ground floor would remain above the elevation of the Mean Higher High Water (MHHW) through the 2100s (refer to **Figure C-9**). No boilers or fuel oil would be utilized in this area, as the boilers would be located on the roof of the structure.

Identify Adaptive Strategies

The Project Area is currently within the FEMA one-percent annual chance floodplain and is thus required to meet NYC Building Code requirements for flood resistant construction. The building is not designed with any major below-grade spaces, adhering to construction requirements for the one- or two-percent floodplain. Additionally, all of the resident rooms are located on the second floor and above, and most of the critical building systems are located on the roof at an elevation well above the BFE.

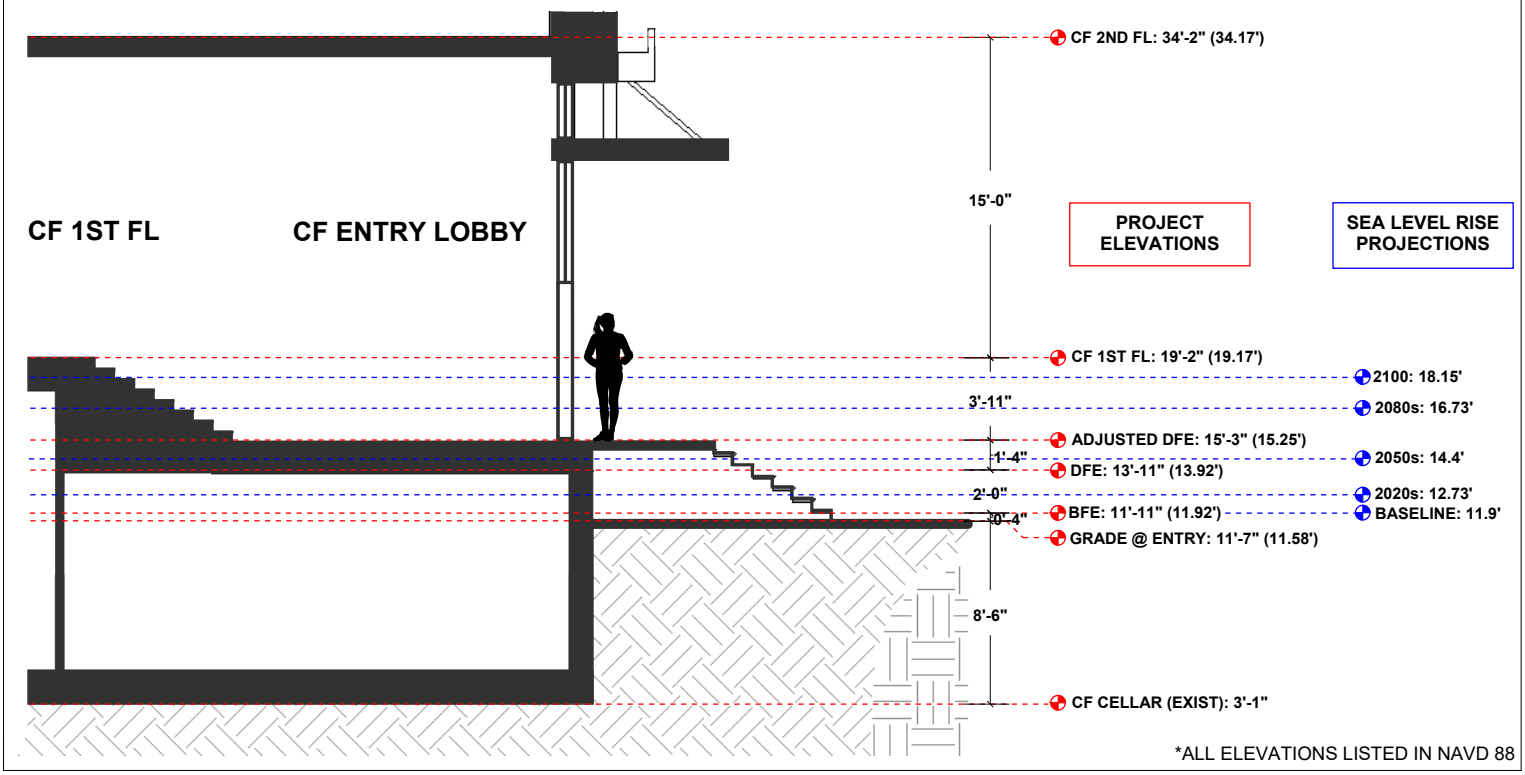
Coastal floodplains are influenced by astronomic tide and meteorological forces and not by fluvial (river) flooding, and as such are not affected by the placement of obstructions within the floodplain. Therefore, the construction and operation of the Proposed Development would not exacerbate future projected flooding conditions.

The Proposed Development would comply and implement flood resistance measures according to NYCDOB 2014 Appendix G. Measures would include: a dry flood proof cellar including flood damage resistant materials, HVAC units, towers, emergency generators located on the roof, Electrical, Gas and water pump rooms located on the first floor, which is above the DFE.


Mean Higher High Water + Sea Level Rise
Feet above NAVD88
46
44
42
40
38
36
34
32
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
C 3rd through 21st Floors
B...
A...
H
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

COMMUNITY FACILITY (Non-critical Facility)
BFE: 11.9' NAVD88
2050s: facility improvements, substantial improvement

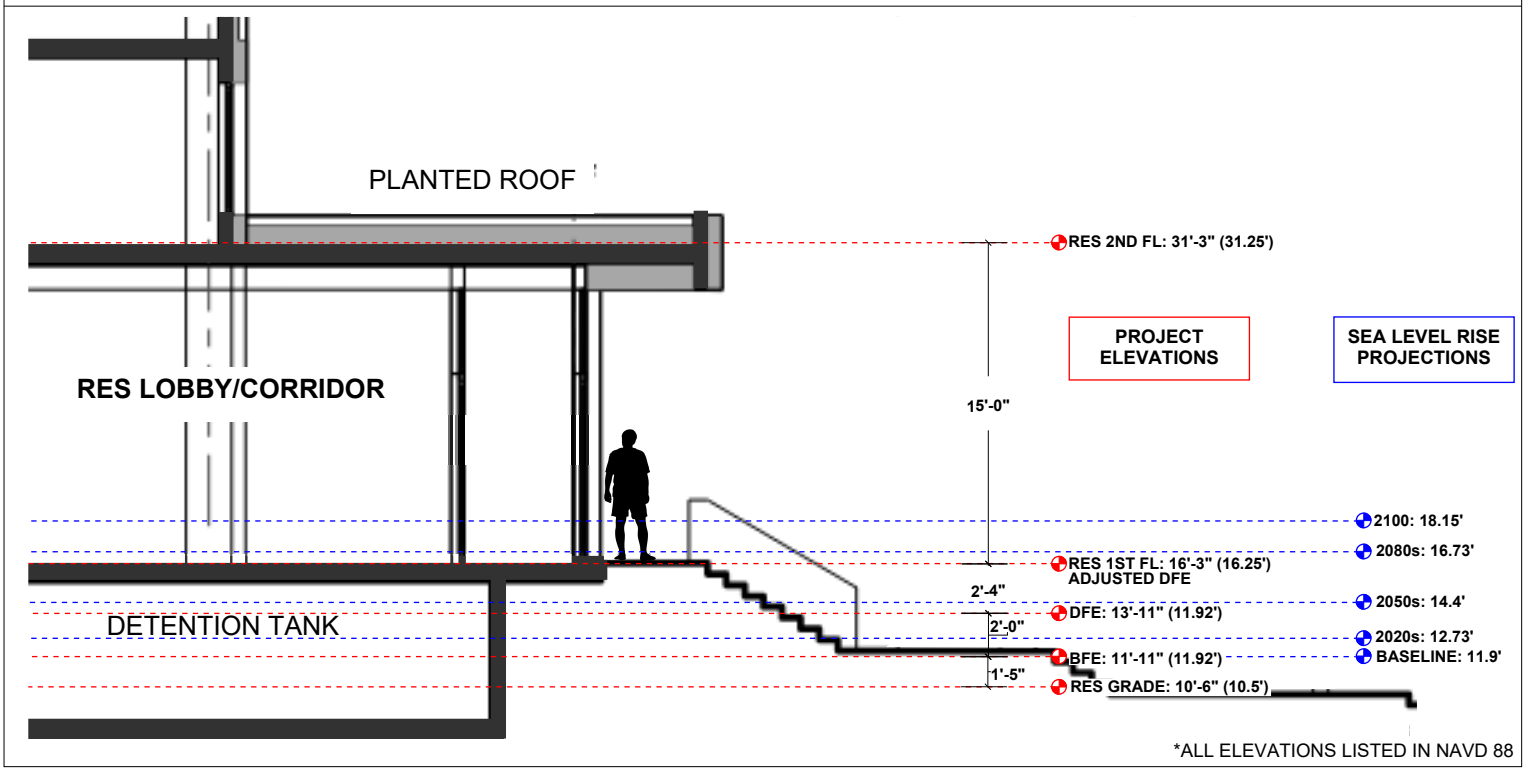
11.9' (BFE) + 24" (Freeboard) + 16" (Sea Level Rise Adjustment) = **15.23' NAVD88** (15'-3" Project DFE)



Source: Paul Castrucci Architects

RESIDENTIAL BUILDING (long-lived buildings, residential)
BFE: 11.9' NAVD88
2080s: long-lived buildings, residential

11.9' (BFE) + 24" (Freeboard) + 28" (Sea Level Rise Adjustment) = **16.23' NAVD88** (16'-3" Project DFE)



Source: Paul Castrucci Architects

Assess Policy Consistency

The Proposed Actions advances Policy 6.2. All new vulnerable or critical features would be protected through future adaptive actions that would incorporate flood damage reduction elements.

Policy 7: **Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**

Policy 7.1: ***Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of costal ecosystems.***

As neither the Project Area nor the Applicant-owned Project Site are located on the waterfront, it is not anticipated that the Proposed Actions would adversely affect this policy. As discussed in the Hazardous Materials section of **Attachment B, "Supplemental Screening,"** no additional testing for hazardous materials would be conducted at the Project Area. Development of the new residential building would comply with all regulations and employ best management practices to ensure minimizing any potential solid waste or other potential pollutants. Therefore, the Proposed Actions would promote the goals of Policy 7.1.

Attachment D

Socioeconomic Conditions

I. INTRODUCTION

This attachment assesses whether the Proposed Actions would result in significant adverse impacts to the socioeconomic character of the area within and surrounding the Project Area in the East Harlem neighborhood of Manhattan Community District (CD) 11. As described in the 2021 *City Environmental Quality Review* (CEQR) *Technical Manual*, the socioeconomic character of an area includes its population, housing, and economic activities. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although some socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. In some cases, these changes may be substantial, but not adverse. The objective of a CEQR analysis is to disclose whether any changes created by the action would have a significant adverse impact compared to what would happen in the future without the Proposed Actions.

As described in **Attachment A, "Project Description,"** the Proposed Actions involve a series of discretionary approvals that would facilitate the rehabilitation of an existing community center, known as the East Harlem Multi-Service Center (MSC), and the development of a new 21-story affordable housing building on the Projected Development Site at 420 East 120th Street (Block 1808, Lot 8). The incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be a net increase of 274 dwelling units (DUs), all of which would be affordable to households earning between 30 to 80 percent of the Area Median Income (AMI)[1]. The proposed residential development and renovation of the existing MSC would be completed by 2026.

In accordance with *CEQR Technical Manual* guidance, this socioeconomic assessment considers whether the Proposed Actions could result in significant adverse socioeconomic impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; or (5) adverse effects on specific industries.

II. METHODOLOGY

Under CEQR, the socioeconomic character of an area is defined by its population, housing, and economic activities. The assessment of socioeconomic conditions usually distinguishes between the socioeconomic conditions of an area's residents and businesses. However, a proposed action can affect either or both segments in similar ways: it may directly displace residents or businesses; or it may alter one or more of the underlying forces that shape socioeconomic conditions in an area and thus may cause indirect displacement of residents or businesses. The objective of the CEQR analysis is to disclose whether any

[1] The 2022 AMI for the New York City region is $120,100 for a three-person family (100 percent AMI).

changes created by the Proposed Actions would have a significant impact compared with what would happen in the future without the Proposed Actions (i.e., the "No-Action Condition").

Direct displacement is defined as the involuntary displacement of residents, businesses, or institutions from the actual site of (or sites directly affected by) a proposed project or action. Examples include the proposed redevelopment of a currently occupied site for new uses or structures, or a proposed easement or right-of-way that would take a portion of a parcel and thus render it unfit for its current use. Since the occupants of a site are usually known, the disclosure of direct displacement focuses on specific businesses and employment and an identifiable number of residents and workers.

Indirect or secondary displacement is defined as the involuntary displacement of residents, businesses, or employees in an area adjacent to, or close to, a project or development site that results from changes in socioeconomic conditions created by a proposed project or action. Examples include rising residential rents in an area that result from a new concentration of higher-income housing introduced by a project, which ultimately could make existing housing unaffordable to lower income residents; a similar turnover of industrial to higher-rent commercial tenancies induced by the introduction of a successful office project in an area; or the flight from a neighborhood that can occur if a proposed project or action creates conditions that break down the community (such as a highway dividing the area). Unlike direct displacement, the exact occupants to be indirectly displaced are not known. Therefore, an assessment of indirect displacement usually identifies the size and type of groups of residents, businesses, or employees potentially affected.

Even if projects do not directly or indirectly displace businesses, they may affect the operation and viability of a major industry or commercial operation in the city. An example would be new regulations that prohibit or restrict the use of certain processes that are critical to certain industries. In these cases, the CEQR review may involve the assessment of the economic impact of the project on the specific industry in question.

Determining Whether a Socioeconomic Assessment Is Appropriate

According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if an action may be reasonably expected to create socioeconomic changes in the area affected by the action that would not be expected to occur in the absence of the Proposed Actions (i.e., the No-Action condition). The following initial screening assessment considers threshold circumstances identified in the *CEQR Technical Manual* and bulleted below, that can lead to socioeconomic changes warranting further assessment.

The Proposed Actions and associated RWCDS would introduce a net increase of 274 DUs as compared to the No Action condition.

- ***Direct Residential Displacement: Would the proposed action directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered? Displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood.***

The Projected Development Site is currently occupied by a five-story, 65,860 gross square foot (gsf) community facility building owned by the NYC Human Resources Administration (HRA), also known as the East Harlem Multi-Service Center (MSC), which would remain at the site and would undergo renovations

because of the Proposed Actions. The renovated MSC building would be a six-story 65,860 gsf building. As such, the Proposed Actions would not result in any direct residential displacement, and therefore, would not result in significant adverse impacts due to direct residential displacement.

- ***Direct Business Displacement: Would the proposed action directly displace more than 100 employees, or directly displace a business whose products or services are uniquely dependent on its location, are the subject of policies or plans aimed at its preservation, or serve a population uniquely dependent on its services in its present location? If so, assessments of direct business displacement and indirect business displacement are appropriate.***

No employees would be directly displaced due to the Proposed Actions, and therefore, there would be no significant adverse impacts due to direct business or institutional displacement.

- ***Indirect Residential and/or Business Displacement due to Increased Rents: Would the proposed action result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood? Residential development of 200 units or less or commercial development of 200,000 sf or less would typically not result in significant socioeconomic impacts. For projects exceeding these thresholds, an assessment of indirect residential displacement and indirect business displacement is appropriate.***

The Proposed Actions would introduce approximately 274 DUs as compared to the No-Action condition, which would exceed the 200-unit *CEQR Technical Manual* threshold. Therefore, a preliminary assessment of potential indirect residential displacement is warranted, and is provided in Section III, "Preliminary Assessment of Indirect Residential Displacement".

The Project Area is zoned for residential uses and would continue to be zoned for residential uses in the With-Action condition. The Proposed Actions and associated RWCDS would not introduce any commercial use, or new community facility space, and therefore, would not exceed the 200,000-sf *CEQR Technical Manual* threshold. As such, an assessment of potential indirect business displacement is not warranted.

- ***Indirect Business Displacement due to Retail Market Saturation: Would the proposed action result in 200,000 sf or more of retail on a single development site or 200,000 sf or more of regional-serving retail across multiple sites? This type of development may have the potential to draw a substantial amount of sales from existing businesses within the study area, resulting in indirect business displacement due to market saturation.***

The Proposed Actions would not result in 200,000 sf or more of retail on a single development site or 200,000 sf or more of regional-serving retail across multiple sites. Therefore, an assessment of indirect business displacement due to retail market saturation is not warranted.

- ***Adverse Effects on Specific Industries: Is the project expected to affect conditions within a specific industry? This could affect socioeconomic conditions if a substantial number of workers or residents depend on the goods or services provided by the affected businesses, or if the project would result in the loss or substantial diminishment of a particularly important product or service within the city.***

The Proposed Actions would not result in development warranting an assessment of direct or indirect business displacement; therefore, an assessment for adverse effects on specific industries is not warranted.

Based on the screening assessment above, the Proposed Actions would warrant an assessment of indirect residential displacement.

Analysis Format

Following *CEQR Technical Manual* guidance, the socioeconomic analysis of potential indirect residential displacement begins with a preliminary assessment. The purpose of the preliminary assessment is to learn enough about the effects of the Proposed Actions to either rule out the possibility of significant adverse impacts or determine that a more detailed analysis is warranted. A detailed analysis, when required, is framed in the context of existing conditions and evaluations of the future without the Proposed Actions and the future with the Proposed Actions by the build year of 2026.

For the analysis of indirect residential displacement presented below, Steps 1 and 2 of the *CEQR Technical Manual*'s preliminary assessment were sufficient to conclude that the Proposed Actions would not result in any significant adverse socioeconomic impacts.

Study Area Definition

A socioeconomic study area is the area within which the Proposed Actions has the greatest potential to affect directly or indirectly population, housing, and economic activities. A study area typically encompasses a project or development site and adjacent areas within an approximately 400-foot, quarter mile, or half mile radius, depending upon the project size and area characteristics. According to the *CEQR Technical Manual*, the larger half mile study area is appropriate for projects that would potentially increase the quarter mile area population by more than five percent. The Proposed Actions would increase the quarter-mile population (20,506[2] as of the 2020 Census) by an estimated 628 people[3] (approximately 3.03 percent), and as such warrants a quarter mile study area.

As socioeconomic analyses depend on demographic data, it is appropriate to adjust the study area boundary to conform to the census tract delineation that most closely approximates the desired radius (in this case, a quarter mile radius surrounding the boundary of the Project Area). For this analysis, the four census tracts that comprise the socioeconomic study area are shown in **Figure D-1,** and include Manhattan census tracts 178, 188, 192, and 194. The quarter mile socioeconomic study area is in East Harlem. It is roughly bounded by East 124th Street to the north, the FDR Drive to the east, East 115th and East 111th Streets to the south, and Third Avenue to the west.

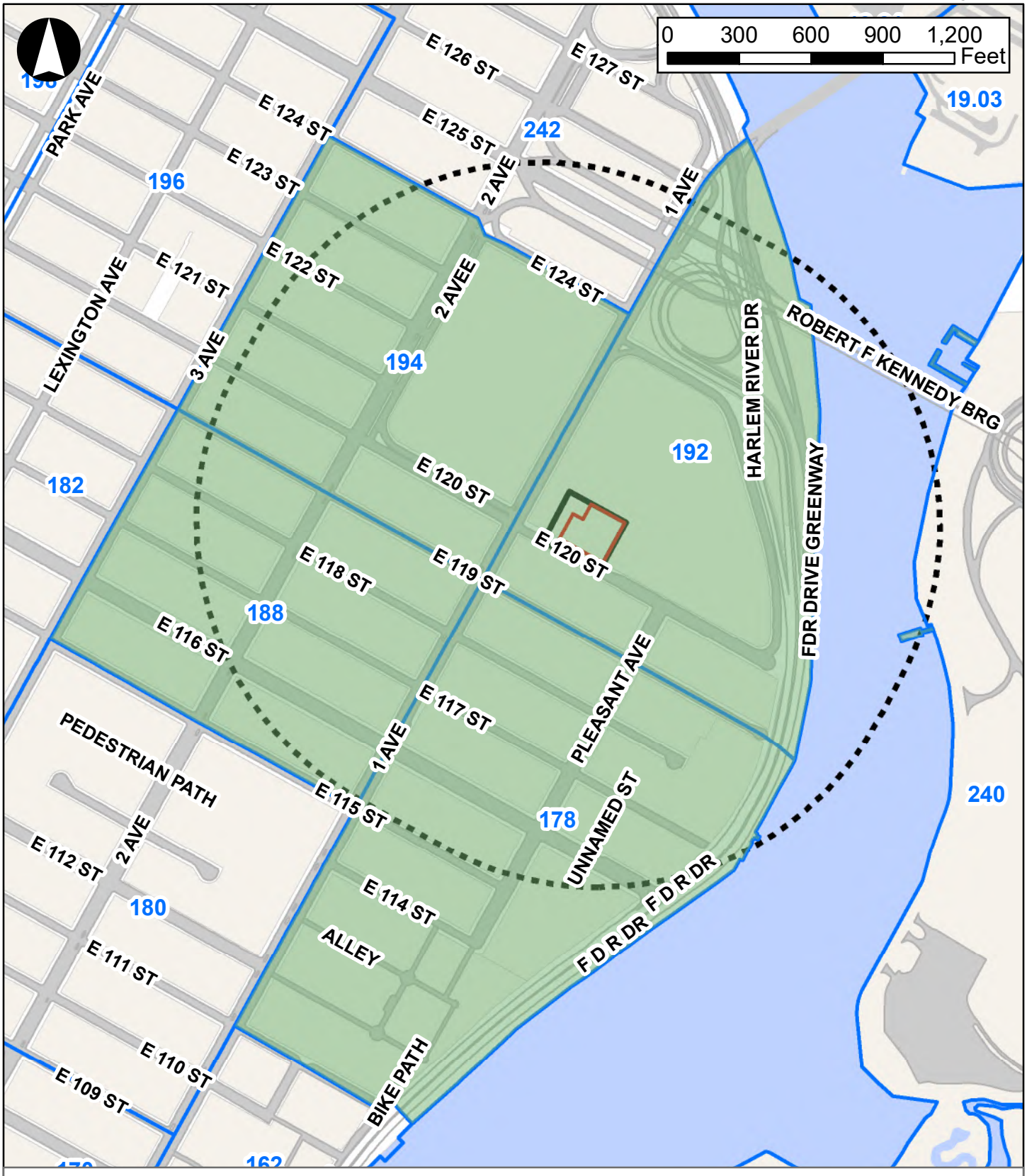
Data Sources

Information used in the analysis of indirect residential displacement (including population and household incomes) were obtained from the U.S. Census Bureau's 2020 Census and the 2006-2010 and 2016-2020 Five-Year American Community Surveys (ACS). The New York City Department of City Planning's (DCP) Population FactFinder online mapping application tool was used to determine the statistic reliability of

[2] https://popfactfinder.planning.nyc.gov/#15/40.79847/-73.93232

[3] Estimate of incremental residential population resulting from the Proposed Actions assumes 2.29 residents per DU, which is based on the average household size for Manhattan CD 11, according to the 2020 Census.

