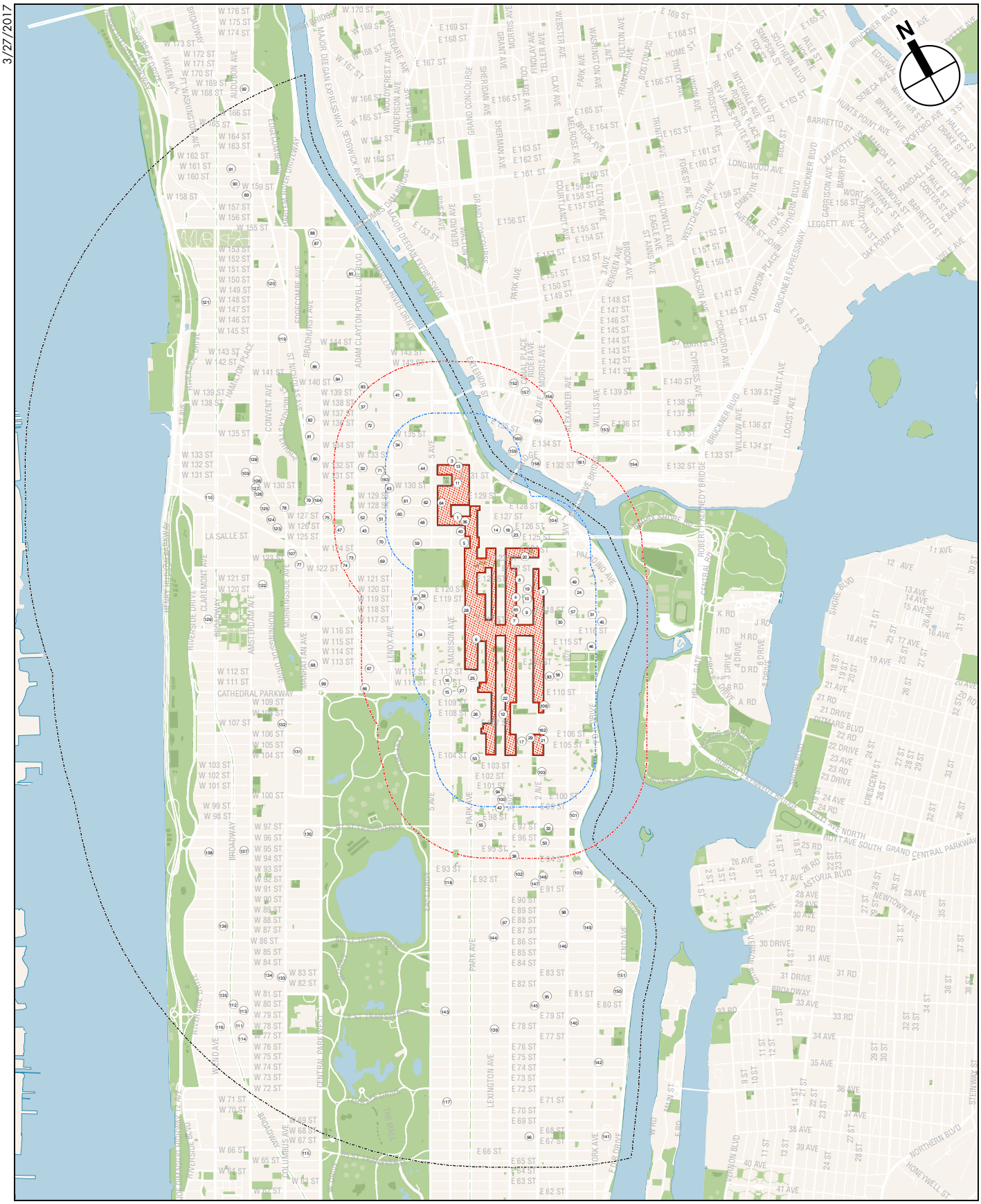
Appendix B-1
No Build Project List

3/27/2017



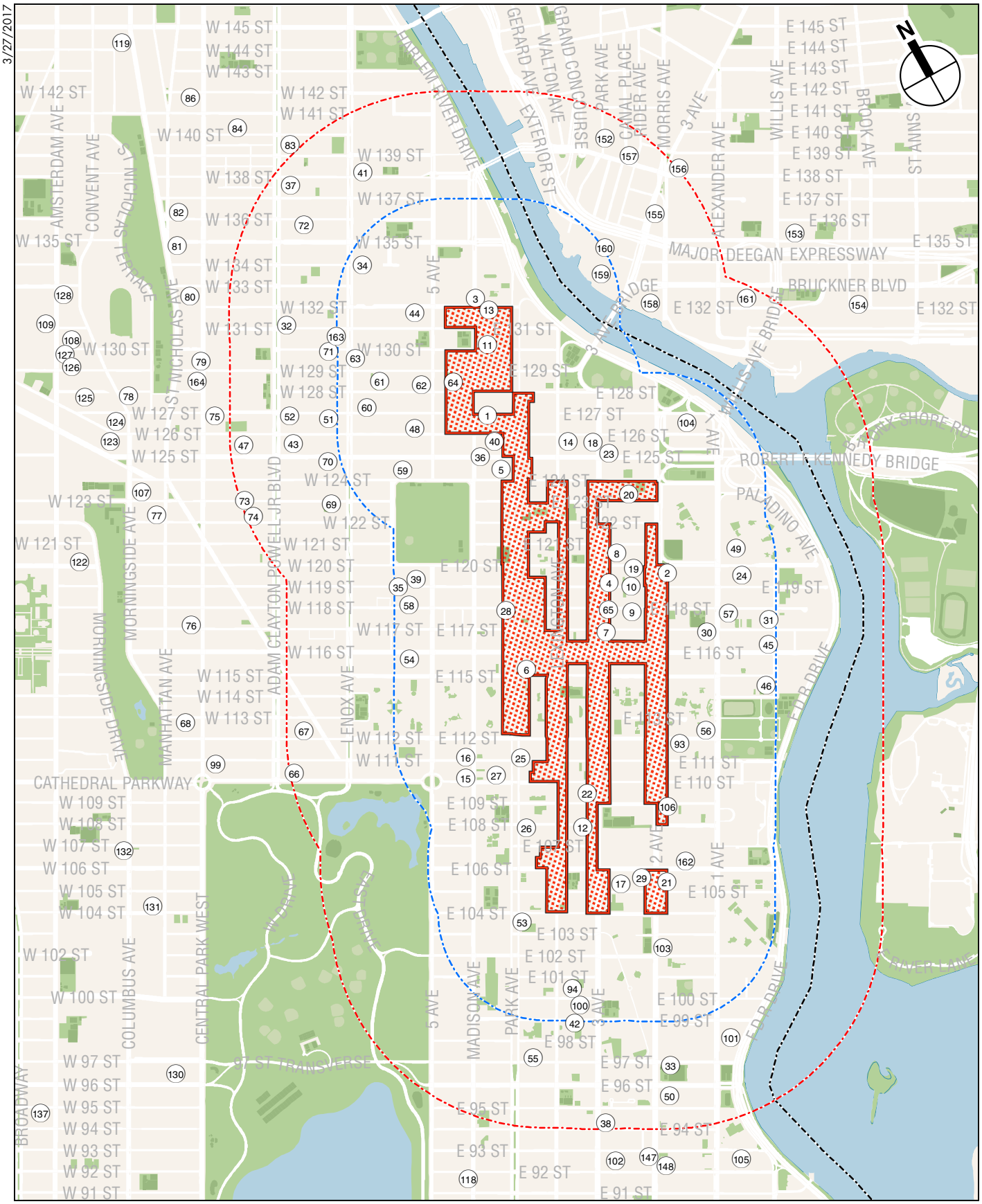
Project Area
Study Area 1/4-mi Boundary
Study Area 1/2-mi Boundary
Study Area 2-mi Boundary
④ *No Build*

0 2,000 FEET

No Build Projects

EAST HARLEM REZONING

3/27/2017



Project Area

Study Area 1/4-mi Boundary

Study Area 1/2-mi Boundary

Study Area 2-mi Boundary

(4) No Build

0 2,000 FEET

No Build Projects

EAST HARLEM REZONING

Appendix B-1 No Build Projects List

Map ID	Geography	Block_1	Lot_1	Project Name	DU	Retail (sq ft)	Office (sq ft)	Hotel (sq ft)	Hotel Rooms	Community Facility (sq ft)	Open Space (acre)	Parking
1	1/4-mile boundary	1751	48	60 EAST 127 STREET	8	0		0	0	0		1
2	1/4-mile boundary	1796	51	2338 SECOND AVE	30	1,340		0	0	0		0
3	1/4-mile boundary	1756	48	42 EAST 132 STREET	12	0		0	0	1,873		0
4	1/4-mile boundary	1784	2	2183 THIRD AVENUE	58	20,144		0	0	705		0
5	1/4-mile boundary	1749	33	1800 PARK AVENUE	670	73,460		0	0	46,250		123
6	1/4-mile boundary	1643	5	109 EAST 115 STREET	32	0		0	0	5,392		0
7	1/4-mile boundary	1666	45	2139 THIRD AVENUE	21	1,797		0	0	0		0
8	1/4-mile boundary	1785	43	2211 THIRD AVENUE	93	11,534		0	0	0		62
9	1/4-mile boundary	1667	34	228 EAST 118 STREET	30	0		0	0	0		0
10	1/4-mile boundary	1783	111	223 EAST 118 STREET	2	0		0	0	0		0
11	1/4-mile boundary	1755	25	57 EAST 130 STREET	5	0		0	0	0		0
12	1/4-mile boundary	1635	42	174-176 EAST 108 STREET	21	0		0	0	0		0
13	1/4-mile boundary	1756	47	44 EAST 132 STREET	12	0		0	0	2,280		0
14	1/4-mile boundary	1774	30	149 EAST 125 STREET	233	38,868		0	0	0		36
15	1/4-mile boundary	1616	21	1655 MADISON AVENUE	19	1,479		0	0	270		0
16	1/4-mile boundary	1616	52	1661 MADISON AVENUE	15	1,733		0	0	0		0
17	1/4-mile boundary	1655	9	221 EAST 105 STREET	23	0		0	0	0		0
18	1/4-mile boundary	1774	33	2306 3 AVENUE	233	0		0	0	154,312		0
19	1/4-mile boundary	1784	9	217 EAST 119 STREET	32	0		0	0	3,738		0
20	1/4-mile boundary	1788	13	231 EAST 123 STREET	11	0		0	0	0		0
21	1/4-mile boundary	1677	1	2040 Second Avenue	0	0		0	0	51,286		0
22	1/4-mile boundary	1637	36	1992 Third Avenue	19	1,450		0	0	0		0
23	1/4-mile boundary	1790, 1791	multiple lots	MEC Site (E 125th St Development)	1,000	470,000	300,000	100,000	130	30,000	0.28	600
24	1/4-mile boundary	1807	39	420 East 120 Street	10	0		0	0	0		0
25	1/4-mile boundary	1616	36, 38	1516 Park Ave	44	4,742		0	0	739		0
26	1/4-mile boundary	1635	1,7,16,17	127 E. 107th St	400	4,009		0	0	38,576		57
27	1/4-mile boundary	1616	30	71 East 110th St	55	0		0	0	0		0
28	1/4-mile boundary	1623	40	1674 Park Ave	10	0		0	0	0		0
29	1/4-mile boundary	1655	31	238 East 106th St	29	0		0	0	0		0
30	1/4-mile boundary	1688	30	2269 First Ave (PS 85)	90	3,995		0	0	0		45
31	1/4-mile boundary	1711	25	327 Pleasant Avenue	20	0		0	0	700		0
32	1/2-mile boundary	1916	61	2239 ADAM CLAYTON POWELL JR. BLVD	115	12,228		0	0	19,952		58
33	1/2-mile boundary	1668	1	ECF Avalon Bay	1,200	20,000		0	0	130,000		120
34	1/4-mile boundary	1730	68	LENOX TERRACE	1,642	57,106		0	0	27,267		420