Figure D-1
Socioeconomic Conditions Study Area



Legend

- Proposed Development Site
- 1/4-mile Radius
- Socioeconomic Study Area
- Project Area
- 2020 Census Tracts

single-variable census data presented for the study area, the borough of Manhattan and New York City.[4] The average household size (2.29 persons) for Manhattan CD 11 according to the 2020 Census is used to estimate the future population resulting from anticipated No-Action developments and With-Action development in the study area. Data on the study area were compared to Manhattan and New York City. Land use and parcel data were collected from the City's Primary Land Use Tax Lot Output (PLUTO™) data files, online Geographic Information Systems (GIS) databases, including the New York City Open Accessible Space Information System[5] and NYCityMap[6].

III. PRELIMINARY ASSESSMENT OF INDIRECT RESIDENTIAL DISPLACEMENT

As described in the *CEQR Technical Manual*, indirect residential displacement usually results from substantial new development that is markedly different from existing uses and activity in an area, which can lead to increased property values in the area. Increased property values can lead to increased rents in non-regulated rental housing units, which can make it difficult for some existing residents to afford to stay in their homes. Pursuant to *CEQR Technical Manual* guidance, the indirect residential displacement assessment aims to determine whether the Proposed Actions and associated RWCDS would either introduce a trend or accelerate an existing trend of changing real estate market conditions that may have the potential to displace a vulnerable residential population and substantially change the socioeconomic character of the neighborhood. To quantify the reasonably anticipated effects of the Proposed Actions, the vulnerable population is defined in the *CEQR Technical Manual* to include renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicate that they may not support substantial rent increases. Residents who are homeowners or that are renters living in rent regulated[7] or subsidized housing units would not be vulnerable to rent pressures according to *CEQR Technical Manual* guidance.

This preliminary assessment follows the step-by-step preliminary assessment guidance described in Section 332.1 of the 2021 *CEQR Technical Manual*. As described below and in keeping with *CEQR Technical Manual* guidance, Steps 1 and 2 of the preliminary assessment were sufficient to determine that the Proposed Actions would not result in significant adverse impacts due to indirect residential displacement.

Step 1: Determine if the proposed action would add new population with higher average incomes compared to the average incomes of the existing populations and any new population expected to reside in the study area in the future without the proposed action.

Household income characteristics for the study area population are described using the average (or mean) and median household incomes. The median household income represents the mid-point of all household incomes in a study area, and the mean household income is calculated by dividing aggregate income by the total number of households in a study area. The presence of higher income households raises the

[4] The reliability of data is based on the margin of error (MOE). MOEs describe the precision of an estimate within a 90 percent confidence interval and provide an idea of how much variability (i.e., sampling error) is associated with the estimate where the larger MOE is relative to the size of the estimate, the less reliable the data. The MOE is partially dependent on the sample size because larger sample sizes result in a greater amount of information that more closely approximates the population.

[5] http://wwww.oasisnyc.net

[6] http://gis.nyc.gov/doitt/nycitymap/

[7] Rent regulated housing includes both rent controlled and rent stabilized apartments that are protected from steep rent increases and offer tenants greater legal protections than those residing in market-rate housing.

area's mean income, sometimes substantially higher or lower than the median (or mid-point) of household incomes in a study area.

As shown in **Table D-1**, household incomes are relatively low in the study area. According to 2016-2020 Five-Year ACS estimates, the mean annual household income of residents living in the study area is approximately $52,400, as compared to $47,926 in 2006-2010 (see **Table D-1**).[8] The existing mean annual household income of study area residents falls below 50 percent of the area median income (AMI) of New York City.[9]

TABLE D-1
Household Income Characteristics in the Quarter Mile Study Area, Manhattan, and New York City [1]

	Median Household Income			Mean Household Income		
	2006-2010 ACS	2016-2020 ACS	Percent Change	2006-2010 ACS	2016-2020 ACS	Percent Change
¼-Mile Study Area	$27,316	$29,353	N/A	$47,926	$52,400	N/A
Manhattan	$77,302	$89,812	16.2%	$145,893	$163,997	12.4%
New York City	$59,829	$67,046	12.1%	$92,682	$107,000	15.4%

Sources: Bureau of the Census, 2016-2020 Five-Year ACS Estimates, as reported on DCP's Population Factfinder (https://popfactfinder.planning.nyc.gov/explorer/selection/c84b7d1f408583881b5a994037b17c62e090258f?acsTopics=%2Cecon-incomeAndBenefits&showReliability=true&source=acs-change) in November 2022.
Note: [1] The statistical reliability of the data included in this table has been vetted using DCP's NYC Population FactFinder. For the study area, neither the directionality of change nor the percent change could be reported for the area's median or mean household incomes.

As shown in **Table D-1**, the mean annual household income of the study area is also considerably less than Manhattan ($163,997) and New York City ($107,000). Trends in the mean household income in Manhattan and the greater city indicate that the mean household income is increasing. As shown in **Table D-1,** the average household incomes in New York City and Manhattan have increased by more than 15 and 12 percent since 2006-2010.

In terms of median household income, like the mean household income data, study area households have a lower median household income compared to Manhattan and the larger city (see **Table D-1**). According to 2016-2029 Five Year ACS data, the median household income for the study area is an estimated $29,353[10], as compared to $89,812 for Manhattan households and $67,046 for New York City households, respectively. The study area's existing median annual household income is less than 30 percent of the 2022 AMI for the New York City region for a two-person family.[11]

Consistent with mean household income trends in the city, median household income levels have also increased in Manhattan and greater city. As shown in **Table D-1**, between the 2006-2010 and the 2016-2020 Five Year ACS, the median household incomes in Manhattan and New York City increased by nearly 16 and 12 percent, respectively.

[8] Based on the MOE for the mean household income of the study area according to the 2016-2020 Five-Year ACS (MOE of $8,128), the average household income could range from $44,272 to $60,528. The change in mean household income between the 2006-2010 and 2016-2020 Five Year ACS in the study area cannot be reported with statistical confidence.
[9] In the New York City region, 50 percent of the AMI for a two-person household is $53,400 in 2022. The AMI for a two-person family is used because the average household size for Manhattan CD 11 is 2.29 persons according to the 2020 Census.
[10] Based on the MOE for the median household income of the study area according to the 2016-2020 Five-Year ACS (MOE of $5,454), the average household income could range from $23,899 to $34,807.
[11] The median income for all cities across the country is defined each year by the U.S. Department of Housing and Urban Development (HUD). In the New York City region, 30 percent of the AMI for a two-person family is $32,040 in 2022. The AMI for a two-person family is used because the average household size for Manhattan CD 11 is 2.29 persons.

Mean household income levels in all geographic areas are higher than median household income levels, indicating the presence of higher income households in the respective areas. **Table D-2** illustrates the distribution of household incomes within the study area, Manhattan, and in New York City.

TABLE D-2
Household Income Distribution (2016-2020)[1]

	Total Households	Households Earning Less than $25,000		Households Earning $25,000 to $49,999		Households Earning $50,000 to $99,999		Households Earning $100,000 to $199,999		Households Earning $200,000 or more	
		#	%	#	%	#	%	#	%	#	%
Study Area	8,220	3,800	46.2%	1,546	18.8%	1,701	20.7%	927	11.3%	N/A	N/A
Manhattan	758,720	153,530	20.2%	97,145	12.8%	154,436	20.4%	176,078	23.2%	177,531	23.4%
New York City	3,191,691	713,887	22.4%	557,514	17.5%	807,028	25.3%	726,970	22.8%	386,292	12.1%

Sources: Bureau of the Census, 2016-2020 Five-Year ACS Estimates, as reported on DCP's Population Factfinder (https://popfactfinder.planning.nyc.gov/explorer/boroughs/1?acsTopics=%2Cecon-incomeAndBenefits&compareTo=1&showReliability=true&source=acs-current).
Note: [1] The statistical reliability of the data included in this table has been vetted using DCP's NYC Population FactFinder. For the study area, neither the number nor percentage of households earning $200,000 or more could be reported.

As shown in **Table D-2**, the study area has a higher percentage of lower income households than in the Manhattan and in the greater city. Consistent with the comparatively lower mean annual household income, slightly more than 46 percent of the study area population has an annual household income that is less than $25,000. In comparison, roughly 20 percent of Manhattan households and approximately 22 percent of New York City households have an annual household income that is less than $25,000. Approximately 65 percent of the study area households earn less than $50,000 annually, which is nearly double the proportion of population earning less than $50,000 in Manhattan (33 percent) and greater than in the larger city (40 percent). On the higher end of the income spectrum, roughly 14 percent of study area households have an annual household income that exceeds $100,000. In comparison, nearly 47 percent of Manhattan households and 35 percent of New York City households have annual household incomes that exceed $100,000.

Table D-3 provides information on poverty rates in the study area, Manhattan, and New York City. Consistent with the lower household income levels, the study area has a higher poverty level than both Manhattan and New York City. As shown in **Table D-3**, roughly 36 percent of the population for whom poverty status is determined in the study area had incomes below the poverty level in 2016-2020, as compared to approximately 20 percent of the population in Manhattan, and nearly 24 percent in New York City.

TABLE D-3
Population below the Poverty Level in the Study Area, Manhattan, and New York City (2006-2010 & 2016-2020)[1]

	Population Below the Poverty Level			
	2006-2010		2016-2020	
	Number	Percent	Number	Percent
Study Area	9,212	43.3%	6,952	36.4%
Manhattan	62,407	26.2%	46,096	20.0%
New York City	493,217	28.1%	406,596	23.8%

Sources: Bureau of the Census, 2006-2010 and 2016-2020 Five-Year ACS Estimates, as reported on DCP's Population Factfinder (https://popfactfinder.planning.nyc.gov/explorer/selection/c84b7d1f408583881b5a994037b17c62e090258f?acsTopics=%2Cecon-incomeInPast12MonthsIsBelowThePovertyLevel&showReliability=true&source=acs-change).
Note: [1] The statistical reliability of the data included in this table has been vetted using DCP's NYC Population FactFinder

Future without the Proposed Actions (No-Action Condition)

In the absence of the Proposed Actions, it is anticipated that current land use trends would continue, and the area would continue to support a mix of residential, mixed-use residential and commercial, commercial, and community facility uses with some increased residential development. Planned developments are anticipated to introduce an estimated 95 new residential units to the quarter mile study area by the 2026 analysis year. Most of the residential units are anticipated to be market-rate and are anticipated to be priced at the higher end of the market. No changes would occur to the Project Area in absence of the Proposed Actions.

Future with the Proposed Actions (With-Action Condition)

The Proposed Actions would introduce approximately 274 new residential units to the Projected Development Site, as compared to the No-Action Condition. Assuming 100 percent occupancy and an average household size of 2.29 persons (the average household size of Manhattan CD 11), the Proposed Actions are expected to add an estimated 628 residents. Given that Projected Development Site is City-owned and one of the goals of the project is to maximize the number of affordable housing units at the site, the Applicant intends to provide all affordable units at the site (100 percent affordable). At this time, it is envisioned that all housing units would be available for households earning at or below 80 percent AMI and would likely range in affordability between 30 to 80 percent of AMI, thereby advancing the goals of Mayor Adams' *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, his comprehensive blueprint to tackle New York City's affordable housing crisis and get New Yorkers in the safe, high-quality, affordable homes, which they deserve.

The creation of new housing supply is expected to help alleviate the upward pressure on housing prices, increase housing supply and contribute to housing affordability in East Harlem and larger City. The Proposed Actions would create 274 affordable DUs on underutilized land, which would provide an opportunity for low-to moderate income households to remain in the area.

The affordability requirements for the proposed housing units would be defined and ensured through regulatory agreements between HPD and Applicant. In general, levels of affordability are based on percentages of the AMI for the region; 2022 AMI levels by family size for New York City are presented in **Table D-4**, while **Table D-5** presents the monthly rents by unit size for the same levels of AMI, or "AMI bands."

TABLE D-4
2022 New York City Area AMI

Family Size	30% of AMI	40% of AMI	50% of AMI	60% of AMI	70% of AMI	80% of AMI
1	$28,020	$37,360	$46,700	$56,040	$65,380	$74,720
2	$32,040	$42,720	$53,400	$54,600	$74,760	$85,440
3	$36,030	$48,040	$60,050	$72,060	$84,070	$96,080
4	$40,020	$53,360	$66,700	$80,040	$93,380	$106,720

Source: NYCHPD, https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page

TABLE D-5
2022 New York City Area Affordable Monthly Rents

Unit Size	30% of AMI	40% of AMI	50% of AMI	60% of AMI	70% of AMI	80% of AMI
Studio	$700	$934	$1,167	$1,401	$1,634	$1,868
One-Bedroom	$750	$1,001	1,251	$1,501	$1,751	$2,002
Two-Bedroom	$900	$1,201	$1,501	$1,801	$2,101	$2,402
Three-Bedroom	$1,040	$1,387	$1,734	$2,081	$2,428	$2,775

Notes: Assumes tenant pays electricity, no electric stove. Rents are approximate and have been calculated at 30 percent of annual gross income of the target AMI. For low-income bands, rents are based on 30 percent of 27 percent, 37 percent, 47 percent, and 57 percent of AMI All rents are subject to program requirements.
Source: NYCHPD, https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page

The Proposed Actions would also include a zoning text amendment to map the Project Area as Mandatory Inclusionary Housing (MIH) area setting mandatory affordable housing requirements pursuant to the MIH program and requiring a designated share of new housing be permanently affordable. The production of affordable housing would be a condition of residential development, and there would be no expiration to the affordability requirement of housing units created through MIH. Thus, the MIH housing units would provide a long-term stable reservoir of affordable housing in the area. Through the land use process, the City Planning Commission (CPC) and City Council will work together to apply a set of income level requirements for the affordable housing units created through MIH in the Project Area, which would mandate that a provision of at least 25 to 30 percent of new residential development in the proposed R8 zoning district as permanently affordable to achieve the maximum permitted floor area. At a minimum, the Proposed Project would include between 69 and 82 permanently affordable MIH housing units.

Conservatively assuming all affordable DUs could be occupied by households earning up to 80 percent of AMI, the projected average income of households in the With-Action condition (with average household size of 2.29 persons) would be at or below $88,526, which would be higher than the study area's existing average household income of $52,400 (see **Table D-1**). As such, although the Proposed Actions would expand housing options available in the study area, given the potential difference between the study area's existing average household income and that of the project-generated population, Step 2 of the preliminary assessment is warranted.

Step 2. Determine if the project's increase in population is large enough relative to the size of the population expected to reside in the study area without the project to affect real estate market conditions in the study area.

According to 2020 Census, the study area's population is increasing consistent with trends across Manhattan as well as in the greater city. As shown in **Table D-6**, the study area has a population of 20,506, as compared to a population of 20,062 in 2010. In comparison, over the same time, the population of the Manhattan increased by nearly seven percent, and the population of New York City increased by almost eight percent.

TABLE D-6
Residential Population [1]

	2010 Census	2020 Census	Percent Change
Study Area	20,062	20,506	2.2%
Manhattan	1,585,873	1,694,251	6.8%
New York City	8,175,133	8,804,190	7.7%

Sources: Bureau of the Census, 2010 and 2020 Census, as reported on DCP's Population Factfinder (https://popfactfinder.planning.nyc.gov/explorer/selection/c84b7d1f408583881b5a994037b17c62e090258f?acsTopics=%2Cecon-incomeInPast12MonthsIsBelowThePovertyLevel&showReliability=true&source=decennial-change).

As noted in Step 1, several No-Action development projects are anticipated to introduce residential uses in the study area in absence of the Proposed Actions. Based on information about these planned developments, 95 DUs, are projected to be added to the study area by 2026. Assuming an average household size of 2.29 persons per DU, as well as 100 percent occupancy rates, these planned development projects are anticipated to add an estimated 218 people to the study area. **Table D-7** shows the total projections in the future without the Proposed Actions by adding the population from the No-Action development projects to the 2020 population.

TABLE D-7
Estimated Study Area Population in the future without & with the Proposed Actions [1]

Existing Population	2026 No-Action Condition	2026 With-Action Condition	Percent Change (%)
20,506	20,724	21,352	3.03%

Note: [1] Based on average household size of 2.29 persons/household for Manhattan CD 11 (2020 Census).

The Proposed Actions and associated RWCDS would introduce 274 DUs in the study area as compared to the No-Action condition. Assuming an average household size of 2.29 persons (the average household size of Manhattan CD 11 according to the 2020 Census), as well as 100 percent occupancy, these 274 housing units would add an estimated 628 residents to the study area over the No-Action condition. As shown in **Table D-7**, when compared to the No-Action condition, the Proposed Actions would result in an estimated 3.03 percent population increase in the study area.

According to *CEQR Technical Manual* methodology, if the project-generated population increase would be less than five percent in the study area, it would not introduce a substantial new population that could substantially affect residential real estate market conditions in the study area. As the Proposed Actions would result in an increase in the quarter mile study area residential population of less than three percent, this would not represent a substantial new population, and no significant adverse indirect residential displacement impacts would result pursuant to CEQR. The Proposed Actions and associated RWCDS, which would introduce 274 affordable DUs, would expand housing options available in the study area and advance the goals of Mayor Adams' *Housing Our Neighbors: A Blueprint for Housing and Homelessness.*

IV. CONCLUSION

The Proposed Actions would not result in any significant adverse impacts to the five socioeconomic areas studied under CEQR including direct residential displacement, direct business/institutional displacement, indirect residential displacement, indirect business/institutional displacement, and adverse effects on specific industries, in accordance with *CEQR Technical Manual* guidance. The Proposed Actions would not result in the direct displacement of any residents or businesses, indirect business displacement, or adverse effects on specific industries.

With respect to potential indirect residential displacement, a preliminary assessment finds that the Proposed Actions would not result in a significant adverse indirect residential displacement impact. The Proposed Actions and associated RWCDS would introduce 274 residential units as compared to the No-Action condition. The Proposed Actions would increase the study area's residential population by approximately three percent; the Proposed Actions would not introduce a substantial new population that could substantially affect residential real estate market conditions in the study area. The Proposed Actions would advance the goals of advancing the goals of Mayor Adams' *Housing Our Neighbors: A Blueprint for Housing and Homelessness*. The creation of new housing supply, including 274 affordable DUs, is expected to help alleviate the upward pressure on housing prices, and contribute to housing affordability in the neighborhood and larger City.

Attachment E

Community Facilities

I. INTRODUCTION

This attachment examines the potential effects of the Proposed Actions on community facilities in the vicinity of the Project Area. The 2021 *City Environmental Quality Review* (CEQR) *Technical Manual* defines community facilities as public or publicly funded facilities including schools, libraries, day care centers, healthcare facilities, and fire and police protection services.

A project can affect community facility services when it physically displaces or alters a community facility (direct effect) or causes a change in population that may affect the services delivered by a community facility (indirect effect), which could 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/facilities. The CEQR analysis examines potential impacts on existing facilities and generally focuses in detail on those services that the City is obligated to provide; it is not a needs assessment for new or additional services. Service providers like schools or libraries conduct their own needs assessments on a continuing basis.

As there are no community facility uses currently occupying the Project Area, no community facilities would be directly displaced by the Proposed Actions. Accordingly, as there would be no direct effects to existing community facilities resulting from the Proposed Actions, this analysis concentrates on the potential for indirect effects due to increased density. The analysis of community facilities has been conducted in accordance with the guidelines established in the *CEQR Technical Manual* and the latest data and guidance from agencies such as the New York City Department of Education (DOE), the New York City School Construction Authority (SCA), and the New York City Department of City Planning (DCP).

As described in **Attachment A, "Project Description,"** compared to No-Action conditions, the future with the Proposed Actions would result in an increment of 274 dwelling units (DUs). The entire building would be affordable for households earning between 30 percent and 80 percent of the Area Median Income (AMI). Approximately 30 percent of all units in the Proposed Project would be set aside for the formerly homeless. As no affordable units would be developed absent the Proposed Actions (the No-Action condition) the increment of analysis for the parts of the community facilities analysis that specifically consider affordable dwelling units will conservatively assume 274 affordable dwelling units. As such, an assessment of publicly funded childcare centers is warranted. For analyses which do not differentiate between affordable and market-rate units the increment will remain 274 dwelling units.

As stated in **Attachment B, "Supplemental Screening,"** the Proposed Actions would not result in the introduction of a sizeable new neighborhood, would not result in a more than five percent increase in the ratio of residential units to libraries in Manhattan (i.e., would result in the development of fewer than 1,033 DUs), and would not result in the generation of more than 50 elementary and intermediate school students or 150 high school students. As such, analyses of fire and police protection, outpatient health care facilities, libraries, and public schools are not warranted, and significant adverse impacts are not anticipated in these technical areas.

II. PRELIMINARY SCREENING

The purpose of the preliminary screening is to determine whether a community facilities assessment is required. As recommended by the *CEQR Technical Manual*, a community facilities assessment is warranted if a project has the potential to result in either direct or indirect effects on community facilities. If a project would physically alter a community facility, whether by displacement of the facility or other physical change, this "direct" effect triggers the need to assess the service delivery of the facility and the potential effect that the physical change may have on that service delivery. New population added to an area as a result of an action would use existing services, which may result in potential "indirect" effects on service delivery. Depending on the size, income characteristics, and age distribution of the new population, there may be effects on public schools, libraries, or childcare centers.

Direct Effects

As stated in the *CEQR Technical Manual*, the community facilities (or resources) that may be addressed in environmental assessments include public schools, libraries, childcare centers, health care facilities, fire protection, police protection, and/or "other community facilities." The *CEQR Technical Manual* defines other community facilities as homeless shelters, jails, community centers, colleges and universities, or religious and cultural facilities. As stated in the *CEQR Technical Manual*, these "other community facilities" are analyzed only if the facility itself is the subject of the proposed project or would be physically displaced or altered by the project.

The Proposed Development Site (Block 1808, Lot 8) currently contains community facility (the East Harlem Multi-Service Center, aka MSC), a five-story, 80,290-gsf building that hosts a dozen community facility operators providing services to the East Harlem community. However, MSC would continue to remain in operation in the future 2026 No-Action and With-Action conditions. Under the With-Action condition, the MSC building would be renovated to be a six-story 65,860 gsf building. Therefore, the Proposed Actions are not expected to result in the direct displacement of any community facilities or services and an analysis of direct effects is not warranted.

Indirect Effects

The *CEQR Technical Manual* includes thresholds that provide guidance in making an initial determination of whether a detailed analysis is necessary to determine potential impacts. **Table E-1** lists those *CEQR Technical Manual* thresholds for each community facility analysis area. If a proposed project exceeds the threshold for a specific facility, a more detailed analysis is warranted. A preliminary screening analysis was conducted to determine if the Proposed Actions would exceed established *CEQR Technical Manual* thresholds warranting further analysis. Based on that screening, the Proposed Actions would trigger a detailed analysis for childcare services.

TABLE E-1
Preliminary Screening Analysis Criteria

Community Facility	Threshold for Detailed Analysis
Public Schools	More than 50 or more elementary/intermediate school students or 150 or more high school students.
Libraries	More than five percent increase in ratio of residential units to libraries in the borough.
Health Care Facilities (Outpatient)	Introduction of a sizeable new neighborhood where none existed before.
Child Care Centers (Publicly Funded)	More than 20 eligible children under age six based on the number of low- to moderate-income units.
Fire Protection	Introduction of a sizeable new neighborhood where none existed before.
Police Protection	Introduction of a sizeable ne neighborhood where none existed before.

Source: 2021 *CEQR Technical Manual.*

Public Schools

The *CEQR Technical Manual* recommends conducting a detailed analysis of public schools if a proposed action would generate 50 or more elementary/intermediate school students and/or 150 or more high school students. The Proposed Actions would facilitate the incremental development of approximately 274 DUs, and, based on the pupil generation ratios provided by the New York City Department of City Planning (NYCDCP) for Manhattan Community School District (CSD) 4 (i.e., 0.0724, 0.0329, and 0.02 per dwelling unit for elementary, intermediate, and high school students, respectively), would result in the increment of 18 elementary school students, 8 intermediate school students, and 5 high school students. As such, the Proposed Actions would not exceed the analysis thresholds for elementary/intermediate or high schools (50 and 150 students, respectively), and thus would not warrant a detailed public schools analysis in accordance with CEQR guidance. Therefore, no significant adverse impact on public schools are anticipated as a result of the Proposed Actions.

Libraries

Potential impacts on libraries can result from an increased user population. According to the *CEQR Technical Manual*, a proposed action that generates a five percent increase in the average number of residential units served per branch (equivalent to a 1,033-unit increase in Manhattan) may cause significant adverse impacts on library services and require further analysis. The Proposed Actions are expected to add approximately 274 incremental DUs over the No-Action condition. Therefore, the Proposed Actions would not exceed the threshold, and a detailed analysis of libraries is not warranted.

Child Care Services

According to the *CEQR Technical Manual*, if a proposed action would add 20 or more children under age six eligible for childcare, a detailed analysis of its impact on publicly funded childcare facilities is warranted. This threshold is based on the number of low-income and low- to moderate-income units generated by a proposed action (170 units in Manhattan). As described previously, the Proposed Actions are expected to add a net increment of approximately 274 total DUs, of which all will be affordable. As such, for the childcare analysis it is conservatively assumed would result in an increase of up to 274 affordable DUs as compared to the No-Action Condition. As the Proposed Actions would yield up to

approximately 32 children under the age of six eligible for publicly funded childcare, which is more than the 20-child threshold for detailed analysis, a detailed analysis of childcare services is included below.[1]

Police, Fire, and Health Care Services

The *CEQR Technical Manual* recommends a detailed analysis of indirect impacts on police, fire, and health care services in cases where a proposed action would create a sizeable new neighborhood where none existed before. The Project Area is a developed area with an existing and well-established community that is served by existing police, fire, and health care services. Therefore, the Proposed Actions would not create a neighborhood where none existed before and a detailed analysis of indirect effects on these community facilities is not warranted. For informational purposes, a description of existing police, fire, and health care facilities serving the project site is provided below.

The Project Area is served by the New York City Police Department's (NYPD's) 25th Precinct, which encompasses approximately 1.6 square miles of the northern portion of East Harlem and Randall's Island. NYPD's 25th Precinct serves approximately 111,000 residents. The 25th Precinct House is located at 120 East 119th Street, approximately 0.5-miles west of the Project Area. As stated in the *CEQR Technical Manual*, the NYPD independently reviews staffing levels against a precinct's population, area coverage, crime levels, and other local factors, and makes service and resource adjustments as necessary.

The Project Area is served by Battalion 12 of the Fire Department of New York's (FDNY's) Division 3. Division 3 serves Midtown, Uptown, and Harlem sections of Manhattan encompassing approximately 17.9 square miles and serves approximately 700,000 residents. Fire Battalion 12 of Division 3 encompasses 2.3 square miles encompassing the Manhattan neighborhoods of East Harlem and Spanish Harlem; Fire Battalion 12 of Division 3 serves approximately 163,000 residents. FDNY continually evaluates the need for changes in personnel, equipment, or locations of fire stations and makes any necessary adjustments.

There are two types of ambulances in the City—911 providers and those providing inter-facility transport. Municipal FDNY and hospital-based ambulances are the sole providers of 911 services, and they operate that system under contract with Emergency Medical Services (EMS). The closest EMS stations to the Project Area are the Yorkville EMS Station (EMS Station 10) located at 98-1 FDR Drive, which is approximately 1.1 miles to the south of the Project Area.

Under *CEQR Technical Manual* guidelines, health care facilities include public, proprietary, and nonprofit facilities that accept government funds (usually in the form of Medicare and Medicaid reimbursements) and that are available to any member of the community. Examples of these types of facilities include hospitals or public health clinics. The closest hospitals to the Project Area are Henry J. Carter Specialty Hospital and Nursing Facility located at 1752 Park Avenue (approximately one mile west of the Project Area) and NYC Health + Hospitals/Metropolitan located at 1901 First Avenue (approximately 1.5 miles south of the Project Area).

[1] Based on the multipliers for estimating the number of children eligible for publicly funded childcare and Head Start presented in Table 6-1a of the 2021 *CEQR Technical Manual*.

III. INDIRECT EFFECTS ON PUBLICLY FUNDED CHILD CARE CENTERS

Methodology

This analysis assesses the potential effects of the Proposed Actions on publicly funded child care/Head Start centers around the Proposed Development Site and surrounding area. According to the guidelines presented in the 2021 *CEQR Technical Manual*, an analysis of publicly funded child care centers focuses on facilities for income-eligible children aged 12 and under. Families eligible for subsidized child care must meet financial and social eligibility criteria. In general, children in families that have incomes at or below 200 percent of the federal poverty level, depending on family size, are financially eligible for subsidized child care, although in some cases eligibility can go up to 275 percent. The family must also have an approved "reason for care," such as involvement in a child welfare case or participation in a "welfare-to-work" program. Head Start is a federally funded child care program that provides children with half-day and full-day early childhood education; program eligibility is limited to families with incomes at 130 percent or less than the federal poverty level.

The City's affordable housing market is pegged to the Area Median Income (AMI), rather than the federal poverty level. Since family incomes at or below 200 percent of the federal poverty level fall under 80 percent of AMI, for the purposes of CEQR analysis, the number of housing units expected to be subsidized and targeted for incomes at or below 80 percent AMI is used as a proxy for eligibility. This provides a conservative assessment of demand, since eligibility for subsidized child care is not defined strictly by income, but also takes into account family size and other reasons for care (e.g., low-income parent(s) in school; low-income parent(s) training for work; or low-income parent(s) who is/are ill or disabled).

Most children are served through enrollment in contracted Early Learn programs or by vouchers for private and non-profit organizations that operate child care programs throughout the City. Registered or licensed providers can offer family-based child care in their homes. Informal child care can be provided by a relative or neighbor for no more than two children. Children aged 6 weeks through 13 years old can be cared for either in group child care centers licensed by the New York City Department of Health and Mental Hygiene (DOHMH) (or in homes of registered child care providers) or through vouchers to eligible families, which may be used by parents to pay for child care from any legal child care provider in the City.

Consistent with the methodologies of the *CEQR Technical Manual*, this analysis of child care centers focuses on services for children under age 6, as older eligible children are expected to be in school for most of the day. Publicly funded child care centers, under the auspices of the DOE's Division of Early Childhood Education, provide care for the children of income-eligible households. Space for one child in such child care centers is termed a "slot." These slots may be in group child care or Head Start centers, or they may be in the form of family-based child care in which up to 16 children are placed under the care of a licensed provider and an assistant in a home setting.

As there are no locational requirements for enrollment in child care centers, and some parents or guardians choose a child care center close to their place of employment rather than their residence, the service area of these facilities can be quite large and are not subject to strict delineation to identify a study area. However, for the purposes of this child care center analysis, publicly funded group child care centers within approximately 1.5 miles of the Project Area were identified, reflecting the fact that the centers closest to a given development site are more likely to be subject to increased demand. DOE provided the most recent information regarding publicly funded group child care facilities within the study area,

including their current capacity, enrollment, and number of available slots. Family child care and voucher slots were not included in the analysis, in accordance with the *CEQR Technical Manual.*

The child care center enrollment in the future without the Proposed Actions was estimated by multiplying the number of new low-income and low- and moderate-income housing units expected in the 1.5-mile child care study area by the appropriate multiplier from Table 6-1a of the *CEQR Technical Manual*. In Manhattan, the multiplier for estimating the number of children eligible for publicly funded child care is 0.115. The estimate of new publicly funded child care-eligible children was added to the existing child care enrollment to estimate enrollment in the future without the Proposed Actions (No-Action Condition). The action-generated publicly funded child-care eligible population was then added to the No-Action child care enrollment to determine future With-Action enrollment. According to the *CEQR Technical Manual*, a significant adverse impact on publicly funded child care may result if there would be a demand for slots greater than the remaining capacity of child care facilities (i.e., more than 100 percent utilization), and if the proposed actions would generate demand constituting an increase of 5 percentage points or more of the collective capacity of the child care facilities serving the study area.

Existing Conditions

As shown in **Table E-2** above and **Figure E-1**, there are 82 publicly funded child care centers within the 1.5-mile study area. Together these 82 child care centers have a capacity of 1,540 slots, with a surplus of 58 seats (96.2 percent utilization). **Table E-2** shows the current capacity and enrollment for each of these facilities. As noted above, while family-based child care facilities and informal care arrangements provide additional slots in the study area, these slots are not included in the quantitative analysis.



Legend

- Proposed Development Site
- 1.5-mile Radius
- Proposed Rezoning Area
- (1) Study Area Childcare (refer to Table E-2)

Table E-2
Publicly Funded Child Care Centers Serving the 1.5-mile Study Area

Label	Name	Address	Capacity	Enrollment	Available Slots	Utilization
1	Harriet Tubman Sheltering Arm	565 Morris Avenue	148	53	95	35.8%
2	East Harlem CHS Bilingual Head Start Program	440 East 116 Street	135	47	88	34.8%
3	Addie Mae Collins 3	2322 Third Avenue	88	33	79	37.5%
4	Community Life Center 2	15 Mt. Morris Park West	79	27	79	34.2%
5	Union Washington Child Care Center	1893 Second Avenue	74	28	69	37.8%
6	Leggett Memorial	237 East 104 Street	72	27	62	37.5%
7	Union Carver Early Childhood Program	1565 Madison Avenue	72	13	62	18.1%
8	East Harlem CHS Bilingual Head Start - 111th	30 East 111 Street	66	0	66	0.0%
9	Union Johnson Early Childhood Programs	1829 Lexington Avenue	56	9	46	16.1%
10	Betances Early Childhood Center (NYCHA)	528 East 146 Street	56	5	56	8.9%
11	La Peninsula Community Organization Inc	490 East 143 Street	51	0	51	0.0%
12	Franklin Plaza	2081 Second Avenue	45	10	39	22.2%
13	LSSMNY: Early Life Children's Center 12	1957 Park Avenue	45	18	36	40.0%
14	Dawning Village	2090 First Avenue	43	10	43	23.3%
15	Jefferson	2211 First Avenue	41	17	41	41.5%
16	ABC / Echo Park ECDC	1841 Park Avenue	40	0	40	0.0%
17	East Harlem Block Nursery 1	215 East 106 Street	39	10	29	25.6%
18	ECDO Adam Clayton Powell Early Learn Center	25 West 132 Street	39	9	39	23.1%
19	Citizens Care DCC 1	131 St. Nicholas Avenue	35	18	27	51.4%
20	East Calvary DCC	1 West 112 Street	35	20	28	57.1%
21	Pequenos Souls Day Care Center	114-34 East 122 Street	35	0	35	0.0%
22	Bloomingdale Family Program III	987 Columbus Avenue	33	9	24	27.3%
23	Addie Mae Collins 2	345 East 101 Street	33	5	28	15.2%
24	Lexington Children's Center	115 East 98 Street	32	10	32	31.3%
25	Utopia Children's Center	236 West 129 Street	30	10	30	33.3%
26	Urban Concepts Of NY-Round The Clock Nursery, Inc.	301B West 130 Street	25	27	14	108.0%
27	Sheltering Arms Paul'S House	500 Bergen Avenue	25	12	25	48.0%
28	Therapeutic Early Childhood Center	1475 Park Avenue	24	0	24	0.0%
29	A House On Beekman Preschool	390 Jackson Avenue	23	12	23	52.2%
30	East Harlem Block Nursery 2	2112 Madison Avenue	21	0	21	0.0%
31	Mother Hale Learning Center	669 Lenox Avenue	N/A	39	N/A	N/A
32	P.S. 049 Willis Avenue	383 East 139 Street	N/A	37	N/A	N/A
33	P.S. 185 - The Early Childhood Discovery And Design M	20 West 112 Street	N/A	30	N/A	N/A
34	P.S. 171 Patrick Henry	19 East 103 Street	N/A	30	N/A	N/A
35	St. Paul School	114 East 118 Street	N/A	30	N/A	N/A
36	Sunshine Daycare Of Mott Haven Llc	416 Willis Avenue	N/A	30	N/A	N/A
37	District 2 Pre-K Center At 1683 Third Avenue	1683 3 Avenue	N/A	30	N/A	N/A
38	P.S. 149 Sojourner Truth	41 West 117 Street	N/A	29	N/A	N/A
39	P.S. 036 Margaret Douglas	123 Morningside Drive	N/A	29	N/A	N/A
40	P.S. 129 John H. Finley	425 West 130 Street	N/A	29	N/A	N/A
41	P.S. 030 Wilton	510 East 141 Street	N/A	29	N/A	N/A
42	P.S. 175 Henry H Garnet	175 West 134 Street	N/A	28	N/A	N/A
43	Sunshine Lc Of Morris Ave Llc	253 East 142 Street	N/A	28	N/A	N/A
44	P.S. 146 Ann M. Short	421 East 106 Street	N/A	27	N/A	N/A
45	East Harlem Council For Human Services, Inc. Bilingua	2265 Third Ave	N/A	27	N/A	N/A
46	P.S. 096 Joseph Lanzetta	216 East 120 Street	N/A	26	N/A	N/A
47	P.S. 154 Harriet Tubman	250 West 127 Street	N/A	26	N/A	N/A
48	P.S. 133 Fred R Moore	2121 5 Avenue	N/A	25	N/A	N/A
49	P.S. 043 Jonas Bronck	165 Brown Place	N/A	25	N/A	N/A
50	Learning Through Play Pre-K Center At 105 Willis Ave	105 Willis Avenue	N/A	25	N/A	N/A
51	River East Elementary	2351 First Avenue	N/A	24	N/A	N/A
52	P.S. 277	519 Saint Anns Avenue	N/A	23	N/A	N/A
53	Young Leaders Elementary School	468 East 140 Street	N/A	22	N/A	N/A
54	Susan Patricof Head Start	302-306 East 111 Street	N/A	20	N/A	N/A
55	P.S. 076 A. Philip Randolph	220 West 121 Street	N/A	19	N/A	N/A
56	P.S. 007 Samuel Stern	160 East 120 Street	N/A	18	N/A	N/A
57	P.S. 38 Roberto Clemente	232 East 103 Street	N/A	18	N/A	N/A
58	P.S. 112 Jose Celso Barbosa	535 East 119 Street	N/A	18	N/A	N/A
59	Heaven'S Tiny Tots, Inc.	2185 7 Avenue	N/A	17	N/A	N/A
60	P.S. 179	468 East 140 Street	N/A	16	N/A	N/A
61	Sunshine Lc Of 3Rd Ave Llc	2205 3 Avenue	N/A	16	N/A	N/A
62	Stem Institute Of Manhattan	240 West 113 Street	N/A	15	N/A	N/A
63	The Lexington Academy	131 East 104 Street	N/A	15	N/A	N/A
64	Imagine Early Learning Center @ Mt. Sinai Kids	60-62 East 97 Street	N/A	15	N/A	N/A
65	James Weldon Johnson	176 East 115 Street	N/A	14	N/A	N/A
66	Mosaic Preparatory Academy	141 East 111 Street	N/A	14	N/A	N/A
67	P.S. 197 John B. Russwurm	2230 5 Avenue	N/A	14	N/A	N/A
68	P.S. 138	144-176 East 128 Street	N/A	14	N/A	N/A
69	P.S. 108 Assemblyman Angelo Del Toro Educational C	1615 Madison Avenue	N/A	13	N/A	N/A
70	Eisman Day Nursery At Holmes Towers	1794 1 Avenue	N/A	13	N/A	N/A
71	P.S. 102 Jacques Cartier	315 East 113 Street	N/A	12	N/A	N/A
72	P.S. 083 Luis Munoz Rivera	219 East 109 Street	N/A	11	N/A	N/A
73	P.S. 155 William Paca	319 East 117 Street	N/A	11	N/A	N/A
74	Central Park East Ii	433 East 100 Street	N/A	11	N/A	N/A
75	Dial Diouf Inc At 2259 7Th Avenue	2259 7th Avenue	N/A	11	N/A	N/A
76	The Bilingual Bicultural School	219 East 109 Street	N/A	9	N/A	N/A
77	P.S. 030 Hernandez/Hughes	144-176 East 128 Street	N/A	9	N/A	N/A
78	District 5 Lyfe Program At Harlem Renaissance	22 E 128th Street	N/A	8	N/A	N/A
79	Heaven'S Tiny Tots, Child Development Center, Inc.	2094 Frederick Douglass Bo	N/A	8	N/A	N/A
80	Amada Burgos Group Family Daycare At 20 Morningsi	20 Morningside Avenue	N/A	7	N/A	N/A
81	Sequence For Cidz Inc.	410 Saint Nicholas Avenue	N/A	6	N/A	N/A
82	Altagracia Rojas At 20-23 Morningside Avenue	20-23 Morningside Avenue	N/A	5	N/A	N/A
		Total:	**1,540**	**1,482**	**58**	**96.2%**

Notes: Map number keyed to **Figure E-1**
Source: DOE, Enrollment 2021-2022, Capacity 2022-2023 (via DCP)

The Future without the Proposed Actions (No-Action Condition)

Although no affordable residential development is anticipated on the Proposed Development Site in the No-Action condition, there are several residential development projects planned or under construction in the surrounding area expected to be completed by 2026. These planned or proposed development projects–-i.e., No-Build projects–-in the child care study area (1.5 miles from the Project Area) will introduce approximately 1,874 new affordable DUs by the 2026 build year.[2] Of which, 1,154 would be located in the Bronx, and 720 would be located in Manhattan.

Based on the *CEQR Technical Manual* generation rates for developments in Manhattan and the Bronx, these approximately 1,874 new affordable DUs are expected to generate a total of 243 additional publicly funded child care-eligible children under the age of six in the study area (160 in the Bronx and 83 in Manhattan), increasing the total child care enrollment to 1,824. No changes to child care center capacity are anticipated in the 2026 No-Action condition. As presented in **Table E-3**, the future No-Action child care utilization rate is expected to increase by 15.8 percentage points to 112 percent and the number of available slots would decrease from a surplus of 58 seats under existing conditions to a deficit of 185 slots.

Table E-3
Comparison of Budget Capacity, Enrollment, Available Slots, and Utilization – 2026 No-Action Condition

	Budget Capacity	Enrollment	Available Slots	Utilization
Existing Conditions	1,540	1,482	58	96.2%
No-Action Increment	0	+243	-243	+15.81%
2026 No-Action Condition	1,540	1,725	-185	112.01%

Sources: *CEQR Technical Manual*, Table 6-1a

The Future with the Proposed Actions (With-Action Condition)

As discussed previously, a detailed analysis of child care centers is necessary when a proposed action would produce a substantial amount of low- to moderate-income family housing units that may therefore generate a sufficient number of children eligible to affect the availability of slots at area publicly funded child care centers. Under With-Action conditions, 274 affordable housing units for families with incomes between 30 percent and 80 percent of the AMI would be constructed on the Proposed Development Site. Using Table 6-1a of the *CEQR Technical Manual*, these additional 274 affordable housing units would generate approximately 32 children under the age of six eligible for publicly funded child care services (refer to **Table E-4**).