Appendix B-1 No Build Projects List, cont'd

Map ID	Geography	Block_1	Lot_1	Project Name	DU	Retail (sq ft)	Office (sq ft)	Hotel (sq ft)	Hotel Rooms	Community Facility (sq ft)	Open Space (acre)	Parking
35	1/4-mile boundary	1717	28	11 WEST 118 STREET	21	0		0	0	0		0
36	1/4-mile boundary	1750	46	52-54 EAST 126 STREET	21	0		0	0	0		0
37	1/2-mile boundary	2006	61	2351 ADAM CLAYTON POWELL JR. BOULEVARD	134	17,879		0	0	22,327		64
38	1/2-mile boundary	1540	2	1681 THIRD AVENUE	104	13,225		0	0	0		0
39	1/4-mile boundary	1718	130	15 WEST 119 STREET	13	0		0	0	0		0
40	1/4-mile boundary	1750	28	69 EAST 125 STREET	75	5,643		0	0	511		15
41	1/2-mile boundary	1736	1	70 WEST 139 STREET	64	0		0	0	1,878		32
42	1/4-mile boundary	1627	35	1790 THIRD AVENUE	55	3,575		0	0	246		0
43	1/2-mile boundary	1911	1	181 WEST 126 STREET	22	2,430		0	0	0		0
44	1/4-mile boundary	1729	43	10 WEST 132 STREET	10	0		0	0	0		0
45	1/2-mile boundary	1715	49	316 PLEASANT AVENUE	8	0		0	0	734		2
46	1/4-mile boundary	1708	25	275 PLEASANT AVENUE	2	0		0	0	0		0
47	1/2-mile boundary	1931	17	233 WEST 125 STREET	191	55,000		148,120	200	0		90
48	1/4-mile boundary	1724	30	11 WEST 126 STREET	6	0		0	0	0		0
49	1/4-mile boundary	1808	10	409 EAST 120 STREET	179	0	5,370	0	0	4,334		29
50	1/2-mile boundary	1558	47	302 EAST 96 STREET	48	0		0	0	0		8
51	1/4-mile boundary	1911	41	116 WEST 127 STREET	2	0		0	0	0		0
52	1/2-mile boundary	1911	61	2139 SEVENTH AVENUE	60	0		0	0	16,000		0
53	1/4-mile boundary	1631	72	1399 PARK AVENUE (102 East 104th Street)	72	0		0	0	18,974		36
54	1/4-mile boundary	1599	44	20 WEST 116 STREET	28	0		0	0	5,609		0
55	1/2-mile boundary	1625	7	115 EAST 97 STREET	0	0		0	0	111,510		0
56	1/4-mile boundary	1683	34	336 EAST 112 STREET	27	0		0	0	0		0
57	1/4-mile boundary	1711	145	400 A EAST 118 STREET	35	0		0	0	0		0
58	1/4-mile boundary	1717	23	13 WEST 118 STREET	0	0		0	0	11,561		0
59	1/4-mile boundary	1722	24	27 WEST 124 STREET	0	0		0	0	1,620		0
60	1/4-mile boundary	1725	7	75 WEST 127 STREET	0	0		0	0	400		0
61	1/4-mile boundary	1726	13	59 WEST 128 STREET	8	0		0	0	0		0
62	1/4-mile boundary	1726	132	3 WEST 128 STREET	20	0		0	0	0		0
63	1/4-mile boundary	1727	69	400 LENOX AVENUE	26	1,939		0	0	8,100		0
64	1/4-mile boundary	1753	108	13 EAST 128 STREET	6	0		0	0	0		0
65	1/4-mile boundary	1783	43	206 EAST 119 STREET	25	0		0	0	0		0
66	1/2-mile boundary	1820	6	145 WEST 110 STREET	24	0		0	0	0		9
67	1/2-mile boundary	1822	12	127 WEST 112 STREET	22	0		0	0	0		0
68	2-mile boundary	1847	30	310 WEST 113 STREET	14	0		0	0	0		0
69	1/2-mile boundary	1907	139	108 WEST 123 STREET	4	0		0	0	0		0
70	1/4-mile boundary	1909	41	114 WEST 125 STREET	0	23,018		0	0	0		0

Appendix B-1 No Build Projects List, cont'd

Map ID	Geography	Block_1	Lot_1	Project Name	DU	Retail (sq ft)	Office (sq ft)	Hotel (sq ft)	Hotel Rooms	Community Facility (sq ft)	Open Space (acre)	Parking
71	1/4-mile boundary	1915	37	102 WEST 131 STREET	2	0		0	0	0		0
72	1/2-mile boundary	1920	53	152 WEST 136 STREET	2	0		0	0	0		0
73	1/2-mile boundary	1928	24	215 WEST 122 STREET	6	0		0	0	0		0
74	1/2-mile boundary	1928	123	217 WEST 122 STREET	2	0		0	0	0		0
75	2-mile boundary	1932	160	284 WEST 127 STREET	2	601		0	0	0		0
76	2-mile boundary	1944	29	2171 FREDERICK DOUGLAS BOULEVARD	14	1,276		0	0	0		0
77	2-mile boundary	1949	15	535 MANHATTAN AVENUE	2	0		0	0	0		0
78	2-mile boundary	1954	60	17 CONVENT AVENUE	21	0		0	0	0		0
79	2-mile boundary	1955	7	305 WEST 128 STREET	57	0		0	0	0		0
80	2-mile boundary	1958	35	308 WEST 133 STREET	46	0		0	0	2,994		0
81	2-mile boundary	1959	54	320 WEST 135 STREET	17	2,301		0	0	0		0
82	2-mile boundary	1960	34	321 WEST 136 STREET	5	0		0	0	2,497		0
83	1/2-mile boundary	2008	61	152 WEST 140 STREET	58	9,418		0	0	8,656		0
84	2-mile boundary	2026	15	225 WEST 140 STREET	20	0		0	0	2,500		0
85	2-mile boundary	2036	29	2600 7 AVENUE	0	0		0	0	14,117		52
86	2-mile boundary	2043	19	306 WEST 142 STREET	36	0		0	0	2,036		0
87	2-mile boundary	2047	11	2903 FREDRICK DOUGLAS BOULEVARD	14	0		0	0	0		0
88	2-mile boundary	2047	44	250 BRADHURST AVENUE	0	0		0	0	42,466		0
89	2-mile boundary	2117	41	501 WEST 158 STREET	14	1,068		0	0	889		0
90	2-mile boundary	2118	52	531 WEST 159 STREET	36	0		0	0	3,963		0
91	2-mile boundary	2119	119	558 WEST 161 STREET	7	0		0	0	0		0
92	Further	2125	51	505 WEST 168 STREET	5	0		0	0	4,804		0
93	1/4-mile boundary	1683	43	318 East 112th Street	26	0		0	0	0		0
94	1/4-mile boundary	1627	42	168 E. 100th St.	16	0		0	0	0		0
95	2-mile boundary	1543	45	316 East 81 Street	6	0		0	0	0		0
96	2-mile boundary	1422	18	227 E. 67th St.	5	0		0	0	0		0
97	2-mile boundary	1516	37	1558 3rd Ave	48	52,221		0	0	753		0
98	2-mile boundary	1551	28	360 East 89th St.	84	3,265		0	0	0		0
99	2-mile boundary	1826	1	2040 Frederick Douglas Blvd	49	3,507		0	0	8,370		0
100	1/4-mile boundary	1627	43	166 E. 100th St.	12	0		0	0	10,060		0
101	1/2-mile boundary	1691	1	1918 First Ave	153	0		0	0	650		0
102	2-mile boundary	1538	10	203 E. 92nd St.	36	33,465		0	0	46,010		0
103	1/4-mile boundary	1674	3	1988-1996 Second Ave	102	0		0	0	0		0
104	1/4-mile boundary	1803	1	2460 2nd Ave - Bus Depot	730	115,000	200,000	0	0	30,000		300
105	2-mile boundary	1573	20	NYCHA - Holmes Tower	300	0		0	0	5,000		0
106	1/4-mile boundary	1680	148	308 East 109th St	26	0		0	0	0		0
107	2-mile boundary	1950	1	101 MORNINGSIDE AVENUE	22	0		0	0	0		0

Appendix B-1 No Build Projects List, cont'd

Map ID	Geography	Block_1	Lot_1	Project Name	DU	Retail (sq ft)	Office (sq ft)	Hotel (sq ft)	Hotel Rooms	Community Facility (sq ft)	Open Space (acre)	Parking
108	2-mile boundary	1969	6	487 WEST 129th STREET	69	0		0	0	0		35
109	2-mile boundary	1984	28	1440 AMSTERDAM AVENUE	48	0		0	0	0		0
110	2-mile boundary	1995	31	605 WEST 125 STREET	62	0		0	0	0		0
111	2-mile boundary	1169	23	221 WEST 77 STREET	26	1,624		0	0	0		8
112	2-mile boundary	1227	49	2230 BROADWAY	72	7,316		0	0	0		0
113	2-mile boundary	1227	27	207 WEST 79TH STREET	24	5,194		0	0	0		0
114	2-mile boundary	1168	38	206 WEST 77 STREET	28	2,317		0	0	0		0
115	Further	1118	45	36 WEST 66 STREET	160	6,047		0	0	18,910		0
116	2-mile boundary	1169	60	260 WEST 78 STREET	66	0		0	0	0		0
117	2-mile boundary	1385	57	20 East 71st Street	1	0		0	0	0		0
118	2-mile boundary	1503	56	1290 Madison Avenue	29	7,072		0	0	0		0
119	2-mile boundary	2050	136	691 ST NICHOLAS AVENUE	0	0		0	0	41,138		0
120	2-mile boundary	2064	149	449 CONVENT AVENUE	2	0		0	0	0		0
121	2-mile boundary	2094	41	620 WEST 148 STREET	2	0		0	0	0		0
122	2-mile boundary	1963	9	411 WEST 120 STREET	57	0		0	0	0		0
123	2-mile boundary	1966	78	412 WEST 126 STREET	0	0		123,701	309	5,000		0
124	2-mile boundary	1966	81	418 WEST 126 STREET	75	64,769		0	0	5,000		0
125	2-mile boundary	1967	89	460 WEST 128 STREET	0	0	321,767	0	0	106,338		0
126	2-mile boundary	1969	5	478 WEST 130 STREET	71	0		0	0	7,865		35
127	2-mile boundary	1969	78	498 WEST 130 STREET	2	0		0	0	0		0
128	2-mile boundary	1970	64	1471 AMSTERDAM AVENUE	9	1,280		0	0	0		0
129	2-mile boundary	1989	1	32 CLAREMONT AVENUE	0	0		0	0	128,000		0
130	2-mile boundary	1832	23	15 WEST 96 STREET	17	0		0	0	14,529		0
131	2-mile boundary	1840	10	59 WEST 104 STREET	34	0		0	0	0		0
132	2-mile boundary	1861	36	952 COLUMBUS AVENUE	15	0		0	0	2,803		0
133	2-mile boundary	1213	32	466 COLUMBUS AVENUE	7	4,646		0	0	0		0
134	2-mile boundary	1213	48	132 WEST 83 STREET	6	0		0	0	0		0
135	2-mile boundary	1228	57	2251 BROADWAY	32	11,587		0	0	0		0
136	2-mile boundary	1235	7	267 WEST 87 STREET	39	0		0	0	0		0
137	2-mile boundary	1242	37	206 WEST 95 STREET	18	0		0	0	0		0
138	2-mile boundary	1253	21	701 WEST END AVENUE	64	0		0	0	0		0
139	2-mile boundary	1412	50	154 EAST 78 STREET	1	0		0	0	0		0
140	2-mile boundary	1473	6	405 EAST 78 STREET	12	0		0	0	0		0
141	2-mile boundary	1480	10	1228 YORK AVENUE	0	0		0	0	160,604	2	0
142	2-mile boundary	1486	4	1402 YORK AVENUE	11	0		0	0	0		0
143	2-mile boundary	1491	14	27 EAST 79 STREET	8	1,425		0	0	0		0
144	2-mile boundary	1515	20	147 EAST 86 STREET	63	26,718		0	0	0		0
145	2-mile boundary	1543	1	301 EAST 80 STREET	63	8,945		0	0	0		0