[2] This analysis conservatively assumes that 20 percent of DUs in developments of 20 or more DUs would be occupied by low- or low/moderate-income households meeting the financial and social criteria for publicly funded child care.

Table E-4
Comparison of Budget Capacity, Enrollment, Available Slots, and Utilization – 2026 With-Action Condition

	Budget Capacity	Enrollment	Available Slots	Utilization
2026 No-Action Condition	1,540	1,725	-185	112.01%
With-Action Increment	0	+32	-32	+2.09%
2026 With-Action Condition	1,540	1,757	-217	114.10%

Sources: *CEQR Technical Manual*, Table 6-1a

Based on these assumptions, the collective utilization rate of study area child care centers would increase to 114.10 percent in the 2026 With-Action condition, with an approximate two percent increase over the No-Action utilization rate (refer to **Table E-4**). Additionally, the number of available slots would decrease from a deficit of 185 slots under No-Action conditions to a deficit of 217 slots.

According to the *CEQR Technical Manual*, a significant adverse child care center impact could result if a proposed action results in: (1) a collective utilization rate greater than 100 percent in the With-Action condition; and (2) the demand constitutes an increase of five percent or more in the collective capacity of child care centers serving the study area over the No-Action condition. As shown in **Table E-4**, in the 2026 With-Action Condition, the additional 32 children eligible for publicly funded child care services as a result of the Proposed Actions would increase the study area utilization rate to 114.10 percent, a 2.09 percent increase from No-Action conditions. As public child care facilities within the study area are expected to operate over capacity (114.10 percent) in the 2026 With-Action condition with a deficit of approximately 217 slots, and as the increase in demand (2.09 percentage points) would not exceed the five percent CEQR threshold, the Proposed Actions would not result in significant adverse impacts to child care.

Attachment G

Historic & Cultural Resources

I. INTRODUCTION

Historic and cultural resources include both architectural and archaeological resources. The *City Environmental Quality Review* (CEQR) *Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Registers of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

As the Project Area is located across the street from the S/NR-listed East Harlem Historic District, it is necessary to assess the potential impacts of the Proposed Actions on historic architectural resources. According to *CEQR Technical Manual* guidance, impacts on historic architectural resources are considered on those sites affected by a proposed action and in the area surrounding the project area. The historic resources study area for the Proposed Actions is therefore defined as the Project Area (Manhattan Block 1808, Lots 1, 8, and 7501) plus an approximate 400-foot radius around the Project Area (refer to **Figure G-1**), which is typically adequate for the assessment of historic architectural resources, in terms of physical, visual, and historical relationships.

Archaeological resources are considered only in those areas where new excavation or ground disturbance is likely and would result in new in-ground disturbance as compared to No-Action conditions; these are limited to sites that may be developed as a result of the Proposed Actions. As determined by LPC in a letter dated October 27, 2022 (provided in **Appendix II**), none of the lots that comprise the Project Area have archaeological significance. Therefore, the Proposed Actions would not result in any significant adverse archaeological impacts and an archaeological analysis is not warranted. As such, this attachment focuses exclusively on historic architectural resources.

II. DEVELOPMENT BACKGROUND

Prior to the arrival of the European colonists in the 17th century, Manhattan was inhabited by Native Americans from the Leni Lenape tribe, who traveled between encampments on the island. East Harlem takes its name from the original Dutch colonial village of Nieuw Haarlem, which was founded by Governor Pieter Stuyvesant in 1658. It remained a largely rural area for the next 150 years, dotted by farmsteads. The street grid of 1811 extended to Harlem, and in 1837, the horse-drawn New York and Harlem Railroad connected East Harlem with Lower Manhattan, followed by horse-car service between the neighborhoods in 1853.

After the Civil War, as transportation from Lower Manhattan to Harlem expanded and improved, the area became more attractive as a suburban residential community, and large groups of German Jews moved

into East Harlem. The Second and Third Avenue elevated trains extended to East Harlem by 1881. Speculative development followed, initially in the form of rowhouses, followed by flats (often with commercial ground-floors), religious buildings, and institutional buildings for the burgeoning community.

Transit improvements into the area continued to attract new waves of working-class European immigrants to the neighborhood, as well as the speculative development of tenement buildings. German Jews moving to East Harlem were followed by Eastern European Jews and then Italians migrating from the Lower East Side. The final mass transit improvement in East Harlem occurred in 1918 with the extension of the Lexington Avenue IRT subway. Subsequently, Puerto Ricans began arriving in New York City in large numbers, and a significant number of these new immigrants settled in East Harlem. Construction in the area slowed during this time period, as most the neighborhood's streets had been substantially built-out; new construction largely consisted of public and institutional buildings.

In the mid-20th century, large sections of East Harlem were razed for urban renewal projects. In 1954, buildings on the blocks to the north of East 120th Street in the study area were demolished in order to make way for the development of the New York City Housing Authority (NYCHA) Wagner Houses. The development consisted of 22 mid- and high-rise apartment buildings on almost 27 acres of large "superblocks," drastically altering the landscape of the East Harlem neighborhood and displacing many residents. In the following decades, East Harlem, along with many other neighborhoods in New York City, struggled with crime, poverty, and the general decline of its building stock.

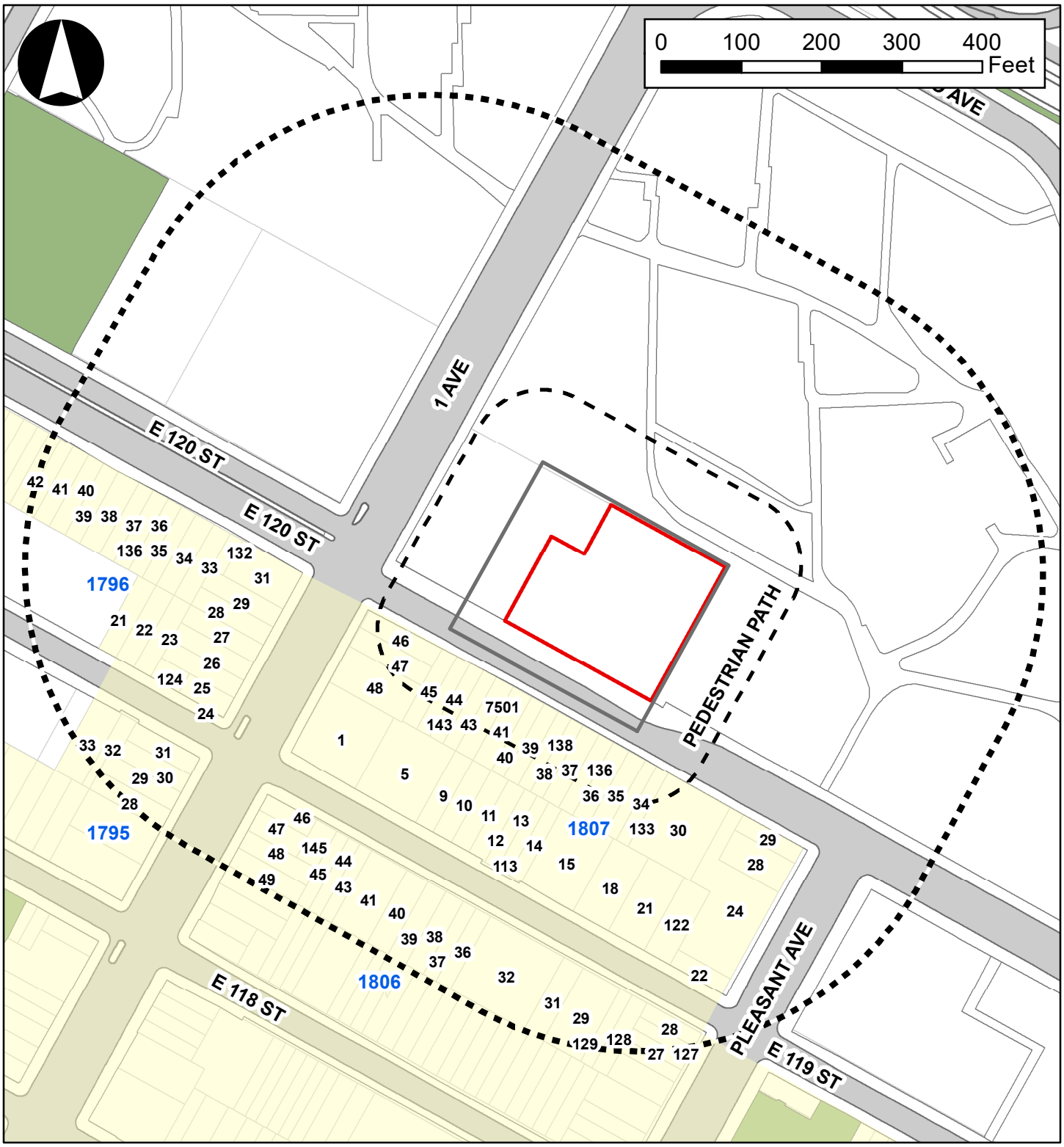
Around the turn of the 21st century, East Harlem began to experience gentrification, with speculative investments in new residential and commercial developments. In 2016, the City began a process to rezone the area in order to facilitate new residential, commercial, community facility, and manufacturing development. In 2019, the East Harlem Historic District in the southern portion of the secondary study area (as shown in **Figure G-1** and discussed in detail below) was listed on the S/NR.

III. ARCHITECTURAL RESOURCES

Criteria and Regulations

Once the study area was determined, an inventory of officially recognized architectural resources was compiled. Criteria for listing on the National Register are in the Code of Federal Regulations, Title 36, Part 63. As recommended in the *CEQR Technical Manual*, Chapter 9, Section 160, LPC has adopted these criteria for use in identifying National Register listed and eligible architectural resources for CEQR review. Following these criteria, districts, sites, buildings, structures, and objects are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and: (1) are associated with events that have made a significant contribution to the broad patterns of history (Criterion A); (2) are associated with significant people (Criterion B); (3) embody distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or (4) may yield [archaeological] information important in prehistory or history. Properties younger than 50 years of age are ordinarily not eligible, unless they have achieved exceptional significance. Official determinations of eligibility are made by the New York State Office of Parks, Recreation & Historic Preservation (OPRHP).

In addition, LPC designates historically significant properties in the City as NYCLs and/or Historic Districts, following the criteria provided in the Local Laws of the City of New York, New York City Charter,



Legend

- Proposed Development Site
- Project Area
- 400-Foot Secondary Study Area
- 90-Foot Radius
- S/NR-Listed East Harlem Historic District
- 1807 Block
- 1 Lots

Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible for landmark status when a part is at least 30 years old. Landmarks have a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation. There are four types of NYCLs: individual landmarks, interior landmarks, scenic landmarks, and historic districts.

Existing Conditions

Project Area

In a letter dated October 27, 2022 (provided in **Appendix II**), LPC determined that there are no designated or eligible historic architectural resources on the lots that comprise the Project Area.

400-Foot Study Area

As shown in **Figure G-1**, the S/NR-listed East Harlem Historic District is located to the south and southwest of the Project Area across East 120th Street.

EAST HARLEM HISTORIC DISTRICT (S/NR-Listed)

The East Harlem Historic District contains 820 buildings largely located on the blocks to the north and south of East 116th Street and the blocks to the east and west of Pleasant Avenue. The district reflects the boom in speculative residential construction that occurred in East Harlem during the late-19th century; the majority of buildings were constructed in the 1870s and 1880s. The East Harlem Historic District is predominately comprised of residential buildings, with religious, commercial, institutional, and municipal structures interspersed throughout the neighborhood. The rowhouses, flats, and tenement buildings in the historic district exemplify the three housing types that reflect the area's evolution from a middle-income enclave to a working-class neighborhood for new immigrants to the City. Almost half of all structures in the East Harlem Historic District are Italianate; other styles in the district include Neo-Grec, Colonial Revival, and Queen Anne.

The lots immediately across the street from the Project Area contain a mix of contributing historic residential buildings and non-contributing contemporary structures located within the boundaries of the East Harlem Historic District. Historic buildings on this block include the five-story Queen Anne tenement on the corner of East 120th Street and First Avenue, which was designed by John Hauser in 1897, adjacent to four, four-story plus basement Neo-Grec flats constructed in 1883 along East 120th Street (Lots 43, 33, 35, and 143 as shown in **Figure G-2**). Further down the street are a number of three-story plus basement Italianate rowhouses constructed circa 1875 (Lots 36, 38, 39, 40, 41, 136, and 138; see **Figure G-2**). The remainder of the streetscape toward Pleasant Avenue contains more Italianate rowhouses from the 1870s and Neo-Grec flats from the 1880s, as well as two six-story, Colonial Revival-style tenements designed by M. Zipkes in 1906 (Lot 30 as shown in **Figure G-2**).

The East Harlem Historic District is significant both for its extensive intact groupings of late-19th and early-20th century residential buildings, and for its association with the Jewish, Italian, and Puerto Rican working-class immigrant communities that occupied the neighborhood successively from the mid-19th to the mid-20th centuries.

Future without the Proposed Actions (No-Action Condition)



1. Neo-Grec flats along East 120th Street (Lots 33, 35, 43, and 143).



2. Colonial Revival tenements on East 120th Street (Lot 30).



3. Italianate rowhouses along East 120th Street (Lots 38, 39, 40, and 138)

Under No-Action conditions, the status of historic resources could change. S/NR-eligible architectural resources could be listed in the Registers, and properties found eligible for consideration for designation as NYCLs could be calendared and/or designated. Changes to the historic resources identified above or to their settings could also occur irrespective of the Proposed Actions. Future projects could affect the settings of architectural resources. It is possible that some architectural resources in the area surrounding the Project Area could deteriorate, while others could be restored. In addition, future projects could accidentally damage architectural resources through adjacent construction.

Properties that are designated NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition of those resources can occur. All properties within LPC-designated historic districts also require LPC permit and approval prior to new construction, addition, enlargement, or demolition. The owners of a property may work with LPC to modify their plans to make them appropriate. Properties that have been calendared for consideration for designation as NYCLs are also afforded a measure of protection insofar as, due to their calendared status, permits may not be issued by the New York City Department of Buildings (DOB) for any structural alteration to the buildings for any work requiring a building permit, without at least 40 days prior notice being given to LPC. During the 40-day period, LPC has the opportunity to consider the case and, if it so chooses, schedule a hearing and move forward with designation.

The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCL-designated or S/NR-listed historic resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

Additionally, historic resources that are listed on the S/NR or that have been found eligible for listing are given a measure of protection from the effects of federally-sponsored, or federally-assisted projects under Section 106 of the National Historic Preservation Act, and are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the New York State Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Private property owners using private funds can, however, alter or demolish their S/NR-listed or S/NR-eligible properties without such a review process.

Anticipated Developments in the No-Action Condition

PROJECT AREA

In the future without the Proposed Actions, no changes are expected to occur in the Project Area. The Applicant-owned Proposed Development Site would remain the same as under existing conditions, and the five-story community facility building in the Project Area would not be renovated.

400-FOOT STUDY AREA

As detailed in **Attachment C, "Land Use, Zoning, & Public Policy,"** there are no developments slated for completion in the 400-foot study area in the 2026 analysis year.

Future with the Proposed Actions (With-Action Condition)

According to the *CEQR Technical Manual*, generally, if a project would affect those characteristics that make a resource eligible for NYCL designation or S/NR listing, this could be a significant adverse impact. This section assesses the Proposed Actions' potential to result in significant adverse impacts on identified architectural resources in the study area, including impacts resulting from construction of the Proposed Project, project-generated shadows, or other indirect effects on existing historic resources in the study area.

The Proposed Actions were assessed in accordance with guidance established in *the CEQR Technical Manual* (Chapter 9, Part 420), to determine (a) whether there would be a physical change to any designated or listed property as a result of the Proposed Actions; (b) whether there would be a physical change to the setting of any designated or listed resource, such as context or visual prominence, as a result of the Proposed Actions; and (c) if so, whether the change is likely to diminish the qualities of the resource that make it important. Whereas this attachment focuses specifically on the Proposed Actions' effects on the visual context of historic resources, an assessment of the Proposed Actions' effects on the visual character of the study area in general is provided separately in **Attachment H, "Urban Design & Visual Resources."**

As detailed in **Attachment A, "Project Description,"** the Proposed Actions and associated reasonable worst-case development scenario (RWCDS) would facilitate the construction of a new 21-story (215-foot-tall) residential building with 254 affordable dwelling units (DUs) on the Proposed Development Site. The Proposed Project would include an entrance to the west of the existing community facility building in the Project Area. The entrance portion of the building would rise 13 stories before setting back 10 feet from the property line. The larger 21-story portion of the building would be located to the north on the Proposed Development Site. The Proposed Actions would also facilitate the renovation of the existing five-story community facility building in the Project Area, including the development of a sixth-floor greenhouse and community recreational space.

Direct (Physical) Impacts

Historic resources can be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building or replacement of the resource's entrance, could result in significant adverse impacts, depending on the design. Direct effects also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

The Proposed Actions are site-specific, and, as discussed above, the Project Area does not contain any designated or eligible historic resources. Therefore, the Proposed Actions would not result in any direct impacts to historic architectural resources.

Indirect (Contextual) Impacts

Contextual impacts may occur to architectural resources under certain conditions. According to the *CEQR Technical Manual*, possible impacts to architectural resources may include isolation of the property from, or alteration of, its setting or visual relationships with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor. Significant indirect impacts can occur if the Proposed Actions would cause a change in the quality of a property that qualifies it for listing on the S/NR or for designation as a NYCL.

The Proposed Actions would not result in significant adverse indirect impacts on historic architectural resources. The development facilitated by the Proposed Actions would not significantly alter the context or setting of the nearby S/NR-listed East Harlem Historic District as compared to No-Action conditions. As detailed above, the Proposed Actions would facilitate the development of a 21-story building on the Proposed Development Site, as well as the renovation of the existing community facility building in the Project Area with a greenhouse and recreational space on its rooftop. Although these buildings would be visible when looking north from within the East Harlem Historic District, this would not be significant or adverse. The study area is a dense urban environment with the existing mid-rise and high-rise buildings of the 22-building NYCHA Wagner Houses currently forming the backdrop for the East Harlem Historic District when looking north from within the district. The RWCDS associated with the Proposed Actions would not substantially change the visual setting of the historic district so as to affect those characteristics that make it eligible for listing on the S/NR.

Additionally, in the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. Development facilitated by the Proposed Actions would not alter the relationship of any building within the East Harlem Historic District to the streetscape, as all streets in the study area would remain open and all historic resources' relationships to the street would remain unchanged in the future with the Proposed Actions. The Proposed Project would not eliminate or screen public views of any buildings in the East Harlem Historic District, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of any buildings within the historic district would be obstructed by the RWCDS buildings in the Project Area.

The Proposed Actions would not result in development that would diminish the qualities that make the S/NR-listed East Harlem Historic District historically and architecturally significant. As such, the Proposed Actions would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

Any new construction taking place within historic districts or adjacent to individual landmarks has the potential to cause damage to those historic resources from ground-borne construction vibrations. As noted above, the New York City Building Code provides some measure of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to LPC-designated and S/NR-listed historic resources located within 90 linear feet of a proposed construction site. For these structures, DOB's TPPN #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

As the Project Area is located within 90 feet of the S/NR-listed East Harlem Historic District, construction facilitated by the Proposed Actions would be subject to TPPN #10/88. Under the TPPN, a construction protection plan (CPP) would be provided to LPC for review and approval prior to any work in the Project Area. The construction protection plan would take into account the guidance provided in the *CEQR Technical Manual*, Chapter 9, Section 522, "Construction Protection Plan." The CPP would be required in the land disposition and regulatory agreements. As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions.

Shadows Impacts

As detailed further in **Attachment B, "Supplemental Screening,"** development facilitated by the Proposed Actions would not result in any incremental shadows coverage on any sunlight-sensitive features of historic resources. Therefore, no significant adverse shadows impacts would occur on historic resources in the future with the Proposed Actions.

Attachment H

Urban Design & Visual Resources

I. INTRODUCTION

This attachment considers the potential effects of the Proposed Actions and subsequent development on urban design and visual resources. As defined in the 2021 *City Environmental Quality Review* (CEQR) *Technical Manual*, urban design is the totality of elements that shape and affect a pedestrian's experience of public space. Elements such as streets, buildings, visual resources, open space, natural resources, wind, and sunlight play an important role in the pedestrian experience. The Proposed Actions would map a zoning district that has different height and bulk regulations than those of the existing zoning districts within the surrounding area. As a result of the proposed zoning map amendment and other Proposed Actions, the Applicant would rehabilitate an existing community center and facilitate the development of a new 21-story affordable housing building at the Project Site (Block 1808 Lot 8) in the East Harlem neighborhood of Manhattan Community District (CD) 11.

In accordance with *CEQR Technical Manual* guidance, the urban design and visual resources assessment focuses on the components of the Proposed Actions and associated reasonable worst-case development scenario (RWCDS) that may have the potential to alter the arrangement, appearance, and functionality of the built and natural environment in the With-Action Condition. As described in **Attachment A, "Project Description,"** the Proposed Actions involve a zoning change that would increase the allowable density and would result in new development that would differ from what is currently permitted as-of-right and consequently may change the experience of a pedestrian at the street level. The Proposed Actions and RWCDS would rehabilitate an existing community center and facilitate the development of a new affordable housing building. The new residential building would stand 21-stories tall (215-feet not including mechanical equipment) and result in a different built form at the street level. As compared to the No-Action condition, the RWCDS would introduce a net increase of 274 DUs and 262,873 gross-square-feet (gsf) of residential uses on the Project Area.

II. METHODOLOGY

Pursuant to the *CEQR Technical Manual*, an assessment of urban design is appropriate when a proposed action(s) may have effects on one or more of the elements that contribute to the pedestrian experience of public space. The assessment focuses on the components of a proposed action(s) that may have the potential to alter the arrangement, appearance, and functionality of the built and natural environment.