Appendix B-1 No Build Projects List, cont'd

Map ID	Geography	Block_1	Lot_1	Project Name	DU	Retail (sq ft)	Office (sq ft)	Hotel (sq ft)	Hotel Rooms	Community Facility (sq ft)	Open Space (acre)	Parking
146	2-mile boundary	1548	127	1647 1 AVENUE	38	1,950		0	0	0		0
147	2-mile boundary	1555	1	1766 2 AVENUE	20	1,763		0	0	0		0
148	2-mile boundary	1555	2	1768 2 AVENUE	5	1,913		0	0	0		0
149	2-mile boundary	1567	20	441 EAST 87 STREET	5	0		0	0	0		0
150	2-mile boundary	1578	23	40 EAST END AVENUE	29	0		0	0	0		10
151	2-mile boundary	1579	30	590 EAST 83 STREET	0	0		0	0	79,000		0
152	1/2-mile boundary	2340	14	2568 PARK AVENUE	0	0		21,845	72	0		0
153	2-mile boundary	2280	72	417 EAST 135 STREET	22	0		0	0	0		0
154	2-mile boundary	2277	1	82 BROWN PLACE	0	0		47,468	133	0		6
155	1/2-mile boundary	2318	19	2490 3 AVENUE	28	6,493		0	0	0		0
156	1/2-mile boundary	2314	1	285 EAST 138 STREET	323	17,720		0	0	2,830		10
157	1/2-mile boundary	2340	56	221 EAST 138 STREET	47	3,961		0	0	0		0
158	1/2-mile boundary	2316	1	101 LINCOLN AVENUE	826	33,260		0	0	3,188		441
159	1/4-mile boundary	2319	2	2401 3 AVENUE	370	1,594		0	0	3,098		148
160	1/4-mile boundary	2319	60	198 EAST 135 STREET	465	5,911		0	0	0		206
161	1/2-mile boundary	2295	40	329 EAST 132 STREET	91	0		0	0	0		0
162	1/4-mile boundary	1677	45,46	310 EAST 106 STREET	22	25,700				1,357		
163	1/4-mile boundary	1915	32, 33, 34, 35, 36	407 Lenox Avenue	79	7,498				2,518		
164	2-mile boundary	1955	12, 14, 16	2395 Fredrick Douglass Boulevard	74	8,265						
				Total	**13,138**	**1,317,921**	**827,137**	**441,134**	**844**	**1,485,087**	**2**	**3,058**

Appendix B-2
New York City Waterfront Revitalization Program (WRP)
Consistency Assessment Form (CAF) and
WRP Policy Assessment

FOR INTERNAL USE ONLY	WRP No. _____
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: NYC Department of City Planning - Manhattan Borough Office

Name of Applicant Representative: Edith Hsu-Chen

Address: 120 Broadway, 31st Floor, New York, New York, 10271

Telephone: 212-720-3480 Email: ehsuchen@planning.nyc.gov

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (HPD), is proposing a series of land use actions—including zoning changes and amendments to urban renewal plans (collectively, the "Proposed Actions ") - to implement land use and zoning recommendations in the East Harlem Neighborhood Plan. The Proposed Actions are intended to facilitate the development of affordable housing, create new commercial and manufacturing space to support job creation, and preserve existing neighborhood character. The Project Area covers all or portions of approximately 96 blocks generally bounded by East 104th Street to the south, East 132nd Street to the north, Park Avenue to the west and Second Avenue to the east.

The Proposed Actions would result in development on 68 projected development sites. In the future with the Proposed Actions, approximately 5,960 DUs, 507,551 square feet of retail space, 219,771 square feet of office space, 112,437 square feet of community facility uses and 155,171 square feet of industrial use would be developed on the projected development sites.

2. Purpose of activity

The Proposed Actions seek to facilitate a vibrant, inclusive residential neighborhood with a wide variety of local and regional commercial activities, job opportunities, and attractive streets that are safe and inviting for residents, workers, and visitors. The objectives of the project are: (1) Create opportunities for requiring permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs; (2) Modify the existing zoning, where needed, to preserve the built neighborhood character; (3) Create opportunities for economic development while preserving the vitality of the existing commercial and manufacturing uses; (4) Establish a Special District that improves the pedestrian experience and establishing urban design controls that balance new development in response to existing neighborhood context and scale; (5) Ensure a successful neighborhood plan by establishing a planning framework that is inclusive of the relevant capital infrastructure needs and services to support current demands and future growth.

C. PROJECT LOCATION

Borough: Manhattan Tax Block/Lot(s): See Appendix 1 and Figure 2

Street Address: Zip Code 10029/10035

Name of water body (if located on the waterfront): _____

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

☐	City Map Amendment	☐	Zoning Certification	☐	Concession
☑	Zoning Map Amendment	☐	Zoning Authorizations	☑	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: _____

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

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 Martine 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: _____

Address: _____

Telephone: _____ Email: _____

Applicant/Agent's Signature: _____

Date: _____

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
212-720-3525
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.

Appendix B-2: Waterfront Revitalization Program (WRP) Policy Assessment

SECTION F. WRP POLICY ASSESSMENT

The primary and secondary study areas are located within the City's Coastal Zone and therefore, the Proposed Actions are subject to review for consistency with the policies of the Waterfront Revitalization Program (WRP). The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The WRP Consistency Assessment Form lists the WRP policies and indicates whether the Proposed Actions would promote or hinder a particular policy, or if that policy would not be applicable. This section provides additional information for the policies that have been checked "promote" or "hinder" in the WRP Consistency Assessment Form.

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.

The Proposed Actions seek to encourage the development of housing, including a substantial amount of permanent affordable housing, and commercial development that would promote economic development within East Harlem. The Proposed Actions would facilitate development consistent with existing land use patterns and would introduce zoning that would promote active non-residential ground-floor uses and economic activity along key commercial corridors. Furthermore, the Project Area is an area well-suited to development, as it is located in an area that is well-served by public transit. While the primary study area is within the coastal zone, it is not located along the East River waterfront and there would be no development associated with the Proposed Actions on the waterfront.

Therefore, the Proposed Actions would promote this policy.

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

As discussed in the EIS, the Proposed Actions would not result in significant adverse impacts to public facilities or infrastructure. The City's infrastructure generally includes water and sewer infrastructure, transit, schools, and open space. The Proposed Actions would not result in significant adverse impacts in any of these technical areas. Development on the projected development sites is expected to result in an increase in potable water demand of 1.5 million gallons per day (mgd) compared to the No Action Condition. This incremental increase represents about 0.15 percent of the City's average daily water supply of approximately one billion gallons per day (gpd). This same development is expected to result in an increase in sanitary sewage of approximately 1.1 mgd over the No Action Condition. This incremental increase would not result in an exceedance of the 200 mgd capacity of the Wards Island Wastewater Treatment Plant (WWTP). With the incorporation of stormwater source control best

management practices (BMPs) that would be implemented on each projected development site by their respective developer in accordance with the City's site connection, the peak stormwater runoff rates would be reduced as compared to existing conditions.

It is expected that the capacity of public transit will increase in the future with the introduction of the Second Avenue Subway. For the first time since the closure of the IRT Second Avenue elevated railway in 1942, rail service will be available on Second Avenue at 72nd, 86th, and 96th Streets. It is anticipated that transit access will increase northward through the Project Area with the introduction of the second phase of the Second Avenue Subway project, which would introduce stations on 106th, 116th, and 125th Streets on Second Avenue. Ultimately, the full length of the subway will connect Hanover Square in the Financial District to 125th Street in East Harlem. As noted in the RWCDS, many of the development sites identified in the Project Area are currently underutilized, and the Project Area can accommodate additional residential and commercial development.

Therefore, the Proposed Actions would promote this policy.

> *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 WRP Policy 6.2.*

A discussion of the integration of climate change and sea level rise into waterfront planning and design is provided below under Policy 6.2.

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

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

Increases in impervious surfaces from projected development would increase stormwater runoff to the combined sewer system serving the Study Area. Increased development, particularly residential development, would result in increased sanitary sewage to the combined sewer system. These increased flows could be discharged as a combined sewer overflow (CSO) to the East River during heavy rainfall. There are currently no planned infrastructure improvement projects within the Study Area. In order to prevent a CSO, developers would be required to incorporate BMPs at each development site to limit stormwater from the site to the sewer system. Pursuant to Chapter 31 of Title 15 of the Rules of the City of New York (RCNY), as amended, new developments requiring a connection to the sewer system would be required to achieve the new flow rate for a new development (the stormwater release rate is the greater of 0.25 cubic feet per second (cfs) or 10 percent of the allowable flow). Joint DEP and New York City Department of Buildings (DOB) guidelines are available to ensure the proper design and construction in the early stages of site planning and building design. Stormwater could be managed by utilizing one or a combination of detention or infiltration techniques identified in the NYC Green Infrastructure Plan. Green technologies, such as green roofs and blue roofs, subsurface detention and infiltration, and permeable pavement, would retain or release stormwater with slowed discharge rates to control peak runoff rates. Trees planted per the City's street tree requirement could also be utilized to capture and store water below an enhanced tree pit. These BMPs, among other potential measures, would help to avoid a CSO discharge to the East River.

Therefore, the Proposed Project would promote this policy.

Policy 5.2: Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.

Increases in impervious surfaces from projected development would increase stormwater runoff to the combined sewer system serving the Study Area. Increased development, particularly residential development, would result in increased sanitary sewage to the combined sewer system. These increased flows could be discharged as a combined sewer overflow (CSO) to the East River during heavy rainfall. In order to prevent a CSO, developers would be required to incorporate BMPs at each development site to limit stormwater from the site to the sewer system. Stormwater could be managed by utilizing one or a combination of detention or infiltration techniques identified in the NYC Green Infrastructure Plan. Green technologies, such as green roofs and blue roofs, subsurface detention and infiltration, and permeable pavement, would retain or release stormwater with slowed discharge rates to control peak runoff rates. Trees planted per the City's street tree requirement could also be utilized to capture and store water below an enhanced tree pit. These BMPs, among other potential measures, would help to avoid a CSO discharge to the East River, reducing nonpoint source pollution.

Therefore, the Proposed Project would promote this policy.

Policy 5.4: Protect the quality and quantity or groundwater, streams, and the sources of water for wetlands.

Increases in impervious surfaces from projected development would increase stormwater runoff to the combined sewer system serving the Study Area. Increased development, particularly residential development, would result in increased sanitary sewage to the combined sewer system. These increased flows could be discharged as a combined sewer overflow (CSO) to the East River during heavy rainfall. In order to prevent a CSO, developers would be required to incorporate BMPs at each development site to limit stormwater from the site to the sewer system. Stormwater could be managed by utilizing one or a combination of detention or infiltration techniques identified in the NYC Green Infrastructure Plan. Green technologies, such as green roofs and blue roofs, subsurface detention and infiltration, and permeable pavement, would retain or release stormwater with slowed discharge rates to control peak runoff rates. Trees planted per the City's street tree requirement could also be utilized to capture and store water below an enhanced tree pit. These BMPs, among other potential measures, would help to avoid a CSO discharge into the East River. In addition, any subsurface stormwater retention systems may have the potential to modify groundwater flow patterns. However, groundwater discharge would not be adversely affected. Groundwater would be expected to flow around the outside of the system and continue in the original direction of flow thereafter.