As described in the *CEQR Technical Manual*, a preliminary urban design analysis is appropriate when there is potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. A preliminary analysis provides a "snapshot" of the project, comparing existing and future conditions with and without the Proposed Actions. The following analysis examines each of the elements that play an important role in the pedestrian experience, including street hierarchy and streetscape (including the arrangement and orientation of streets); building scale, form and arrangement; and natural features, open space, and topography.

Per criteria of Section 230 of the *CEQR Technical Manual,* a wind condition analysis is not warranted for the Proposed Actions. The Project Area and Project Site are not located in a high wind location (such as

along west and northwest-facing waterfronts), and the Proposed Actions would not result in the construction of multiple parallel tall buildings that would have the potential to alter wind conditions. The Project Area is in a location where wind conditions from the waterfront are attenuated by existing buildings.

Following *CEQR Technical Manual* guidance, the analysis is based on field visits, aerial views, photographs, and other graphic images of the Project Area and surrounding area. Zoning calculations, including floor area calculations, building heights and lot coverage information is also provided.

The following preliminary analysis also considers the effects of the Proposed Actions on the area's visual resources, which are generally considered important public view corridors, vistas, or natural or built features. Visual resources can include waterfront views, public parks, landmark structures or districts, or natural features, such as rivers or geologic formations.

Based on *CEQR Technical Manual* guidance, the study area for urban design is the area where the Proposed Actions may influence land use patterns, the built environment, and pedestrian's experiences in the public realm surrounding the Project Area. The urban design study area consists of both a primary study area (where urban design effects of the Proposed Actions are direct) and a secondary study area. For this assessment, the primary study area encompasses the Projected Development Site. Consistent with the analysis of land use, zoning, and public policy, the secondary study area for urban design resources has been defined as being within approximately 400 feet of the primary study area (see **Figure H-1**).

As stated in the *CEQR Technical Manual*, for visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. While the land use study area may serve as the initial basis for analysis, in many cases where significant visual resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of the area, as is often the case with waterfront sites or sites within or near historic districts. For this analysis, prominent visual resources (both within and outside of the urban design study area) that are visible from the primary and secondary study areas were identified. The primary view sheds of these visual resources that would be affected by construction were the focus.

III. PRELIMINARY ASSESSMENT

Existing Conditions

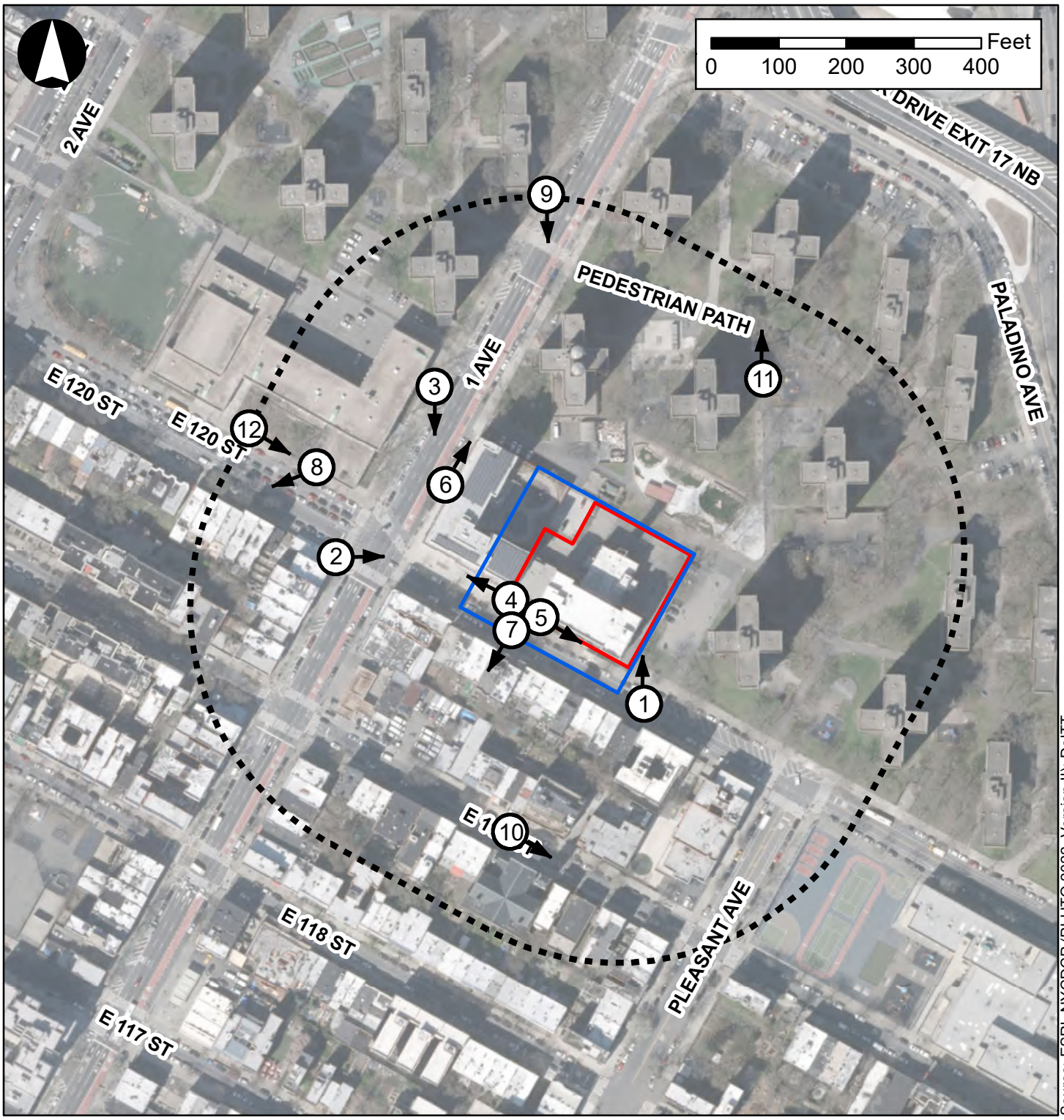
As noted above, **Figure H-1** shows both the primary (i.e., Project Area) and 400-foot secondary study area. **Figure H-1** also provides a photograph key for the approximate locations of where each of the photographs included in **Figures H-2 through H-5** were taken.

Urban Design

Primary Study Area (Project Area)

The primary study area comprises two lots on the southwestern portion of Manhattan Block 1808. The block is bounded by Paladino Avenue to the north and east, East 120th Street to the south, and 1st Avenue to the west. The primary study area includes approximately 66,005 sf, which encompasses two privately

Figure H-1
Urban Design Study Areas



Legend

- Proposed Development Site
- Proposed Rezoning Area
- 400' Radius
- 1 → Site Photos Key

owned L-shaped tax lots (Lots 8 and 7501) and a small portion of Lot 1. The primary study area has a total of approximately 365-feet of frontage along East 120th Street and approximately 190-feet of frontage along 1st Avenue. **Figure H-2** provides views of the existing buildings in the primary study area and **Figure H-3** provides views of the primary study area streetscape.

Building Bulk, Use, Type, and Arrangement

As described in **Attachment C, "Land Use, Zoning and Public Policy,"** the land use in the primary study area is evenly distributed between a mixed residential and commercial building and a public facility and institution. The existing buildings are mid- to high-rise brick buildings, oriented to the street. **Table H-1** provides a description of each of the tax lots included in the primary study area.

The Applicant-controlled Project Site (Lot 8) comprises roughly half of the Project Area. It measures approximately 34,848 sf with approximately 210 feet of frontage along East 120th Street. The property is improved with a six-story public facility and institution building (the "MSC building"). As discussed in **Attachment A, "Project Description,"** the existing MSC building is built within the existing mapped street (East 120th Street). Metal fencing is located along the site's East 120th Street frontage. An approximately 39-space surface parking lot is located north of the existing MSC building. The MSC building is approximately 80,290 gsf (2.30 FAR) and is currently occupied by a public facility and institution building, the East Harlem Multi-Service Center (MSC). The MSC currently hosts a dozen community facility operators providing services to the East Harlem community.

The non-Applicant controlled lot (Lot 7501) abuts the Development Site to the west along East 120th Street (see **Figure H-2, Photo #2**). It comprises 31,157 sf and is occupied by an approximately 222,137 gsf (7.13 FAR) high-rise mixed residential and commercial building owned by the Acacia Gardens Housing Development Fund Company. The Acacia Gardens condominium has approximately 155 feet of frontage along East 120th Street and approximately 190 feet of frontage along 1st Avenue. The building is built to the street line, but does not fully occupy the entire lot, forming an L-shaped wall at the street level (see **Figure H-2, Photo #2**). There are 19 at-grade accessory parking spaces located at the northeast corner of the lot accessible via an existing curb cut along 1st Avenue (see **Figure H-2, Photo #3)**. As discussed in **Attachment A, "Project Description,"** the construction of this building was facilitated by a 2015 rezoning which rezoned the site from R7-2 to R7X/C1-5.

TABLE H-1: Existing Conditions in the Primary Study Area on Manhattan Block 1808

Lot	Address	Lot Area (SF)	Building (GSF)	Land Use	FAR
8	413 East 120th Street	34,848	80,290	Public Facility & Institution	2.30
7501	409 East 120th Street	31,157	222,137	Mixed Residential & Commercial	7.13
Totals		66,005	302,427		

Source: New York City Department of City Planning PLUTO (2022v2).
Notes: The shaded row indicates the property under the Applicant's control and ownership, comprising the Development Site.

Block Form, Street Pattern, and Street Hierarchy

The subject block is irregularly shaped as a trapezoid and oriented in a northeast-southwest direction. East 120th Street and 1st Avenue are considered wide streets with a mapped width of 80 feet and 100 feet, respectively.



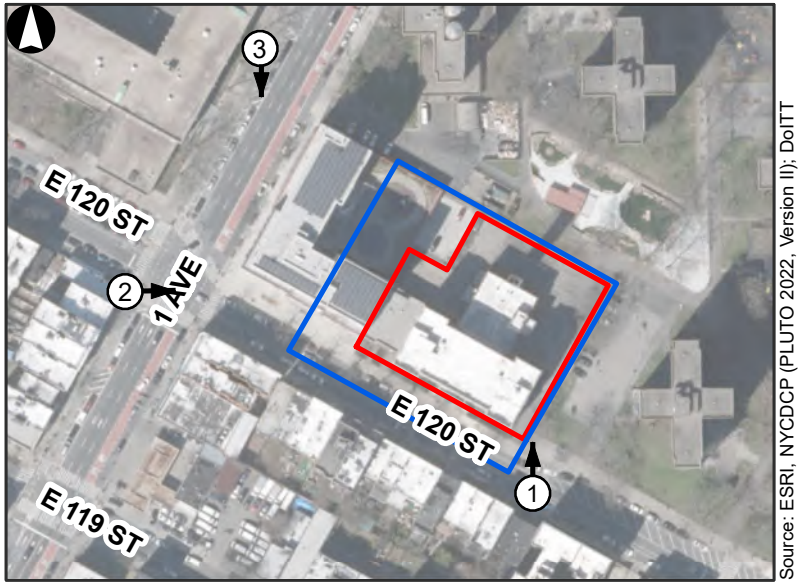
1. View of the Proposed Development Site looking north from the midblock of East 120th Street between 1st Avenue and Pleasant Avenue.



2. View of the Proposed Rezoning Area looking east from the intersection of East 120th Street and 1st Avenue.



3. View of the Proposed Rezoning Area looking south along 1st Avenue.



Proposed Rezoning Area Proposed Development Site



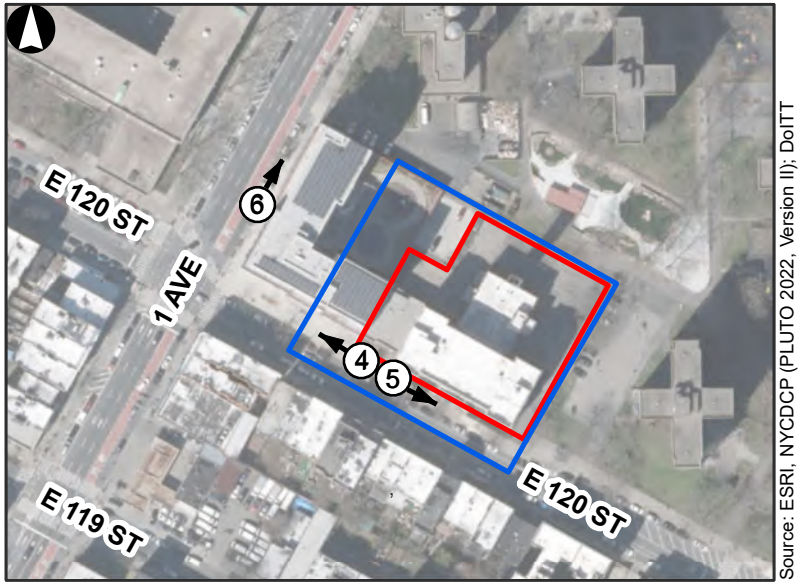
4. View of streetscape conditions along East 20th Street looking northwest.



5. View of streetscape conditions along East 120th Street looking southeast.



6. View of streetscape conditions along 1st Avenue looking northeast.



East 120th Street operates one way with one eastbound travel lane, curbside parking along both curbs, and a conventional bike lane on the southern side of the street. First Avenue is a principle north-south arterial street and operates one-way with four northbound travel lanes (one of which is a bus lane), one curbside parking on both sides, and a protected bikeway lane on the western side of the street.

Streetscape Elements

Streetscape elements along the primary study area's street frontages include several street trees, parking signage, streetlamps, and fire hydrants. Sidewalk widths vary depending on the section of the sidewalk. The street sections of East 120th Street and 1st Avenue located within the primary study area are narrow sidewalks at approximately 12 feet wide and are in good shape. There is also an existing bus stop for the M15 and M116 buses at the northwest corner of 1st Avenue and East 120th Street.

The parking lot to the Project Site is accessible via a gate on the eastern most part of the Project Site's frontage. The area in front of this entrance includes a steel faced curb with no curb cut. The at-grade parking lot for the non-Applicant controlled lot (Lot 7501) is accessible via an existing curb cut on 1st Avenue. It is an approximately 15-foot-wide curb cut at the northwest corner of the lot. Lot 7501 also includes a curb cut on the easternmost part of its East 120th Street frontage.

Topography, Natural Features and Open Space

The topography of the primary study area is generally flat. There are no natural features or publicly accessible open spaces within the primary study area.

Secondary Study Area (400-foot Radius)

As discussed above, the secondary study area has been defined as the area within an approximate 400-foot radius of the primary study area. As shown in **Figure H-1**, the secondary study area roughly extends to the mid-block between East 118th and East 119th Street to the south, the New York City Housing Authority (NYCHA) Wagner Houses to the north and east, and mid-block between 1st Avenue and 2nd Avenue to the west. **Figure H-4** provides views of existing buildings in the secondary study area and **Figure H-5** provides views of the secondary study area streetscape.

Building Bulk, Use, Type, and Arrangement

As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** residential uses are the most prevalent land use located in the secondary study. Residential buildings in the surrounding area are comprised of single- and two-family residential buildings, low-rise multi-family walkup and elevator buildings and taller "tower-in-the-park" multi-family elevator buildings. The highest-density multi-family residential buildings are the 16-story NYCHA Wagner Houses primarily located to the north and east of the primary study area. The NYCHA Wagner Houses located north of East 120th Street are setback from the street to create a "tower-in-the-park" setting within interior pedestrian walkways and vegetated areas. It consists of 22 high-rise, 16-story elevator apartment buildings, which occupy two superblocks bounded by East 120th Street to the south, 2nd Avenue to the west, East 124th Street to the north, and Paladino Avenue to the north and east with 1st Avenue extending through the superblocks.

Mixed residential/commercial uses are mainly located on either side of 1st Avenue south of East 120th Street, however there is also one small lot located on the east side of Pleasant Avenue. There is also one



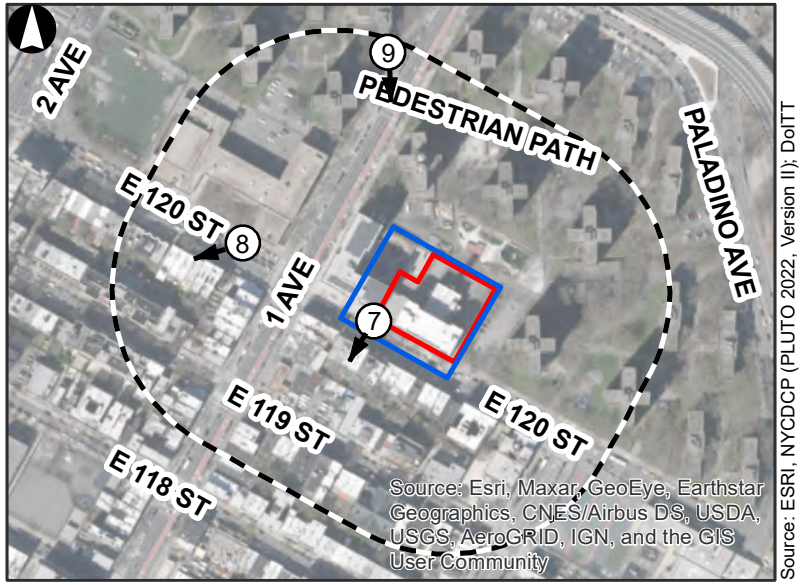
7. View of low-rise attached row houses located along East 120th Street between 1st Avenue and Pleasant Avenue.



8. View of low-rise attached row houses located along East 120th Street between 2nd Avenue and 1st Avenue.



9. View of the NYCHA Wagner Houses adjacent to the Proposed Rezoning Area on the midblock of 1st Avenue between East 120th Street and East 124th Street.





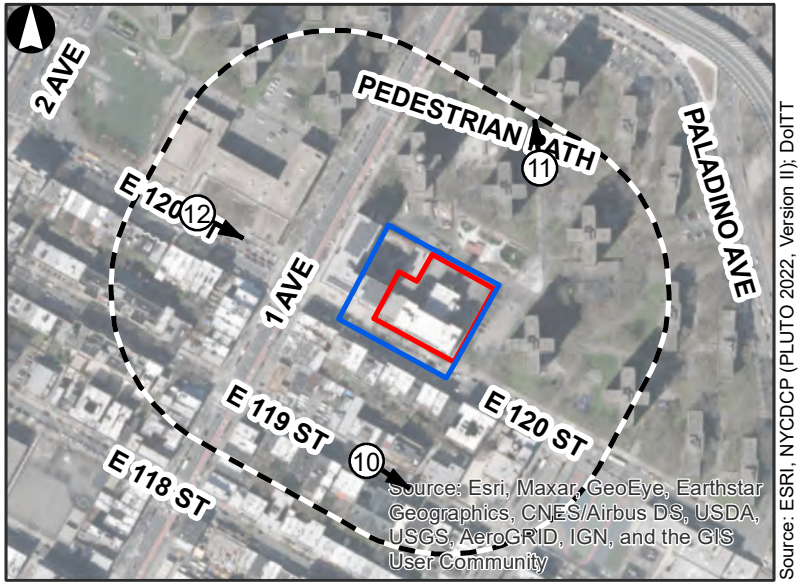
10. View of streetscape conditions looking east along East 119th Street between 1st Avenue and Pleasant Avenue.



11. View of the pedestrian pathways within the NYCHA Wagner Houses.



12. View of streetscape conditions along East 120th Street between 2nd Avenue and 1st Avenue.



commercial/office building located within the secondary study area which is currently occupied by a two-story grocery store.

There are nine public facilities and institutions within the secondary study area, which include a range of two- to eight-stories buildings. They include River East Elementary, located at 2345 1st Avenue, a women-specific substance abuse treatment center, two developmental disability services centers, and several buildings affiliated with Holy Rosary Church located at 446 East 119th Street (including the church, a convent, a rectory, and a Catholic school). The secondary study area's two transportation uses are both single-story buildings located along East 119th Street and consists of a gas station and auto service shop. Industrial/manufacturing comprise two of the secondary study area's uses and are low-rise nondescript brick red buildings with three rolling grille doors. There are no parking uses located within the secondary study area, but the four vacant lots along East 119th Street are used as informal parking lots.

Most buildings are oriented to the street, and largely built at the street line, or include shallow-fenced front yards. The notable exceptions being the "tower-in-the-park" NYCHA Wagner Houses and the gas station located on the southwest corner of 1st Avenue and East 119th Street. Built FAR ranges widely throughout the study area, between 0 and 21.4 (see **Figure H-6**). Built FAR in the secondary study area is generally less than 4.0 FAR, with higher built FAR located sparsely throughout the study area.

As shown in **Figure H-7**, although various building heights are scattered throughout the secondary study area, most buildings are fewer than six stories. Higher-density, six- to 16-stories, multifamily residential apartment buildings are located either north of East 120th Street or west of 1st Avenue (**Figure H-4, Photo #9 and Figure H-7)**, and low- and mid-rise buildings generally characterize the streets south of East 120th Street. Many of the low-rise buildings located along East 119th Street and East 120th Street are two- to four-story, brick-clad residential row houses (**Figure H-4, Photo #7 and #8**); many have small stoops, but do not generally include driveways or garages. 1st Avenue is an active corridor for low- and mid-rise buildings that feature commercial uses like delis, supermarkets, and restaurants on the ground floor and residential uses on the upper levels.