Therefore, the Proposed Project would promote this policy.

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 and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.

Portions of the Project Area, between East 104th Street and East 110th Street and between Park Avenue and Second Avenue, are located within the FEMA-designated 100-year floodplain and are subject to DOB requirements for construction in the floodplain and would follow the building code requirements contained in Appendix G, Flood-Resistant Construction. Construction activity in special flood hazard areas must comply with Appendix G of the

Building Code, including requirements that buildings elevate the lowest floor to the design flood elevation. Construction in accordance with these provisions would minimize losses from flooding and erosion.

Therefore, the Proposed Actions would promote this policy.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the City's Coastal Zone.

This evaluation, following guidance provided by DCP, applies a 3-step process to determine a project's consistency with Policy 6.2.

1. Identify Vulnerabilities and Consequences

1(a). Assess the project site's exposure to current and future flood risk.

The rezoning area includes a portion of the current 1-Percent Annual Probability Floodplain, extending from the Harlem River to the area between First and Second Avenues, and further north along the Harlem River south of FDR Drive, other than in the area south of East 110th Street where the flood hazard zone extends inland as far as Lexington Avenue, and in one small area near Park Avenue. This would potentially affect only some of the southernmost projected and potential development sites in the Project Area. In the near future, as early as the 2020s, based on the New York City Panel on Climate Change (NPCC) projections, the potential flood hazard area would extend further inland affecting mostly the southern area south of East 110th Street. (For a full description of the NPCC data, see Chapter 16, "Greenhouse Gas Emissions and Climate Change.")

Regarding future conditions, the Proposed Actions have a build year of 2027, and new buildings constructed as a result of the Proposed Actions would be expected to last 100 years or longer with proper maintenance and repair; therefore, the appropriate projection period for analysis is the furthest available from NPCC, 2100 (73 years from the build year). By 2100, the southern area affected by the 1-Percent Annual Probability Floodplain would potentially expand as far inland as Central Park, and north of 110th Street the flood hazard area might potentially extend as far inland as Lexington Avenue under the NPCC "High" scenario.

The current Base Flood Elevation throughout the area is 12 feet NAVD88, and with sea-level rise could potentially increase by 75 inches to approximately 18 feet NAVD88 by the end of the century under the NPCC "High" scenario. No portion of the Project Area would be affected by future Mean Higher High Water given the 90th percentile projections for sea level rise.

1(b). Identify if the project or action would facilitate the development of any vulnerable, critical, or potentially hazardous features within areas exposed to flooding from Mean Higher High Water or 1-Percent Annual Probability Flood by the 2050s under the 90th percentile of sea level rise projections.

No new vulnerable, critical, or potentially hazardous features would be facilitated in areas that would flood from future Mean Higher High Water. The Proposed Actions would be expected to lead to construction of new residential and commercial buildings which may be affected in the future by severe flood events. Consequences may include building damage, loss of property, and public safety risks.

2. Identify Adaptive Strategies

Building code requirements for flood-resistant construction, including freeboard, would be required for all new development facilitated by the Proposed Actions within the current 1-

Percent Annual Probability Floodplain, and the zoning code provides some flexibility to facilitate compliance with those requirements. New development located outside the current 1-Percent Annual Probability Floodplain but within the potential future 1-Percent Annual Probability Floodplains (2020s, 2050s, 2080s, or 2100), would be able to voluntarily floodproof to such standards. In the future, if these buildings are within the floodplain, they would be able to retrofit to such standards and would not be impeded by the proposed zoning. In general, the proposed zoning would not change the requirements so as to impede resilience planning, and any future changes in building code to address future potential flooding conditions would apply to any development taking place after such changes are made.

Projected development sites 4, 5, 10, 27, and 69 would be developed in accordance with HPD requirements, as the sites are comprised of City-owned parcels. Projected development sites 4 and 27 are within the potential future flood zone and would be designed in accordance with the City's regulations for construction within the floodplain.

3. Assess Policy Consistency

No new vulnerable, critical, or potentially hazardous features would be facilitated in areas that would flood from future Mean Higher High Water. New vulnerable features within the current and future 1-Percent Annual Probability Floodplain would not be precluded from incorporating construction standards resilient to future potential flood conditions and would be able to take future adaptive actions. Because the Proposed Actions involve an area-wide rezoning of properties that are primarily in private ownership for which the City would not have on-going operational control, and since implementing specific resilience measures for each site prior to design while considering local street and utility elevations and the effect on existing buildings is not practicable, addressing resilience to future conditions through the Proposed Actions is not practicable. Resilience for the Project Area will be addressed in the future as part of the resilience process for the City overall. Projected development sites 4 and 27 are within the potential future flood zone and would be designed in accordance with the City's regulations for construction within the floodplain.

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 coastal ecosystems.*

The Proposed Actions include (E) Designations for hazardous materials on privately-owned sites (and comparable measures for City-owned properties) are expected to be developed as a result of the proposed zoning changes. Preventative measures would be undertaken to protect the safety of the public, future occupants, and construction workers, as well as the larger environment for areas where redevelopment has the potential to encounter areas of contamination. This would include subsurface investigations to determine the nature and extent of contamination and prescribed construction measures to manage contaminated materials prior to and/or during construction. A Subsurface Testing Work Plan would be prepared for submission and approval by the Mayor's Office of Environmental Remediation (OER). The Department of Environmental Protection (DEP) may oversee a comparable process for City-owned sites. Remediation, if required, would be approved by the City. Excavation of contaminated soils and proper off-site disposal would be required in accordance with an approved Remedial Action Plan (RAP) and in

accordance with all applicable local, state, and federal regulations. An (E) designation requires the owners of the properties to do the following prior to obtaining DOB permits:

- Conduct a Phase I Environmental Site Assessment (ESA) in accordance with the American Society of Testing Materials (ASTM) E1527-13, where one was not previously conducted or where required by OER based on the date of the previous assessment;
- Prepare and implement a soil and groundwater testing protocol approved by OER;
- Where appropriate, conduct remediation in accordance with an OER-approved RAP and Construction Health and Safety Plan (CHASP) to the satisfaction of the OER; and
- Prepare a post-construction Remedial Closure Report (RCR), documenting compliance with the RAP/CHASP, to obtain a Notice of Satisfaction and Certificate of Occupancy for newly constructed structures.

The hazardous materials assessment also identified the potential for hazardous materials in existing buildings (such as asbestos-containing materials [ACM], lead-based paint [LBP], and polychlorinated biphenyl [PCB]-containing equipment and lighting fixtures). Regulatory requirements for maintenance and (if necessary) disposal of such materials prior to or during demolition would continue to be followed. With the implementation of the measures required by the (E) designations (or comparable binding measures), the Proposed Actions would promote this policy.

Policy 7.2: Prevent and remediate discharge of petroleum products.

As described in Chapter 10, "Hazardous Materials," the potential for petroleum storage and other hazardous discharges was identified throughout the Project Area. Legal requirements, such as those relating to petroleum storage tank maintenance and handling and disposal of ACMs, LBP, and PCBs would continue to be applicable. The Proposed Actions would require the removal of any encountered tanks, performed in accordance with applicable regulatory requirements including NYSDEC requirements relating to spill reporting and tank registration. This will be achieved through the placement of an (E) designation on affected lots (or a comparable measure for City-owned sites). With these measures in place, the Proposed Actions would not result in any significant adverse hazardous materials impacts, and would promote this policy.

Policy 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.

Potential hazardous materials would be remediated and disposed of in conformance with all applicable laws, rules, and regulations, thus avoiding the potential for adverse impacts on coastal zone resources. This will be achieved through the placement of an (E) designation on affected lots (or a comparable measure for City-owned properties).

Therefore, the Proposed Actions would promote this policy.

Policy 10: Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.

Policy 10.1: Retain and preserve historic resources, and enhance resources significant to the coastal cultural of New York City.

The Proposed Actions would result in significant adverse construction-related impacts to four eligible architectural resources located within 90 feet of projected or potential development sites,

the buildings are not relevant to the coastal culture of New York City. The impacted resources include:

- St. Paul's Rectory and School (Known Resource #16, S/NR-Eligible) is located within 90 feet of Potential Development Site C, which would be developed with an approximately 280-foot-tall building.
- Chambers Memorial Baptist Church (Known Resource #23, S/NR-Eligible) is located within 90 feet of Potential Development Site AI, which would be developed with an approximately 210-foot-tall building.
- New York Public Library—Aguilar Branch (Known Resource #32, S/NR-Eligible) is located within 90 feet of Potential Development Site AH, which would be developed with an approximately 155-foot-tall building.
- 166 East 124th Street (Potential Resource #27) is located within 90 feet of Projected Development Site 11, which would be developed with an approximately 275-foot-tall.

Designated New York City Landmarks (NYCL) or S/NR-Listed architectural resources located within 90 feet of a projected or potential new construction site are subject to the protections of the New York City Department of Building's (DOB's) Technical Policy and Procedure Notice (TPPN) #10/88. The resources listed above are not NYCLs or S/NR_Listed, therefore they would not be afforded any of the protections under TPPN #10/88. Construction-related impacts to the four resources listed above would remain unmitigated because there are no mechanisms to require mitigation for projects developed on private property.

As outlined in the 2014 *CEQR Technical Manual* indirect visual and contextual impacts to architectural resources include blocking significant public views of a resource; isolating a resource from its setting or relationship to the streetscape; altering the setting of a resource; introducing incompatible visual, audible, or atmospheric elements to a resource's setting; or introducing shadows over an architectural resource with sun-sensitive features. Although the developments resulting from the Proposed Actions would somewhat alter the setting and visual context of certain architectural resources, such changes would not be significantly adverse.

Policy 10.2: Protect and preserve archeological resources and artifacts.

Construction activity at two development sites located on the south side of East 128th Street and east of Park Avenue have the potential to result in significant adverse archaeology impacts associated with human remains. Potential Development Site V and Projected Development Site 4 possess potential archaeological significance. A Phase 1A study of Potential Development Site V and Projected Development Site 4 was completed in March 2017. The Phase 1A study identified the potential and projected development sites as potentially sensitive for human remains associated with the churchyard and burial vaults of Saint Andrew's Church, which was formerly located within both development sites. The Proposed Actions therefore possess the potential to have a significant adverse impact on archaeological resources if archaeological resources are present.

The Phase 1A Study concluded that Phase 1B archaeological testing is necessary to confirm the presence or absence of human remains on the sites in question as outlined in the 2014 *CEQR Technical Manual* and LPC's 2002 *Guidelines for Archaeological Work in New York City*. In the event that the Phase 1B archaeological investigation determines that Projected Development Site 4 possesses no archaeological sensitivity and that human remains are not present, then no further archaeological analysis would be warranted.

Projected Development Site 4 contains a City-owned lot under New York City's Department of Housing Preservation and Development (HPD) jurisdiction. Development of Projected Development Site 4 would be in accordance with HPD requirements, including measures to require prospective sponsors to conduct archaeological testing and if warranted, recovery of human remains. Measures to require a Phase 1B and mitigation, if warranted, would be required through provisions in the Land Disposition Agreement (LDA) between HPD and the project sponsor. Additional archaeological investigations, including a Phase 1B, would be required on Projected Development Site 4. Phase 1B testing is designed to confirm the presence or absence of archaeological resources in any areas of archaeological sensitivity that are identified in the Phase 1A study. Prior to the completion of the Phase 1B archaeological investigation, a Phase 1B Testing Protocol and Human Remains Discovery Plan would be prepared and submitted to LPC for review and concurrence. Consultation with LPC and other consulting parties as appropriate—including the descendant community, should one be identified—would be required throughout all phases of archaeological investigation. Potential Development Site V is owned by a private entity. There is no mechanism in place to require a developer to conduct archaeological testing or require the preservation or documentation of archaeological resources, should they exist.

Therefore, with appropriate archaeological investigation, the Proposed Actions would promote this policy. ✷