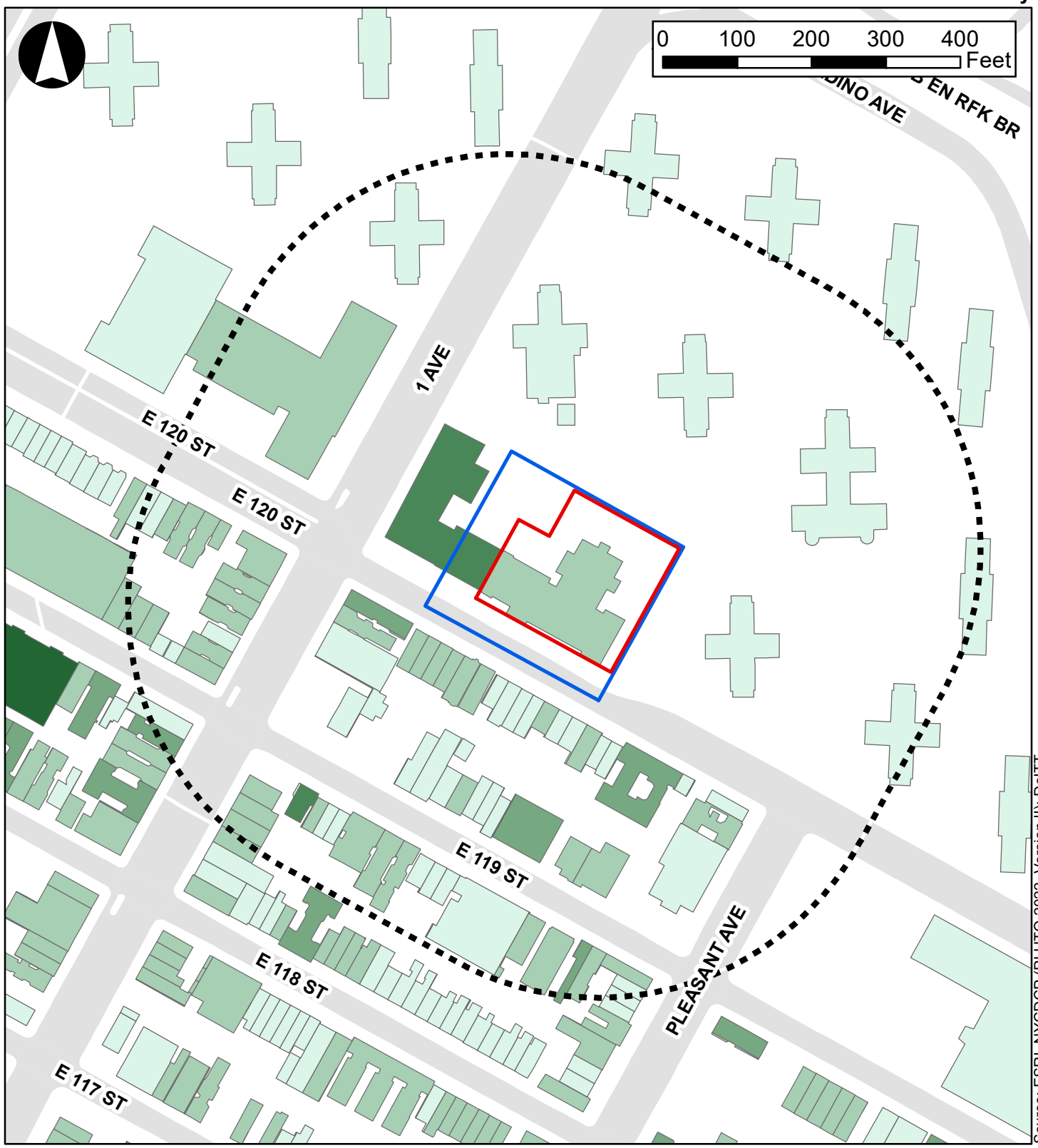
With a mix of building types, heights, uses and setbacks, there is no uniform design pattern across the study area.

Block Form, Street Pattern, and Street Hierarchy

As shown in **Figure H-1**, the secondary study area is characterized by rectangular-shaped blocks organized along a typical grid system with blocks shorter along the avenues and longer along the streets. Generally, the street pattern is defined by narrow one-way streets running east-west and wide one-way avenues running north-south. East 120th Street is unique in that it is the only wide (defined as wider than 75 feet) street in the secondary study area that also changes traffic flow between avenues. From 2nd Avenue to 1st Avenue, the one-way East 120th Street is built to a width of 100 feet, which includes three eastbound travel lanes, parallel parking, a conventional bike lane, and sidewalks. From 1st Avenue to Paladino Avenue, although the one-way East 120th Street is built to a width of 80 feet, it includes only one eastbound travel lane, curbside parking on both sides, a conventional bike lane, and sidewalks. The grid pattern allows for views along the streets.

1st Avenue is the main northbound street through the secondary study area and provides connection to arterial highways, such as Franklin D. Roosevelt (FDR) Drive and Harlem River Drive, and bridges, such as the Robert F. Kennedy Bridge and Willis Avenue Bridge, beyond the study area. Pleasant Avenue, located to the east of the primary study area, is a wide north-south street that fronts a mix of residential, public

Built Density



Legend

- Proposed Development Site
- Proposed Rezoning Area
- 400' Radius

Built FAR

- Less than 2.0 FAR
- 2 - 4 FAR
- 4- 6 FAR
- 6 - 8 FAR
- Over 8 FAR

Building Heights



Legend

- Proposed Development Site
- Proposed Rezoning Area
- 400' Radius

Number of Floors

- 0 - 2 Stories
- 2 - 4 Stories
- 4 - 6 Stories
- 6 - 8 Stories
- Over 8 Stories

facilities and institutions, vacant land, and mixed-use buildings. It is a two-way street with one travel lane, two conventional bike lanes, and curbside parking on either side. East 119th Street is the only narrow westbound street within the study area with one travel lane and one conventional bike lane. Parking is permitted on both sides of the streets and parked cars line the roadways.

Streetscape Elements

All sidewalks in the secondary study area accommodate street trees, parking signage, streetlamps, bike racks, and fire hydrants. Concrete sidewalks flank all streets in the secondary study area and are generally in good condition. The sidewalk widths along the side streets (East 119th and East 120th Street) vary from six to 15 feet, depending on the area of the sidewalk. Pleasant Avenue generally has wider 15-feet wide sidewalks. Sidewalks along 1st Avenue are comparably narrower, with a range of eight to 12-feet wide. Within the secondary study area, there are two existing bus stops for the M116 bus stop line located along Pleasant Avenue and East 120th Street. There is also a bus stop for the M15 bus on First Avenue north of East 120th Street.

Curb cuts within the area are generally located along the residential side streets to larger residential buildings. There are some automotive repair shops located on these side streets that also include curb cuts. Curb cuts are limited on First Avenue to a gas station on East 119th Street and 1st Avenue and to access the Wagner Houses Campus north of East 120th Street.

Topography, Natural Features and Open Space

As the area is an urbanized location, the topography of the secondary study area is generally flat. There are no natural features or publicly accessible open spaces. On the eastern side of Pleasant Avenue between East 119th and East 120th Streets is P.S. 206's ball fields and courts, which comprise the western portion of Block 1816 in the southeastern portion of the study area. The NYCHA Wagner Houses are also surrounded by landscaped private accessory open areas.

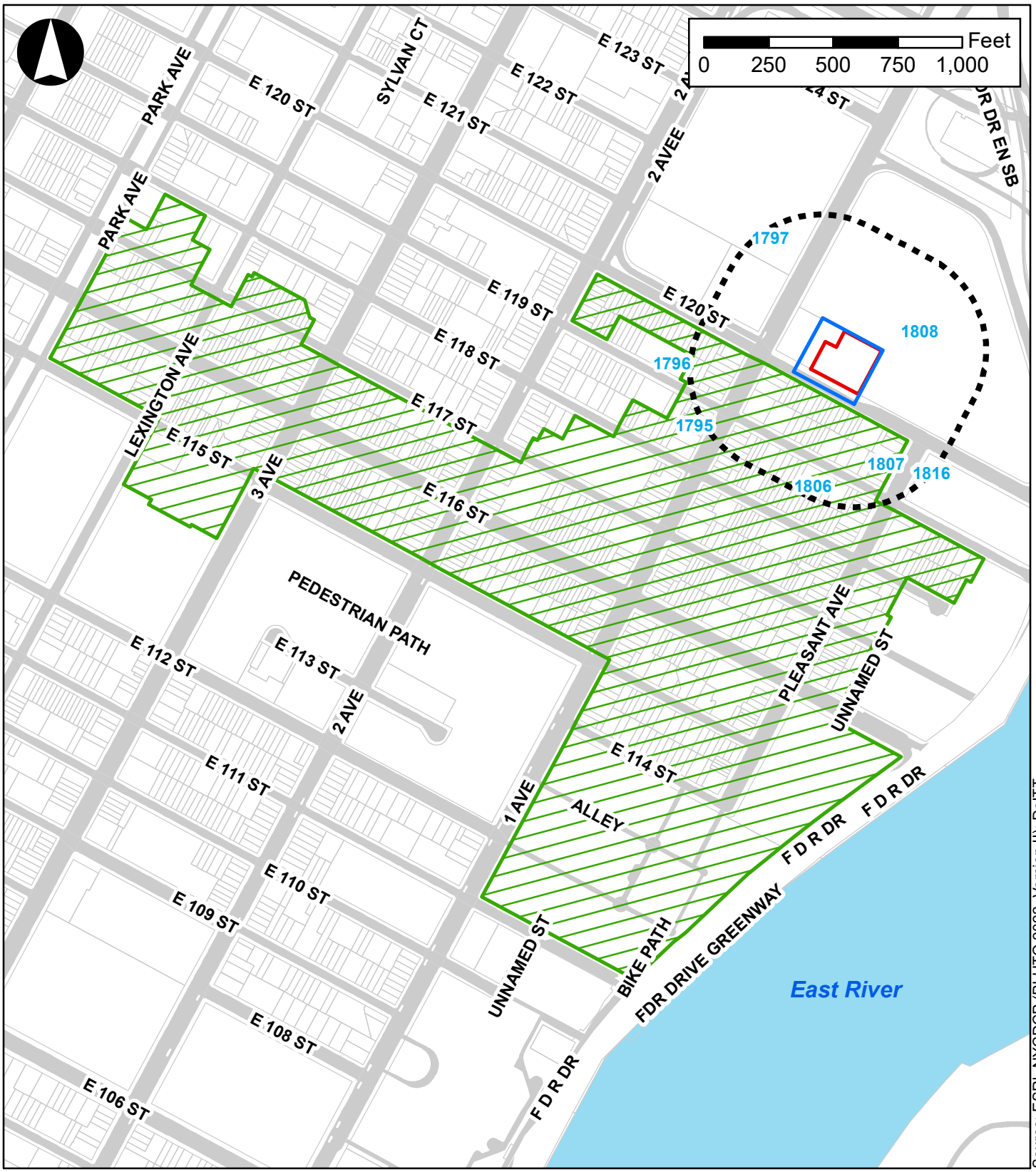
Visual Resources

The secondary study area includes a small portion of the S/NR-listed East Harlem Historic District, which extends roughly from East 111th to East 120th streets, Park Avenue to the East River. As shown in **Figure H-8**, the eastern portion of Block 1795, most of Block 1796, and the entirety of Block 1806 and 1807 is included in the S/NR-listed historic district. Portions of the Historic District are visible from the Project Area. As shown in **Figure H-8**, the area south of East 120th Street in the secondary study area is generally within the historic district. Refer to **Attachment G, "Historic and Cultural Resources,"** for further discussion of the S/NR-listed East Harlem Historic District. In addition, there are no natural or built features (waterfront views, rivers, and geological formations) in the secondary study area.

The Future without the Proposed Actions (No-Action Condition)

Under the No-Action scenario, the proposed zoning changes would not occur within the primary study area. All existing structures and land uses located within the primary study area are anticipated to remain unchanged from existing conditions. The Development Site would continue to be occupied by a five-story community facility building. The existing streetscape elements will also remain. Additionally, there are

Figure H-8
East Harlem Historic District



Legend

Proposed Development Site | Proposed Rezoning Area | 400' Radius | East Harlem Historic District

currently no known plans that will significantly alter sidewalk widths, modify existing curb cuts or add or remove street trees within the primary study area.

There are no visual resources within the primary or secondary study area, which encompasses a small portion of the East Harlem Historic District. New visual resources may potentially be introduced in the northern portion of East Harlem neighborhood in absence of the Proposed Actions. Ascendant and Landmark East Harlem was awarded the 2022 Preserve New York grant to identify potential individual S/NR listings and boundaries of potential new historic districts. The grant would survey the northern portion of East Harlem bounded by East 115th Street to the south, 5th Avenue to the west, and the East/Harlem Rivers to the north and east, respectively. The survey boundaries encompasses both the primary and secondary study area. However, north of the Development Site is the NYCHA Wagner Houses campus which had previously been surveyed and was found to be ineligible and therefore, it is not expected for new visual resources to be introduced within either study area.

Independent of the Proposed Actions, there are no anticipated developments by the 2026 analysis year in the secondary study area. As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** the 13 developments anticipated within an approximately ¼- and ½- mile of the primary study area are located outside of the secondary study area. It is anticipated that 301 residential DUs, approximately 104,867-gsf of commercial, and approximately 125 parking spaces would be developed within a ½-mile of the primary study area. Although outside the study area boundaries, the anticipated developments align with existing land use within the neighborhood and therefore, it is anticipated land use patterns will remain in the surrounding area. There are no known changes proposed in either the primary or secondary study area.

The Future with the Proposed Actions (With-Action Condition)

This section describes the effects of the Proposed Actions on the urban design and visual resources conditions in the primary and secondary study areas by 2026 and evaluates the potential for significant adverse impacts on urban design and visual resources.

Under the With-Action conditions, the Proposed Actions would facilitate the rehabilitation of an existing community center and the construction of a new affordable housing development. The proposed residential building would be 21-story (215-feet tall not including mechanical equipment) development of approximately 262,473 gsf containing approximately 274 DUs. The Proposed Actions would also renovate an existing six-story, 80,290 gsf community facility building as a five-story, 65,860 gsf community facility building, which would remove a story, but to include a rooftop greenhouse and community recreation space. A landscaped corridor would also connect East 120th Street to the NYCHA Wagner Houses campus to the north of the Project Area.

Urban Design

Primary Study Area

Development facilitated by the Proposed Actions would be built on an existing block, and would not warrant any changes to topography, street patterns and hierarchy, block shapes or natural features in the Project Area. However, the Proposed Actions are expected to introduce a new affordable residential

development with massing and scales that are not permissible under the current zoning but would comply with the proposed zoning's contextual height and setback regulations. Under the With-Action condition, the Development Site is expected to be developed with increased height and building bulk.

In accordance with the proposed R8 zoning, the Applicant-owned development would have a maximum rooftop height of 215-feet (21-stories), introducing new height to the existing scale of the built environment (see **Figure H-4, Photos #7-9**). The building would include 6,226 sf of outdoor amenity space including a private courtyard and north yard. There would also be an entrance to the west of the MSC building. The entrance portion of the building would stand approximately 13-stories tall and would be setback approximately 10 feet from the streetwall of the existing MSC building.

In addition, under the With-Action condition, the existing MSC building would be renovated. The renovation would include the development of a rooftop greenhouse and community recreation space. There would also be a landscaped corridor connecting East 120th Street to the NYCHA Wagner Houses campus to the north of the Project Area.

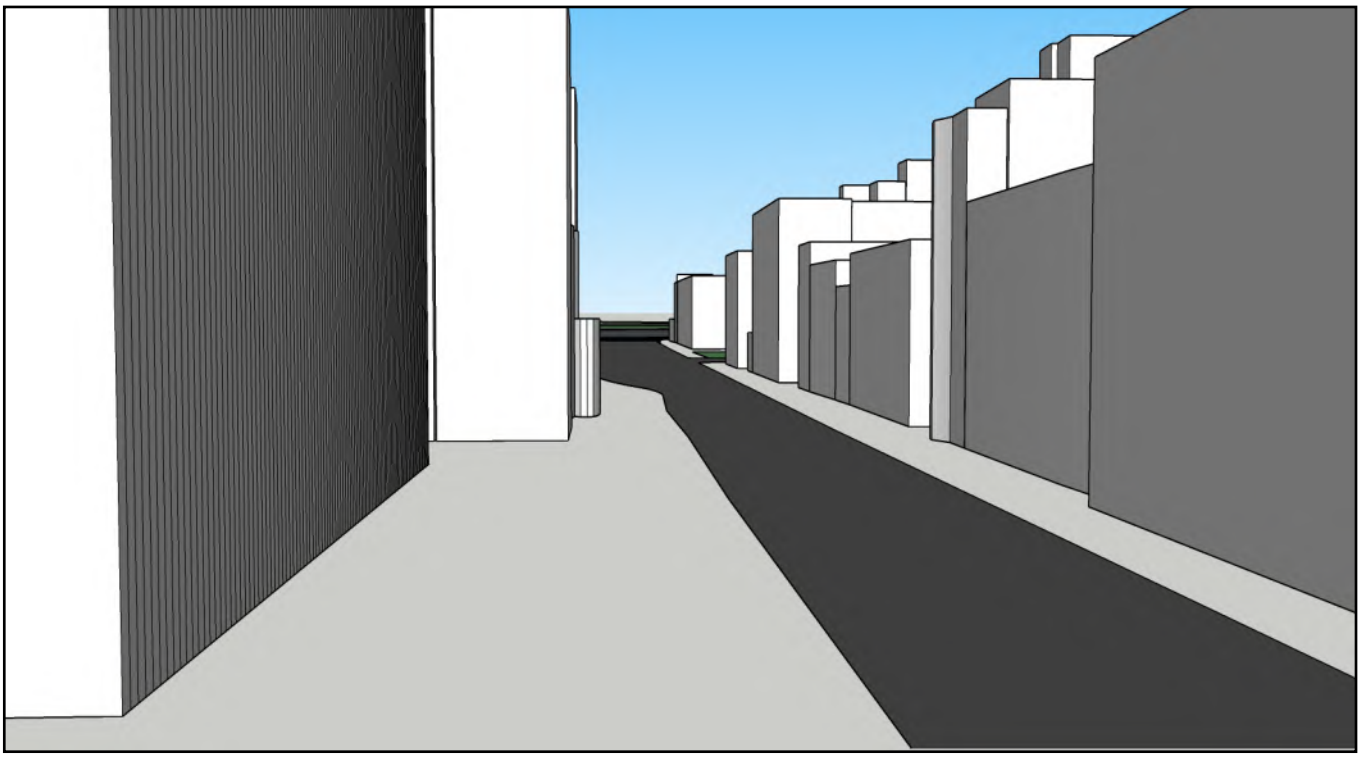
The Proposed Actions would introduce increased height, bulk, and density that would change the appearance of the built environment in a way that would enliven the pedestrian's experience of the area. The With-Action development would also provide new street trees, which would contribute to an improved pedestrian experience in the primary study area. The With-Action development would introduce residents and improved community recreation space along East 120th Street. As shown in **Figures H-9 and H-10**, the Proposed Actions would not drastically alter the urban design character of the primary study area. With a maximum building height of 215-feet and building square footages of approximately 262,873 gsf, the height and bulk of the With-Action development would be taller and larger than a majority of the surrounding buildings in the primary study area, which do not exceed four stories and are generally less than 30,000 sf (see **Figure H-7**). However, the With-Action development would be located adjacent to existing buildings such as the Acacia Gardens condominiums and NYCHA Wagner Houses campus that are similar in density and height to the Proposed Project (see **Figure H-6** and **H-7**). The increased scale, both in terms of height and bulk, would not be a notable change from the pedestrian's perspective to the appearance and character of the developments compared to the No-Action condition as the proposed 21-story building would be setback from the property line and would be located behind the MSC building.

In the future with the Proposed Actions, as compared to the future without the Proposed Actions, the visual appearance of the pedestrian experience would introduce a new 21-story and a six-story building to the Project Site. However, this change would not meet the CEQR threshold for significant adverse urban design impact in that it would not alter the arrangement, appearance, or functionality of the Project Site such that the alteration would negatively affect a pedestrian's experience of the area.

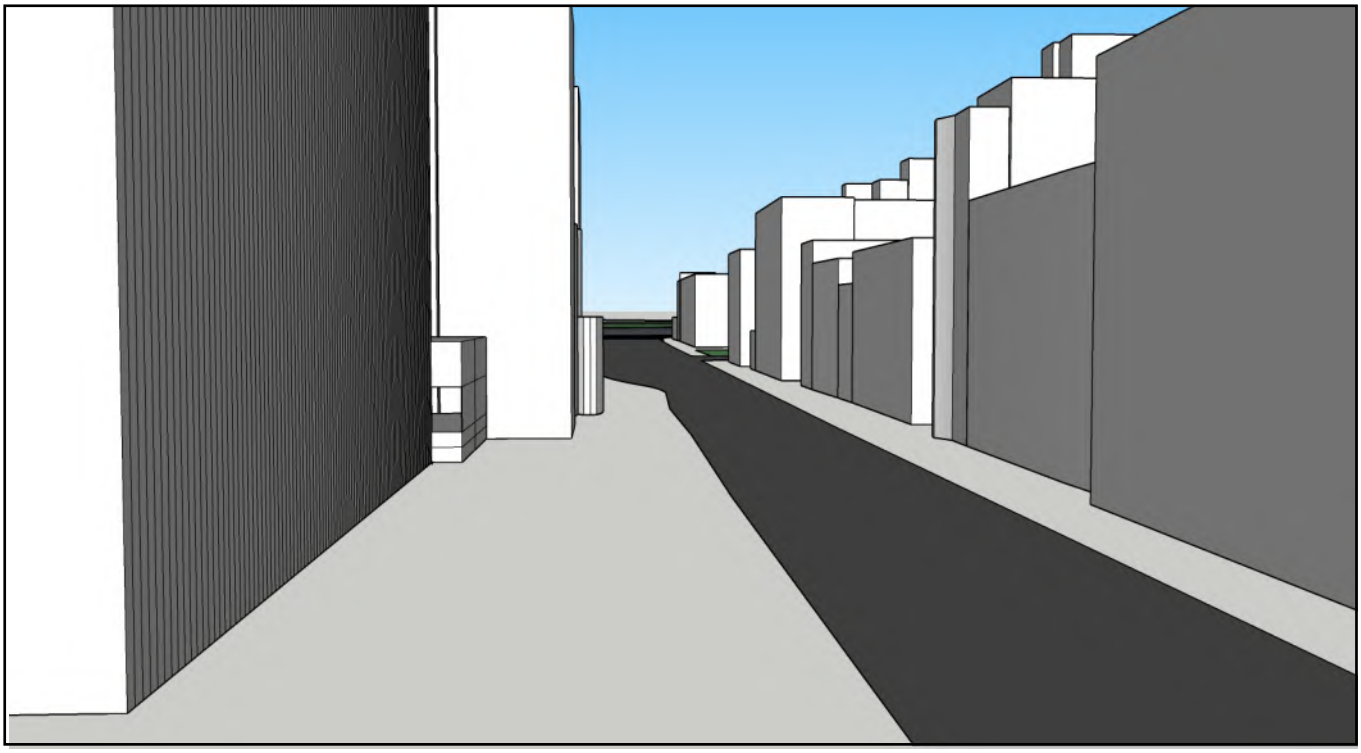
Secondary Study Area

The Proposed Actions are site-specific. The new development facilitated by the Proposed Actions would be limited to one development site within the primary study area. The With-Action development at the Project Site would be taller than the surrounding buildings but would not be inconsistent with them. The Acacia Gardens condominium located to the west of the Development Site on Lot 7501 is 12-stories tall with a built FAR of 7.13. The NYCHA Wagner Houses located to the north and east of the Development Site is comprised of 22 high-rise, 16-story multiunit elevator apartment buildings. The Proposed Actions

RWCDS Facing East on East 120th Street



No-Action



With-Action

FOR ILLUSTRATIVE PURPOSES ONLY

RWCDS Facing West on East 120th Street



No-Action



With-Action

FOR ILLUSTRATIVE PURPOSES ONLY

would not alter any street patterns, street hierarchies, block forms, building uses, and bulk regulations in the secondary study area. The With-Action development is expected to draw pedestrians into the area and further enliven the public realm in both the primary and secondary study area.

The Proposed Actions would introduce additional street lighting, street trees, and other landscaping to the area, including a rooftop greenhouse and landscaped corridor connecting East 120th Street to the NYCHA Wagner Houses campus to the north. The Proposed Actions would enhance streetscapes of the primary study area by introducing more community recreation space and a landscaped corridor that would increase pedestrian activity in the secondary study area. As described above, the existing MSC building would remove a story, but accommodate the development of a rooftop greenhouse and community recreation space.

The With-Action development would maintain the existing streetwall along East 120th Street that would be consistent with surrounding development. With a maximum building height of 215 feet on East 120th Street, which is a wide street, the upper floors would be visible by the surrounding streets. As described in the Existing Conditions, the surrounding area supports a mix of building types, scales and heights, including low-rise two- to four-stories, one and two family attached homes, six- to 16-stories multifamily elevator and walkup residences, and mixed-use residential buildings with ground floor retail. While the With-Action development would be taller and have a greater scale and density than the low-rise residential buildings located south of East 120th Street, the property is located north of East 120th Street amongst surrounding lots that are taller and with greater scale and density, and therefore, is well suited for increased density. In addition, the With-Action building's massing would be setback from the streetwall as required by the proposed contextual zoning. Therefore, the scale of future development would be appropriate for the scale of the streets adjacent to the development sites and study area. As such, the Proposed Actions are not expected to result in any significant adverse impacts to urban design in the secondary study area, nor would they result in significant adverse impacts to the experience of the pedestrian.

Visual Resources

As discussed above, the primary study area does not contain any visual resources although the southern portion of the secondary study area is situated within the boundaries of the S/NR-listed East Harlem Historic District. In addition, new visual resources are not expected to be introduced in the future with the Proposed Actions. As mentioned above, although East Harlem was awarded the 202 Preserve New York grant to survey the northern portion of the neighborhood, the Development Site is enclosed by the NYCHA Wagner Houses which had previously been surveyed and found ineligible as a visual resource. As such, the Proposed Actions would not change or alter the context of any natural or built visual resources. Moreover, there are no views of any natural or built features, such as waterfront views, rivers, geological formations, or historic structures in the primary or secondary study areas.

The Project Site would accommodate a new building in which the entrance portion would rise to a maximum height of 13-stories along East 120th Street and setback approximately 10 feet from the property line and the larger portion of the building located north of the existing MSC building and away from the streetwall would rise to a maximum height of 21-stories (215 feet not including mechanical equipment) under the With-Action conditions. However, no view corridors of significant visual resources would be obstructed as a result of these height and density increases in the Project Area. All new development would occur within an existing block. The new building on the Project Site is expected to maintain view corridors in the secondary study area by constructing a new residential development with

an entrance that would follow setback regulations according to zoning regulations along the street line. It is also expected to introduce a new view corridor along the northern portion of the lot for NYCHA residents and pedestrians that would connect the campus to East 120th Street via a new landscaped corridor.

In summary, the Proposed Actions and RWCDS would not change urban design features such that the context of natural or built features are adversely altered and would not partially or fully block any significant public views to a visual resource. Therefore, the Proposed Actions would not result in significant adverse impacts to study area visual resources.

IV. ASSESSMENT

The Proposed Actions would not have a significant adverse impact on the area's urban design and visual resources. The Proposed Actions would facilitate the construction of an affordable housing development and the renovation of the MSC building.

The Proposed Actions would create additional density and allow a greater maximum building height. The Project Sponsor feels that the location and size of the With-Action development is appropriate given the need for affordable housing for a range of household income levels in Manhattan CD 11, as well as expanding services and space for the community. The proposed text amendment would designate the Project Area as an MIH area, providing permanently affordable residential units to the surrounding area.

The Proposed Actions would not result in any significant adverse impacts on the existing street network or grid, nor would they affect any view corridors. While the With-Action development would be larger and taller than most existing buildings, it is not inconsistent in scale and density with the adjacent Acacia Gardens condominium and tower-in-the-park NYCHA Wagner Houses. In addition, the Proposed Project would be located behind the MSC building and would not be noticeable to pedestrians along East 120th Street. The With-Action development is expected to complement the existing varied context, which includes a diverse mix of building typologies and uses.

The With-Action building would also be consistent with surrounding neighborhood context in terms of use and lot placement. The existing MSC building would also be renovated and built upon to add additional community recreation space to enhance the pedestrian experience and increase pedestrian activity in the area.

Although the Proposed Actions would result in a building that is larger in height and bulk (scale) than most buildings found in the immediate surrounding neighborhood, from a pedestrian's perspective, the With-Action buildings would not obstruct important view corridors. The With-Action development would not be prominent along East 120th Street as the building's entrance would be setback from the streetwall and the primary building would be located behind the MSC building. The Proposed Project would be comparable to the Acacia Gardens condominiums and NYCHA Wagner houses located to the north, east, and west of the Project Site.

The Proposed Actions would not result in any development that would obstruct or eliminate any public views or affect any existing view corridors or views of visual resources in the study areas. As such, the Proposed Actions would not result in any significant adverse impacts to visual resources.

Attachment I

Noise

I. INTRODUCTION

This attachment assesses the potential for the proposed actions to result in significant adverse noise impacts. As described in **Attachment A, "Project Description,"** the Proposed Actions include a zoning map amendment, a zoning text amendment pursuant to MIH, the disposition of City-owned property, the designation of the Project Site (Manhattan Block 1808 Lot 8) as an Urban Development Action Area Project (UDAAP), and a change in the City Map. Approval of the Proposed Actions would rezone the Project Area (Block 1808, Lots 1, 8, and 7501) from R7X and R7-2 to R8 and result in the development of a 21-story affordable residential building containing approximately 274 dwelling units (DUs). In addition, approval of the Proposed Actions would result in the renovation of the 80,290 gsf five-story existing community facility building. The renovated six-story 65,860 gsf community facility building (the "East Harlem Multi-Service Center or MSC) would incorporate a rooftop greenhouse, community recreation space. Finally, the Proposed Project would include a landscaped corridor that would connect East 120th Street to the Wagner Houses campus to the north. The RWCDS assumes a 2026 build year for analysis, which accounts for development of both the proposed residential building and the renovation of the existing community facility building. Approval of the Proposed Actions would change traffic volumes in the general vicinity of the Project Area. As the Proposed Actions would create new noise-sensitive uses within the Project Area, a detailed noise analysis was conducted in order to determine the level of building attenuation required to ensure that future interior noise levels would satisfy applicable noise criteria.

II. ACOUSTICAL FUNDAMENTALS

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

"A"-Weighted Sound Level (dBA)

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

Table I-1
Common Noise Levels

Sound Source	Noise Level (dBA)
Military jet, air raid siren	130
Amplified rock music	110
Jet takeoff at 500 meters	100
Freight train at 30 meters	95
Train horn at 30 meters	90
Heavy truck at 15 meters	80–90
Busy city street, loud shout	80
Busy traffic intersection	70–80
Highway traffic at 15 meters, train	70
Predominantly industrial area	60
Light car traffic at 15 meters, city or commercial areas, or residential areas close to industry	50–60
Background noise in an office	50
Suburban areas with medium-density transportation	40–50
Public library	40
Soft whisper at 5 meters	30
Threshold of hearing	0

Note: A ten dBA increase in level appears to double the loudness, and a ten dBA decrease halves the apparent loudness. **Source:** Cowan, James P. *Handbook of Environmental Acoustics,* Van Nostrand Reinhold, New York, 1994. Egan, M. David, Architectural Acoustics. McGraw-Hill Book Company, 1988

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

Noise Descriptors Used in Impact Assessment

As the SPL unit of dBA describes a noise level at just one moment and very few noises are constant, other ways of describing noise over extended periods have been developed. One way of describing fluctuating sound is to describe the fluctuating noise heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level," Leq, can be computed. Leq is the constant sound level that, in a given situation and time period (e.g., one hour, denoted by Leq(1), or 24 hours, denoted as Leq(24)), conveys the same sound energy as the actual time-varying sound. The Day-Night Sound Level (Ldn) refers to a 24-hour average noise level with a ten dB penalty applied to the noise levels during the hours between 10 PM and 7 AM, due to increased sensitivity to noise levels during these hours. Statistical sound level descriptors such as L1, L10, L50, L90, and Lx, are used to indicate noise levels that are exceeded one, ten, 50, 90, and x percent of the time, respectively.

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

exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the L_{eq} is generally between L_{10} and L_{50}.

The one-hour equivalent continuous noise level ($L_{eq\ (1h)}$ in dBA), the tenth percentile level L_{10} and the day-night average sound level L_{dn} were selected as the noise descriptors for the purposes of this analysis. Hourly statistical noise levels (particularly L_{10} and L_{eq} levels) were used to characterize the relevant noise sources and their relative importance at each receptor location. These are the descriptors recommended by the 2021 *CEQR Technical Manual* for City environmental impact review classification. The L_{dn} is the noise descriptor used in the *HUD Noise Guidebook* and sets exterior noise standards for housing construction projects receiving federal funds. As the Proposed Project does not include housing construction, only the required attenuation levels to meet CEQR noise guidelines are provided in this chapter.

Applicable Noise Codes and Impact Criteria

New York City Noise Code

The New York City Noise Control Code, which was enacted in December 2005 and became effective July 2007, defines "unreasonable and prohibited noise standards and decibel levels" for the City of New York. The Noise Code generally seeks to reduce ambient noise, prohibiting all unreasonable and unnecessary noise and addressing construction hours and activities. It also (1) establishes sound level standards for specific noise sources, such as motor vehicles, air compressors, and construction activities; (2) requires that all exhausts be muffled; and (3) prohibits all unnecessary noise adjacent to schools, hospitals, or courts. It specifies maximum allowable SPLs for designated octave bands emanating from a commercial or business enterprise as measured within a receiving property (such as a mixed-use and residential property). The Noise Code's enforcement is driven by complaints of violations.

New York City 2021 CEQR Technical Manual Noise Standards

The 2021 *CEQR Technical Manual* sets external noise exposure standards, which are shown in Table I-2 below. Noise exposure is classified into four categories based on the L_{10}: Acceptable, Marginally Acceptable, Marginally Unacceptable, and Clearly Unacceptable. The 2021 *CEQR Technical Manual* Noise Exposure Guidelines shown in Table I-2 are guidelines, not a law. However, City reviewing agencies use the guidelines in determining potential impacts when a project comes under their review.

The 2021 *CEQR Technical Manual* also defines attenuation requirements for buildings based on exterior noise levels (see **Table I-3**). Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for residential, hotel, or community facility uses and interior noise levels of 50 dBA or lower for commercial office uses and are determined based on exterior $L_{10}(1)$ noise levels.

TABLE I-2
Noise Exposure Guidance for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	---------- DNL £ 60 dBA ----------		---------- 60 < DNL £ 65 dBA ----------		(1) 65 < DNL £ 75 dBA		---------- 75 dBA < DNL ----------
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 65$ dBA		65 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel or motel	7 AM to 10 PM	$L_{10} \leq 65$ dBA		65 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	10 PM to 7 AM	$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Source: New York City Department of Environmental Protection (adopted policy 1983).

Notes: (i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410 of Chapter 19, "Noise," of the 2021 *CEQR Technical Manual*.

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve an important public need and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and old-age homes.

[3] One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved INM Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).

TABLE I-3
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Aircraft[A]	65<DNL ≤68	68<DNL ≤71	71<DNL ≤73	73<DNL ≤75	75< DNL
Train	$65<L_{dn}\leq68$	$68<L_{dn}\leq71$	$71<L_{dn}\leq73$	$73<L_{dn}\leq85$	$75< L_{dn}$
Attenuation[B]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	See note [C]

Note: [A] DNL descriptor based on average values of L_{dn} over a year period
[B] The above composite window-wall attenuation values are for residential dwellings. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[C] The required attenuation value is the difference between L_{build} and $L_{interior,}$ using the appropriate noise descriptor where:
L_{build} is the projected noise leel under the build condition rounded up to a whole number
$L_{interior}$ is the designed interior noise level (45 dBA for vehicular noise, 40 dBA for aircraft and train noise)

Source: New York City Department of Environmental Protection / 2021 *CEQR Technical Manual*

III. NOISE PREDICTION METHODOLOGY

Proportional Modeling

Proportional modeling was used to determine No-Action and With-Action noise levels at the receptor location adjacent to the Projected Development Site, as discussed in more detail below. Proportional modeling is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis.

Using this technique, the prediction of future noise levels (where traffic is the dominant noise source) is based on a calculation using measured existing noise levels and predicted changes in traffic volumes to determine No-Action and With-Action noise levels. Vehicular traffic volumes (counted during the noise recording), are converted into PCE values, for which one medium-duty truck (having a gross weight between 9,900 and 26,400 pounds) is assumed to generate the noise equivalent of thirteen cars, one heavy-duty truck (having a gross weight of more than 26,400 pounds) is assumed to generate the noise equivalent of 47 cars, and one bus (vehicles designed to carry more than nine passengers) is assumed to generate the noise equivalent of eighteen cars. Future noise levels are calculated using the following equation:

FNA NL = 10 log (NA PCE/E PCE) + E NL

where:

FNA NL = Future No-Action Noise Level
NA PCE = No-Action PCEs
E PCE = Existing PCEs
E NL = Existing Noise Level

Sound levels are measured in decibels and therefore increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measured in PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCEs and if the future traffic volumes were increased by 50 PCEs to a total of 150 PCEs, the noise level would increase by 1.8 dBA. Similarly, if the future traffic were increased by 100 PCEs, or doubled to a total of 200 PCEs, the noise level would increase by 3.0 dBA.

To calculate the No-Action noise levels, an annual background growth rate of 0.25 percent for years 1-5 for the 2026 Build year was applied to the PCE noise values based on counted vehicles.[1] In order to obtain the necessary With-Action PCE values to calculate the With-Action noise levels, a trip generation was prepared based on the projected amount of incremental floor area generated by the 2026 With-Action development, utilizing existing modal split data for the census tract within which the Project Area is located.[2] This trip generation with the 2026 With-Action traffic increment assignments was converted into PCE values and added to the calculated No-Action PCE values for the weekday AM, MD, and PM peak hours.[3]

IV. EXISTING CONDITIONS

Selection of Noise Receptor Locations

The Project Area has frontage along East 120th Street. Local traffic is the dominant source of noise in the vicinity of the Project Area. The noise sensitive receptor location is presented in **Figure I-1**. Receptor location 1 is located adjacent to the Project Area at ground level along East 120th Street approximately 265 feet east of First Avenue.

Noise Monitoring

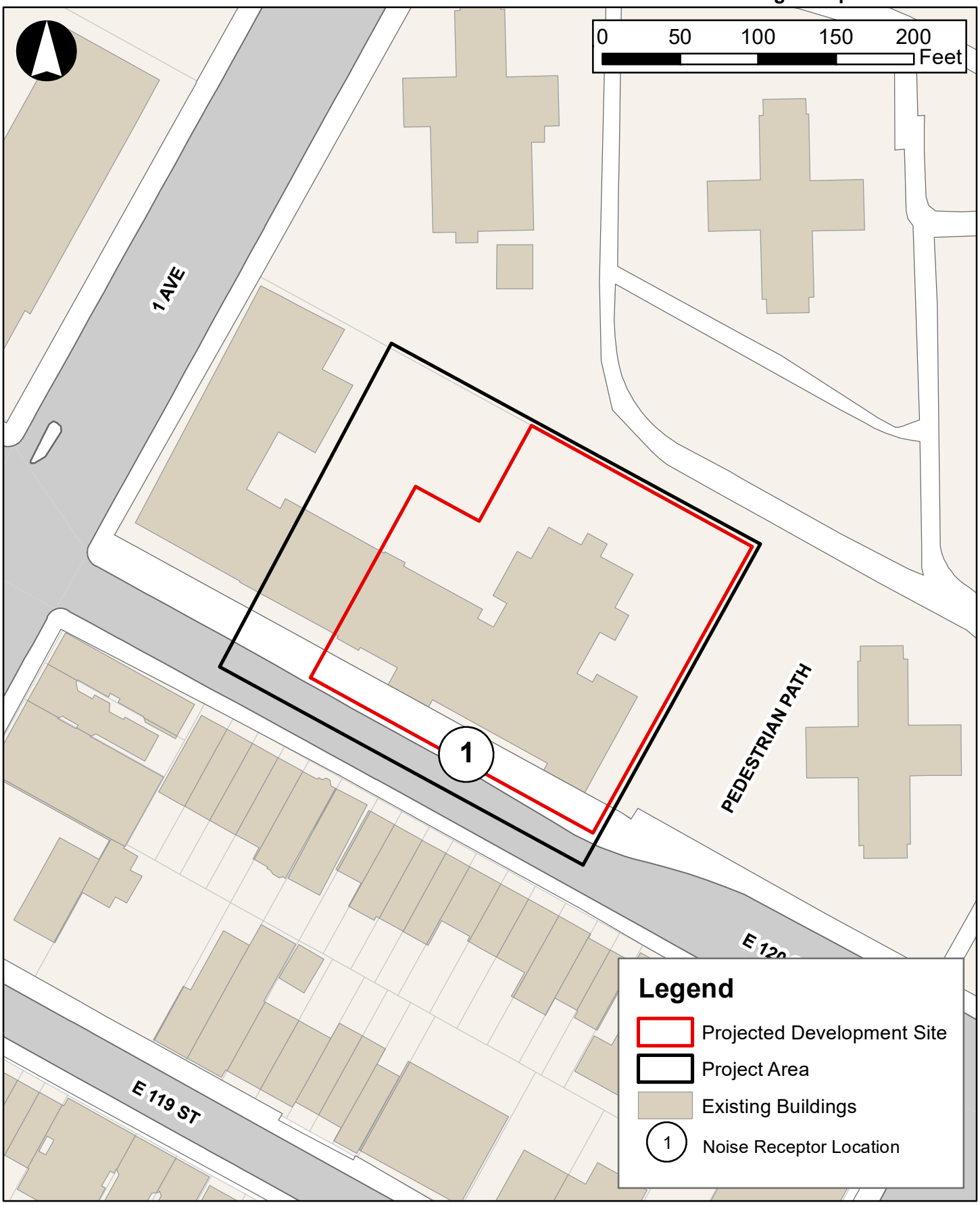
At the receptor location, 20-minute spot measurements of existing noise levels were conducted for each of the three noise analysis time periods - weekday AM peak hour (8:00AM to 9:00AM), weekday midday (MD) peak hour (12:00PM to 1:00PM), and weekday PM peak hour (5:00PM to 6:00PM). Noise monitoring was performed on Thursday, October 27th, 2022 at receptor location 1. On October 27th, the weather was sunny with temperatures ranging between high 50s and low 60s ºF.

Equipment Used During Noise Monitoring

The instrumentation used for the measurements was a Brüel & Kjær Type 4189 ½-inch microphone connected to a Brüel & Kjær Model 2250 Type 1 (as defined by the American National Standards Institute) sound level meter. This assembly was mounted at a height of 5 feet above the ground surface on a tripod and at least 6 feet away from any sound-reflecting surfaces to avoid major interference with source sound level that is being measured. The meter was calibrated before and after readings with a Brüel & Kjær Type 4231 sound-level calibrator using the appropriate adaptor. Measurements at the receptor location were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at

[1] The background growth rate is based on information provided in Table 16-4 of the 2021 *CEQR Technical Manual.*
[2] Based on American Community Survey (ACS) Means of Transportation 5-Year data for New York County census tracts 178, 188, 192, 194.
[3] The prepared trip generation only includes the total increment of vehicles around the Project Area at the noise monitoring location.

Figure I-1
Noise Monitoring Receptor Locations



the end of the measurement period in units of dBA. Measured quantities included L_{eq}, L_1, L_{10}, L_{50}, and L_{90}. A windscreen was used during all sound measurements except for calibration. Only traffic-related noise was measured; noise from other sources (e.g., emergency sirens, irregular aircraft flyovers, etc.) was excluded from the measured noise levels. Weather conditions were noted to ensure a true reading as follows: wind speed under 12 mph; relative humidity under 90 percent; and temperature above 14°F and below 122°F (pursuant to ANSI Standard S1.13-2005).

Existing Noise Levels at the Noise Receptor Locations

Measured Noise Levels

As shown in Table I-4, the highest L_{10} value was recorded in the midday (MD) peak hour (64.6 dBA), placing this receptor location in the "Acceptable" CEQR Noise Exposure category pursuant to the guidance of the *CEQR Technical Manual*. As mentioned above, vehicular traffic was the dominant source of noise in the vicinity of the Project Area and Projected Development Site.

TABLE I-4
Existing Noise Levels (in dBA) at the Monitoring Locations

Receptor Location	Time	L_{eq}	L_{max}	L_{min}	L_1	L_{10}[2]	L_{50}	L_{90}	CEQR Noise Exposure Category
1	AM	60.5	75.1	53.0	67.9	63.3	58.7	55.5	Acceptable
	MD	62.2	76.6	53.6	70.4	**64.6**	60.5	57.5	
	PM	60.6	78.2	52.1	70.7	62.5	57.4	54.4	

Notes: Field measurements were performed by Philip Habib & Associates on October 27th, 2022
[1] The highest L_{10} noise levels at each monitoring location are shown in **bold**.

V. FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION CONDITION)

Using the methodology described in Section III, "Noise Prediction Methodology," future noise levels in the No-Action condition were calculated for the three analysis periods for the 2026 Build year. Table I-5 shows the measured existing noise levels, as well as the projected No-Action PCE values and the No-Action noise levels at the receptor locations.

TABLE I-5
Future No-Action Noise Levels and Total PCE Values at Receptor Locations (in dBA)

Noise Receptor Location	Time	Existing PCEs	No-Action PCEs	Existing L_{eq}	No-Action L_{eq}	Change[1]	No-Action L_{10}[2]	CEQR Noise Exposure Category
1	AM	153	155	60.5	60.5	0.04	63.3	Acceptable
	MD	129	130	62.2	62.3	0.04	**64.6**	
	PM	174	176	60.6	60.6	0.04	62.6	

Notes: All PCE and noise value are shown for a weekday.
[1] No-Action Leq - Existing Leq
[2] The highest L_{10} noise levels at each monitoring location are shown in **bold**.

Comparing future No-Action noise levels with existing noise levels, the increases in L_{eq} noise level at receptor location 1 would equal approximately 0.04 dBA during each analysis period. Increases of this

magnitude would be barely perceptible. The projected No-Action L_{10} noise levels would remain in the same respective CEQR Noise Exposure categories as under existing conditions.

VI. FUTURE WITH THE PROPOSED ACTION (WITH-ACTION)

Using the methodology described in Section IV, "Noise Prediction Methodology" future noise levels in the With-Action condition were calculated for the three analysis periods at the receptor location for the 2026 Build year.

As shown in Table I-6, after accounting for incremental traffic (refer to the Travel Demand Forecast included in the Transportation screening in **Attachment B, "Supplemental Screening**") introduced by the Proposed Actions at receptor location 1, the maximum projected L_{10} noise level in the With-Action condition would be 65.2 dBA during the MD peak hour at the receptor location. Therefore, the receptor locations would each be categorized under the "Marginally Acceptable" CEQR Noise Exposure Category. As the noise levels at receptor location 1 would not experience increases of more than 3.0 dBA in any analyzed peak hour, the overall changes to noise levels as a result of the Proposed Actions would not result in any significant adverse impacts.

TABLE I-6
Future With Action Noise Levels and Total PCE Values at Receptor Locations (in dBA)

Receptor Location	Time	With-Action PCEs	No-Action L_{eq}	With-Action L_{eq}	Change[1]	With-Action L_{10}[2]	CEQR Noise Exposure Category
1	AM	181	60.5	61.2	0.68	64.0	Marginally Acceptable
	MD	148	62.3	62.8	0.56	**65.2**	
	PM	196	60.6	61.1	0.47	63.1	

Notes: All PCE and noise value are shown for a weekday.
[1] With-Action Leq – No-Action Leq
[2] The highest L_{10} noise levels at each monitoring location are shown in bold**.**

VII. ATTENUATION REQUIREMENTS

As shown earlier in Table I-3, the 2021 *CEQR Technical Manual* has set noise attenuation requirements for buildings based on L_{10} noise levels. Recommended composite window/wall attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for residential and community facility uses and 50 dBA or lower for commercial office uses and are determined based on L_{10} noise levels.

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Typically, a building façade is composed of the wall, windows, and any vents or louvers for HVAC systems in various ratios of area. Window/wall attenuation can be described in terms of sound transmission class (STC), transmission loss (TL), and outdoor-indoor transmission class (OITC). Although these terms are sometimes used interchangeably, they are unique from each other. Transmission loss refers to how many decibels of sound a façade (wall) or façade accessory (window or door) can stop at a given frequency. The TL for a given construction material varies with the individual frequencies of the noise.

To simplify the noise attenuation properties of a wall, the STC rating was developed. It is a single number that describes the sound isolation performance of a given material for the range of test frequencies between 125 and 4,000 Hz. These frequencies sufficiently cover the range of human speech. Higher STC values reflect greater efficiencies to block airborne sound. HUD uses the STC when identifying the required sound attenuation for a façade.

The OITC is similar to the STC, except that it is weighted more towards the lower frequencies associated with aircraft, rail, and truck traffic. The OITC classification is defined by the American Society of Testing and Materials (ASTM E1332-90 (Reapproved 2003)) and provides a single-number rating that is used for designing a building façade including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise. NYCDEP uses the OITC when identifying the required sound attenuation for a façade. All facades that would experience an L_{10} of 70.0 dBA or greater must provide an alternate means of ventilation (AMV) permitting a closed window condition during warm weather. This can be achieved by installing double-glazed windows on a heavy frame for masonry structures or windows consisting of laminated glass, along with AMV such as central air conditioning, through-wall sleeve-fitted air conditioners, packaged terminal air conditioning (PTAC) units, trickle vents integrated into window frames, or other approved means. Where the required window/wall attenuation is above 40 dBA, special design features may be necessary that go beyond the normal double-glazed window and air conditioning. These may include specially designed windows (e.g., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.) and additional building insulation.

Based on the With-Action L_{10} noise levels presented in Table I-6, noise levels at the Projected Development Site would be less than 70 dBA. Therefore, no special attenuation measures beyond standard construction practices would be required for the Proposed Project's southern frontage facing East 120th Street. Utilization of standard construction practices at the Project Site would provide sufficient attenuation to achieve *CEQR Technical Manual* interior noise level guidance of 45 dBA or lower for residential and community facility uses, and therefore, the Proposed Actions and associated RWCDS would not result in any significant adverse noise impacts related to building attenuation.

VIII. OTHER NOISE CONCERNS

Mechanical Equipment

No detailed designs of the building's mechanical systems (i.e., heating, ventilation, and air conditioning systems) are available at this time. However, those systems will be designed to meet all applicable noise regulations and requirements and would be designed to produce noise levels that would not result in any significant increase in ambient noise levels. In addition, the building mechanical systems would be designed with enclosures where necessary to meet all applicable noise regulations (i.e., Subchapter 5 §24-227 of the New York City Noise Control Code and the NYC DOB Building Code) and to avoid producing levels that would result in any significant increase in ambient noise levels.

Aircraft Noise

An initial aircraft noise impact screening analysis would be warranted if the new receptor would be located within one mile of an existing flight path, or cause aircraft to fly through existing or new flight

paths over or within one mile of a receptor. Since the Project Area is not within one mile of an existing flight path, no initial aircraft noise impact screening analysis is warranted.

Appendix I

Agency Correspondence

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: HOUSING PRESERVATION AND DEV / LA-CEQR-M
Project: BEACON EAST HARLEM
Date Received: 10/27/2022

Properties with no Architectural or Archaeological significance:
1) 413 EAST 120 STREET, BBL: 1018080008
2) 409 EAST 120 STREET, BBL: 1018087501

Comments: Within the radius: S/NR listed East Harlem HD. A construction protection program (CPP) is required for this action.

Gina Santucci

10/27/2022

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 36712_FSO_DNP_10272022.docx

From:	Amber Nowak (DCP)
To:	Cortes, Felipe (HPD); Schaefer, Alexander (HPD); Howard, Anthony (HPD)
Cc:	Michael Marrella (DCP); Stephanie Shellooe (DCP); Evren Ulker-Kacar (DCP)
Subject:	Consistency Determination - WRP #22-080
Date:	Wednesday, November 1, 2023 2:03:03 PM

Good afternoon,

We have completed the review of the project as described below for consistency with the policies and intent of the New York City Waterfront Revitalization Program (WRP).

The Beacon Harlem *(CEQR #23HPD033M)*: A zoning map amendment, a zoning text amendment pursuant to MIH, the disposition of City-owned property, the designation of the Project Site (Manhattan Block 1808 Lot 8) as an Urban Development Action Area Project (UDAAP), and a change in the City Map. Approval of the Proposed Actions would facilitate the rehabilitation of an existing community center and the development of a new 21-story affordable housing building on the Project Site in East Harlem.

Based on the information submitted, the Climate & Sustainability Planning Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, hereby concurs that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy.

This determination is only applicable to the information received and the current proposal. Any additional information or project modifications would require an independent consistency review.

For your records, this project has been assigned WRP #22-080. If there are any questions regarding this review, please contact me

Thanks,

Amber Nowak
Senior Planner • Climate and Sustainability Planning
(She/Her)

NYC Department of City Planning
212-720-3448 (O)
120 Broadway, 31st Floor, New York, NY 10271

anowak@planning.nyc.gov
Visit our website | Twitter | Instagram | NYC Comprehensive Waterfront Plan

Appendix II

Phase I Executive Summary

Phase I Environmental Site Assessment Report

East Harlem Multi Service Center
413 East 120th Street
New York, NY 10035



Prepared by
ALC Environmental
39 West 29th Street
New York, NY 10001

Prepared for
Philip Habib & Associates
102 Madison Avenue
11th Floor, New York, NY 10016

June 28, 2022
Project # 22-400-1074

2.0 EXECUTIVE SUMMARY

2.1 Subject Property Description

ALC Environmental performed a Phase I Environmental Site Assessment (Phase I ESA) of the East Harlem Multi Service Center located at 413 East 120th Street New York, New York, NY 10035 (subject property). The purpose of the Phase I ESA is to identify recognized environmental conditions (RECs) in accordance with ASTM Standard E1527-21.
ALC Environmental (ALC) was contracted by Philip Habib & Associates, the Client, to conduct a Phase I Environmental Site Assessment (ESA) of the property located at 413 East 120th Street, New York NY 10035. The Subject Property consists of a two and six-story educational facility totaling approximately 0.8-acres in size. The Subject Property is identified by the New York City (NYC) Department of Finance as Block 1808 and Lot 8. The subject Property is located to the north of East 120th Street, between 1st Avenue to the west and Detective Robert A. Cordon Way to the east.

The objective of this assessment was to evaluate past and current environmental conditions at the Subject Property and to identify potential areas of environmental concern or recognized environmental conditions that could affect the environmental integrity of the property. This Phase I ESA was performed in general conformance with the scope and limitations of the ASTM International Practice E1527-21.
On May 18, 2022, ALC's Assessor, Colin Eckhardt conducted a site reconnaissance at the Subject Property. The information included in this report was gathered from state and municipal offices and officials, site interviews, the environmental database search, and site inspection. The Subject Property is located in the NYC Borough of the New York. The general vicinity of the property consists of multi-family apartment buildings and a mixed commercial building. The current adjoining properties do not appear to pose an environmental risk to the Subject Property.

2.2 Data Gaps

No deviations from the recommended scope of ASTM Standard E 1527-21 were performed as part of this Phase I ESA with the exception of any additions noted in Detailed Scope of Services.

2.3 Environmental Report Summary

The Consultant identified the following recognized environmental conditions (RECs) associated with the Subject Property:

- ALC observed a tank vault in the basement of the subject building. The tank vault reportedly contains two, active 10,000-gallon No. 2 fuel oil tanks. The tank vault is inaccessible allowing no visual evaluation of the tanks.

The following historical environmental condition (HREC) was identified during this Phase I ESA:

- The adjacent property to the west is listed in the NY Spills database. The incident was reported on June 29, 2015 (Spill No. 1503447). As per the database, this spill was associated with discovery of contaminated soil during geotechnical work during the redevelopment of the property. Prior to 1940, the site has been utilized for residential purposes. A gasoline service station (five, 550-gallon underground gasoline storage tanks), operated at this site from at least 1939 to 1954. On April 29, 2015, per NYC Office of Environmental Remediation (OER) requirements, soil, groundwater, and soil vapor samples were collected for chemical analysis. Soil analytics showed elevated semi volatile organic compounds (SVOCs) and metals, with almost all of the contaminated soil found within the first 2 feet of soil. Groundwater sample results displayed elevated concentrations of metals such as magnesium and manganese and SVOCs were also detected. Soil vapor samples showed elevated readings that including benzene,

tetrachloroethene, and vinyl chloride. Remedial activities were conducted in June 2015. The Remedial Action Work Plan included excavation of two feet of soil across site and eight feet of soil in the area of the former gas station in southwestern portion of property. Other remedial activities included a composite cover system placed over the site to prevent exposure, a sub-slab depressurization system (SSDS), and a vapor barrier was placed. Approximately 3,600 tons of typical historic fill and 150 tons of petroleum-impacted soil were excavated, five historic 550-gallon USTs and four additional USTs were removed. The five known historic underground storage tanks (USTs) were removed and only the concrete base of the tanks were found. However, four other USTs were found during excavation and removed. Soils in those areas were excavated down to groundwater and organic release compound (ORC) injected prior to backfilling with recycled concrete aggregate (RCA). According to the database, soil samples analyzed in 2017 were clean, while groundwater samples were contaminated. The consultants confirmed in 2018 that all subsurface activities, including installation of the vapor barrier and active SSDS, have been completed at the site. On 11/28/18, one two-inch diameter permanent groundwater monitoring well was installed in the area of the former UST to evaluate the results of ORC application. In 2019, groundwater analysis displayed concentrations below groundwater standards and well within attenuation ranges. The spill case was closed by the New York State Department of Environmental Conservation (NYSDEC) on July 29, 2019. This western adjacent property is currently improved with a 10-story mixed use commercial and residential building constructed circa 2020.

In addition, the following noteworthy conditions, which include *de minimis* conditions, were identified:

- The Subject Property is listed in the following environmental databases: NY AST, ICIS, US AIRS, FINDS, and ECHO.
- Suspect asbestos-containing materials in the form of roofing materials, sheetrock, and joint compound, vinyl floor tiles, ceiling plaster, may be were observed to be present at the subject building. The materials appeared in good to fair condition.
- Localized flaking paint was observed on the ceiling throughout the fifth floor classrooms and hallway. Corrective action is warranted.
- Evidence of water intrusion was observed in the basement of the subject building. The bottom foot along the hallway wall displayed signs of water damage from either leak or flooding events. Evidence of water intrusion was also observed on the ceiling of rooms 501, 502, 503, 504, and 510 and on the ceiling of the 5th floor hallway. Evidence of visible microbial growth was observed in the vicinity of the basement staircase impacting the walls, maintenance supplies, and storage wood pallets. Corrective action is warranted.

Vapor Encroachment Conditions (VECs) that could not be ruled out were identified for the Subject Property or surroundings sites within the distances specified by ASTM E2600-10. The EDR Vapor Encroachment Screen report is included in Appendix F.
No additional conditions were observed at the site that could potentially present a significant environmental concern or recognized environmental condition.

Based on a review of background data, regulatory agency records, aerial photographs, and observations made during the site reconnaissance, the following conclusions are presented regarding the Subject Property. The scope of this study did not include subsurface exploration, sampling or analytical laboratory testing.

- The Subject Property is not identified as being evaluated by the State of New York or federal government for remedial action under SEMS or any other environmental regulations. However, the Subject Property is listed in the following environmental databases: NY AST, ICIS, US AIRS, FINDS, and ECHO.
- There were four hundred and nineteen (419) sites listed on the regulatory database search within a 1-mile radius of the Subject Property. Based on available information, estimated flow direction of groundwater, and the nature of the database listings, it is unlikely that the Subject Property has been impacted by unauthorized releases of hazardous materials at this time, though it is impossible to entirely rule out the potential for contamination.

- Based on the lack of records pertaining to any recent tank tightness testing completed at the Subject Property, the two onsite, active, 10,000-gallon fuel oil tanks are considered RECs.
- Based on the estimated age of the subject building, asbestos containing materials and lead-based paint are anticipated to be present at the subject building.

ALC performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-21 of the property located at 413 East 120th Street. This assessment has revealed evidence of one recognized environmental condition (REC) in connection with the Subject Property.

Report Section		No Further Action	REC	HREC	CREC	Issue / Further Investigation	Comments
5.3	**Current Use of Subject Property**	X					
5.5	**Adjoining Property Information**	X					
6.3.1	**Hazardous Substances**	X					
6.3.2	**Petroleum Products**	X					
6.3.3	**Underground Storage Tanks (USTs)**	X					
6.3.4	**Aboveground Storage Tanks (ASTs)**		X				See Section 6.3.4 for further comments.
6.3.5	**Strong, Pungent, or Noxious Odors**	X					
6.3.6	**Standing Surface Water and Pools or Sumps Containing Liquids Likely to be Hazardous Substances or Petroleum Products**	X					
6.3.7	**Drums, Totes, and Intermediate Bulk Containers**	X					
6.3.8	**Hazardous Substance and Petroleum Product Containers Not in Connection With Identified Uses**	X					
6.3.9	**Unidentified Substance Containers**	X					
6.3.10	**PCB-Containing Items**	X					
6.3.11	**Stains or Corrosion on Floors, Walls, or Ceilings**	X					
6.3.12	**Drains and Sumps**	X					
6.3.13	**Pits, Ponds, or Lagoons**					X	See Section 6.3.13 for further comments.
6.3.14	**Solid Waste**	X					
6.3.15	**Stained Soil or Pavement**	X					

Report Section		No Further Action	REC	HREC	CREC	Issue / Further Investigation	Comments
6.3.16	**Stressed Vegetation**	X					
6.3.17	**Wells**	X					
7.1	**Standard Environmental Record Resources**			X			See Section 7.1 for further comments.
7.4.1	**Historical Summary**	X					
7.4.6	**Previous Environmental Reports**	X					

2.4 Recommendations

Based on a review of background data, regulatory agency records, aerial photographs, and observations made during the site reconnaissance, the following recommendations are presented regarding the Subject Property. The scope of this study did not include subsurface exploration, sampling or analytical laboratory testing.

- ALC recommends a tightness test be conducted on the tank system (tanks and the pipe system) to assess the integrity of the onsite tank.
- Suspect asbestos-containing materials in the form of roofing materials, sheetrock, joint compound, vinyl floor tiles, and ceiling plaster, were observed to be present at the subject building. The materials appeared to be in good to fair condition. Prior to any repair or renovation work that will affect the referenced materials, asbestos testing should be conducted. If determined to contain asbestos, the referenced materials should be abated by a certified asbestos abatement contractor prior to commencement of the renovation work, as per all applicable local, state, and federal regulations.
- Regarding the localized flaking paint observed ceiling throughout the fifth-floor classrooms and hallway, all areas of the subject building exhibiting damaged paint should be repaired by a Repair Renovation and Painting (RRP) certified worker.
- In regards to the evidence of water intrusion on the 5th floor ceiling and basement plaster walls, the sources of the water intrusion should be investigated and permanently repaired to prevent further water damage and the proliferation of mold growth.

ALC has no additional recommendations for further study at the Subject Property at this time, other than the recommendations provided above.

Appendix III

Waterfront Revitalization Program Consistency Assessment Form

FOR INTERNAL USE ONLY	WRP No. 22-080
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

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

A. APPLICANT INFORMATION

Name of Applicant: The Community Builders, Inc.

Name of Applicant Representative: Philip Habib

Address: 432 Park Avenue South, New York, NY 10016

Telephone: 212-929-5656 Email: phabib@phaeng.com

Project site owner (if different than above): NYC HRA

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The Applicant is requesting several discretionary actions including: a zoning map amendment, a zoning text amendment pursuant to MIH, the disposition of City-owned property, the designation of the Project Site as an Urban Development Action Area Project (UDAAP), and a change in the City Map.

2. Purpose of activity

The purpose of the proposed actions are necessary to facilitate the development of a new 21-story (215-foot tall) 262,873 gross-square-foot (gsf) building containing approximately 274 affordable dwelling units (DUs). In addition, approval of the proposed actions would result in the renovation of the 80,290 gsf existing five-story community facility building on the Project Site. The renovated community facility building would stand six-stories-tall and contain 65,860 gsf of community facility uses.

C. PROJECT LOCATION

Borough: Manhattan Tax Block/Lot(s): Blk 1808, Lot 8

Street Address: 413 East 120th Street

Name of water body (if located on the waterfront): approx. 1,000 feet west of the Harlem River

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

- ☑ City Map Amendment
- ☑ Zoning Map Amendment
- ☑ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☑ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☑ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☑ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☑ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☑ No
4. Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* ☑ Yes ☐ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* ☑ Yes ☐ No
6. Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* ☐ Yes ☑ No

   ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
   ☐ Special Natural Waterfront Area (SNWA) (*4.1*)
   ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)
   ☐ Recognized Ecological Complex (REC) (*4.4*)
   ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☑	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☑	☐	☐

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☑
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☑
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☑
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☑
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☑
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☑
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☑
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☑
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☑
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☑
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☐	☐	☑
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☑
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☑
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☑
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☑
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☑
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☑
4.8	Maintain and protect living aquatic resources.	☐	☐	☑

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☑	☐	☐
5.1	Manage direct or indirect discharges to waterbodies.	☑	☐	☐
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☑
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☑	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☑	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☑	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☑
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☑
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☐	☐	☑
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☐	☐	☐
7.2	Prevent and remediate discharge of petroleum products.	☐	☐	☐
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☐
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☐
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☐
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☐
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☐
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☐

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☑
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

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

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

Applicant/Agent's Name: Philip Habib

Address: 432 Park Avenue South, 6th Floor New York, NY 10016

Telephone: 212-929-5656 Email: phabib@phaeng.com

Applicant/Agent's Signature: 

Date: 6/27/23

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp