WEST 117TH STREET REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

Prepared For:

117th Street Equities, LLC

Prepared By:

Philip Habib & Associates

December 13, 2013

WEST 117TH STREET REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

Table of Contents

Environmental Assessment Form

Project Description.....Attachment A

Supplemental Screening.....Attachment B

- **Appendix B-1: SHPO and LPC Correspondence Letter**
- **Appendix B-2: Executive Summary of Phase 1 ESA Document**
- **Appendix B-3: DEP Correspondence Letters**

Land Use, Zoning, and Public Policy .....Attachment C

Shadows.....Attachment D

Air Quality.....Attachment E

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* West 117th Street Rezoning EAS

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
14DCP043M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
140070ZMM	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning (DCP)			NAME OF APPLICANT 117th Street Equities, LLC		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin, AICP, Director, EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Melanie Meyers, Fried Frank LLP		
ADDRESS 22 Reade Street, 4E			ADDRESS One New York Plaza		
CITY New York	STATE NY	ZIP 10007	CITY New York	STATE NY	ZIP 10004
TELEPHONE (212) 720-3420	EMAIL rdobrus@planning.nyc.gov		TELEPHONE (212) 859-8785	EMAIL Melanie.Meyers@friedfrank.com	

5. *Project Description*

The Applicant, 117th Street Equities, LLC, is requesting a zoning map amendment (the "Proposed Action") affecting a portion of one City tax block in the Central Harlem neighborhood of Manhattan Community District 10. The affected area is generally bounded to the west by a line 100 feet east of Frederick Douglass Boulevard, to the north by West 118th Street, to the east by St.Nicholas Avenue, and to the south by West 117th Street. The Proposed Action would replace the existing R7A zoning district with an R8A zoning district. The Proposed Action would facilitate a 190,265 gsf mixed-use development (the "Proposed Development") on Applicant owned land along West 117th Street, St.Nicholas Avenue, and West 118th Street. The proposed rezoning would increase the allowable floor area on the development site, which would enable the Applicant to preserve a vacant church building formerly occupied by St.Thomas the Apostle Church and convert it to a community facility use. Preservation of the church would not be possible under existing R7A zoning. For environmental analysis purposes, a RWCDS which differs from the Applicant's Proposed Development has been identified for both current zoning (No-Action) and proposed zoning (With-Action). For more detailed information refer to Attachment A, "Project Description."

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 10	STREET ADDRESS 215, 253, 257 W 117th Street; 262, 264, 278 W 118th Street; 141, 143, 145, 147 St. Nicholas Avenue; 2170 Frederick Douglass Boulevard
TAX BLOCK(S) AND LOT(S) Rezoning Area: Block 1923, Lots 1, 14, 18, 19, 20, 21, 49, 52, 53, 60, 7501 Development Site: Block 1923, Lots 14, 49, 52		ZIP CODE 10026

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Bounded by St. Nicholas Avenue, W 117th Street, Frederick Douglass Boulevard, and W 118th Street

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R7A	ZONING SECTIONAL MAP NUMBER 6a, 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 If "yes," specify:

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.): 81,966 sf (Proposed Rezoning Area) Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 81,966 (Proposed Rezoning Area) Other, describe (sq. ft.):

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): Approx. 219,278 (Total gsf assumed under RWCDS)
NUMBER OF BUILDINGS: 4 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 7,124 gsf, 38,188 gsf, 82,801 gsf, 91,165 gsf
HEIGHT OF EACH BUILDING (ft.): 62 ft, 80 ft, 120 ft, 120 ft NUMBER OF STORIES OF EACH BUILDING: 4, 8, 10, 12

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: 28,636 sf
The total square feet non-applicant owned area: 53,330 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: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 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.)	176,114 sf	N/A	13,745 sf	N/A

Type (*e.g.,* retail, office, school)	205 units	N/A	performing arts space	N/A

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 158 (461 total) NUMBER OF ADDITIONAL WORKERS: 48 (54 total)

Provide a brief explanation of how these numbers were determined: These numbers are based on the net increment assumed under the RWCDS. Residential: 2.25* x 70 DU. Employees: 1/300 gsf community facility and 1 worker per 25 DUs.
*Based on Manhattan Community District 10 average of 2.25 persons per household (Source: Demographic Profile, NYC Department of City Planning: 2010 Census)

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: 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: In the 2017 future without the Proposed Action, the Applicant would construct an approximately 139,943 gsf as-of-right residential development. This No-Action scenario would include approximately 114,545 sf of zoning floor area (4.0 FAR). The development would include a total of approximately 116,836 gsf of residential use (135 DUs), 10,780 gsf (67 spaces) of below grade parking, and 12,327 gsf of below grade storage and building support space. Due to site planning constraints, preservation of the vacant church building for use as community facility space would not be possible in the No-Action scenario and, for analysis purposes, it is assumed the church would be demolished. For more detailed information, refer to Attachment A, "Project Description."

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2017

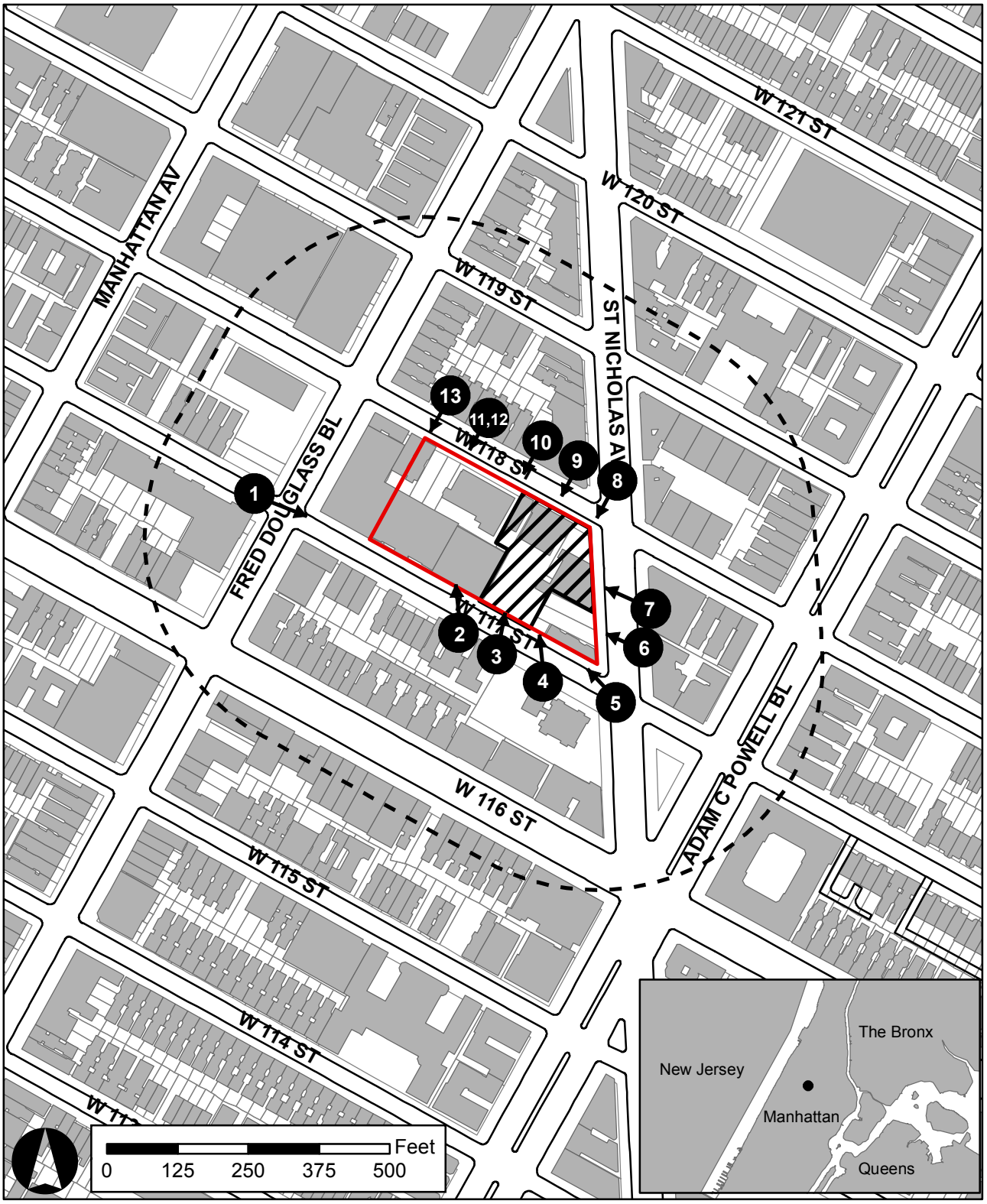
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 16-24 months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

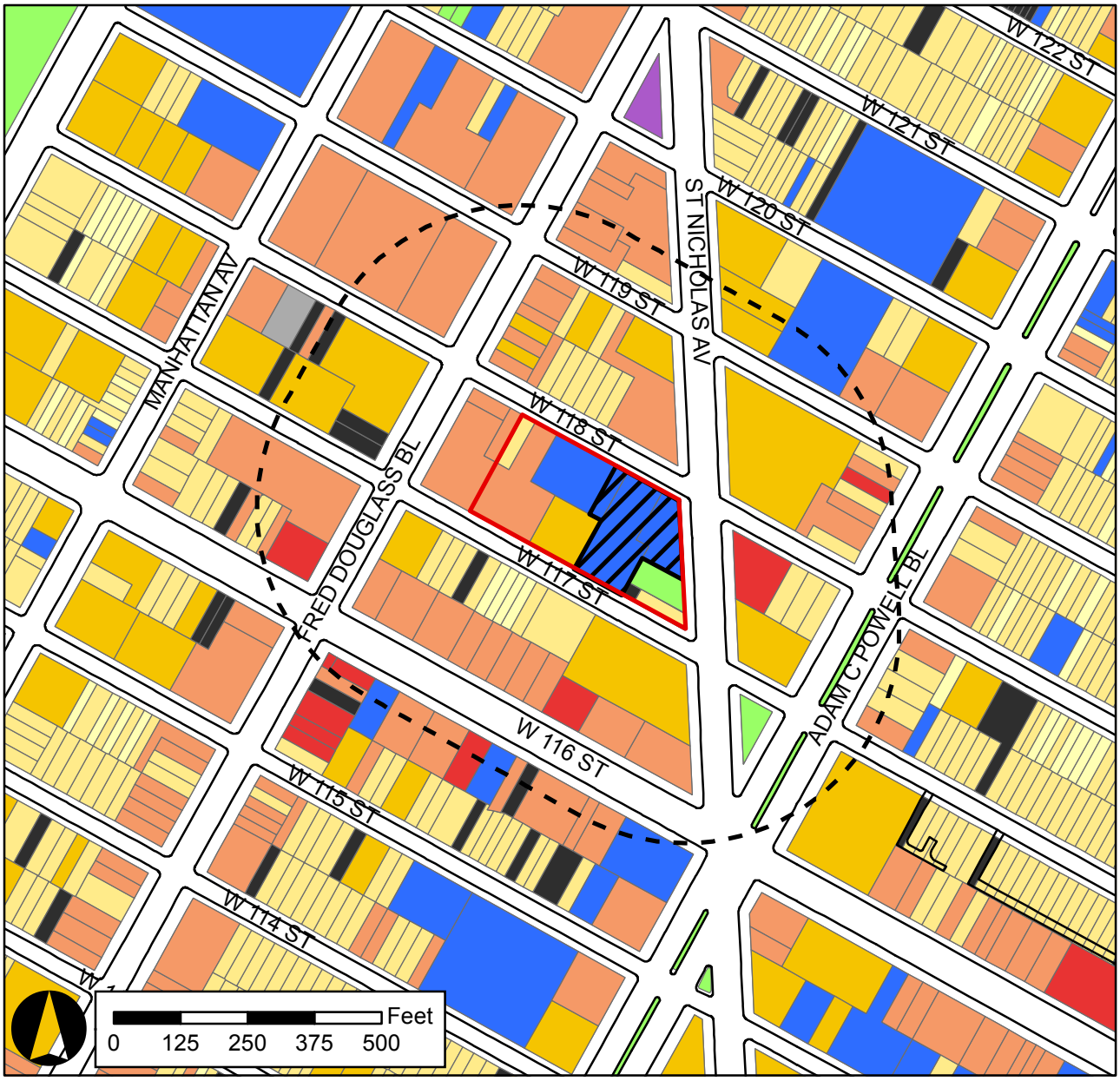
☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Vacant land, public facilities & institutions



Legend

- 400-Foot Radius
- Proposed Development Site
- Proposed Rezoning Area
- 1 → Photo Locations (Figure 5)

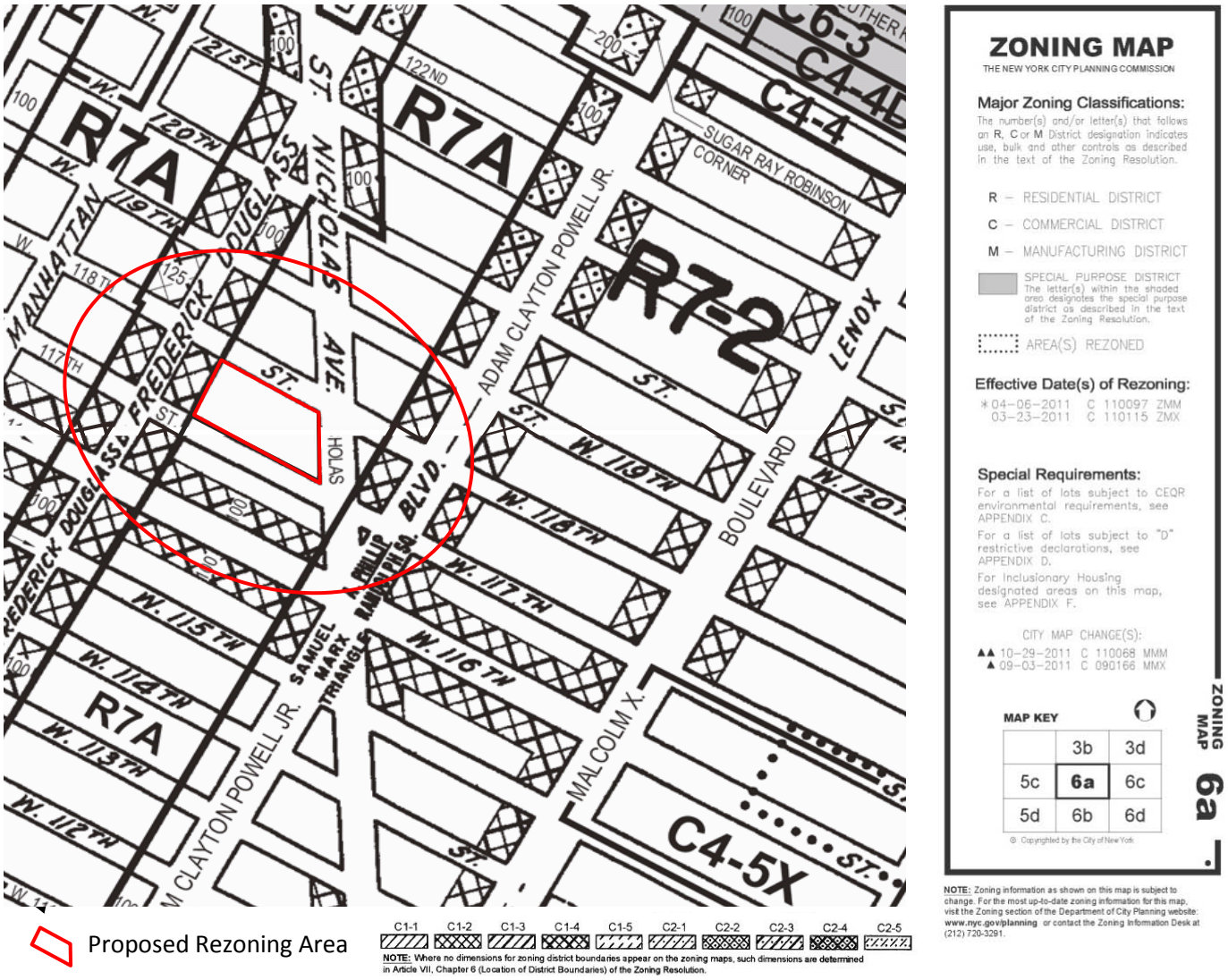
Land Use Map



Legend

- Proposed Rezoning Area
- Proposed Development Site
- 400-Foot Radius
- 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 Facilities
- Vacant Land
- All Others or No Data

Source: PLUTO 2012 (NYCDCP) and field observations


ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R – RESIDENTIAL DISTRICT
C – COMMERCIAL DISTRICT
M – MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
*04-06-2011 C 110097 ZMM
03-23-2011 C 110115 ZMX
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.
CITY MAP CHANGE(S):
▲▲ 10-29-2011 C 110068 MMM
▲ 09-03-2011 C 090166 MMX
MAP KEY
3b 3d
5c 6a 6c
5d 6b 6d
ZONING MAP 6a
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.
Proposed Rezoning Area
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.


FINANCE
NEW • YORK
MARTHA E. STARK
COMMISSIONER
NYC Digital Tax Map
Effective Date : 06-02-2008 09:47:15
End Date : Current
Manhattan Block:1923
Legend
Streets
Miscellaneous Text
Possession Hooks
Boundary Lines
Lot Face Possession Hooks
Regular
Underwater
Tax Lot Polygon
Condo Number
Tax Block Polygon
Proposed Rezoning Area
Proposed Development Site
FRED DOUGLASS BLVD
W 118 ST
W 117 ST
1923
1924
1922
CONDO # 1348
CONDO # 1894



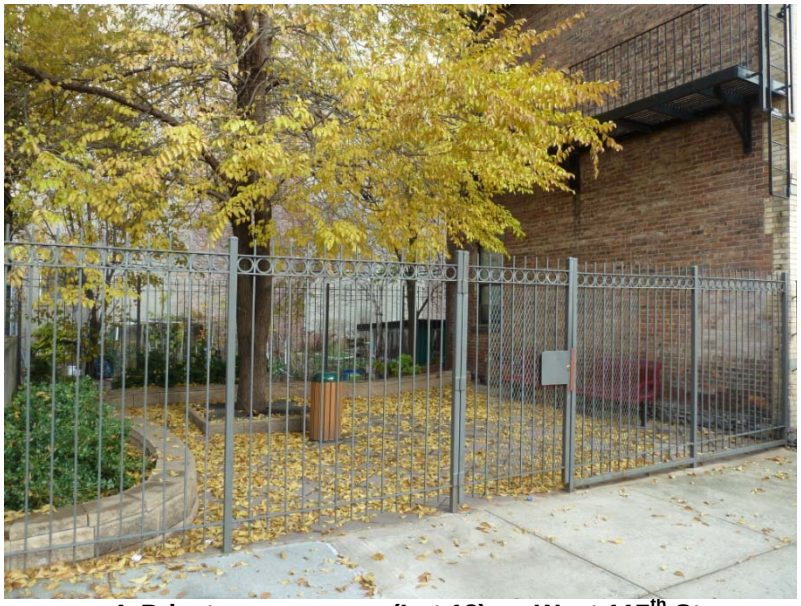
1. West 117th St. from Frederick Douglass Blvd.



2. The Fitzgerald Condos (Lot 7501) on West 117th St.



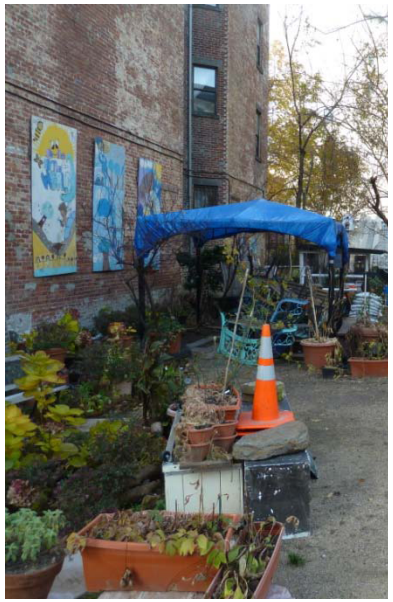
3. Vacant church building (Lot 14) from West 117th St.



4. Private open space (Lot 18) on West 117th St.



5. Apartments (Lot 19) on West 117th St.



6. TRUCE Community Garden (Lots 20, 21) on St. Nicholas Ave.



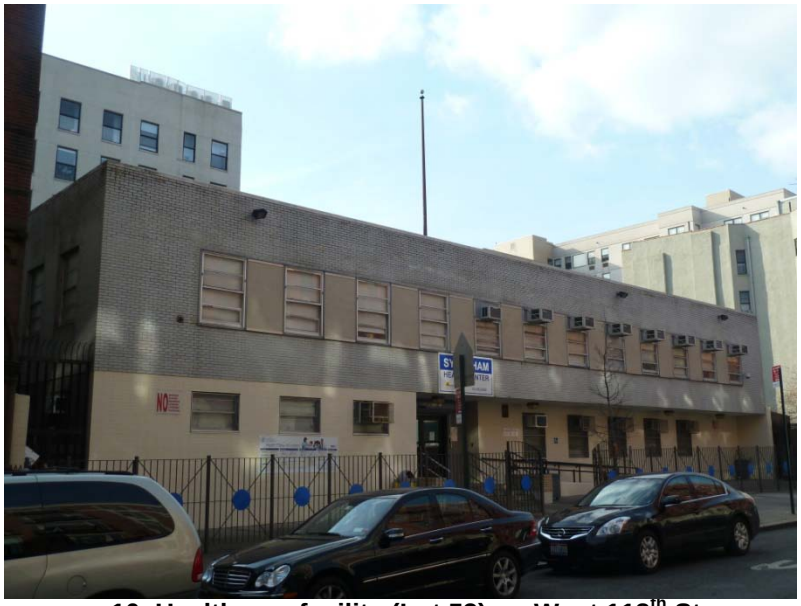
7. Vacant school building (Lot 49) on St. Nicholas Ave.



8. Vacant church building (Lot 14) on West 118th St.



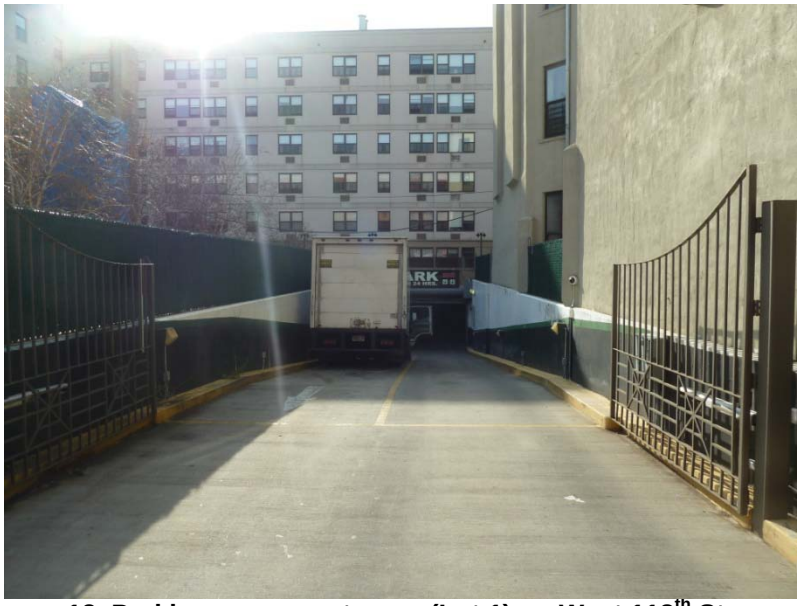
9. Vacant rectory building (Lot 52) on West 118th St.



10. Healthcare facility (Lot 53) on West 118th St.



11. Private open space (Lot 1) on West 118th St.



12. Parking garage entrance (Lot 1) on West 118th St.



13. Apartment buildings (Lots 60, 160) on West 118th St.

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 attach supporting information, if needed) 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.		
(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.		
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		
○ **Child Care Centers:** 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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **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 proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional	☐	☒

	YES	NO
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?	☒	☐
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.		
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 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) 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?	☐	☒
(c) 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 Appendix 1 (including nonconforming uses)?	☐	☒
(d) 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?	☐	☒
(e) 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)?	☒	☐
(f) 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?	☒	☐
(g) 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?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: No evidence of RECs or environmental issues were found.	☐	☒
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	☐	☒

	YES	NO
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?	☐	☒
(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): 7,844		
○ 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): 20,000,587,500		
(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 or bus 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) or 200 subway trips per station or line?	☐	☐
○ 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?	☐	☐
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 124 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?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		

	YES	NO
(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. The Proposed Action does not have the potential to result in significant adverse impacts to air quality, hazardous materials, or noise. Nor would the Proposed Action result in a combination of moderate effects to several elements that cumulatively may affect public health. Therefore, an assessment of public health is not warranted.

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. The Proposed Action does not have the potential to result in significant adverse impacts to land use, zoning, and public policy, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. Nor would the Proposed Action result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. Therefore, an assessment of neighborhood character is not warranted.

19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22

(a) Would the project's construction activities involve:

o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☒	☐
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o 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.

Proposed new construction on the development site may result in temporary disruptions, including noise, dust, and traffic associated with the delivery of materials and arrival of workers on the project site. There is also the potential for the operation of several pieces of diesel equipment on the construction site. These effects, however, would be temporary (approximately 16-24 months) and all applicable city, state, and federal guidelines and regulations would be followed to ensure that any impacts are properly mitigated. Therefore, none of these disruptions should be considered significant. Refer to Attachment B for details.

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
Ken Haron	12/13/13

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
Deputy Director, EARD	New York City Department of City Planning
NAME	DATE
Celeste Evans	December 13, 2013

SIGNATURE Celeste Evans

ATTACHMENT A
PROJECT DESCRIPTION

I. INTRODUCTION

The Applicant, 117th Street Equities, LLC, is requesting a zoning map amendment (the "Proposed Action") affecting a portion of one City tax block (Block 1923, Lots 1, 14, 18, 19, 20, 21, 49, 52, 53, 60, 7501) in the Central Harlem neighborhood of Manhattan Community District 10. The affected area (the "Proposed Rezoning Area") is bounded to the west by a line 100 feet east of Frederick Douglass Boulevard, to the north by West 118th Street, to the east by St. Nicholas Avenue, and to the south by West 117th Street (refer to Figure A-1). The Proposed Rezoning Area is currently zoned R7A, a medium-density contextual apartment house district. The Proposed Action would replace the existing R7A district with an R8A contextual zoning district.

The Proposed Action would facilitate a proposal by the Applicant to build a 190,265 gross square foot (gsf) mixed-use development (the "Proposed Development") that would include a new 12-story mixed-income apartment building (Lot 14), an extension and 5-story rooftop enlargement to an existing school building (Lot 49), and the renovation of a vacant 4-story building (Lot 52) on the Proposed Development Site. The Proposed Action would also facilitate a proposal by the Applicant to preserve the remaining portion, including the façade, of a building formerly occupied by St. Thomas the Apostle Church for a new community facility use (Lot 14). Preservation of the church would not be possible under existing R7A zoning, as site planning constraints would limit the amount of residential floor area that could be developed on the other portions of the Applicant's property.

The Proposed Development Site, which is owned by the Applicant, is currently the site of a school building, a vacant building formerly occupied by St. Thomas the Apostle Church, and the former church rectory building. The Proposed Development Site is zoned R7A, which allows residential (Use Groups 1 and 2) and community facility uses (Use Group 3 and 4) with an FAR of 4.0. The proposed rezoning would establish an R8A zone over the Proposed Development Site and affected area, permitting residential uses with an FAR of 6.02 and community facility uses with an FAR of 6.5.

The adjacent affected sites, not under the Applicant's control, contain multi-family residential buildings (Lots 1, 19, 60, 7501), a public facility/institutional building (Lot 53), a public community garden (Lots 20, 21), and private open space (Lot 19). Similar to the Proposed Development Site, these sites are zoned R7A.

As described above, the Proposed Action would replace the existing R7A district with an R8A zoning district. By increasing the maximum residential and community facility FAR from 4.0 to 6.02 and 4.0 to 6.5, respectively, the proposed rezoning could allow up to approximately 219,278 gsf of uses.

For environmental assessment purposes, a reasonable worst-case development scenario (RWCDS) that differs from the Applicant's Proposed Development has been identified. Absent the Proposed Action, the Proposed Development Site would be developed with an approximately 139,943 gsf as-of-right residential development. This No-Action scenario would consist of approximately 116,836 gsf of residential use (135 DUs), 10,780 gsf of below grade accessory parking (67 spaces), and 12,327 gsf of below grade storage and building support space. Due to site planning constraints, preservation of the vacant church building for use as community facility space would not be possible in the No-Action scenario and, for analysis purposes, it is assumed the church would be demolished.

Proposed Rezoning Area



Legend

400-Foot Radius

Proposed Development Site

Proposed Rezoning Area

In the future with the Proposed Action, the RWCDS analysis framework anticipates that the Proposed Development Site would be developed with four buildings, including: Building 1, an 8-story 38,188 gsf residential building comprised of 33,760 gsf of residential use (40 DUs) and 4,428 gsf of below grade storage and building support space, along the West 118th Street frontage of Lot 14; Building 2, a 12-story 91,165 gsf apartment building located on the southerly line of Lot 14 and comprised of 75,461 gsf of residential use (89 DUs), 13,087 gsf of below grade accessory parking (82 spaces), and 2,618 gsf of below grade storage and building support space; Building 3, a 5-story enlargement and 10-story extension of an existing school building resulting in a 10-story 82,801 gsf mixed use building located on Lot 49 and comprised of 13,745 gsf of community facility use, 61,194 gsf of residential use (72 DUs), and 7,862 gsf of below grade storage and building support space; Building 4, a renovation and conversion of a vacant 4-story rectory building on Lot 52 to 5,699 gsf of residential use (4 DUs) and 1,425 gsf of below grade storage and building support space. The With-Action development would have a total of 219,278 gsf of mixed-use development, including approximately 176,114 gsf of residential use (205 DUs), 13,745 gsf of community facility use, 13,087 gsf of below grade accessory parking (82 spaces), and 16,333 gsf of below grade storage and building support space. The remainder of the Proposed Rezoning Area would remain unchanged. It is noted that for conservative analysis purposes, the RWCDS assumes demolition of the existing vacant church building and replacement with Building 1 as described above, notwithstanding that the Applicant's proposed development scenario (which differs from the RWCDS) would preserve the church building.

In the event that the Proposed Development utilizes funding pursuant to the New York State Housing Finance Agency's 80/20 Housing Program or other similar programs, 20 percent of dwelling units would be required to be affordable. Assuming for analysis purposes that such funding is utilized, in the No-Action Scenario, 27 of the 135 DUs would be affordable, and in the With-Action Scenario, 41 of the 205 DUs would be affordable.

The incremental (net) change that would result from the Proposed Action is 59,278 gsf of residential floor area (70 DUs), 13,745 gsf of community facility space, and 2,307 gsf of below grade accessory parking (15 spaces). In the event that an 80/20 program is utilized, there would be an increment of 14 affordable units.

The Proposed Development is expected to be completed by 2017.

II. BACKGROUND AND EXISTING CONDITIONS

Description of the Surrounding Area

Dutch governor Peter Stuyvesant established Nieuw Haarlem in 1658 on land comprising most of northern Manhattan. The actual village settlement centered on the Harlem River near East 125th Street. By the early 19th century, the farmland of Harlem was deteriorating and many of the farms were abandoned. The area retained its rural character until the inauguration of train service along Fourth Avenue (now Park Avenue) by the New York and Harlem Railroad in 1837. By the 1860s, many of the streets to the east of the railroad were heavily built up, while wooden suburban homes were scattered elsewhere in the area.

As New York City's population grew and elevated rail lines extended northward along Second, Third, and Eighth Avenues, the urbanization of Harlem became inevitable. Most of Harlem as it stands today was constructed by the first decades of the 20th century and the area's built form is still characterized by rowhouses and apartment complexes of varying styles including Beaux Arts, Queen Anne, and Romanesque Revival. In the 1950s and 1960s, Harlem experienced an era of disinvestment and distress, sustaining extreme property abandonment, population loss, and vacancy.

Today, Central Harlem is a largely residential area comprised of many 3- to 4-story rowhouses and 5- to 6-story apartment buildings, with taller residential and mixed-use buildings (upwards of 29-stories) located along the major north-south avenues. The scale and density of the neighborhood tends to reflect underlying zoning districts. The area south of 125th Street is predominantly zoned for R7A or R7-2 medium-density residential districts, with the exception of the Frederick Douglass Boulevard corridor (R8A) and a small two block area bounded by West 115th and West 117th Streets and Lenox and Fifth Avenues (C4-5X). C1 commercial overlays, which allow local retail and local service establishments, are mapped along major retail corridors, including portions of Frederick Douglass Boulevard, Adam Clayton Powell Boulevard, Lenox Avenue, 5th Avenue, and 116th Street. The area is well served by public transportation, including the A, B, C, D subway lines running along Frederick Douglass Boulevard and the 2, 3 subway lines on Lenox Avenue.

Central Harlem is surrounded by open space resources including Marcus Garvey Park to the east of Malcolm X Boulevard, Central Park to the south of 110th Street, and Morningside Park to the west of Manhattan and Morningside Avenues. In addition to playing vital roles as open space and recreational resources, both Central Park and Morningside Park are New York City Landmarks Preservation Commission (LPC) designated scenic landmarks. Numerous other New York City landmarks and historic resources are also located in the area, including the Wadleigh High School for Girls, 115th Street Branch of the New York Public Library, Regent Theater (currently First Corinthian Baptist Church), Graham Court Apartments, Rectory of St. Martin's Episcopal Church, Hotel Theresa, and the Mount Olive Fire Baptized Holiness Church. Central Harlem is also home to the Mount Morris Historic District (LPC designated and State and National Register (S/NR) listed) to the east of Adam Clayton Powell Jr. Boulevard.

Description of the Proposed Rezoning Area

The Proposed Rezoning Area occupies the majority of a city block between West 118th and West 117th Streets, bounded to the west by a line 100 feet east of Frederick Douglass Boulevard and to the east by St. Nicholas Avenue. The area is currently zoned R7A with multi-family residential (Lots 1, 19, 60, 7501) and a two-story public facility/institutional building (Lot 53). Five vacant buildings or unbuilt lots are located within the Proposed Rezoning Area, including the church building formerly occupied by St. Thomas the Apostle Church (Lot 14), the former church rectory building (Lot 52), a public community garden (Lots 20, 21) and private open space (Lot 19). Over the past fifty years, the Proposed Rezoning Area has undergone little new development, as only the construction of a 6 to 8-story mixed-use residential and commercial building on Lot 1 (built 2003) and conversion of a 7-story condominium building have taken place. All other buildings were built between the late 1800s and 1960.

Description of the Proposed Development Site

The Proposed Action is intended to facilitate a 190,265 gsf mixed-use development on Applicant owned land along West 117th Street, St. Nicholas Avenue, and West 118th Street. The Applicant, 117th Street Equities, LLC, is the owner of three contiguous tax lots within the Proposed Rezoning Area (Lots 14, 49, 52; the Proposed Development Site). The Proposed Development Site has an area of approximately 28,636 sf and an existing built FAR of approximately 1.56.

Lot 14 is an approximately 17,660 sf through lot with frontage on both West 118th and West 117th Streets. The north side of the lot is the site of a vacant church building that had been occupied by St. Thomas the Apostle Church since the late 1800s. After its closure in 2003, numerous preservation campaigns delayed the Archdiocese of New York's demolition plans. As a condition of sale, the Applicant committed to restore the West 118th Street façade of the church building as part of any future development, and the Applicant has subsequently completed the majority of the restoration work. The remaining portion of the

former church building covers approximately one-half of the tax lot and has a floor area of approximately 12,201 sf. The south side of the property along West 117th Street is the site of a former church playground.

To the east of the vacant church building is Lot 49, an approximately 8,453 sf parcel that is currently the site of a 5-story elementary school and small accessory parking lot. The building was originally constructed to hold the School of St. Thomas the Apostle in the early 1900s and has been leased temporarily to a private elementary school until mid 2015. The school building has a floor area of approximately 25,370 sf. The fenced-in surface level parking lot has frontage along both West 118th Street and St. Nicholas Avenue and is currently unused. The parking area is accessible from St. Nicholas Avenue and has a maximum capacity of approximately 10 to 15 vehicles.

To the west of the vacant church building on West 118th Street is Lot 52, an approximately 2,523 sf parcel that is currently the site of a vacant 4-story building. The building was constructed around the early 1900s and originally served as the rectory for St. Thomas the Apostle. The rectory covers about two-thirds of the entire lot with a floor area of approximately 7,126 gsf.

In a letter dated 8/14/2003 from the New York State Office of Parks, Recreation, and Historic Preservation (SHPO), SHPO indicated that the three existing buildings on the Proposed Development Site appear to meet the criteria for listing to the State and National Registers (one building for potential architectural merit and all three for potential social and religious considerations). None of these buildings are New York City Landmarks Preservation Commission (LPC) designated landmarks. Additional discussion is provided in Attachment B, "Supplemental Screening."

III. PURPOSE AND NEED FOR THE PROPOSED ACTION

The Proposed Action is a zoning map amendment intended to facilitate a 190,265 gsf mixed-use development on Applicant owned land along West 117th Street, St. Nicholas Avenue, and West 118th Street. The proposed rezoning would increase the allowable floor area of the Proposed Development Site, which would permit the Applicant to preserve the vacant church building (Lot 14) for new community facility use. Preservation of the church would not be possible under current R7A zoning, as site planning constraints would limit the amount of residential floor area that could be developed on other portions of the Applicant's property.

Under existing R7A zoning, preservation of the church building would require the Applicant to concentrate new residential floor area at the West 117th Street frontage of Lot 14 and at the location of the school building (Lot 49) along St. Nicholas Avenue. Due to maximum height restrictions under existing zoning, the amount of residential floor area that could be developed at these locations would be limited to approximately 81,448 gsf (FAR 2.85). The only other potential locations for additional floor area would be the corner parking lot of Lot 49 or the footprint of the church building itself. Given the corner parking lot's shallow and irregular shape and the prohibitive costs associated with developing its limited potential floor area, for the purposes of analysis, it is assumed that the entire church building would be demolished in order to reasonably facilitate a mixed-income residential development under existing R7A zoning.

Given the existing physical constraints of the Proposed Development Site, the Applicant's proposal to extend R8A zoning eastward from Frederick Douglass Boulevard would provide a solution to the community's desire for preservation of a significant portion of the church building. In addition to the preservation of a significant portion of the church, the proposed rezoning would facilitate a development that would add much needed mixed-income housing, fill a gap in the streetscape along West 117th Street, and would provide space for new community facility use.

IV. DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action is a zoning map amendment that would extend an R8A contextual zoning district eastward from Frederick Douglass Boulevard to St. Nicholas Avenue between West 117th and West 118th Streets. The proposed R8A zoning district would affect zoning rules governing building bulk, including the permitted densities (i.e., FAR), building heights, and streetwalls. Table A-2 in Section V below provides a list of the eleven tax lots that would be affected by the Proposed Action and photos of each tax lot can be found in Figure 5 of the EAS form.

Proposed Zoning Map Changes

As shown in Figure A-2, the R8A contextual zoning district running along Frederick Douglass Boulevard would be extended eastward to St. Nicholas Avenue between West 117th and West 118th Streets. R8A districts permit residential uses up to 6.02 FAR, community facility uses up to 6.5 FAR, maximum building heights of 120 feet, and street wall heights of 60 to 85 feet. The Proposed Action would increase the permitted residential density in the Proposed Rezoning Area from 4.0 to 6.02 FAR.

Pursuant to ZR Section 25-23, accessory parking spaces are required for 40 percent of dwelling units in R8A districts. This requirement is reduced for smaller zoning lots – accessory parking is required for 20 percent of DUs on lots sized between 10,001 and 15,000 sf and is waived for zoning lots of 10,000 sf or less, or if 15 or fewer spaces are required (ZR Section 25-241). A maximum of one off-street parking space can be provided for every 400 sf of community facility lot area (ZR 25-18). In R8A zoning districts, off-street parking is permitted only within or to the side of a building, never between the street wall and the street line.

TABLE A-1
Summary of Proposed R8A Zoning District and Regulations

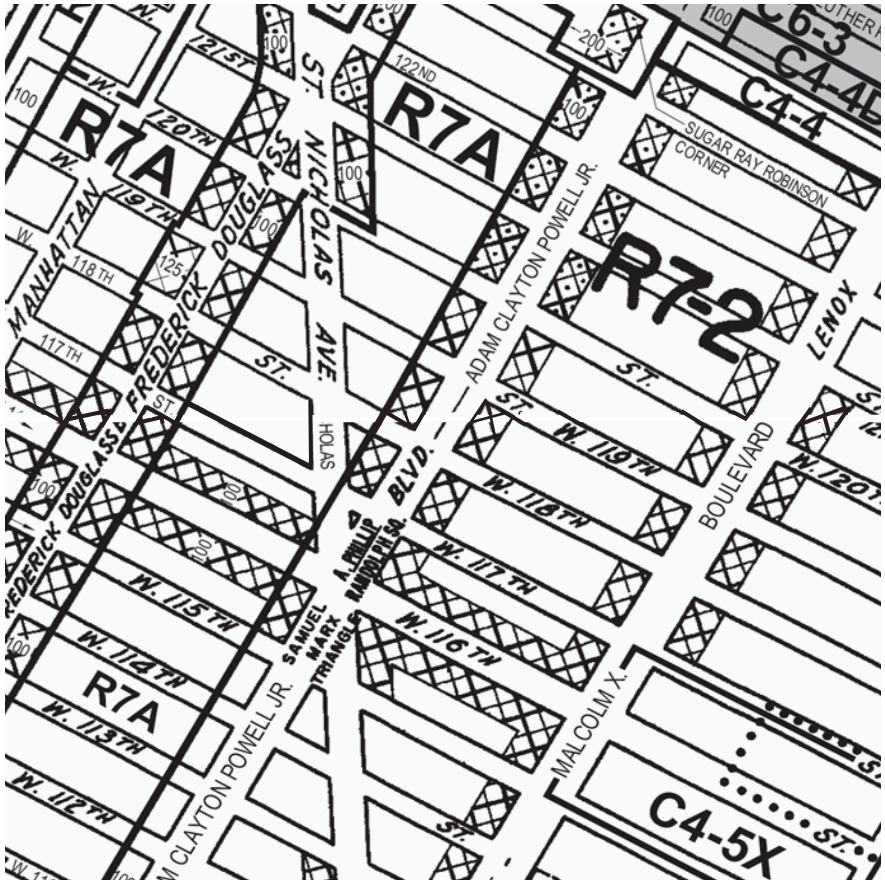
District	Maximum FAR	Streetwall (Min. base height/ Max. base Height)	Maximum Building Height
Proposed R8A	Residential: 6.02 Community Facility: 6.5	60 feet min. 85 feet max.	120 feet

Description of the Proposed Development

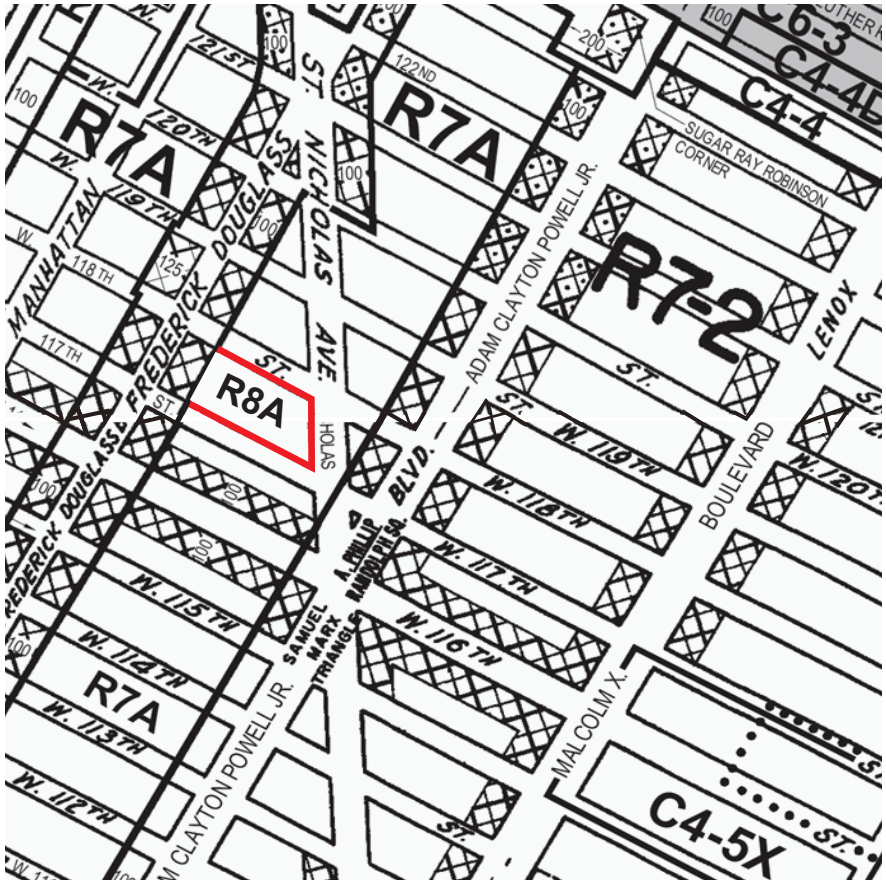
As described above, the Proposed Action is intended to facilitate a 190,265 gsf mixed-use development (the "Proposed Development") on Applicant owned land along West 117th Street, St. Nicholas Avenue, and West 118th Street. The Proposed Development would be comprised of approximately 156,099 gsf (151 DUs) of residential use, 12,201 gsf of community facility use, 9,664 gsf (60 spaces) of below grade accessory parking, and 12,057 gsf of below grade storage and building support space. The FAR of the Proposed Development would be 5.77 (165,239 zsf); as further discussed below, because this is less than the maximum FAR of 6.5 under R8A zoning, a modified development scenario will be analyzed under the RWCDS. The Proposed Development would entail the construction of a new 12-story mixed-income apartment building, an extension and 5-story rooftop enlargement to the existing school building (Lot 49), and the renovation of a vacant 4-story building (Lot 52) (see Figure A-3). In the event an 80/20 program is utilized, 20 percent of dwelling units would be made affordable.

Along the West 118th Street frontage of Lot 14, the Applicant proposes to preserve the 12,201 gsf portion of the vacant church building for community facility use. Along the West 117th Street frontage, a 12-story 87,057 gsf mixed-income apartment building would be constructed. The building would consist of approximately 75,461 gsf (74 DUs) of residential use, 9,664 gsf (60 spaces) of below grade accessory parking, and 1,933 gsf of below grade storage and building support space. The building's streetwall

Existing R7A Zoning



Proposed R8A Zoning



C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

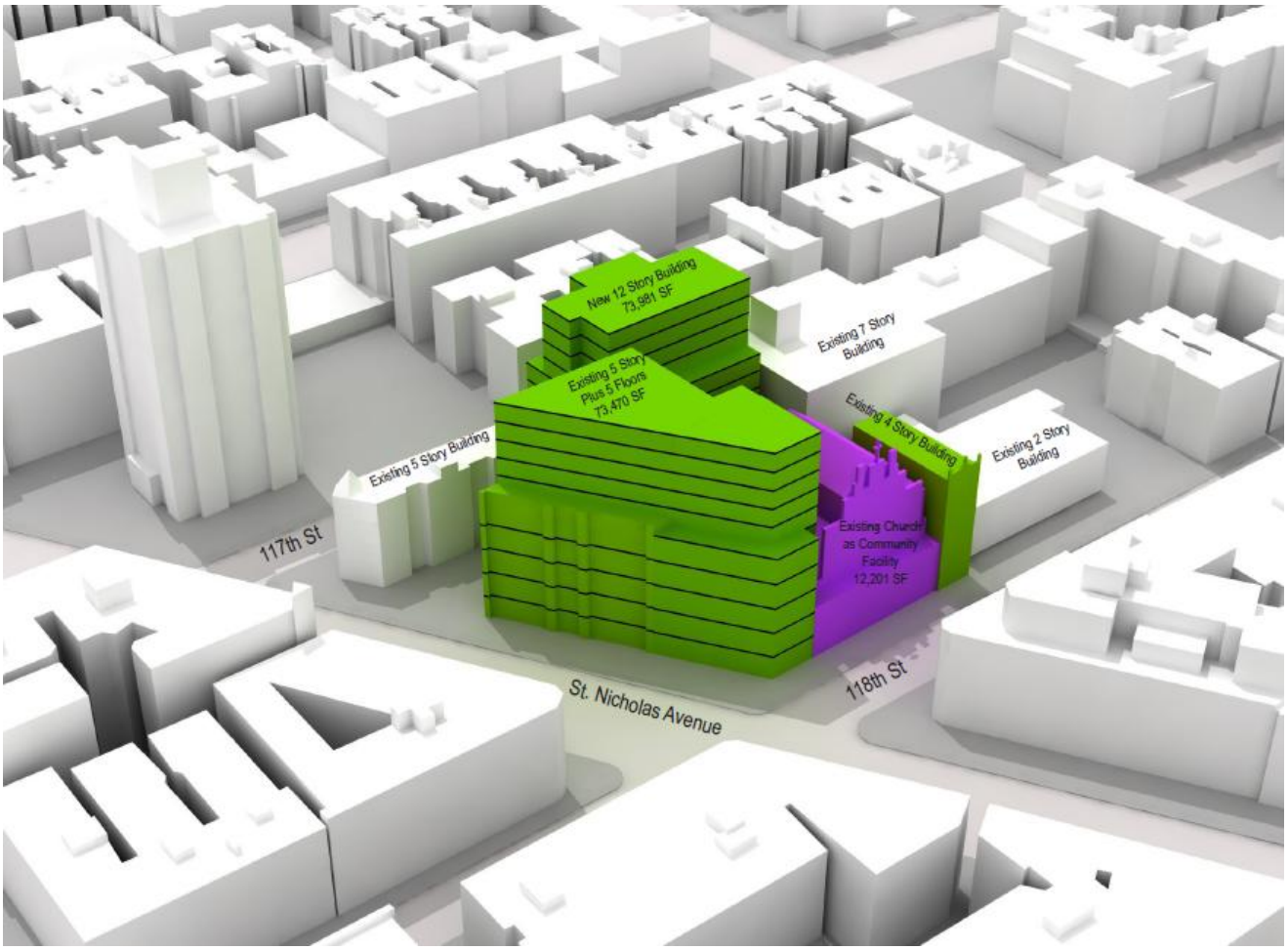
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

Proposed R8A Zoning District Boundary

Figure A-2

Existing and Proposed Zoning

Applicant's Proposed Development – View From Northeast



would be located at the street line of West 117th Street and would rise without setback to a height of 80 feet. Above 80 feet, pursuant to R8A zoning controls, the proposed building would set back 15 feet with dormers and would rise to a maximum height of 120 feet.

The structure of the 5-story school building (Lot 49) along St. Nicholas Avenue would be preserved, an extension would be added within the existing parking area, and a 5-story enlargement would be added, resulting in a 10-story 82,801 gsf structure. The building would consist of approximately 74,939 gsf (73 DUs) of residential use and 7,862 gsf of below grade storage and building support space. Above the existing streetwall, at a height of approximately 70 feet, the building would be set back 10 feet from St. Nicholas Avenue, rising to a total height of 120 feet.

As part of the Proposed Development, the vacant 4-story rectory building (Lot 52) on West 118th Street would be renovated and converted to residential use (4 DUs). As the renovation would not result in the addition of any floor area, the building would maintain a size of 7,124 gsf and height of 62 feet.

Required accessory parking (40% of DUs) for the Proposed Development would be provided below grade along West 117th Street. The parking garage would be accessed through a new curb cut on West 117th Street. The curb cut is expected to be 20 feet in length and located approximately 200 feet from the intersection of West 117th Street and St. Nicholas Avenue. The Applicant plans to provide approximately 9,664 gsf (60 spaces) of below grade parking.

The construction, enlargement, and conversion of these three buildings on the Proposed Development Site is expected to take approximately 18 to 24 months. Construction is anticipated to start in mid 2015 and is expected to be complete and operable by mid 2017, after a maximum 24-month construction period.

V. REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

For environmental analysis purposes, a Reasonable Worst-Case Development Scenario (RWCDS), which differs from the Applicant's Proposed Development, has been identified for both current zoning (Future No-Action) and proposed zoning (Future With-Action) for the build year of 2017. The incremental difference between the Future No-Action and Future With-Action conditions are the basis of the impact category analyses of this Environmental Assessment Statement.

To determine the scenarios, standard methodologies have been used following *2012 CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions. These methodologies have been used to identify the amount and location of future development, as discussed below.

Development Site Criteria

Pursuant to the *2012 CEQR Technical Manual*, several factors were considered in projecting the amount and timing of new development on the non-Applicant-owned lots within the Proposed Rezoning Area. These include known development proposals, past development trends, and the development site criteria described below. The first step in establishing the reasonable worst-case development scenario (RWCDS) was to identify those sites where new development could reasonably occur.

Development sites were identified based on the following criteria:

- Lots located in areas where an increase in permitted Floor Area Ratio (FAR) is proposed; AND

- With a total lot size of greater than or equal to approximately 2,500 square feet (including potential assemblages totaling 2,500 square feet or more if assemblage seems probable); AND
- constructed to less than half of the FAR allowed by the proposed zoning
- Vacant, partially vacant, and underutilized buildings that have not been recently improved

The development scenario's universe of sites was further refined by eliminating sites with the following conditions:

- Schools (public and private), municipal libraries, government offices, houses of worship, and other existing public/community facility uses
- Recent major investment, including new construction, conversion, or renovation
- Buildings with six or more residential units, due to required relocation of tenants in rent-stabilized units

Definition of Projected and Potential Development

Projected development sites are considered more likely to be developed by the build year of 2017 because of known development plans for such sites, their relatively low FAR and current utilization, and relatively large size. Potential sites are considered less likely to be developed over the same period because of their relatively higher FARs, existing utilization, and generally more cumbersome means of development.

Table A-2 lists each of the eleven tax lots on Block 1923 that are within the Proposed Rezoning Area (see Figure 5 in EAS form for photos). To help determine the eligibility of each lot as a projected or potential development site, the table provides the existing FAR and compares the existing and proposed maximum allowable floor areas under the No-Action and With-Action scenarios.

Table A-2
Proposed Rezoning Area Tax Lots - Existing and Proposed Maximum Allowable FAR

Lot	Lot Area (sf)	Ownership	Ex. Use	# of Floors	Max. Allowable FAR		Ex. FAR
					Existing R7A (R/CF)	Proposed R8A (R/CF)	
p/o 1*	19,889	Quasar Realty	Residential w/ below-grade parking	6-8	4.0/4.0	6.02/6.5	4.0
14**	17,660	117th Street Equities, LLC	Vacant church building	2	4.0/4.0	6.02/6.5	0.7
18	631	414 Equities, LLC	Private open space	0	4.0/4.0	6.02/6.5	0
19	2,500	414 Equities, LLC	Residential	5	4.0/4.0	6.02/6.5	4.65
20	2,812	NYC HPD	Community Garden	0	4.0/4.0	6.02/6.5	0
21	2,441	NYC HPD	Community Garden	0	4.0/4.0	6.02/6.5	0
49**	8,453	117th Street Equities, LLC	School building	5	4.0/4.0	6.02/6.5	3.0
52**	2,523	117th Street Equities, LLC	Vacant rectory building	4	4.0/4.0	6.02/6.5	2.2
53	12,523	NYC HHC	Public Facility/Institution	2	4.0/4.0	6.02/6.5	1.7
60	2,523	Quasar Realty	Residential	5	4.0/4.0	6.02/6.5	3.8
7501	10,011	Condominiums	Residential	7	4.0/4.0	6.02/6.5	6.5

*A split lot divided between R8A on Frederick Douglass Boulevard (8-stories) and R7A on West 117th Street (6-stories). The lot area and FAR are approximations for the portion located within the Proposed Rezoning Area
**Properties within the Proposed Development Site

Using the definitions and the criteria outlined above, no projected or potential development sites have been identified in addition to the Proposed Development Site. Of the eight tax lots not considered part of the Proposed Development Site, four are constructed to more than half of the FAR allowed by the

proposed R8A zoning (Lots 1, 19, 60, 7501). The two lots controlled by the NYC Department of Housing Preservation & Development (Lots 20, 21) were eliminated because they are permanent green thumb community gardens and are not subject to development. The NYC Health and Hospitals Corporation controls Lot 53 and has no future disposition plans. The remaining lot (Lot 18) was eliminated because of its small square footage (631 sf).

The Future Without the Proposed Action (No-Action Condition)

Proposed Development Site

In the 2017 future without the Proposed Action, the Applicant would construct an approximately 139,943 gsf as-of-right residential development (see Figure A-4). This No-Action scenario would include approximately 114,545 sf of zoning floor area (FAR 4.0) and consist of approximately 116,836 gsf of residential use (135 DUs), 10,780 gsf of below grade accessory parking (67 spaces), and 12,327 gsf of below grade storage and building support space. As described above, due to site planning constraints, preservation of the vacant church building for use as community facility space would not be possible in the No-Action scenario and, for analysis purposes, it is assumed the church would be demolished. Tables A-3 and A-4 below provide a summary of the No-Action scenario development program and maximum allowable square footages, respectively. The No-Action development would be comprised of the following components:

- Church Building Redevelopment (Building 1): Along the West 118th Street frontage of Tax Lot 14, an approximately 31,603 gsf 8-story apartment building would be constructed. The building would consist of 28,096 gsf of residential use (33 DUs) and 3,507 gsf of below grade storage and building support space. Pursuant to R7A zoning controls, above an elevation of 65 feet, the new building would set back 15 feet from the streetwall before rising to a maximum height of 80 feet.

- West 117th Street Building (Building 2): On the West 117th Street frontage of Tax Lot 14, an 8-story mixed-income apartment building of approximately 64,690 gsf would be constructed. The building would consist of 51,754 gsf of residential use (61 DUs), 10,780 gsf of below grade accessory parking (67 spaces), and 2,156 gsf of below grade storage and building support space. Above an elevation of 65 feet the building would set back 15 feet from the streetwall before rising to a maximum height of 80 feet.

- School Building Conversion and Enlargement (Building 3): The structure of the 5-story school building (Lot 49) along St. Nicholas Avenue would be converted to residential use and a 1-story enlargement would be added, resulting in a 6-story building of approximately 36,526 gsf. The building would consist of 31,287 gsf of residential use (37 DUs) and 5,239 gsf of below grade storage and building support space. Above an elevation of 65 feet, the building would set back 15 feet from the streetwall and rise to a maximum height of 80 feet.

- Rectory Building Conversion (Building 4): The vacant rectory building (Lot 52) on West 118th Street would be renovated and converted to residential use (4 DUs). As the renovation would not result in the addition of any floor area, the building would maintain its floor area of approximately 7,124 gsf and height of 62 feet.

Required accessory parking (50% of DUs) would be provided below grade along West 117th Street. The parking garage would be accessible through a new curb cut on West 117th Street. The below grade garage would total approximately 10,780 gsf and accommodate 67 vehicles.

R7A No-Action Development – View From Northeast



Table A-3
No-Action Scenario Development Program

Building	Lot	Zoning Lot Size (SF)	GSF Above Grade	GSF Below Grade*	Total GSF	Community Facility GSF	Residential GSF	DUs	Accessory Parking Spaces	Accessory Parking GSF	Building Height (ft)
Church Building Redevelopment	14	17,660	28,096	3,507	31,603	0	28,096	33	0	0	80
West 117th Street Building			51,754	12,936	64,690	0	51,754	61	67	10,780	80
School Conversion and Enlargement	49	8,453	31,287	5,239	36,526	0	31,287	37	0	0	80
Rectory Conversion	52	2,523	5,699	1,425	7,124	0	5,699	4	0	0	62
Total		**28,636**	**116,836**	**23,107**	**139,943**	**0**	**116,836**	**135**	**67**	**10,780**	

*Includes storage and building support space as well as accessory parking.

Table A-4
Maximum ZSF of Allowed Uses in the No-Action Scenario

Lot	Maximum ZSF for Community Facility	Maximum ZSF for Residential
14	70,640	70,640
49	33,812	33,812
52	10,092	10,092
Total	**114,544**	**114,544**

Remainder of Rezoning Area

In the absence of the proposed zoning map amendment, no change in the maximum allowable FAR would occur, and no new uses that are not currently permitted would be allowed. As none of the remaining zoning lots within the Proposed Rezoning Area meet the criteria for potential or projected development sites, it is considered highly unlikely that any new development would occur on these lots in the absence of the Proposed Action. Therefore, it is anticipated that existing uses within the Proposed Rezoning Area would remain unchanged.

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

The Proposed Action is expected to result in the development of higher density residential and community facility uses at one projected development site, the Proposed Development Site (Lots 14, 49, 52). Under the proposed zoning map amendment and other controls, a range of new development could potentially occur on this site in the future. For conservative environmental analysis purposes, a Reasonable Worst-Case Development Scenario (RWCDS) which differs from the Applicant's Proposed Development has been identified for the site. Given the site's dimensions and applicable zoning setbacks and regulations, this RWCDS for the Future With-Action condition represents the upper bounds of residential and community facility uses (maximum 6.5 FAR under R8A zoning) and ensures that the Proposed Action's impacts would be no worse than those considered in this Environmental Assessment Statement.

In the future with the Proposed Action, the Proposed Development Site could reasonably accommodate 186,136 sf of zoning floor area (FAR 6.5). This With-Action scenario would consist of approximately 219,278 gsf of mixed-use development, including approximately 176,114 gsf of residential use (205 DUs), 13,745 gsf of community facility use, 13,087 gsf of below grade accessory parking (82 spaces), and 16,333 gsf of below grade storage and building support space (see Figure A-5). Tables A-5 and A-6 below provide a summary of the With-Action development program and maximum allowable square footages. The With-Action development would be comprised of the following components:

- Church Building Redevelopment (Building 1): Along the West 118th Street frontage of Tax Lot 14, the vacant church building would be demolished and replaced with an 8-story 38,188 gsf

R8A With-Action Development – View From Northeast



residential building. The building would consist of approximately 33,760 gsf of residential use (40 DUs) and 4,428 gsf of below grade storage and building support space. The 8-story building would rise without setback to a maximum height of approximately 80 feet.

- West 117th Street Building (Building 2): On the West 117th Street frontage of Tax Lot 14, a 12-story 91,165 gsf residential building would be constructed. The building would consist of approximately 75,461 gsf of residential use (89 DUs), 13,087 gsf of below grade accessory parking (82 spaces), and 2,618 gsf of below grade storage and building support space. The 12-story building would be constructed along the street line and would rise without setback to a height of 85 feet. Above 85 feet, pursuant to R8A zoning controls, the building would set back 15 feet before rising to a height of 120 feet.

- School Building Conversion and Enlargement (Building 3): The structure of the 5-story school building (Lot 49) along St. Nicholas Avenue would be converted to community facility and residential uses and a 5-story enlargement that would expand the footprint of the building would be added, resulting in a 10-story building of approximately 82,801 gsf. The building would be comprised of approximately 13,745 gsf of community facility use, 61,194 gsf of residential use (72 DUs), and 7,862 gsf of below grade storage and building support space. Above the existing streetwall, at a height of 85 feet, the building would be set back 10 feet from St. Nicholas Avenue before rising to a height of 120 feet.

- Rectory Building Conversion (Building 4): The vacant rectory building (Lot 52) on West 118th Street would be renovated and converted to residential use (4 DUs). As the renovation would not result in the addition of any floor area, the building would maintain its floor area of approximately 7,124 gsf and height of 62 feet.

Required accessory parking would be provided below grade on the south side of Lot 14. The parking garage would be entered through a new curb cut on West 117th Street. Pursuant to R8A zoning, accessory parking must be provided for 40 percent of DUs and no more than one space may be provided for every 400 sf of community facility use. Therefore, approximately 13,087 gsf of below grade accessory parking (82 spaces) would be provided.

Table A-5
With-Action Development Program

Building	Lot	Zoning Lot Size (SF)	GSF Above Grade	GSF Below Grade*	Total GSF	Community Facility GSF	Residential GSF	DUs	Accessory Parking Spaces	Accessory Parking GSF	Building Height (ft)
Church Building Redevelopment	14	17,660	33,760	4,428	38,188	0	33,760	40	0	0	80
West 117th Street Building			75,461	15,705	91,165	0	75,461	89	82	13,087	120
School Conversion and Enlargement	49	8,453	74,939	7,862	82,801	13,745	61,194	72	0	0	120
Rectory Conversion	52	2,523	5,699	1,425	7,124	0	5,699	4	0	0	62
Total		**28,636**	**189,859**	**29,420**	**219,278**	**13,745**	**176,114**	**205**	**82**	**13,087**	

*Includes storage and building support space as well as accessory parking.

Table A-6
Maximum ZSF of Allowed Uses in the With-Action Scenario

Lot	Maximum ZSF for Community Facility	Maximum ZSF for Residential
14	114,790	106,313
49	54,944	50,887
52	16,399	15,188
Total	**186,073**	**172,388**

As none of the remaining zoning lots within the Proposed Rezoning Area meet the criteria for potential or projected development sites, it is considered highly unlikely that any new development would occur on these lots in the future with the Proposed Action. Therefore, in the With-Action condition, it is anticipated that existing uses within the Proposed Rezoning Area would remain unchanged.

In the event that the Proposed Development utilizes funding pursuant to the New York State Housing Finance Agency's 80/20 Housing Program or other similar programs, 20 percent of dwelling units would be required to be affordable. Assuming for analysis purposes that such funding is utilized, in the No-Action Scenario, 27 of the 135 DUs would be affordable, and in the With-Action Scenario, 41 of the 205 DUs would be affordable.

Table A-7 below provides a comparison of the No-Action and With-Action scenarios identified in this RWCDS for the Proposed Development Site. As shown, the increment between the as-of-right No-Action and the With-Action developments would be 59,278 gsf of residential floor area (70 DUs), 13,745 gsf of community facility space, and 2,307 gsf of below grade accessory parking (15 spaces). In the event that an 80/20 program is utilized, there would be an increment of 14 affordable housing units.

Table A-7
RWCDS Comparison of No-Action and With-Action Development Scenarios

Use	**No-Action Development**	**With-Action Development**	**Increment** (1)
Residential	116,836 gsf (135 DUs)	176,114 gsf (205 DUs)	**59,278 gsf (70 DUs)**
Community Facility	0	13,745 gsf	**13,745 gsf**
Accessory Parking	10,780 gsf (67 spaces)	13,087 gsf (82 spaces)	**2,307 gsf (15 spaces)**
Population/Employment (2)	**No-Action Development**	**With-Action Development**	**Increment** (2)
Residents	303 residents	461 residents	**158 residents**
Workers	6 workers	54 workers	**48 workers**

(1) Assumes a DU size of 850 sf for CEQR analysis purposes
(2) Assumes 2.25 persons per DU (based on 2010 Census Data for Manhattan Community District 10), 1 employee per 25 DUs, 1 employee per 300 sf of community facility space, and 1 employee per 10,000 sf of parking floor area.

Based on 2010 census data, Manhattan Community District 10 has an average of 2.25 persons per household. Using this ratio, and other standard ratios for estimating employment for community facility uses, Table A-7 also provides an estimate of the number of residents and workers generated by the RWCDS.

VI. APPROVALS REQUIRED

The proposed zoning map amendment is a discretionary public action that is subject to City Environmental Quality Review (CEQR) and the Uniform Land Use Review Procedure (ULURP). ULURP is a process that allows public review of the Proposed Action at four levels: the community board, the Borough President, the City Planning Commission, and if applicable, the City Council. ULURP includes specified time frames for review at each stage for a total review period of approximately seven months.

CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The CEQR process requires city agencies to assess, disclose, and mitigate to the greatest extent practicable the significant environmental consequences of their decisions to fund, directly undertake, or approve a project. The environmental assessment analyzes the project that is facilitated by the action or actions. Based on an initial evaluation, an agency determines whether or not a project is subject to environmental review. If the project is subject to environmental review, an initial assessment considers a series of technical areas, such as air quality, traffic, and neighborhood character, to determine whether the project may have a significant adverse impact on the environment. If the project under consideration has the potential for a significant adverse environmental impact, then the lead agency conducts a detailed assessment to determine whether significant adverse

environmental impacts would occur as a result of the project. If the agency identifies significant adverse impacts, the lead agency must consider alternatives that, consistent with social, economic and other essential considerations, would avoid or minimize such impacts to the maximum extent practicable. For the proposed West 117th Street Rezoning project, the lead agency is the City Planning Commission.

ATTACHMENT B
SUPPLEMENTAL SCREENING

I. INTRODUCTION

This Environmental Assessment Statement (EAS) has been prepared in accordance with the guidelines and methodologies presented in the *2012 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 these guidelines, preliminary screening assessments were conducted for the Proposed Action to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Form identifies those technical areas that warrant additional assessment. The technical areas that warranted a "Yes" answer in Part II of the EAS form were Shadows, Historic and Cultural Resources, Urban Design and Visual Resources, Hazardous Materials, Transportation, Air Quality, Noise, and Construction. As such, a supplemental screening assessment for each area is provided in this attachment. In addition, a supplemental screening of Land Use, Zoning, and Public Policy is provided because the conditions outlined in the EAS form were not directly applicable to the Proposed Action and did not rule out the possibility for a significant adverse impact. All remaining technical areas detailed in the *2012 CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial CEQR thresholds and/or are unlikely to result in significant adverse impacts.

The supplemental screening assessment contained herein identified that a detailed assessment is required in the areas of Land Use, Zoning, and Public Policy, Shadows, and Air Quality. These analyses are provided in Attachments C, D, and E respectively and are summarized herein. Table B-1 identifies for each CEQR technical area whether (a) the potential for impacts can be screened out based on the EAS Form, Part II, Technical Analyses; (b) the potential for impacts can be screened out based on a supplemental screening per the *CEQR Technical Manual*, (c) or whether a more detailed assessment is required.

Table B-1
Summary of CEQR Technical Areas Screening

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

As detailed in Attachment A, "Project Description," the Proposed Action is a zoning map amendment affecting a portion of one City tax block in the Central Harlem neighborhood of Manhattan Community District 10. The Proposed Rezoning Area is bounded to the west by a line 100 feet east of Frederick Douglass Boulevard, to the north by West 118th Street, to the east by St. Nicholas Avenue, and to the south by West 117th Street. The Proposed Action would replace the Proposed Rezoning Area's existing R7A zoning with an R8A contextual zoning district.

For environmental assessment purposes, a reasonable worst-case development scenario (RWCDS) that differs from the Applicant's Proposed Development has been identified. Absent the Proposed Action, the Proposed Development Site would be developed with an approximately 139,943 gsf as-of-right residential development. This No-Action scenario would consist of approximately 116,836 gsf of residential use (135 DUs), 10,780 gsf of below grade accessory parking (67 spaces), and 12,327 gsf of below grade storage and building support space. In the future with the Proposed Action, the analysis framework anticipates that the Proposed Development Site would be developed with four buildings, including: Building 1, an 8-story 38,188 gsf residential building located on the northerly line of Lot 14 and comprised of 33,760 gsf of residential use (40 DUs) and 4,428 gsf of below grade storage and building support space; Building 2, a 12-story 91,165 gsf apartment building located on the southerly line of Lot 14 and comprised of 75,461 gsf of residential use (89 DUs), 13,087 gsf of below grade accessory parking (82 spaces), and 2,618 gsf of below grade storage and building support space; Building 3, a 5-story enlargement and 10-story extension of an existing school building resulting in a 10-story 82,801 gsf mixed use building located on Lot 49 and comprised of 13,745 gsf of community facility use, 61,194 gsf of residential use (72 DUs), and 7,862 gsf of below grade storage and building support space; Building 4, a renovation and conversion of a vacant 4-story rectory building on Lot 52 to 5,699 gsf of residential use (4 DUs) and 1,425 gsf of below grade storage and building support space. The With-Action development would have a total of 219,278 gsf of mixed-use development, including approximately 176,114 gsf of residential use (205 DUs), 13,745 gsf of community facility use, 13,087 gsf of below grade accessory parking (82 spaces), and 16,333 gsf of below grade storage and building support space. The remainder of the Proposed Rezoning Area would remain unchanged.

The incremental changes between the No-Action and With-Action conditions identified in the RWCDS include 59,278 gsf (70 DUs) of residential use, 13,745 gsf of community facility use, and 2,307 gsf (15 spaces) of below grade parking. These incremental differences are presented below in Table B-2 and serve as the basis for the impact category analyses of this Environmental Assessment Statement.

Table B-2
RWCDS Comparison of No-Action and With-Action Development Scenarios

Use	**No-Action Development**	**With-Action Development**	**Increment** (1)
Residential	116,836 gsf (135 DUs)	176,114 gsf (205 DUs)	**59,278 gsf (70 DUs)**
Community Facility	0	13,745 gsf	**13,745 gsf**
Accessory Parking	10,780 gsf (67 spaces)	13,087 gsf (82 spaces)	**2,307 gsf (15 spaces)**
Population/Employment (2)	**No-Action Development**	**With-Action Development**	**Increment** (2)
Residents	303 residents	461 residents	**158 residents**
Workers	6 workers	54 workers	**48 workers**

(1) Assumes a DU size of 850 sf for CEQR analysis purposes
(2) Assumes 2.25 persons per DU (based on 2010 Census Data for Manhattan Community District 10), 1 employee per 25 DUs, 1 employee per 300 sf of community facility space, and 1 employee per 10,000 sf of parking floor area.

II. SUPPLEMENTAL SCREENING

LAND USE, ZONING, AND PUBLIC POLICY

According to *2012 CEQR Technical Manual* guidelines, a detailed assessment of land use and zoning is appropriate if a proposed action would result in a significant change in land use or would substantially

affect regulations or policies governing land use. An assessment of zoning is typically performed in conjunction with a land use analysis when the action would change the zoning on the site or result in the loss of a particular use.

As the Proposed Action is a zoning map amendment that would affect an approximately 81,966 sf area, a detailed analysis of land use, zoning, and public policy is provided in Attachment C, "Land Use, Zoning, and Public Policy." As presented in the attachment, the Proposed Action would not directly displace any existing land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with existing and anticipated land uses, zoning, or public policy in the study area. As land uses in the Proposed Rezoning Area now include a considerable amount of vacant land, the development resulting from the Proposed Action is expected to lead to positive changes for the surrounding area. The new residential and community facility uses that are expected to result from the Proposed Action would represent a continuation of the historically residential character of the surrounding area and would not alter land use patterns.

The zoning map amendment planned as part of the Proposed Action would largely preserve the existing character of Central Harlem and prevent development that is out of context with the established streetscapes. The proposed R8A contextual zoning district would establish maximum base height and building height limits for new buildings. The use of a contextual zoning district would ensure that the scale and bulk of new buildings are sensitive to and consistent with existing and anticipated developments. Furthermore, the Proposed Action would also not result in land uses that conflict with public policies applicable to the study area such as the Manhattan Community Board 9 197-a Plan.

The Proposed Action would result in an increase in residential, community facility, and parking uses within the Proposed Rezoning Area when compared to conditions in the future without the Proposed Action. The Proposed Action would create a framework that is both responsive to the uses present in the Proposed Rezoning Area and compatible with the existing zoning designations in surrounding areas.

Therefore, as presented in more detail in Attachment C, the Proposed Action is not expected to adversely affect land use, zoning, or public policies.

SHADOWS

A shadow assessment considers actions that result in new shadows long enough to reach a sunlight-sensitive resource. According to the *2012 CEQR Technical Manual*, a shadow assessment is required only if the project would either result in (a) new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more or (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. As the Proposed Development Site is located adjacent to several sunlight-sensitive resources including public open space and architectural resources, a preliminary screening assessment is required to determine whether the Proposed Action would result in new shadows long enough to reach any of the resources at any time of year.

According to the *2012 CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. As such, the longest shadow that could potentially result from the With-Action development would be approximately 516 feet in length. Within this radius, there are three potentially sunlight-sensitive open space resources and four LPC and S/NR designated historic resources. Given the presence of several sunlight-sensitive resources within the longest shadow study area, in accordance with CEQR guidelines, a detailed shadows assessment was undertaken to determine whether the Proposed Action would result in any significant adverse shadows impacts. As discussed in Attachment D, "Shadows," there would be no substantial reduction in the

usability of any open space or historic resources as a result of incremental shadows. Therefore, no significant adverse shadows impacts are anticipated as a result of the Proposed Action.

HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources are defined as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes 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; 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 *2012 CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the area to be rezoned plus an approximate 400-foot radius around the Proposed Rezoning Area. 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; these are limited to sites that may be developed in the Proposed Rezoning Area, and include projected as well as potential development sites.

Architectural Resources

While there are no designated architectural resources within or immediately adjacent to the Proposed Development Site, there are a number of LPC and S/NR designated resources within a 400-foot radius. These resources include two LPC designated structures, one S/NR listed structure, and one LPC designated and S/NR listed historic district.

As shown in Table B-3, all three structures located on the Proposed Development Site may be eligible for S/NR listing. There are no other eligible resources within the Proposed Rezoning Area or within a 400-foot radius. Table B-3 lists all of the designated and eligible resources in the study area, and each of those resources is illustrated in Figure B-1 and briefly described below.

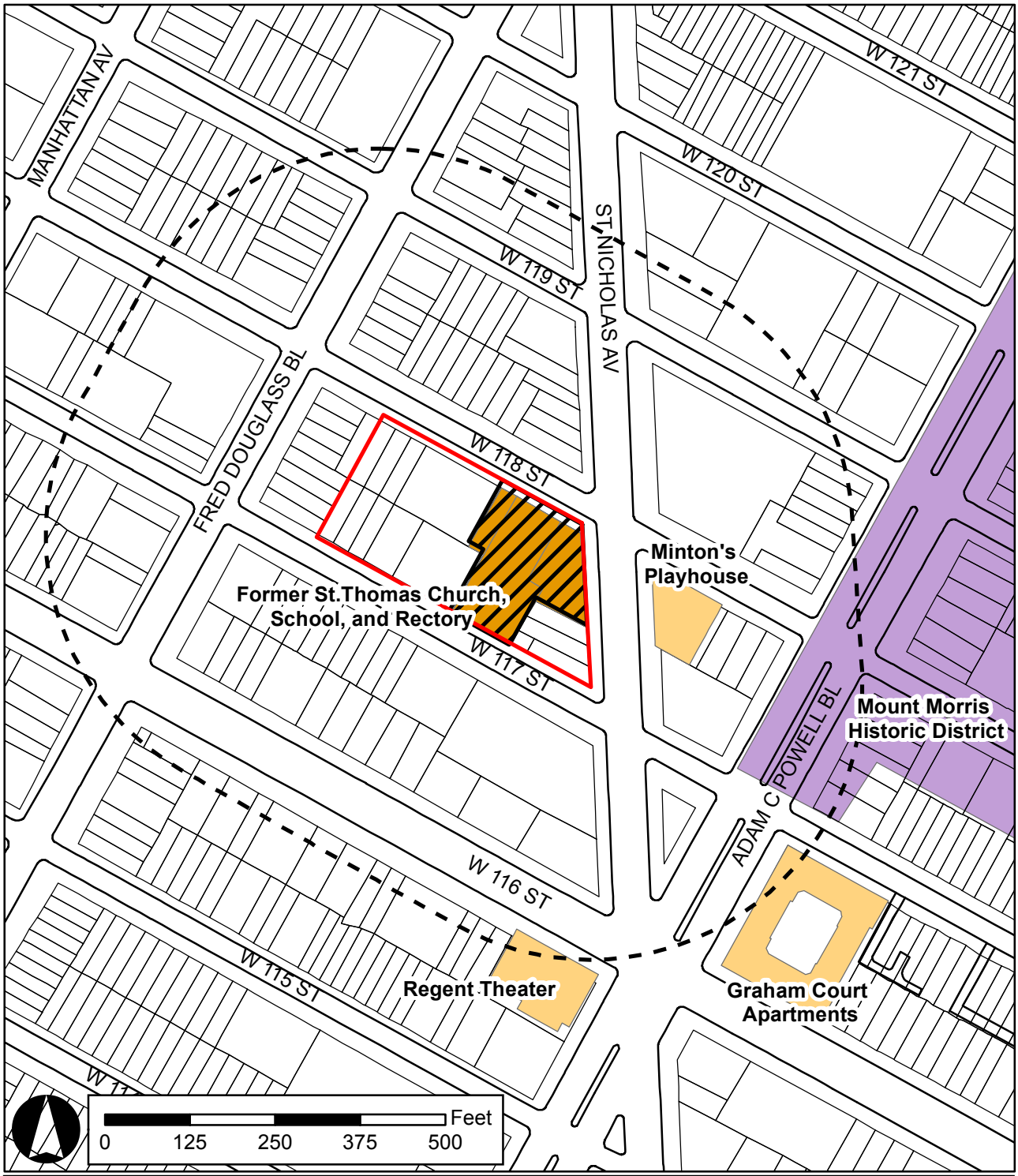
TABLE B-3
Designated and Eligible Architectural Resources Within the Study Area

Map No.	Name or Building Type	Address	LPC	LPC-Eligible	S/NR	S/NR-Eligible
Within the Proposed Rezoning Area						
1	St.Thomas the Apostle Church	253 West 117th Street				X
2	Former St. Thomas School	147 St. Nicholas Avenue				X
3	Former St. Thomas Rectory	262 West 118th Street				X
Within the 400-Foot Study Area						
4	Minton's Playhouse	210 West 118th Street			X	
5	Graham Court Apartments	1921 Adam Clayton Powell Jr. Boulevard	X			
6	Regent Theater	1912 Adam Clayton Powell Jr. Boulevard	X			
7	Mount Morris Park Historic District	Roughly bounded by West 117th , Adam Clayton Powell Jr. Boulevard, West 124th, and Fifth Avenue	X		X	

Rezoning Area

The three structures on the Proposed Development Site that may be eligible for S/NR listing are the former St. Thomas the Apostle Church (Block 1923, Lot 14), the former St. Thomas Church rectory

Architectural and Historic Resources



Legend

- Proposed Rezoning Area
- Proposed Development Site
- NYCL and/or S/NR Designated Landmarks
- NYCL and S/NR Historic Districts (NYCL boundaries)
- S/NR Eligible Resources

(Block 1923, Lot 52), and the former St. Thomas Church school (Block 1923, Lot 49). In a letter dated 8/14/2003 from the New York State Office of Parks, Recreation, and Historic Preservation (SHPO), St. Thomas the Apostle Church appears to meet Criterion C as an outstanding example of Late Victorian Gothic Revival ecclesiastical architecture inspired by the Venetian Gothic. Designed by Thomas H. Poole & Company in the late 1800s, St. Thomas the Apostle Church has both an upper and lower church and features elaborate fan-vaulted ceilings, carved marble altars, and stained glass windows by Franz Mayer of Munich. After its closure in 2003, numerous preservation campaigns delayed the Archdiocese of New York's demolition plans and as a condition of the sale, the Applicant committed to restore the façade of the church building as part of any future development, and the Applicant has subsequently completed the majority of the restoration work. In 2012, the Applicant began work on the church building and a rear portion of the building was removed to provide a rear yard for the proposed West 117th Street residential building. The remaining portion of the former church building covers approximately one-half of the tax lot and has a floor area of approximately 12,201 sf.

The 8/14/2003 SHPO letter (see Appendix B-1) also stated that the religious complex, including the former St. Thomas Church rectory and school, may be eligible under Criterion A as an important social and religious institution serving Harlem for over a century. The former St. Thomas Church school and rectory were constructed in the early 1900s and are better recognized for their historical association with the church building than their aesthetic and architectural qualities. The school building has been leased temporarily to a private elementary school until mid 2015 and the former rectory is currently vacant.

Study Area

There are two LPC designated structures, one S/NR listed structure, and one LPC designated and S/NR listed historic district within a 400-foot radius of the Proposed Rezoning Area. These resources include Minton's Playhouse (Block 1923, Lot 38), Graham Court Apartments (Block 1901, Lot 1), the Regent Theater (now First Corinthian Baptist Church) (Block 1831, Lot 33), and the Mount Morris Park Historic District (see Figure B-1). Located on the ground floor of the Cecil Hotel at 210 West 118th Street, Minton's Playhouse (S/NR) is a former music club famous for its role in the development of jazz music in the 1930s and 1940s. Minton's closed its doors in 1974 and was listed on the S/NR in 1985. Graham Court Apartments (LPC) was commissioned by William Waldorf Astor in 1898. Designed by Clinton & Russell, the building is done in an Italian Renaissance style and features a rusticated limestone façade (first two floors) with tan or gray brick above and a crowning story of foliate terra cotta capped by a copper cornice. The Regent Theater (now First Corinthian Baptist Church; LPC) is a Renaissance Revival style theater building designed by Thomas W. Lamb and built in 1912-1913. The façade is adorned with multicolored terra cotta cast in an Italian Renaissance style and features arcades, loggias, and balconies.

The streets of the Mount Morris Park Historic District (LPC and S/NR) are lined with stately houses interspersed with fine churches and institutional buildings of exceptional quality, all reflecting Harlem's late 19th century development as a fashionable and affluent residential community. Almost every street contains examples of row houses in various Victorian, neo-Greek, Romanesque Revival, and neo-Renaissance styles.

Assessment

The potential impact of the Proposed Action on identified architectural resources within the Proposed Rezoning Area is discussed below and summarized in Table B-4. There are no designated historic resources within the Proposed Rezoning Area. There are four designated historic resources within a 400-foot radius, but the closest resource, Minton's Playhouse (210 West 118th Street), is located approximately 120 feet from the eastern edge of the Proposed Rezoning Area. As all architectural resources are located more than 90 feet from the project site, they are not subject to the New York City

Department of Buildings' Technical Policy and Procedure Notice (TPPN) #10/88 and therefore it is expected that construction would not threaten the structural integrity of any designated architectural resources.

While all three structures on the Proposed Development Site are S/NR eligible, these buildings are not LPC designated landmarks and would be redeveloped, converted, and enlarged as-of-right whether or not the Proposed Action is approved. The Proposed Action's potential impacts on eligible resources are described below and summarized in Table B-4.

- St. Thomas the Apostle Church: While the church may meet Criterion C as an outstanding example of Late Victorian Gothic Revival ecclesiastical architecture, for analysis purposes, it is assumed that the church building would be demolished as-of-right and replaced with an approximately 30,000 gsf residential building in both the No-Action and With-Action scenarios. Therefore, the Proposed Action would have no incremental impact on this eligible resource.

- Former St. Thomas School: In the No-Action scenario, the school building would be converted to residential use and a 1-story enlargement would be added as-of-right. In the With-Action scenario, the building would be converted to community facility and residential uses and a 5-story enlargement that would expand the footprint of the building would be added as-of-right. Therefore, as the school building would be converted and enlarged as-of-right in both scenarios, the Proposed Action would not have any incremental impacts on this eligible resource. Furthermore, as the school building is considered eligible because of its potential social and religious connection to Harlem (Criterion A), the proposed conversion and enlargement would not impact the values that contribute to the building's potential significance.

- Former St. Thomas Rectory: The former rectory is considered eligible as a result of its potential social and religious connection to Harlem (Criterion A). This building would be renovated for new residential occupancy in both the No-Action and With-Action scenarios, and therefore the Proposed Action would have no incremental impact on this eligible resource.

TABLE B-4
Summary of the Proposed Action's Potential Impacts on Eligible Resources

Property Name	Direct Effect	Indirect Effect	Construction Impact	Shadows	Comments
S/NR Eligible Resources within the Rezoning Area					
St. Thomas the Apostle Church	No	No	No	No	In both the No-Action and With-Action scenarios, for analysis purposes, it is assumed that this building would be demolished and replaced with an approximately 30,000 gsf residential building. Therefore, the Proposed Action would have no incremental impact on this eligible resource. Notwithstanding this assumption it is the Applicant's intention to preserve a portion of the church building for community facility use as part of the proposed project.
Former St. Thomas School	No	No	No	No	In both the No-Action and With-Action scenarios, this building would be converted to residential use and expanded. Therefore, the Proposed Action would have no incremental impact on this eligible resource.
Former St. Thomas Rectory	No	No	No	No	In both the No-Action and With-Action scenarios, this building would be converted to residential use (no additional floor area). Therefore, the Proposed Action would have no incremental impact on this resource.

The development resulting from the Proposed Action would not alter the setting or visual context of any historic resources in the area, nor would they eliminate or screen publicly accessible views of any resources. Moreover, no incompatible visual, audible or atmospheric elements would be introduced by the Proposed Action to any historic resource's setting. Therefore, the Proposed Action is not expected to result in any significant adverse impacts on historic architectural resources.

Archaeological Resources

Archaeological resources usually need to be assessed for projects that would result in any in-ground disturbance. However, as Sanborn and topographic maps indicate that all properties comprising the Proposed Rezoning Area have been built on or redeveloped numerous times since the early 1900s, any potential in-ground archaeological resources would have been disturbed. Therefore, the Proposed Action is not expected to result in any significant adverse impacts to archaeological resources, and a detailed analysis is not warranted.

URBAN DESIGN AND VISUAL RESOURCES

A preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: (1) projects that permit the modification of yard, height, and setback requirements; and (2) projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed action. As the Proposed Action is a zoning map amendment that would increase permitted residential and community facility densities, there is the potential for noticeable changes to the pedestrian experience in the vicinity of the Proposed Rezoning Area. Therefore, pursuant to CEQR guidelines, a preliminary assessment of urban design and visual resources is warranted.

Study Area

As defined in the *2012 CEQR Technical Manual*, the urban design study area consists of both a primary study area, which is coterminous with the boundaries of the Proposed Rezoning Area, where the urban design effects of the Proposed Action are direct, and a secondary study area. The analysis focuses on nearby locations from which the Proposed Rezoning Area would be visible. With the exception of north-south avenues, views to the Proposed Rezoning Area are limited primarily to the immediately surrounding streets. Because views of the area are generally not available beyond 400 feet from the boundaries of the Proposed Rezoning Area, the urban design study area has been defined as the Proposed Rezoning Area plus an approximately 400-foot radius. As shown in Figure B-2, the study area is roughly bounded by the mid-block line between Manhattan Avenue and Frederick Douglass Boulevard to the west, Adam Clayton Powell Boulevard to the east, the mid-block line between West 119th and West 120th Streets to the north, and West 116th Street to the south.

Preliminary Assessment

Existing Conditions

Primary Study Area

The primary study area encompasses much of the City block between West 118th and West 117th Streets, bounded by St. Nicholas Avenue to the east and a line 100 feet east of Frederick Douglass Boulevard to the west. Land uses in the primary study area include multi-family residential buildings (Lots p/o 1, 19, 60, 7501), vacant buildings (Lots 14, 52), public facility and institutional (Lots 49, 53), a community garden (Lots 20, 21), and private open space (Lot 19). The area is currently zoned R7A and consists of 8 buildings that contain a total of approximately 250,000 square feet of floor area. Contextual Quality Housing bulk regulations are mandatory in R7A districts and typically result in high lot coverage, seven- and 8-story apartment buildings that blend with existing buildings. The maximum FAR in R7A districts is 4.0 for residential and community facility uses. Above a base height of 40 to 65 feet, buildings must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum



Urban Design Study Area – Proposed Rezoning Area and 400-Foot Radius

allowable height of 80 feet. Streetwalls in R7A districts can be no closer to the street line than any building within 150 feet on the same block. All open areas between the street wall and the street line must be planted.

The primary study area is urban in character, with streets flanked by concrete sidewalks that are typically wider on the north-south avenues and narrower along the cross streets. In general, the streets bordering the primary study area are lightly travelled by pedestrians and are not well planted with trees. Most buildings within the Proposed Rezoning Area have been constructed along the lot line, while some are set back from the street with planted landscaped areas or fenced-off shallow yards. These physical conditions, in addition to the presence of numerous underdeveloped lots with low coverage (Lots p/o 1, 14, 20, 21, 49), contribute to an irregular streetscape (see Figure B-3).

Table B-5 provides the existing floor area for each of the tax lots within the primary study area. As shown in the table, buildings tend to range from 2 to 7 stories in height, the majority of tax lots are below 3,000 sf in area, and most lots fall below the maximum allowable floor area ratio.

Table B-5
Property Description of Existing Buildings within Rezoning Area (Block 1923)

Property Address	Lot Area (SF)	Zoning	No. Buildings & No. Stories	Building Floor Area (SF)	Floor Area Ratio
2170 Frederick Douglass Boulevard (p/o Lot 1)*	19,889	R7A	1/ 6-8 story	79,556	4.0
253 West 117th Street (Lot 14)**	17,660		1/ 2-story	12,201	0.7
215 West 117th Street (Lot 18)	631		Private Open Space	0	0
141 St. Nicholas Avenue (Lot 19)	2,500		1/ 5-story	11,630	4.65
143 St. Nicholas Avenue (Lot 20)	2,812		Community Garden	0	0
145 St. Nicholas Avenue (Lot 21)	2,441		Community Garden	0	0
147 St. Nicholas Avenue (Lot 49)**	8,453		1/ 5-story	25,370	3.0
262 West 118th Street (Lot 52)**	2,523		1/ 4-story	5,699	2.2
264 West 118th Street (Lot 53)	12,523		1/ 2-story	21,081	1.7
278 West 118th Street (Lot 60)	2,523		1/ 5-story	9,550	3.8
257 West 117th Street (Lot 7501)	10,011		1/ 7-story	65,082	6.5

*A split lot divided between R8A on Frederick Douglass Boulevard (8-stories) and R7A on West 117th Street (6-stories). The lot area, building floor area, and FAR are approximations for the portion located within the Proposed Rezoning Area
**Properties within the Proposed Development Site

The streets bordering the primary study area are St. Nicholas Avenue to the east, West 117th Street to the south, and West 118th Street to the north. St. Nicholas Avenue is approximately 55 feet wide with two southbound travel lanes, one northbound travel lane and bike lane, and parking lanes on both sides. West 117th Street is 30 feet wide with an eastbound travel lane and parking lanes on both sides of the street. Similarly, West 118th Street is 30 feet wide with a westbound travel lane and parking lanes on both sides of the street. Off-street parking is available within the primary study area at a below grade parking facility accessible from the West 118th Street frontage of Lot 1.

Secondary Study Area

As discussed above, the secondary study area has been defined as the area surrounding the Proposed Rezoning Area within an approximate 400-foot radius (see Figure B-2). The majority of the secondary study area is located in an R7A contextual zoning district with C1-4 commercial overlays located along the wider north-south avenues and West 116th Street. Higher density development is permitted along the Frederick Douglass Boulevard corridor, which was rezoned R8A/C1-4 in 2003. Land uses are primarily low- to medium-density residential and mixed-uses (residential with ground floor retail) but also include commercial, public facility and institutional, open space, and vacant land uses. Buildings generally range from 5 to 7 stories in height with the exception of some taller buildings along Frederick Douglass Boulevard (8 to 12 stories) and the 17-story NYCHA building at 131 St. Nicholas Avenue.



Sidewalk conditions in front of former St.Thomas Church



Sidewalk conditions along West 118th Street



Looking west on West 117th Street from St. Nicholas Avenue



Sidewalk conditions on corner of
St. Nicholas Avenue and West 118th Street

Similar to the Proposed Rezoning Area, the secondary study area is distinctly urban and is characterized by a high-density streetscape. Streets are flanked by concrete sidewalks that are typically wider on the north-south avenues and narrower along the cross streets. Most buildings within the secondary study area have been constructed along the lot line, while some one and two family and multi-family walkup buildings are set back to accommodate stoops. With the exception of Frederick Douglass Boulevard, most streets are well planted with trees.

As illustrated in Figure B-2, the study area is located in a section of Manhattan with a mostly regular street grid and block pattern. St. Nicholas Avenue is an approximately 55-foot wide north-south corridor that disrupts the grid pattern, resulting in a number of slanted and triangular blocks. On-street parking is available on both sides of most streets. The area is well served by mass transit with numerous bus lines as well as a B, C subway station located at the intersection of West 116th Street and Frederick Douglass Boulevard. The subway infrastructure that runs beneath Frederick Douglass Boulevard likely explains the absence of street trees along the corridor. Figure B-4 illustrates the secondary study area's physical conditions from a pedestrian's vantage point.

Future Without the Proposed Action (No-Action Condition)

Primary Study Area

In the 2017 future without the Proposed Action, the Applicant would construct an approximately 139,943 gsf as-of-right residential development. This No-Action scenario would include approximately 114,545 sf of zoning floor area (FAR 4.0). The development would include a total of approximately 116,836 gsf (135 DUs) of residential use, 10,780 gsf (67 spaces) of below grade accessory parking, and 12,327 gsf of below grade storage and building support space. As described above, due to site planning constraints, preservation of the vacant church building for use as community facility space would not be possible in the R7A No-Action scenario and, for analysis purposes, it is assumed the church would be demolished.

Table B-6 below provides a description of the No-Action scenario development program. The No-Action development would be comprised of the following components:

- Church Building Redevelopment (Building 1): Along the West 118th Street frontage of Tax Lot 14, an approximately 31,603 gsf 8-story apartment building would be constructed behind the church's façade. The building would consist of 28,096 gsf of residential use (33 DUs) and 3,507 gsf of below grade storage and building support space. The new building would reach a maximum height of 80 feet.

- West 117th Street Building (Building 2): On the West 117th Street frontage of Tax Lot 14, an 8-story mixed-income apartment building of approximately 64,690 gsf would be constructed. The building would consist of 51,754 gsf of residential use (61 DUs), 10,780 gsf of below grade parking (67 spaces), and 12,327 gsf of below grade storage and building support space. Pursuant to R7A zoning controls, above an elevation of 65 feet the building would set back 15 feet from the streetwall before rising to a maximum height of 80 feet.

- School Building Conversion and Enlargement (Building 3): The structure of the 5-story school building (Lot 49) along St. Nicholas Avenue would be converted to residential use and a 1-story enlargement would be added, resulting in a 6-story building of approximately 36,526 gsf. The building would consist of 31,287 gsf of residential use (37 DUs) and 5,239 gsf of below grade storage and building support space. Above an elevation of 65 feet, the building would set back 15 feet from the streetwall and rise to a maximum height of 80 feet.



West 119th Street east of Frederick Douglass Boulevard



Sidewalk conditions along St. Nicholas Avenue



West 117th Street west of Frederick Douglass Boulevard



West 119th Street west of St. Nicholas Avenue

- Rectory Building Conversion (Building 4): The vacant rectory building (Lot 52) on West 118th Street would be renovated and converted to residential use (4 DUs). As the renovation would not result in the addition of any floor area, the building would maintain its floor area of approximately 7,124 gsf and height of 62 feet.

Required accessory parking (50% of DUs) would be provided below grade along West 117th Street. The parking garage would be accessible through a new curb cut on West 117th Street. The below grade accessory parking garage would total approximately 10,780 gsf (67 spaces).

Table B-6
No-Action Scenario Development Program

Building	Lot	Zoning Lot Size (SF)	GSF Above Grade	GSF Below Grade*	Total GSF	Community Facility GSF	Residential GSF	DUs	Accessory Parking Spaces	Accessory Parking GSF	Building Height (ft)
Church Building Redevelopment	14	17,660	28,096	3,507	31,603	0	28,096	33	0	0	80
West 117th Street Building			51,754	12,936	64,690	0	51,754	61	67	10,780	80
School Conversion and Enlargement	49	8,453	31,287	5,239	36,526	0	31,287	37	0	0	80
Rectory Conversion	52	2,523	5,699	1,425	7,124	0	5,699	4	0	0	62
Total		**28,636**	**116,836**	**23,107**	**139,943**	**0**	**116,836**	**135**	**67**	**10,780**	

*Includes storage and building support space as well as accessory parking.

In the absence of the proposed zoning changes, no change in the maximum allowable FAR would occur, and no new uses that are not currently permitted would be allowed. As the only projected or potential development site is the Proposed Development Site, it is highly unlikely that any new development would occur within the remainder of the primary study area in the absence of the Proposed Action. Therefore, it is anticipated that existing uses within the Proposed Rezoning Area would remain unchanged.

Secondary Study Area

It is expected that in the absence of the Proposed Action, no major change in land use would occur in the secondary study area, nor would there be any changes in zoning. Current land use trends and general development patterns in the area would continue to be predominantly residential, with some mixed-uses (residential with ground floor retail), commercial, public facility and institutional, and vacant land uses. Within the 400-foot study area, the existing street hierarchy, block form, and streetscape of the study area are expected to remain unchanged by the analysis year of 2017. In addition, no open space resources would be created in the study area by 2017. Therefore, the overall urban design of the study area is anticipated to remain similar to existing conditions.

Future With the Proposed Action (With-Action Condition)

Primary Study Area

The Proposed Action is expected to result in the development of higher density residential and community facility uses at one projected development site, the Proposed Development Site (Lots 14, 49, 52). Under the proposed zoning changes and other controls, a range of new development could potentially occur on this site in the future. For environmental analysis purposes, a Reasonable Worst Case Development Scenario (RWCDS), which differs from the Applicant's intended Proposed Development, has been identified for the site.

In the future with the Proposed Action, under R8A zoning regulations, the Proposed Development Site could reasonably accommodate 219,278 gsf of mixed-use development, including 176,114 gsf (205 DUs)

of residential use, 13,745 gsf of community facility use, 13,087 gsf (82 spaces) of below grade accessory parking, and 16,333 gsf of below grade storage and building support space. The proposed R8A zoning would permit an increase in the maximum allowable FAR to 6.02 for residential uses and 6.5 for community facility. In addition, the proposed new R8A contextual district would allow for increases in base height and maximum building height requirements. Above a base height of 60 to 85 feet, buildings must be set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum allowable height of 120 feet. These limitations on the base height and maximum building height ensure compatibility with existing buildings on the street and typically result in high lot coverage 10- to 12-story apartment buildings set at or near the lot line. On a wide street, the street wall must extend along the entire width of the zoning lot and at least 70 percent of the street wall must be within eight feet of the street line. All open areas between the street wall and the planted street line must be planted.

Table B-7 below provides a summary of the With-Action development program. The With-Action development would be comprised of the following components:

- Church Building Redevelopment (Building 1): Along the West 118th Street frontage of Tax Lot 14, the vacant church building would be demolished and replaced with an 8-story 38,188 gsf residential building. The building would consist of approximately 33,760 gsf of residential use (40 DUs) and 4,428 gsf of below grade storage and building support space. The new 8-story building would rise without setback to a maximum height of approximately 80 feet.

- West 117th Street Building (Building 2): On the West 117th Street frontage of Tax Lot 14, a 12-story 91,165 gsf residential building would be constructed. The building would consist of approximately 75,461 gsf of residential use (89 DUs), 13,087 gsf of below grade parking space, and 2,618 gsf of below grade storage and building support space. The 12-story building would be constructed along the street line and would rise without setback to a height of 85 feet. Above 85 feet, pursuant to R8A zoning controls, the building would set back 15 feet before rising to a height of 120 feet.

- School Building Conversion and Enlargement (Building 3): The structure of the 5-story school building (Lot 49) along St. Nicholas Avenue would be converted to community facility and residential uses and a 5-story enlargement that would expand the footprint of the building would be added, resulting in a 10-story building of approximately 82,801 gsf. The building would be comprised of approximately 13,745 gsf of community facility use, 61,194 gsf of residential use (72 DUs), and 7,862 gsf of below grade storage and building support space. Above the existing streetwall, at a height of 85 feet, the building would be set back 10 feet from St. Nicholas Avenue before rising to a height of 120 feet.

- Rectory Building Conversion (Building 4): The vacant rectory building (Lot 52) on West 118th Street would be renovated and converted to residential use (4 DUs). As the renovation would not result in the addition of any floor area, the building would maintain its floor area of approximately 7,124 gsf and height of 62 feet.

Required accessory parking would be provided below grade on the south side of Lot 14. The parking garage would be entered through a new curb cut on West 117th Street. Pursuant to R8A zoning, parking must be provided for 40 percent of DUs and no more than one space may be provided for every 400 sf of community facility use. Therefore, approximately 13,087 gsf of below grade parking (82 spaces) would be provided.

Table B-7
With-Action Development Program

Building	Lot	Zoning Lot Size (SF)	GSF Above Grade	GSF Below Grade*	Total GSF	Community Facility GSF	Residential GSF	DUs	Accessory Parking Spaces	Accessory Parking GSF	Building Height (ft)
Church Building Redevelopment	14	17,660	33,760	4,428	38,188	0	33,760	40	0	0	80
West 117th Street Building			75,461	15,705	91,165	0	75,461	89	82	13,087	120
School Conversion and Enlargement	49	8,453	74,939	7,862	82,801	13,745	61,194	72	0	0	120
Rectory Conversion	52	2,523	5,699	1,425	7,124	0	5,699	4	0	0	62
Total		**28,636**	**189,859**	**29,420**	**219,278**	**13,745**	**176,114**	**205**	**82**	**13,087**	

*Includes storage and building support space as well as accessory parking.

Figure B-5 compares the No-Action street view with the street view in the 2017 future with the Proposed Action. The With-Action development would occupy land that currently sits vacant and would fill in the street walls along West 117th and West 118th Streets and St. Nicholas Avenue. The Proposed Action would not change or adversely affect any of the urban design components defined in the *2012 CEQR Technical Manual* as the Proposed Action would not result in changes in block form, the demapping of streets or the mapping of new streets, nor would it affect the street hierarchy. Therefore, the With-Action development is not anticipated to adversely affect the pedestrian's experience and the Proposed Action would not result in any significant adverse impacts on urban design in the primary study area.

Secondary Study Area

It is expected that in the future with the Proposed Action, no major change in land use would occur in the secondary study area, nor would there be any changes in zoning. Current land use trends and general development patterns in the area would continue to exhibit predominantly residential land uses, with some mixed-uses (residential with ground floor retail), commercial, public facility and institutional, and vacant land uses. Within the 400-foot study area, the existing street hierarchy, block form, and streetscape of the secondary study area are expected to remain unchanged by the analysis year of 2017. In addition, no open space resources are expected to be created in the study area by 2017. Therefore, the overall urban design of the study area is anticipated to remain similar to existing conditions and the Proposed Action would not result in any significant adverse impacts with respect to urban design.

Visual Resources

According to the *2012 CEQR Technical Manual*, conditions that merit consideration for further analysis of visual resources include: (1) when the project partially or totally blocks a view corridor or a natural or built visual resource and that resource is rare in the area or considered a defining feature of the neighborhood; or (2) when the project changes urban design features so that the context of a natural or built visual resource is altered (for example, if the project alters the street grid so that the approach to the resource changes; if the project changes the scale of surrounding buildings so that the context changes; if the project removes lawns or other open areas that serve as a setting for the resource). CEQR defines a visual resource as the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings, or groups of buildings, or natural resources.

Based on the 2012 CEQR guidelines, the former St. Thomas church building, school, and rectory are considered visual resources because of their eligibility status on the State and National Register. No other visual resources exist within the Proposed Rezoning Area. Within a 400-foot radius, other visual resources include the Mount Morris Park Historic District (LPC and S/NR), which is visible along Adam Clayton Powell Jr. Boulevard, as well as the LPC designated Graham Court Apartments and Regent Theater (now First Corinthian Baptist Church), which both have frontage along West 116th Street and

No-Action vs. With-Action Streetview



No-Action (R7A)



With-Action (R8A)

Adam Clayton Powell Jr. Boulevard. As the Proposed Action would not alter the existing street grid or block shapes, it would not have the potential to block views of these visual resources and view corridors within the primary and secondary study areas would be preserved. Therefore, the Proposed Action would not result in any significant adverse impacts with respect to visual resources.

Assessment

As illustrated in Figure B-5, the scale and bulk of buildings developed pursuant to the proposed contextual zoning would be sensitive to and compatible with the surrounding area. Although some buildings in the With-Action condition would be slightly taller than surrounding buildings, the mandatory streetwalls and maximum base height requirement of the proposed contextual zoning would result in building forms that share form characteristics with existing buildings. Furthermore, by filling in the gaps created by existing vacant and underutilized lots, the With-Action development would enhance the streetscape by restoring street walls in the Proposed Rezoning Area. Finally, the With-Action development would not block any significant view corridors, views of visual resources, or limit access to any visual resources in the study area. As the Proposed Action would enhance the existing streetscape, there would be no significant adverse impacts on urban design or visual resources and further analysis is not warranted.

HAZARDOUS MATERIALS

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, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *2012 CEQR Technical Manual*, the potential for significant 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.

A Phase I Environmental Site Assessment (ESA) was performed by CA RICH Consultants, Inc. ("CA RICH") for the vacant church building at 253 West 117th Street (Lot 14), the vacant 4-story former church rectory at 262 West 118th Street (Lot 52), and the 5-story school building and asphalt-paved corner parking lot at 147 St. Nicholas Avenue (Lot 49). CA RICH's executive summary from the November 15, 2012 report is attached in Appendix B-2. The report outlines CA RICH's findings which are based upon the data acquired during the property visit and through pertinent information obtained from regulatory agencies, responsible persons knowledgeable about the property, and other historical information sources.

According to available historical sources, the site is located in an area of Manhattan that has been developed and densely populated since 1897. Local Directory records show that the site has been used for residential and commercial uses and as a church since at least 1902. Review of the Sanborn Maps indicates that the site was developed with the present-day church building and church rectory in the 1902 map. The present-day 147 St. Nicholas Avenue address (Lot 49) was occupied by three residential structures and a chapel in 1902. Since 1902, the 147 St. Nicholas address has been occupied by an office (1912), Roman Catholic school, and vacant land. The areas surrounding the property are well developed since the 1902 map. Review of historical aerial photographs revealed that the site was developed with three structures that appear to be similar to the size and configuration of the present-day buildings in 1954. The 2008 photograph shows relatively little change since 1954. The assessment found no evidence of recognized environmental conditions or environmental issues in connection with the subject property.

While the report found no evidence of recognized environmental conditions, it did identify the following issues and recommendations:

- **HREC-1** On August 25, 1998 during maintenance work on the 3,000-gallon AST located in the former church at 262 West 118th Street, a spill of approximately 200 gallons of number two fuel oil occurred within the vaulted concrete room. The New York State Department of Environmental Conservation (NYSDEC) was notified and Spill number 9806629 was generated as a result. The Spill was reportedly cleaned up promptly; however, the Spill number has not been formally closed out. As the fuel oil was spilled in a vaulted concrete room and additional cleanup efforts were not mandated by the NYSDEC, it is unlikely that the existence of the open Spill number will have a direct negative impact on the Site. CA RICH has contacted NYSDEC Region II to inquire about the status of this spill, but as of the date of this report have not been in contact with the NYSDEC Spill Case Manager. As such, follow-up with NYSDEC is recommended to formally Close-Out the spill case number.
- **OI-1** Based upon the age of the three Site buildings, constructed between 1902 and 1951, it is likely that Asbestos Containing Materials (ACM) may be found in some of the building materials. Suspect ACM for these buildings may include but are not limited to roofing materials, insulating materials (pipes, boilers, radiators, etc.), window caulking, plasters, floor tiles, adhesives and ceiling tiles. This is not considered a REC, however, it is recommended that an asbestos survey be conducted prior to any activities that may disturb suspect building materials to protect the health and safety of building occupants and/or workers.
- **OI-2** The painted walls, ceilings, and window wells appeared to be in fair condition in all three Site buildings with some noticeable chipping/peeling. Based upon the age of the Site buildings, lead based paint may exist on the top layer or beneath layered painted surfaces throughout the Site buildings. This is not considered a REC, however, it is recommended that a lead-based paint survey be performed and appropriate measures be taken to protect the health and safety of building occupants or workers during activities that may disturb the paint.
- **OI-3** A 3,000-gallon aboveground fuel oil storage tank was identified in a vaulted area of the basement in the church building at 262 West 118th Street. According to records reviewed as part of this Phase I ESA the 3,000 gallon tank is associated with NYSDEC PBS # 2-321281. The records indicate that the registration expired in August 2007. A second approximately 4,000 aboveground fuel oil storage tank was identified in the basement of the school building at 147 St. Nicholas Avenue. No registration information was readily available for the 4,000 gallon tank. The presence of these aboveground storage tanks is not considered a REC, however, it is recommended that these tanks either be decommissioned or properly registered with NYSDEC.

Notwithstanding that the Phase I did not find any recognized environmental conditions, by letter dated July 26, 2013, the New York City Department of Environmental Protection (NYCDEP) requested a Phase II Environmental Site Assessment (Phase II) to confirm that there is no contamination on the site (see Appendix B-3). In response to NYCDEP's letter, counsel for the Applicant provided additional information on site conditions (see September 18, 2013 letter in Appendix B-3), noting in particular that on-site spills had occurred in concrete encased areas with no indication of possible soil contamination. By letter dated October 9, 2013, NYCDEP repeated its request for additional site investigation.

Given the continuing use of the Site, it is not feasible to conduct invasive drilling and sampling activities at this time. In place of conducting a Phase II at this time, an (E) designation would be placed on the Proposed Development Site (Block 1923, Lots 14, 49, 52), which would require site investigation prior to issuance of building permits. By placing an (E) designation on the site, the potential for an adverse impact to human health and the environment resulting from the Proposed Action would be reduced or avoided. Pursuant to Section 11-15 of the Zoning Resolution, the New York City Office of Environmental Remediation would provide the regulatory oversight of the required environmental investigation and, if required, remediation. Building permits are not issued by the New York City Department of Buildings (NYCDOB) without prior OER approval of the investigation and/or remediation.

The (E) designation would require that the Applicant conduct a testing and sampling protocol and have an approved remediation plan where appropriate, to the satisfaction of OER. The NYC Department of Buildings will typically issue the foundation permits when OER approves the remedial action work plan – the remediation, if necessary, is typically performed concurrently with construction activities, pursuant to a Remedial Action Plan and Construction Health and Safety Plan approved by OER.

The (E) designation text related to hazardous materials is as follows:

> **TASK 1**
>
> **Prior to construction or renovation involving subsurface disturbance, the applicant must submit to the New York City Office of Environmental Remediation (OER), for review and approval, a soil and groundwater testing protocol for the areas of proposed subsurface disturbance, including a description of methods and a site map with all sampling locations clearly and precisely represented.**
>
> **If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, potential source of contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.**
>
> **TASK 2**
>
> **A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.**
>
> **If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.**
>
> **An OER-approved construction-related health and safety plan (CHASP) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.**
>
> **All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling, and disposal of suspect lead-paint and asbestos-containing materials**.

The non-Applicant owned and controlled lots within the Proposed Rezoning Area would not be mapped with (E) designations for hazardous materials since they were not identified as projected or potential sites

for future development. With the measures outlined above, no significant adverse impacts related to hazardous materials would be expected to occur as a result of the Proposed Action.

TRANSPORTATION

Pursuant to CEQR guidelines, as the development resulting from the Proposed Action would contain a mix of uses, a preliminary (Level 1) trip generation assessment is necessary in order to estimate the numbers of person and vehicle trips attributable to the Proposed Action. According to the *2012 CEQR Technical Manual*, if the proposed project is expected to result in fewer than 50 peak hour vehicle trips and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. If these thresholds are exceeded, detailed trip assignments (Level 2) are to be performed to estimate the incremental trips that could be incurred at specific transportation elements and to identify potential locations for further analyses.

Level 1 Screening Assessment

A Level 1 trip generation screening assessment was conducted to estimate the numbers of person and vehicle trips by mode expected to be generated by the proposed project during hours of peak demand. These estimates were then compared to the *2012 CEQR Technical Manual* analysis thresholds to determine if a Level 2 screening and/or quantified operational analyses may be warranted. The peak hours selected for analysis and the travel demand assumptions used for the assessment are discussed below along with a detailed travel demand forecast.

Peak Hours Selected for Analysis

The peak hours selected for traffic, pedestrian, and transit (subway and bus) analysis are 8-9 AM, 12-1 PM (midday), and 5-6 PM on weekdays and 1-2 PM on Saturday. Given the predominantly residential nature of this area of Upper Manhattan, peak hours were selected to coincide with peak commuter periods when overall travel demand is expected to be greatest.

Transportation Planning Factors

Table B-8 shows the transportation planning factors to be used for the travel demand forecast generated by the RWCDS in weekday AM, midday, and PM and Saturday midday peak hours. These include trip generation rates, temporal distributions, mode choice factors, and vehicle occupancies. The factors in Table B-8 were based on accepted *2012 CEQR Technical Manual* criteria, data from the *2010 U.S. Census*, and data from other environmental review documents including the West Harlem Rezoning FEIS (2012) and 125th Street Corridor Rezoning and Related Actions FEIS (2008).

Trip Generation

As shown in Table B-9, based on the transportation planning factors outlined above, the RWCDS would generate a total of approximately 90 person trips (32 in and 58 out) in the AM, 72 person trips (39 in and 33 out) in the Midday, 108 person trips (56 in and 52 out) in the PM, and 93 person trips (51 in and 42 out) in the Saturday Midday. Also shown in Table B-9 is the number of vehicle trips that would be generated as a result of the RWCDS. A total of 8 vehicle trips (4 in and 4 out) would occur in the AM, 8 vehicle trips (4 in and 4 out) in the Midday, 11 vehicle trips (6 in and 5 out) in the PM, and 10 vehicle trips (5 in and 5 out) in the Saturday Midday. The RWCDS is expected to generate few if any truck trips during the analyzed peak hours, as deliveries by truck are expected to occur during off-peak periods.

The number of incremental peak hour trips generated by the RWCDS would fall well below the *2012 CEQR Technical Manual* analysis thresholds of 50 vehicle trips or 200 transit and pedestrian trips in any peak hour. The greatest number of peak hour trips for vehicles, transit, and pedestrians would occur in the PM peak hour when the Proposed Action would generate a net increase of 11 vehicle trips, 49 subway trips, 11 bus trips, and 39 walk only trips. Therefore, based on *CEQR Technical Manual* criteria, the Proposed Action is not expected to result in significant adverse transportation impacts and no further analysis is required.

Table B-8
Transportation Planning Factors

Land Use:	**Residential**		**Community Facility**	
Size/Units:	70 DU		13,745 gsf	
Trip Generation:	(1)		(1)	
Weekday	8.075		47.7	
Saturday	9.6		26.6	
	per DU		per 1,000 sf	
Temporal Distribution:	(1)		(1)	
AM (8-9)	10.0%		5.8%	
MD (12-1)	5.0%		7.4%	
PM (5-6)	11.0%		7.6%	
Sat MD (1-2)	8.0%		10.0%	
	(2)		(2)	
Modal Splits:	AM/MD/PM/SAT		AM/MD/PM/SAT	
Auto	6.0%		4.0%	
Taxi	1.0%		9.0%	
Subway	70.0%		12.0%	
Bus	13.0%		5.0%	
Walk/Other	10.0%		70.0%	
Total	100.0%		100.0%	
	(3)		(3)	
In/Out Splits:	In	Out	In	Out
AM (8-9)	16.0%	84.0%	66.0%	34.0%
MD (12-1)	50.0%	50.0%	58.0%	42.0%
PM (5-6)	67.0%	33.0%	34.0%	66.0%
Sat MD (1-2)	53.0%	47.0%	58.0%	42.0%
Vehicle Occupancy:	(2)		(2)	
Auto	1.26		1.40	
Taxi	1.40		1.40	

Notes:
(1) 2012 CEQR Technical Manual
(2) 2010 US Census Journey to Work Data for Manhattan Census Tract 218
(3) 125th Street Corridor Rezoning and Related Actions FEIS (2008) and West Harlem Rezoning (2012)

Table B-9
Incremental Increase of Travel Demand under RWCDS

	Peak Hour											
	AM			Midday			PM			Saturday Midday		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Total Person Trips	32	58	90	39	33	72	56	52	108	51	42	90
Auto Trips	2	3	5	2	2	4	3	2	5	3	3	5
Taxi Trips	2	1	3	2	2	4	1	3	4	2	1	3
Subway Trips	9	34	43	13	12	25	31	18	49	23	20	42
Bus Trips	2	7	9	3	3	6	6	5	11	5	4	9
Walk-Only Trips	17	13	30	19	14	33	15	24	39	18	14	31
Vehicle Trips	4	4	8	4	4	8	6	5	11	5	5	10

AIR QUALITY

Under CEQR, an air quality analysis determines whether a proposed project would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollutant emissions to impact the proposed uses.

Mobile Sources

Localized increases in pollutant levels may result from increased vehicular traffic volumes and changed traffic patterns in the study area as a consequence of a proposed project. According to the screening threshold criteria outlined in Section 210 of Chapter 17 of the *2012 CEQR Technical Manual*, detailed analysis is required for this area of the City if 170 or more auto-trips are generated in any given peak period as a result of the Proposed Action. Compared to the No-Action condition, the With-Action scenario would have the potential to generate an incremental increase of 70 DUs, 13,745 gsf of community facility space, and 15 below grade accessory parking spaces. As discussed in the "Transportation" section above, these incremental changes would result in a maximum net increase of 11 peak hour vehicle trips, falling well below the CEQR screening threshold for all peak periods. Therefore, no detailed mobile source air quality analysis is required and no significant mobile source air quality impacts are expected as a result of the Proposed Action.

Stationary Sources

Actions can result in stationary source air quality impacts when they (1) create new stationary sources of pollutants such as emission stacks from industrial plants, hospital, or other large institutional uses, or building's boiler stack(s) used for heating/hot water, ventilation, or air conditioning systems (HVAC) that can affect surrounding uses; (2) introduce new sensitive receptors near existing (or planned future) emissions stacks that may adversely affect the new use; or (3) introduce potentially significant odors. No odors are associated with the With-Action development. However, the With-Action development would be expected to use fossil fuels (#2 fuel oil or natural gas) for HVAC purposes. Therefore, a preliminary screening for heat and hot water systems is required by CEQR and has been provided below.

Heat and Hot Water Systems

Emissions from the HVAC systems of the buildings within the Proposed Development may affect air quality levels at nearby existing land uses as well as the other buildings within the development site. According to CEQR guidelines, the impacts of these emissions would be a function of fuel type, stack height, building size, and location of each emission source relative to a nearby sensitive land use. For

residential developments, the screening analysis typically uses Figure 17-3 (SO_2 boiler screen for residential fuel #4), Figure 17-5 (SO_2 boiler screen for residential fuel oil #2) or Figure 17-7 (NO_2 boiler screen for residential natural gas) of the *2012 CEQR Technical Manual* Air Quality Appendix. If the distance from a source building to the nearest receptor building of similar or greater height is less than the 30 foot threshold distance provided in the 2012 CEQR nomographs, then more detailed analysis using AERMOD modeling is required. If the distance between source and receptor buildings is less than or equal to the threshold distance (i.e., falls above the curve on the nomographs), further analysis is required using EPA's AERSCREEN or AERMOD models. If the source building is taller than the receptor building or the distance between the two buildings falls below the applicable curve provided in the 2012 CEQR nomographs, a potential significant impact due to boiler stack emissions is unlikely and no further analysis is needed. If an emission source within 1,000 feet of the With-Action development has a heat input of 20 million BTU/hour or higher, it is considered a large emission source, and may require coordination with NYCDEP to determine the potential impact of emissions, even if it is higher than the buildings in the With-Action development.

Data to conduct the screening were obtained as follows:

- The size, height, and location (block and lot number) for the With-Action development was provided by the project architect.

- The size and location of existing buildings were determined using field observations, the New York City Open Accessible Space Information System Cooperative (OASIS) data base, New York State Department of Environmental Conservation's website on draft and issued permits, the New York City Department of Buildings' Buildings Information System, and information on buildings with boiler permits from NYCDEP.

A survey of existing residential land uses and other sensitive receptor sites within approximately 400 and 1,000 feet of the Proposed Rezoning Area was conducted through field observation and use of the New York City OASIS mapping network system. The survey identified several multi-story residential and/or mixed-use buildings that are adjacent to or in close proximity to the Proposed Development Site. Using this information and the *2012 CEQR Technical Manual* methodology outlined in Subsection 322.1, a preliminary screening analysis was conducted for potential HVAC impacts.

Effects of Existing Land Uses on With-Action Development

Based on available permits from NYCDEP and the NYCDOB (available on the OASIS website), no large emissions sources were identified within 1,000 feet of the Proposed Development Site. A large emissions source has a heat input of 20 million BTU/hour or higher.

The largest residential buildings within 400 feet of the project site were identified and are discussed below. They are located at 131 St. Nicholas Avenue (Block 1922, Lot 41), 208 West 119th Street (Block 1924, Lot 21), 163 St. Nicholas Avenue (Block 1924, Lot 7501), 207 West 119th Street (Block 1925, Lot 9), 215 West 114th Street (Block 1830, Lot 19), and 2170 Frederick Douglass Boulevard (Block 1923, Lot 1).

- The building at 131 St.Nicholas Avenue (Block 1922, Lot 41) has an area of 97,918 sf and is approximately 180 feet from the Proposed Development Site. Information on permit #CB563803L indicates the HVAC system burns #2 oil as the primary fuel and natural gas as a secondary fuel. However, the building is approximately 30 feet taller than the With-Action development and therefore does not require additional analysis. 131 St. Nicholas Avenue also screens out using Figures 17-5 and 17-7 of the *CEQR Technical Manual*.

- 208 West 119th Street (Block 1924, Lot 21) (aka 164 St. Nicholas Avenue) is developed with ten 5-story buildings with a combined building area of 156,986 sf. The HVAC system burns #4 fuel oil. Based on a review of permit records with NYCDOB, each building has its own boiler, none of which services 100,000 square feet of more of building area. The boilers would serve buildings of about 10,000 sf. each. Therefore the development at this location does not constitute a large emission source, and it is not likely to result in adverse impacts on the With-Action development.

- 163 St. Nicholas Avenue (Block 1924, Lot 7501) has an area of 74,087 sf and is an 8-story residential building. Information on OASIS does not indicate fuel type. Calculations of boiler size based on the square footage indicate that the boiler has a heat input of less than 20 million BTU/hour. Therefore, no further analysis is warranted.

- 207 West 119th Street (Block 1925, Lot 9) (aka 212 West 120th St.) has an area of 76,794 sf and is a 4-story Mid-Manhattan Adult Learning Center. According to OASIS, the boiler burns #2 fuel oil. Information on permit #CA144099Z verifies that the boiler has a heat input of less than 20 million BTU/hour. Therefore, no further analysis is warranted.

- 215 West 114th Street (Block 1830, Lot 19) has an area of 131,938 sf. It is the Wadleigh Secondary School for the Performing and Visual Arts. This 5-story buiilding is more than 600 feet from the Proposed Development Site. Information on permit # CA051893N and CA051993K verify that the boiler has a heat input of less than 20 million BTU/hour. Therefore, no further analysis is warranted.

- 2170 Frederick Douglass Boulevard (Block 1923, Lot 1) is a 6- to 8-story residential building with a floor area of approximately 162,000 sf. At its closest point, the building is approximately 100 feet west of the Proposed Development Site and is about 60 feet high. A stack on this section of the building appears to be approximately 15 feet above the roof. Due to its size and proximity to the project site, a more detailed analysis using AERMOD was carried out for this building. A more detailed analysis has been presented in the Air Quality attachment. Receptor points were placed on all three buildings of the With-Action development. As presented in Attachment E, "Air Quality," AERMOD modeling indicated that no significant adverse air quality impacts are likely due to the distance, wind patterns, and configuration of buildings.

Based on the above evaluation and the AERMOD modeling presented in Attachment E, "Air Quality", no existing land uses are expected to have a significant impact on the With-Action development.

Effects of With-Action Development on Existing Land Uses

Two nearby residential buildings of approximately similar or greater height to the With-Action development were identified. They are the 150-foot tall NYCHA building at 131 St. Nicholas Avenue (Block 1922, Lot 41) and the 80-foot tall condominium at 163 St. Nicholas Avenue (Block 1924, Lot 7501). These two buildings are the closest existing sensitive receptors of similar or greater height. Therefore, if the With-Action Condition would not cause significant impacts to these two sites, they would not cause impacts to other sites that are further away.

Table B-10 provides a summary of the With-Action development's effects on existing buildings. As shown in Table B-10, the With-Action development would pass all screenings for both #2 fuel oil and natural gas. Thus, the Proposed Action is not expected to have a significant impact on existing land uses.

Table B-10
Screening for Impact of With-Action Development on Existing Land Uses

Building	Heated Area (sq. ft.)	Stack Height (feet)	Distance from Stack to Nearest Building(s) (feet)	Source and Receptor Sites	CEQR Screening Results for #2 Fuel Oil	CEQR Screening Results for Natural Gas
Proposed Development Site						
1 - Church Building Redevelopment	33,760	83	205	1 on A	Pass	Pass
			80	1 on B	Pass	Pass
2 - West 117th Street Building	75,461	123	167	2 on A	Pass	Pass
3 - School Building Conversion and Enlargement	74,939	123	167	3 on A	Pass	Pass
4 - Rectory Building Conversion	5,699	65	72	4 on B	Pass	Pass
			40	4 on C	N/A*	N/A*
Combined Buildings of the Proposed Development Site						
5 – West 117th Street Building & School Building	150,400	123	167	5 on A	Pass	Pass
Existing Buildings in Surrounding Area						
A – 131 St. Nicholas Avenue		150				
B – 163 St. Nicholas Avenue		80				
C – 257 West 117th Street		78				

*Existing 4-story building to remain as of right and therefore not included in analysis.
Source: Sandstone Environmental Associates, Inc.

Project-on-Project Impacts

In the With-Action scenario, both the converted rectory (Lot 52) and church building redevelopment (Lot 14) would be shorter than the West 117th Street building (Lot 14) and converted school building (Lot 49). In addition, the West 117th Street building and the converted school building would be the same height. Therefore, a screening assessment is required to evaluate the potential impact of stack emissions from the shorter buildings on the taller buildings and from the two tallest buildings on each other. Table B-11 provides a summary of project-on-project impacts.

Table B-11
Screening for Project-on-Project Impacts

Building	Heated Area (sq. ft.)	Stack Height (feet)	Distance from Stack to Nearest Building (feet)	Source and Receptor Sites	CEQR Screening Results for #2 Fuel Oil	CEQR Screening Results for Natural Gas
Proposed Development Site						
1 - Church Building Redevelopment	33,760	83	61	1 on 2	Pass	Pass
			< 30	1 on 3	Fail	Fail
2 - West 117th Street Building	75,461	123	< 30	2 on 3	Fail	Fail
3 - School Building Conversion and Enlargement	74,939	123	<30	3 on 2	Fail	Fail
4 - Rectory Building Conversion	5,699	65	10	4 on 1	N/A*	N/A*

*The rectory building (Lot 52) is the same as the as-of-right development and was thus not analyzed further.
Source: Sandstone Environmental Associates, Inc.

As shown in Table B-11, building site 1 (the church building redevelopment), building site 2 (the West 117th Street building), and building site 3 (converted school building) would fail the preliminary screenings for both #2 fuel oil and natural gas. While building site 1 would pass the preliminary screening with regard to building site 2 due to the distance between the two sites, it would fail when screened for building site 3 because the two buildings are less than 30 feet apart. Similarly, building sites 2 and 3 are taller than the other With-Action buildings, but could adversely affect one another as they are the same height and less than 30 feet apart. Therefore, a detailed stationary source air quality assessment is required for the Proposed Action.

A detailed stationary source analysis has been provided in Attachment E, "Air Quality," in order to assess the potential for stationary source air quality impacts related to boiler stack emissions from heating/hot water, ventilation, and air conditioning systems. Using AERMOD, the detailed analysis evaluated the potential impacts of building sites 1 and 2 to determine their individual effects on building site 3. Likewise, the effects of building site 3 on building site 2 were also modeled. As indicated in Attachment E, to preclude the potential for significant adverse air quality impacts associated with emissions from the HVAC systems of the Proposed Development, an (E) designation would be required on all buildings of the Proposed Development Site.

Industrial Sources

A preliminary assessment was performed to determine if any industrial source emissions exist within a 400-foot radius of the project site. As shown in Figure 1 of the EAS form, there are no manufacturing/industrial uses located within a 400-foot radius of the project site. In order to confirm this, a field survey and property record search were conducted in December 2012. The field survey and property record search revealed that none of the sites contain noxious uses or are sources of industrial emissions. One active dry cleaning establishment was identified within 400 feet of the Proposed Development Site. However, as no dry cleaning is done on premises, this establishment is not considered an industrial source. Therefore, as the Proposed Action would not result in sensitive uses within 400-feet of a facility containing industrial source emissions, and would not create large emission sources nor locate sensitive uses near large emission sources, there would not be any significant manufacturing/industrial stationary source air quality impacts associated with the Proposed Action.

NOISE

The purpose of a noise analysis is to determine both a proposed project's potential effects on sensitive noise receptors and the effects of ambient noise levels on new sensitive uses introduced by the proposed project. 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 heating, ventilating, and air conditioning systems or above-grade subways) and construction noise. As the With-Action development would generate vehicular traffic, a preliminary assessment of noise is warranted.

Mobile Source Screening

According to the *2012 CEQR Technical Manual*, a detailed mobile source analysis is generally performed if the proposed action would increase noise passenger car equivalent (Noise PCE) values by 100 percent or more. Compared to the No-Action condition, the With-Action scenario would have the potential to generate a net increase of up to approximately 70 DUs, 13,745 gsf of community facility space, and 35 below grade parking spaces. As discussed in the "Transportation" section above, these incremental changes would result in a maximum of 11 peak hour vehicle trips and would not have the potential to double PCE values. Therefore, no significant mobile source noise impacts are expected as a result of the Proposed Action and no further analysis is warranted.

Stationary Source Screening

According to the *2012 CEQR Technical Manual*, a detailed stationary source analysis is generally performed if the proposed action would cause a substantial stationary source (i.e. unenclosed equipment for building ventilation purposes) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses.

The With-Action development would not meet either of these criteria. The rooftop mechanical equipment would be located within enclosed mechanical bulkheads or would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any significant adverse noise impacts. The new residential buildings would also not be located within an area with high ambient noise levels resulting from stationary sources and would be approximately ½ mile from the closest manufacturing zone. Additionally, the Proposed Development Site would not be located within 1,500 feet of existing rail activity or introduce a new receptor that would be located within 1 mile of an existing flight path. Therefore, the Proposed Action would not result in any stationary noise sources and no further analysis is warranted.

Sensitive Receptor Analysis

According to the *2012 CEQR Technical Manual*, a detailed noise analysis may be warranted if the Proposed Action would introduce a new noise-sensitive location in an area with high ambient noise levels. The With-Action development would introduce a new mixed use development, which would be considered a sensitive receptor. While this new receptor would be located adjacent to St. Nicholas Avenue, the existing noise generated by vehicular traffic is not severe enough to adversely affect human activity within the vicinity of the proposed project.

CONSTRUCTION

The Proposed Action would result in temporary disruptions including construction related traffic, noise, or mobile source emissions. However, these effects would be temporary, as both the No-Action and With-Action scenarios identified in the RWCDS would have the same impact with regards to construction extent and duration (16-24 months). Furthermore, most construction activity is expected to occur between 7:00 AM and 5:00 PM on weekdays. Finally, after considering that the same subsurface disturbance (excavation for new development on the south side of Lot 18) and the same use (residential and community facility use) would occur in the No-Action condition and the With-Action condition and the temporary nature of the construction, no significant impacts are expected and a detailed analysis is not warranted.

As described in the "Historic and Cultural Resources" section above, a number of NYCLPC and S/NR designated resources are within a 400 foot radius of the project site, including: Minton's Playhouse, Graham Court Apartments, the Regent Theater (now First Corinthian Baptist Church), and the Mount Morris Park Historic District. However, as all architectural resources are located more than 90 feet from the project site, they are not subject to the New York City Department of Buildings' Technical Policy and Procedure Notice (TPPN) #10/88. Therefore, it is expected that the potential for character defining elements of a structure to be impacted as a result of construction associated with the Proposed Action is unlikely.

Additionally, all three structures on the Proposed Development Site are S/NR eligible. As discussed in the "Historic and Cultural Resources" section above, these buildings are not LPC designated landmarks would be redeveloped, converted, and enlarged as-of-right whether or not the Proposed Action is approved. Therefore, no significant adverse impacts on historic and cultural resources are expected as a result of construction associated with the Proposed Action and a detailed analysis is not warranted.

APPENDIX B-1
SHPO & LPC CORRESPONDENCE LETTERS

06101.013197

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189 518-237-8643

Bernadette Castro
Commissioner

August 14, 2003

Ms. Monica Braggs
President
Harlem Preservation Foundation
423 West 154th Street
New York, New York 10032

RE: State and National Registers Application
St. Thomas the Apostle Church
262 West 118th Street
New York County, NY

DOE

Dear Ms. Braggs:

Thank you for your interest in the State and National Registers of Historic Places. We have completed our review of the Registers application you submitted for St. Thomas the Apostle Church on behalf of your organization and the St. Thomas the Apostle Alumni Association. Based on the documentation provided the church and its contributing rectory and school building appear to meet the criteria for listing to the State and National Registers.

The church meets Criterion C as an outstanding example of Late Victorian Gothic Revival ecclesiastical architecture inspired by the Venetian Gothic. Designed by architect Thomas H. Poole, construction of the impressive church began in 1889 and was completed in 1907. It is notable for a high standard of materials and craftsmanship as shown by its terra cotta ornamentation at the façade, rich stained glass windows, and elaborate marble and wood carvings. The religious complex, consisting of the church, rectory and school, may also be eligible under Criterion A as an important social and religious institution serving Harlem for a century.

We are sending a copy of this letter to the Archdiocese of New York to inform them of the eligibility of the church property. In order for a building to become listed in the National Register the property owner must be in favor of the proposed listing. It is the policy of the State Historic Preservation Office to work closely with owners to inform them of the potential benefits of listing.

Not only is listing to the Registers a prestigious honor it brings with it economic benefits. Not-for-profit organizations that own registered properties may apply for New York State

historic preservation matching grants, Sacred Sites grants from the New York Landmarks Conservancy, and additional grants through other sources.

We encourage you to continue to pursue discussions with the Archdiocese on the preservation of the church. If you have any questions about the process for listing properties to the Registers or about possible sources of funding please call me at (518) 237-8643 ext. 3266.

Sincerely,

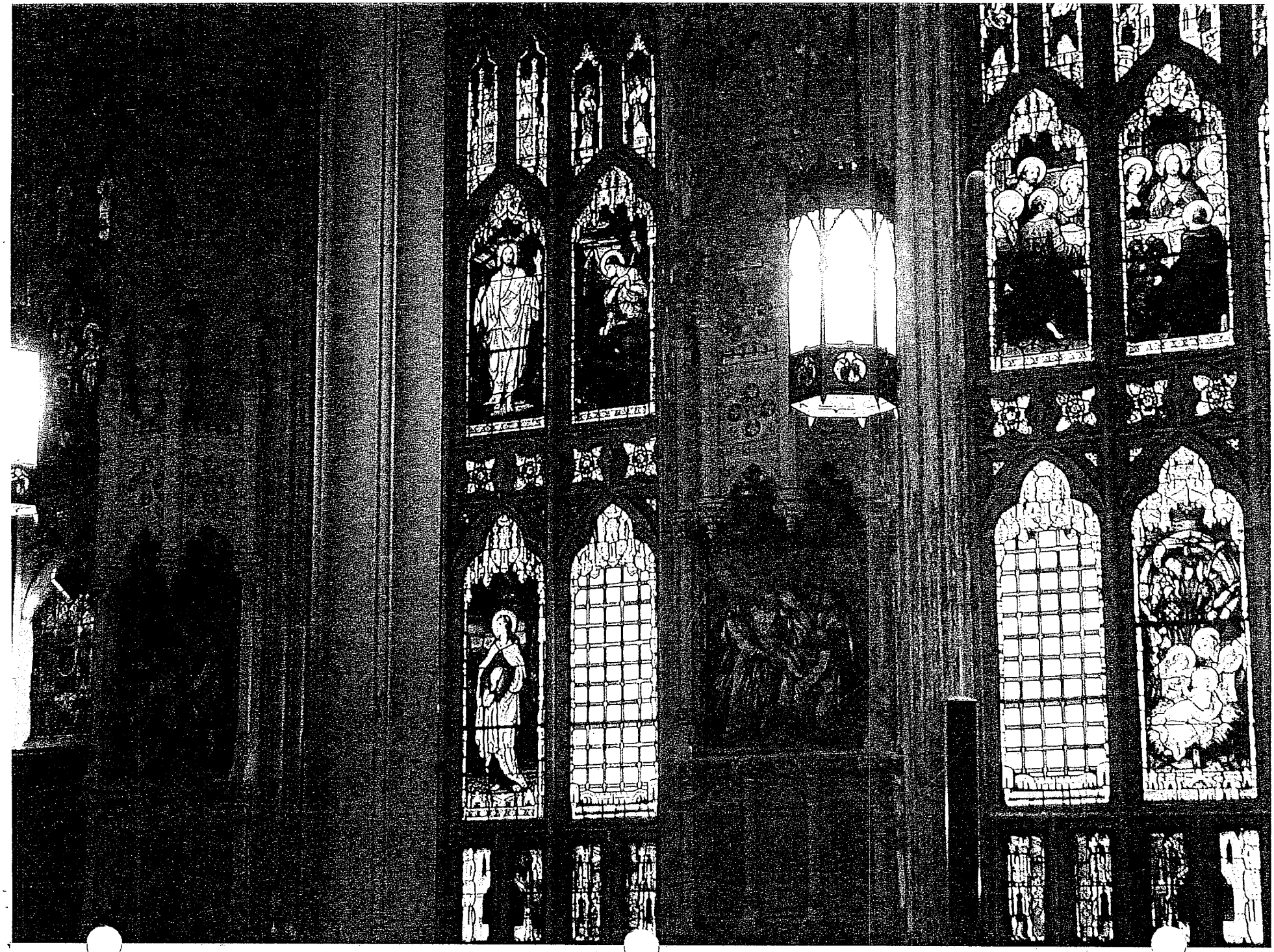
Kathleen A. Howe

Kathleen A. Howe
Historic Preservation Specialist

cc. Bishop Timothy McDonnell, Archdiocese of New York
Ann Friedman, Sacred Sites
Eric V. Tait, Jr., St. Thomas the Apostle Alumni Association







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: DEPARTMENT OF CITY PLANNING / LA-CEQR-M
Project: W. 117 STREET REZONING
Date received: 7/26/2013

Comments:

The LPC is in receipt of the official RWCDS memoranda dated 7/26/13 from the lead agency. Based on these corrected scenarios, the LPC finds that the information is acceptable. There are no additional concerns.

Gina Santucci 7/29/2013

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 28245_FSO_GS_07292013.doc

APPENDIX B-2
PHASE 1 ESA EXECUTIVE SUMMARY

Phase I
Environmental Site Assessment

253 West 117th Street
262 West 118th Street
& 147 St. Nicholas Avenue
New York, NY 10026-1620

November 2012

Prepared For:

KERY LLC
37 West 65th Street
New York, NY 10023-6610

Prepared by:

CA RICH Consultants, Inc.
17 Dupont Street
Plainview, NY 11803-1614

November 15, 2012

KERY LLC
37 West 65th Street, 2nd Floor
New York, NY 10023-6610

Attn: Evan Kashanian,

Re: Phase I Environmental Site Assessment
253 West 117th Street
262 West 118th Street
and 147 St. Nicholas Avenue
New York, NY 10026-1620
Block: 1923; Lots: 14, 49, and 52

Dear Mr. Kashanian:

The following report summarizes a Phase I Environmental Site Assessment (ESA) for the above-referenced locations, performed by CA RICH Consultants, Inc. of Plainview, NY. This Phase I ESA was completed in substantive conformance with the scope and limitations of ASTM Practice E 1527-2005, which sets forth nationally-accepted Phase I guidance criteria.

If you have any questions pertaining to this report, please feel free to contact the undersigned. We thank you for the opportunity to provide you with our professional environmental services.

Sincerely,

CA RICH CONSULTANTS, INC.

Stephen T. Malinowski, QEP
Associate

Reviewed by:

Jason T. Cooper
Environmental Professional
Project Environmental Scientist

EXECUTIVE SUMMARY

CA RICH Consultants, Inc. (CA RICH) of Plainview, New York has completed this Phase I Environmental Site Assessment (ESA) of the properties located at 253 West 117th Street, 147 St. Nicholas Avenue, and 262 West 118th Street in New York, New York (hereinafter referred to collectively as the "Property" or "Site"). CA RICH performed this Phase I ESA in substantive conformance with the suggested informational requirements, scope and limitations of the American Society for Testing & Materials (ASTM) prevailing Standard Practice E 1527-05 for Environmental Site Assessments. Any exceptions to, or deletions from, these practices are described in Section 1.4 of this Report.

The Site consists of three continuous tax lots that are situated between West 117th Street and West 118th Street and are bordered by St. Nicholas Avenue to the east. The Site contains a vacant church at 253 West 117th Street, a vacant four-story former church rectory at 262 West 118th Street, a vacant five-story school building and associated asphalt-paved parking lot at 147 St. Nicholas Avenue. It should be noted that the church is also associated with 239 through 255 West 117th Street and 256 through 260 West 118th Street and the former school is associated with 147 through 159 St. Nicholas Avenue and 254 West 118th Street.

The information and findings presented herein are based upon the data acquired during the Property visit, and through pertinent information obtained from regulatory agencies, responsible persons knowledgeable about the Property, and other historical information sources. Based upon the information reviewed for this Phase I ESA, we have not identified any "Recognized Environmental Conditions" (RECs) in connection with the Site.

Other Issues:

HREC-1 On August 25, 1998 during maintenance work on the 3,000-gallon AST located in the former church at 262 West 118th Street, a spill of approximately 200 gallons of number two fuel oil occurred within the vaulted concrete room. NYSDEC was notified and Spill number 9806629 was generated as a result. The Spill was reportedly cleaned up promptly; however, the Spill number has not been formally closed out. As the fuel oil was spilled in a vaulted concrete room and additional cleanup efforts were not mandated by the NYSDEC, it is unlikely that the existence of the open Spill number will have a direct negative impact on the Site. CA RICH has contacted NYSDEC Region II to inquire about the status of this spill, but as of the date of this report have not been in contact with the NYSDEC Spill Case Manager. As such, follow-up with NYSDEC is recommended to formerly Close-Out the spill case number.

OI-1 Based upon the age of the three Site buildings, constructed between 1902 and 1951, it is likely that Asbestos Containing Materials (ACM) may be found in some of the building materials. Suspect ACM for these buildings may include but are not limited to roofing materials, insulating materials (pipes, boiler, radiators, etc.), window caulking, plasters, floor tiles, adhesives and ceiling tiles. This is not considered a REC, however, it is recommended that an asbestos survey be conducted prior to any activities that may disturb suspect building materials to protect the health and safety of building occupants and/or workers.

OI-2 The painted walls, ceilings, and window wells appeared to be in fair condition in all three Site buildings with some noticeable chipping/peeling. Based upon the age of the Site buildings, lead based paint may exist on the top layer or beneath layered painted surfaces throughout the Site buildings. This is not considered a REC, however, it is recommended that a lead-based paint survey be performed and appropriate measures be taken to protect the health and safety of building occupants or workers during activities that may disturb the paint.

OI-3 A 3,000-gallon aboveground fuel oil storage tank was identified in a vaulted area of the basement in the church at 262 West 118th Street. According to records reviewed as part of this Phase I ESA the 3,000 gallon tank is associated with NYSDEC PBS # 2-321281. The records indicate that the registration expired in August 2007. A second approximately 4,000 aboveground fuel oil storage tank was identified in the basement of the school building at 147 St. Nicholas Avenue. No registration information was readily available for the 4,000 gallon tank. The presence of these aboveground storage tanks is not considered a REC, however, it is recommended that these tanks either be decommissioned or properly registered with NYSDEC.

1.0 INTRODUCTION

1.1 Purpose

The purpose of this Phase I ESA is to identify ASTM-defined Recognized Environmental Conditions associated with the subject Property. This Assessment was conducted in substantive conformance with ASTMs "*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process"* E 1527-05.

This Standard is designed to constitute "*all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice*" as defined in CERCLA 42 USC 9601 (35) (B). Consequently, this Assessment investigates the historical land use and present-day condition of the Property in accordance with accepted standards prevailing within the lending industry and the environmental assessment profession. The term *recognized environmental conditions* does not include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate regulatory agencies.

1.2 Detailed Scope of Services

The following general activities were performed by CA RICH as part of this Phase I ESA:

- Visual and physical inspection of representative reasonably accessible exterior areas of the Property by an experienced CA RICH Environmental Professional (EP), whom also satisfies the educational and experience qualification requirements stipulated under the Federal EPA's companion "AAI" Rule, effective November 1, 2006. The review included a review of building practices at adjacent properties;

- Investigation of historical land use practices including review of available Local Directory publications, USGS topographic maps, aerial photographs, and historical Sanborn® Maps, discussions with knowledgeable parties associated with the Property and other readily available records or reports (i.e. prior Phase 1's);

- Review and inquiry of relevant Federal, State, and local database records pertaining to the subject Property and properties located within approximate minimum search distances for the purposes of identifying potential sources of any migrating hazardous substances or petroleum products; and,

- Review of the Property's proximity to ecologically sensitive areas or media (i.e. parks, rivers, underlying ground water, etc.) using records and maps published by the Federal United States Geological Survey (USGS) along with neighborhood reconnaissance.

8.0 FINDINGS AND PROFESSIONAL OPINION

The information and findings presented herein are based upon the data acquired during the Site visit, and through pertinent information obtained from regulatory agencies, responsible persons knowledgeable about the Site, and other historical information sources. The Site is located at 253 West 117th Street, 147 St. Nicholas Avenue, and 262 West 118th Street in Manhattan, New York (Block: 1923; Lots: 14, 49, & 52). The Site is located in a long established commercial and residential area of Manhattan, New York.

The Site consists of three continuous tax lots that are situated between West 117th Street and West 118th Street and are bordered by St. Nicholas Avenue to the east. The Site contains a vacant church and a playground at 253 West 117th Street, a vacant four-story church rectory at 262 West 118th Street, a vacant five-story school building and associated asphalt-paved parking lot at 147 St. Nicholas Avenue. It should be noted that the church is also associated with 239 through 255 West 117th Street and 256 through 260 West 118th Street and the former school is associated with 147 through 159 St. Nicholas Avenue and 254 West 118th Street.

9.0 CONCLUSIONS

We have performed this Phase I Environmental Site Assessment in substantive conformance with the scope and limitations of ASTM Practice E 1527-05. Based upon the information reviewed for this Phase I ESA we have not identified any "Recognized Environmental Conditions" (RECs) in connection with the Site.

Other Issues:

HREC-1 On August 25, 1998 during maintenance work on the 3,000-gallon AST located in the former church at 262 West 118th Street, a spill of approximately 200 gallons of number two fuel oil occurred within the vaulted concrete room. NYSDEC was notified and Spill number 9806629 was generated as a result. The Spill was reportedly cleaned up promptly; however, the Spill number has not been formally closed out. As the fuel oil was spilled in a vaulted concrete room and additional cleanup efforts were not mandated by the NYSDEC, it is unlikely that the existence of the open Spill number will have a direct negative impact on the Site. CA RICH has contacted NYSDEC Region II to inquire about the status of this spill, but as of the date of this report have not been in contact with the NYSDEC Spill Case Manager. As such, follow-up with NYSDEC is recommended to formerly Close-Out the spill case number.

OI-1 Based upon the age of the three Site buildings, constructed between 1902 and 1951, it is likely that Asbestos Containing Materials (ACM) may be found in some of the building materials. Suspect ACM for these buildings may include but are not limited to roofing materials, insulating materials (pipes, boiler, radiators, etc.), window caulking, plasters, floor tiles, adhesives and ceiling tiles. This is not considered a REC, however, it is recommended that an asbestos survey be conducted prior to any activities that may disturb suspect building materials to protect the health and safety of building occupants and/or workers.

OI-2 The painted walls, ceilings, and window wells appeared to be in fair condition in all three Site buildings with some noticeable chipping/peeling. Based upon the age of the Site buildings, lead based paint may exist on the top layer or beneath layered painted surfaces throughout the Site buildings. This is not considered a REC, however, it is recommended that a lead-based paint survey be performed and appropriate measures be taken to protect the health and safety of building occupants or workers during activities that may disturb the paint.

OI-3 A 3,000-gallon aboveground fuel oil storage tank was identified in a vaulted area of the basement in the church at 262 West 118th Street. According to records reviewed as part of this Phase I ESA the 3,000 gallon tank is associated with NYSDEC PBS # 2-321281. The records indicate that the registration expired in August 2007. A second approximately 4,000 aboveground fuel oil storage tank was identified in the basement of the school building at 147 St. Nicholas Avenue. No registration information was readily available for the 4,000 gallon tank. The presence of these aboveground storage tanks is not considered a REC, however, it is recommended that these tanks either be decommissioned or properly registered with NYSDEC.

10.0 DECLARATIONS OF ENVIRONMENTAL PROFESSIONALS

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the All Appropriate Inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

CA RICH CONSULTANTS, INC.

Stephen T. Malinowski, QEP
Associate

Reviewed By:

Jason T. Cooper
Environmental Professional
Project Environmental Scientist

APPENDIX B-3
DEP CORRESPONDENCE LETTERS

NYC Environmental Protection

Carter H. Strickland, Jr.
Commissioner

Angela Licata
Deputy Commissioner
of Sustainability
alicata@dep.nyc.gov

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-4398
F: (718) 595-4479

July 26th 2013

Mr. Robert Dobruskin
Director, Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, Room 4E
New York, New York 10007-1216

Re: W. 117th Street Rezoning
Block 1923 Lots 1, 14, 18, 19, 20, 21, 49, 52, 53, 60 and 7501
DEP # 14DEPTECH004M / CEQR # 77DCP080M
New York New York, 10026.

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the November 2012 Phase I Environmental Site Assessment Report (Phase 1) prepared by CA RICH Consultants Inc. and the May 2013 Environmental Assessment Statement (EAS) prepared by Philip Habib & Associates on behalf of 117th Street Equities, LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment from the New York City Department of City Planning (DCP) to rezone Block 1923 Lots 1, 14, 18, 19, 20, 21, 49, 52, 53, 60, 7501 from R7A to R8A. The property is bounded by W. 117th Street, W. 118th Street, St. Nicholas Ave and Frederick Douglass Boulevard in the Harlem neighborhood of Manhattan Community District 10. As currently proposed, the rezoning action would facilitate the development of a 190,265 gross square foot (gsf) mixed-use building on applicant owned lots 14, 49 and 52. This action would also allow the applicant, as per condition of sale, to preserve a portion of a vacant church building for a new community facility use. Preservation of the church would not be possible under the current R7A zoning, as site planning constraints would limit the amount of residential floor area that could be developed on other portions of the applicant's property. It should be noted that Block 1923 Lots 1, 18, 19, 20, 21, 53, 60 and 7501 are not owned or under the control of the applicant.

The November 2012 Phase I report revealed that historical on-site and surrounding area land uses consists of residential and commercial uses including residential buildings, the Sydenham Health Center, the Citizen Care Center, a church and playground, a rectory, as well as a school and parking lot. The three lots to be developed, Lots 14, 49, 52 are currently developed with a vacant church and playground, a four-story vacant church rectory with rear yard, and a vacant five story school building with a small asphalt-paved parking lot. Two aboveground storage tanks (ASTs) were identified on site.

One, approximately 3,000 gallons, was located in a vaulted room in the basement of the vacant church and the other, approximately 4,000 gallons, was located in the basement of the school building. The AST in the school building still contains approximately half its capacity of oil and the concrete surface beneath it revealed some petroleum staining. Regulatory databases such as the New York State Department of Environmental Conservation (NYSDEC) SPILLS, Leaking Underground Storage Tank (LUST), Resource Conservation and Recovery Act, and Generator and Petroleum Bulk Storage identified several sites in close proximity to the property. The NYSDEC database reported 29 spills within a 1/8-mile radius of the property, three of which were reported on Lot 52 of the development site. Based on the years the three on-site buildings were constructed (1902-1951), asbestos containing materials (ACM) and lead based paint (LBP) containing materials could be present in the on-site structures.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

Development Site – owned and controlled by applicant
Block 1923, Lots 14, 49 and 52

- DCP should inform the applicant that based on the historical on-site and surrounding area land uses, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils of the subject parcels. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil, groundwater, and soil vapor sampling activities should be submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil boring locations and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082, Target Analyte List metals (filtered and unfiltered for groundwater samples) and soil vapor samples by EPA Method TO-15. The soil vapor sampling should be conducted in accordance with NYSDOH's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. An Investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.

- DCP should also instruct the applicant that the Phase II Work Plan and HASP should be submitted to DEP for review and approval prior to the start of any fieldwork.

Site not under the control or ownership of the applicant
Block 1923 Lots 1, 18, 19, 20, 21, 53, 60 and 7501

- Since the above Lots are not under the control or ownership of the applicant and they are not included in the proposed development plans for this project, DEP recommends that if these Lots are considered for any future development under the rezoning action, an (E) designation for hazardous materials should be assigned on the zoning map pursuant to 11-15 of the New York City Zoning Resolution. The (E) designation will ensure that

testing and mitigation will be performed, as necessary, before any future development and/or soil disturbance.

Future correspondence related to this project should include the following tracking number **14DEPTECH004M**. If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

cc: E. Mahoney
M. Winter
W. Yu
T. Estesen
M. Wimbish
File

Fried, Frank, Harris, Shriver & Jacobson LLP

One New York Plaza
New York, New York 10004–1980
Tel: +1.212.859.8000
Fax: +1.212.859.4000
www.friedfrank.com

FRIED FRANK

Direct Line: (212) 859-8785
Fax: (212) 859-4000
melanie.meyers@friedfrank.com

September 18, 2013

By Email & By Hand

Mr. Robert Dobruskin
Director, Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, Room E
New York, New York 10007

Re: DEP Comment Letter re: W. 117th Street Rezoning
DEP #14DEPTECH004M / CEQR #77DCP080M

Dear Mr. Dobruskin:

We represent 117th Street Equities, LLC (the "Owner"), applicant for a zoning map amendment (the "Proposed Action") under ULURP #140070 ZMM to change the existing R7A residence district to an R8A residence district. The Proposed Action would increase the residential floor area ratio ("FAR") from 4.0 to 6.02 and the maximum community facility FAR from 4.0 to 6.5 on a portion of Manhattan Block 1923, including the Owner's land (the "Site") at lots 14, 49 and 52.

In connection with the Proposed Action, the Owner has submitted a draft Environmental Assessment Statement (the "Draft EAS") dated May 2013, prepared by Philip Habib and Associates. The Draft EAS contains an analysis of the potential exposure to hazardous materials as a result of the Proposed Action, and attaches a Phase I Assessment (the "Phase I") prepared by CA Rich Consultants, Inc., dated November 15 2012. The Phase I and Draft EAS each conclude that there is no cause for further investigation.

I am writing to provide additional information in response to a letter (the "DEP Letter") dated July 26, 2013 from the New York City Department of Environmental Protection, with respect to the Hazardous Materials analysis in the Draft EAS. The DEP Letter recommended that a Phase II Environmental Site Assessment be prepared to characterize the surface and subsurface soils on the development site. We respectfully submit that based on the information provided in the Phase I and the additional information set forth below, a Phase II assessment is unwarranted.

We note firstly that the same subsurface disturbance (excavation for new development on the south side of Lot 18) and the same use (residential and community facility use) would occur in the no-action condition and the with-action condition, therefore there is no incremental increase in potential for exposure to subsurface hazardous materials as a result of the Proposed Action. As set forth in Chapter 12 of the 2012 CEQR Technical Manual (the "Technical Manual"), "for hazardous materials, the goal for CEQR is to determine whether the proposed project may increase the exposure of people or the environment to hazardous materials...". Ground disturbance to excavate for a new residential building would occur in both the with-action condition and the no-action condition. Additionally the existing above-ground fuel tanks and boilers are expected to be replaced in both the no-action condition and with-action condition. Therefore, the Proposed Action would have no incremental effect on any potential exposure to hazardous materials (which as set forth below is not anticipated in any event).

The Technical Manual also sets forth types of activities facilitated by a proposed action that could lead to increased exposure; the closest of the listed activities to the Proposed Action is introduction of a residential population to a site that was previously used for commercial or industrial use. We note, however, that the Site is already zoned for residential use, and there would be a residential population on the Site irrespective of the Proposed Action. We respectfully submit, therefore, that the Proposed Action to increase residential FAR from 4.0 to 6.02 on a site that is already zoned for residential use would not increase any pathways to exposure and additional analysis is not warranted under the guidelines of the Technical Manual. We note as well that the pre-existing use of the site is community facility use, not commercial or industrial use. The existing structures were purpose-built for church-related uses, comprising the main church building which was constructed beginning in 1889 and an adjacent rectory and school building on either side of the church building. It would not be expected that these uses would cause soil contamination at the Site.

The basis set forth in the DEP Letter for the requested subsurface investigation is the historical record of 29 spills in a 1/8 mile proximity to the Site, including 3 spills on the Site. However, a further review of the Phase I and records of the New York State Department of Environmental Conservation ("DEC") reveals that there is no basis to conclude that these historical spills may have resulted in contamination of soil at the Site.

With respect to *off-site spills*, the Phase I examined the information for these reported spills and indicated that all of these reported spills were closed out to the satisfaction of DEC, or are not in the presumed upgradient downwater flow direction. Based on this review, the conclusion of the Phase I was that further investigation is unwarranted. The DEP Letter did not specify any cause for concern related to the reported off-site spills, and absent an indication of potential for additional exposure due to the Proposed Action (which as noted above would not occur), the conclusion of the Phase I should be accepted.

With respect to the three *on-site spills*, a further review also supports the conclusion that there is no indication of potential soil contamination on the Site. As further set forth below, one of these spills occurred in the vaulted concrete basement of the former church building on Lot 14 and the other two occurred in the concrete basement of the former school building on Lot 49 (not on lot 52 as indicated in the DEP Letter). Because each of these spills was in a concrete encased area, there would not be a likelihood of soil contamination. Additionally, each of these

reported spills (the most recent occurring nearly ten years ago) has been cleaned and there is not potential for further exposure as a result of the Proposed Action. We note additionally that the concrete basement areas in which the spills occurred are within buildings that would remain in the build condition.

Additional details of each spill are set forth below:

1) 8/25/1998 Tank Puncture (Spill #9806629): In this incident, the above-ground tank in the basement of the former church building was punctured while being scraped for repainting. The DEC report indicates that at the time the call was received (8/25/98) to report the spill, the caller had completed the clean-up. The Owner is in the process of closing this spill out in DEC's records, as prior owners had not completed the required paperwork.

2) 3/17/1999 Tank Overfill (Spill #9814945): In this incident, the fuel oil provider overfilled the tank, spilling oil onto the floor of the tank room. The DEC report further indicates that this spill was cleaned up and closed within two days (by 3/19/99).

3) 10/10/2003 Tank Overfill (Spill #0307283): The tank was again overfilled. The inspector's comments on DEC report indicates "minor spill to cement" and "all cleaned" as of 10/10/2003, the day of the spill.

Conclusion

As noted above, there would be no additional in-ground disturbance as a result of the Proposed Action, therefore the Proposed Action would not increase the potential for exposure to contaminated soils.

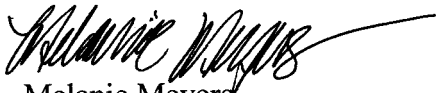
The Technical Manual specifies that the hazardous materials assessment begins with a Phase I ESA, and that additional investigation pursuant to a Phase II ESA may be indicated if the Phase I identifies recognized environmental conditions ("RECs"). The Phase I submitted in connection with the Proposed Action did not indicate the presence of any REC's on the Site and did not recommend further investigation.

In accordance with the standards for review set forth in the Technical Manual, and based on the additional information set forth herein, we respectfully request that the Environmental Assessment and Review Division of the Department of City Planning, acting for the lead agency, accept the conclusion of the EAS and the Phase I that no further investigation is warranted.

The conclusions of the Phase I (stating that no RECs were identified) are attached as Exhibit A for your reference – the full text of the Phase I was provided to DCP along with the Draft EAS. Attached as Exhibit B are the DEC spill reports referenced above.

Thank you for your consideration of this additional information.

Sincerely,



Melanie Meyers

Exhibit A

Phase I Conclusions

8.0 FINDINGS AND PROFESSIONAL OPINION

The information and findings presented herein are based upon the data acquired during the Site visit, and through pertinent information obtained from regulatory agencies, responsible persons knowledgeable about the Site, and other historical information sources. The Site is located at 253 West 117th Street, 147 St. Nicholas Avenue, and 262 West 118th Street in Manhattan, New York (Block: 1923; Lots: 14, 49, & 52). The Site is located in a long established commercial and residential area of Manhattan, New York.

The Site consists of three continuous tax lots that are situated between West 117th Street and West 118th Street and are bordered by St. Nicholas Avenue to the east. The Site contains a vacant church and a playground at 253 West 117th Street, a vacant four-story church rectory at 262 West 118th Street, a vacant five-story school building and associated asphalt-paved parking lot at 147 St. Nicholas Avenue. It should be noted that the church is also associated with 239 through 255 West 117th Street and 256 through 260 West 118th Street and the former school is associated with 147 through 159 St. Nicholas Avenue and 254 West 118th Street.

9.0 CONCLUSIONS

We have performed this Phase I Environmental Site Assessment in substantive conformance with the scope and limitations of ASTM Practice E 1527-05. Based upon the information reviewed for this Phase I ESA we have not identified any "Recognized Environmental Conditions" (RECs) in connection with the Site.

Other Issues:

HREC-1 On August 25, 1998 during maintenance work on the 3,000-gallon AST located in the former church at 262 West 118th Street, a spill of approximately 200 gallons of number two fuel oil occurred within the vaulted concrete room. NYSDEC was notified and Spill number 9806629 was generated as a result. The Spill was reportedly cleaned up promptly; however, the Spill number has not been formally closed out. As the fuel oil was spilled in a vaulted concrete room and additional cleanup efforts were not mandated by the NYSDEC, it is unlikely that the existence of the open Spill number will have a direct negative impact on the Site. CA RICH has contacted NYSDEC Region II to inquire about the status of this spill, but as of the date of this report have not been in contact with the NYSDEC Spill Case Manager. As such, follow-up with NYSDEC is recommended to formerly Close-Out the spill case number.

OI-1 Based upon the age of the three Site buildings, constructed between 1902 and 1951, it is likely that Asbestos Containing Materials (ACM) may be found in some of the building materials. Suspect ACM for these buildings may include but are not limited to roofing materials, insulating materials (pipes, boiler, radiators, etc.), window caulking, plasters, floor tiles, adhesives and ceiling tiles. This is not considered a REC, however, it is recommended that an asbestos survey be conducted prior to any activities that may disturb suspect building materials to protect the health and safety of building occupants and/or workers.

OI-2 The painted walls, ceilings, and window wells appeared to be in fair condition in all three Site buildings with some noticeable chipping/peeling. Based upon the age of the Site buildings, lead based paint may exist on the top layer or beneath layered painted surfaces throughout the Site buildings. This is not considered a REC, however, it is recommended that a lead-based paint survey be performed and appropriate measures be taken to protect the health and safety of building occupants or workers during activities that may disturb the paint.

OI-3 A 3,000-gallon aboveground fuel oil storage tank was identified in a vaulted area of the basement in the church at 262 West 118th Street. According to records reviewed as part of this Phase I ESA the 3,000 gallon tank is associated with NYSDEC PBS # 2-321281. The records indicate that the registration expired in August 2007. A second approximately 4,000 aboveground fuel oil storage tank was identified in the basement of the school building at 147 St. Nicholas Avenue. No registration information was readily available for the 4,000 gallon tank. The presence of these aboveground storage tanks is not considered a REC, however, it is recommended that these tanks either be decommissioned or properly registered with NYSDEC.

10.0 DECLARATIONS OF ENVIRONMENTAL PROFESSIONALS

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the All Appropriate Inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

CA RICH CONSULTANTS, INC.

Stephen T. Malinowski, QEP
Associate

Reviewed By:

Jason T. Cooper
Environmental Professional
Project Environmental Scientist

Exhibit B

DEC Reports

NYSDEC SPILL REPORT FORM

DEC REGION: 2 **SPILL NUMBER:** 9806629

SPILL NAME: CHURCH AT **DEC LEAD:** SFRAHMAN

SPILL DATE: 08/25/1998 **SPILL TIME:** 11:00 am

CALL RECEIVED DATE: 08/28/1998 **RECEIVED TIME:** 4:31 pm

SPILL LOCATION

PLACE: CHURCH AT **COUNTY:** New York

STREET: 262 W 118TH ST **TOWN/CITY:** New York City

COMMUNITY: MANHATTAN

CONTACT: FATHER GEORGE HANNER **CONTACT PHONE:**

CONT. FACTOR: Unknown **SPILL REPORTED BY:** Other

FACILITY TYPE: Institutional, Educational, Gov., Othe **WATERBODY:**

CALLER REMARKS:

THEY WERE SCRAPING THE TANK TO PAINT IT & IT JUST LET GO - CALLER HAS ALREADY DONE CLEAN UP

MATERIAL	CLASS	SPILLED	RECOVERED	RESOURCES AFFECTED
#2 Fuel Oil	Petroleum	200 G	200 G	Soil,

POTENTIAL SPILLERS

COMPANY	ADDRESS	CONTACT
CHURCH AT	262 W 118TH ST MANHATTAN NY	FATHER GEORGE HANNEF

Tank No.	Tank Size	Material	Cause	Source	Test Method	Leak Rate	Gross Failure

DEC REMARKS:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "ENGELHARDT"
8/25/2004 Sangesland spoke with Bob Hayman of RND Services (845-348-6355) HUD is trying to convert this building into apartments.

The tank that collapsed was associated with the school, but it was never registered. RND is working out the PBS registration issues first
(new PBS number for school? or 2nd tank on church PBS???)

RND will do a site assessment on the tank leak problem area to determine the size of the contamination problem.

6/15/2006 Case is transferred to Remediation Group

10/13/10 - Austin - Spill being transfered from Tang to Region 2 Spills staff - end

PIN **T & A** **COST CENTER**

Created On: 08/28/1998

Date Printed: 11/22/2011 Last Updated: 10/13/2010

NYSDEC SPILL REPORT FORM

DEC REGION: 2 **SPILL NUMBER:** 9806629

SPILL NAME: CHURCH AT **DEC LEAD:** SFRAHMAN

CLASS: D4 **CLOSE DATE:** **MEETS STANDARDS:** False

Created On: 08/28/1998

Date Printed: 11/22/2011 Last Updated: 10/13/2010

NYSDEC SPILL REPORT FORM

DEC REGION: 2 **SPILL NUMBER:** 9814945

SPILL NAME: ST THOMAS THE APOSTLE **DEC LEAD:** SIGONA

SPILL DATE: 03/17/1999 **SPILL TIME:** 9:15 am

CALL RECEIVED DATE: 03/17/1999 **RECEIVED TIME:** 9:36 am

SPILL LOCATION

PLACE: ST THOMAS THE APOSTLE **COUNTY:** New York

STREET: 262 W 118TH ST **TOWN/CITY:** New York City

COMMUNITY: MANHATTAN

CONTACT: FATHER GEORGE HANNER **CONTACT PHONE:**

CONT. FACTOR: Tank Overfill **SPILL REPORTED BY:** Other

FACILITY TYPE: Institutional, Educational, Gov., Othe **WATERBODY:**

CALLER REMARKS:
CASTLE OIL DRIVER OVERFILLED TANK. SPILLED INTO THE TANK ROOM. PETROLEUM TANK CLEANERS HAS CREWS ENROUTE TO CLEAN UP.

MATERIAL	CLASS	SPILLED	RECOVERED	RESOURCES AFFECTED
#2 Fuel Oil	Petroleum	100 G	100 G	Soil,

POTENTIAL SPILLERS

COMPANY	ADDRESS	CONTACT
CASTLE FUEL	ZZ	

Tank No.	Tank Size	Material	Cause	Source	Test Method	Leak Rate	Gross Failure

DEC REMARKS:

PIN **T & A** **COST CENTER**

CLASS: B3 **CLOSE DATE:** 03/19/1999 **MEETS STANDARDS:** True

Created On: 03/17/1999

Date Printed: 11/22/2011 Last Updated: 03/19/1999

NYSDEC SPILL REPORT FORM

DEC REGION: 2 **SPILL NUMBER:** 0307283

SPILL NAME: **DEC LEAD:** SMSANGES

SPILL DATE: 10/10/2003 **SPILL TIME:** 9:00 am

CALL RECEIVED DATE: 10/10/2003 **RECEIVED TIME:** 10:29 am

SPILL LOCATION

PLACE: **COUNTY:** New York

STREET: 262 W. 118TH ST **TOWN/CITY:** New York City

COMMUNITY: MANHATTAN

CONTACT: CALLER **CONTACT PHONE:**

CONT. FACTOR: Tank Overfill **SPILL REPORTED BY:** Local Agency

FACILITY TYPE: Tank Truck **WATERBODY:**

CALLER REMARKS:
driver overfilled tank - clena up in progress

MATERIAL	CLASS	SPILLED	RECOVERED	RESOURCES AFFECTED
#2 Fuel Oil	Petroleum	2 G	0 G	Soil,

POTENTIAL SPILLERS

COMPANY	ADDRESS	CONTACT
BLT	ZZ	

Tank No.	Tank Size	Material	Cause	Source	Test Method	Leak Rate	Gross Failure

DEC REMARKS:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "SANGESLAND"
Minor spill to cement

All cleaned

PIN **T & A** **COST CENTER**

CLASS: C4 **CLOSE DATE:** 10/10/2003 **MEETS STANDARDS:** False

Created On: 10/10/2003

Date Printed: 11/22/2011 Last Updated: 10/10/2003

NYC Environmental Protection

Carter H. Strickland, Jr.
Commissioner

Angela Licata
Deputy Commissioner
of Sustainability
alicata@dep.nyc.gov

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-4398
F: (718) 595-4479

October 9, 2013

Robert Dobruskin
Director, Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, Room 4E
New York, New York 10007-1216

Re: W. 117th Street Rezoning
Block 1923 Lots 1, 14, 18, 19, 20, 21, 49, 52, 53, 60 and 7501
77DCP080M/ 14DEPTECH004M

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the September 18, 2013 letter submitted by Fried, Frank, Harris, Shriver & Jacobson LLP on behalf of 117th Street Equities, LLC for the above referenced project. The September 18, 2013 letter states that a Phase II assessment is unwarranted.

The letter first states that "the same subsurface disturbance (excavation for new development on the south side of Lot 18) and the same use (residential and community facility use) would occur in the no-action condition and with-action condition, therefore there is no incremental increase in potential for exposure to subsurface hazardous materials as a results of the Proposed Action". However, when an action is subject to CEQR the determination of whether a hazardous materials assessment is required is based on potential exposure from the project; the CEQR Technical Manual, section 200 "Determination Whether A Hazardous Materials Assessment Is Appropriate" states: "The potential for significant impacts related to hazardous materials can occur when: a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposure; b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increase; or c) the project would introduce a population to potential human or environmental exposure from off-site sources."

The letter also states that off-site and on-site spills do not affect the site and therefore a Phase II Environmental Site Assessment is unwarranted. DEP is not in agreement with the conclusion that prior on-site spills and historical spills may not affect the property; with three on-site spills (one still open) and 29 spills within 1/8 mile radius of the site, the potential for contamination, and the project resulting in a pathway of exposure, cannot be ruled out. It should be noted that the Phase II assessment will confirm if the sites are impacted from the past on-site uses and or historical spills and, if so, this assessment would be instrumental in identifying, for the purposes of environmental review, any measures necessary to avoid significant hazardous materials impacts.

In conclusion, following additional consideration DEP continues to recommend that a Phase II assessment is warranted and should be conducted. Future correspondence related to this project should include the following tracking number 14DEPTECH004M. If you have any questions, you may contact the undersigned at (718) 595-4473.

Sincerely,

Terrell Estesen
Director, Office of Wastewater Review and Special Projects

c: M. Winter
T. Estesen
O. Abinader – DCP

ATTACHMENT C
LAND USE, ZONING, AND PUBLIC POLICY

I. INTRODUCTION

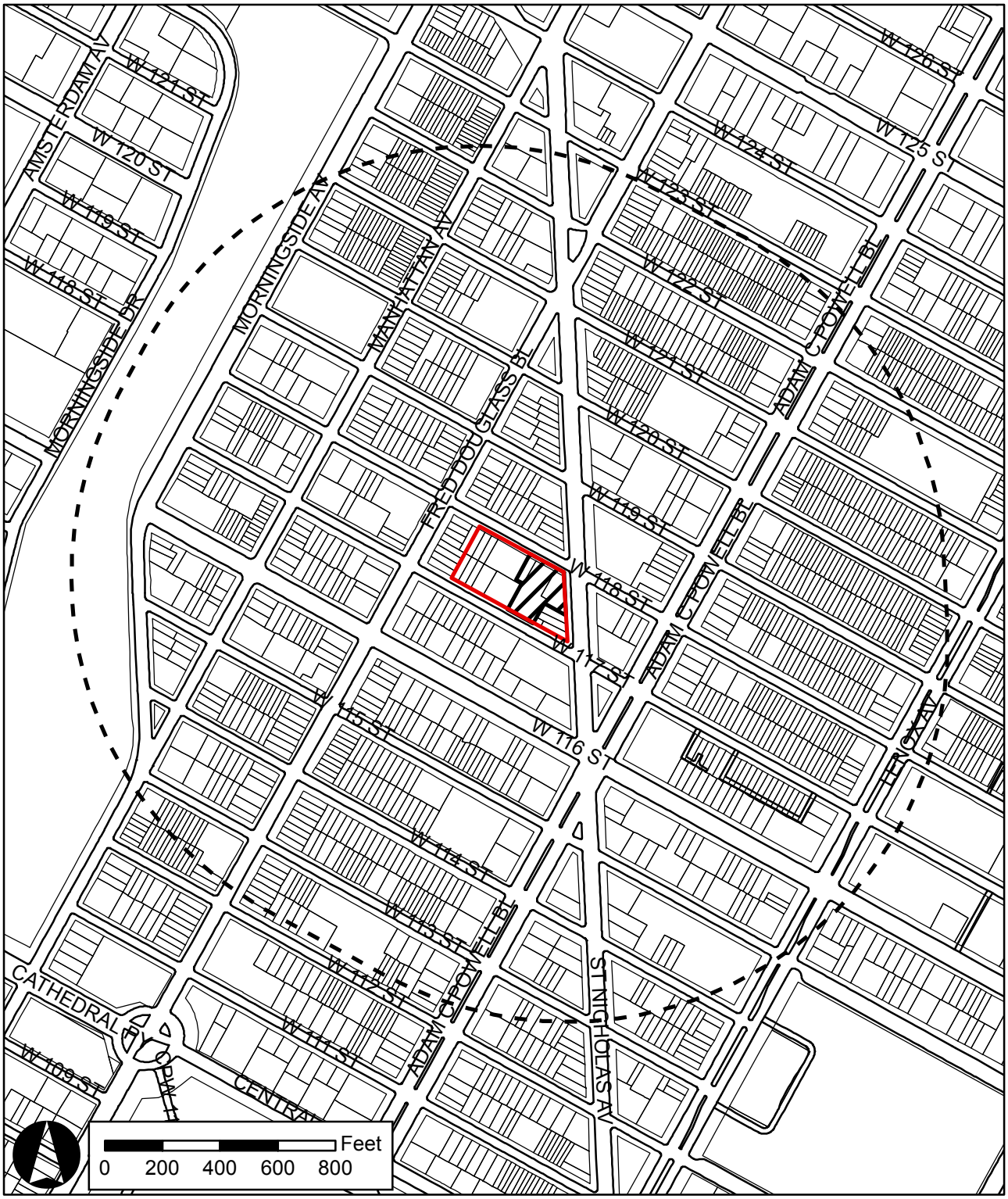
Based on *2012 CEQR Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project, and determines whether that proposed project is compatible with those conditions or may affect them. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

The goal of the Proposed Action is to provide the Applicant with the necessary floor area to preserve a portion of a vacant church building formerly occupied by St. Thomas the Apostle Church and convert it to community facility use. The Proposed Action is a zoning map amendment affecting a portion of one City tax block in the Central Harlem neighborhood of Manhattan Community District 10. The Proposed Rezoning Area is bounded to the west by a line 100 feet east of Frederick Douglass Boulevard, to the north by West 118th Street, to the east by St. Nicholas Avenue, and to the south by West 117th Street (see Figure C-1). The Proposed Rezoning Area is currently zoned R7A, a medium-density contextual apartment house district. The Proposed Action would replace the existing R7A contextual zoning district with an R8A contextual zoning district.

For environmental assessment purposes, a reasonable worst-case development scenario (RWCDS) that differs from the Applicant's Proposed Development has been identified. Absent the Proposed Action, the Proposed Development Site would be developed with an approximately 139,943 gsf as-of-right residential development. This No-Action scenario would consist of approximately 116,836 gsf of residential use (135 DUs), 10,780 gsf of below grade accessory parking (67 spaces), and 12,327 gsf of below grade storage and building support space. In the future with the Proposed Action, the analysis framework anticipates that the Proposed Development Site would be developed with four buildings, including: Building 1, an 8-story 38,188 gsf residential building located on the northerly line of Lot 14 and comprised of 33,760 gsf of residential use (40 DUs) and 4,428 gsf of below grade storage and building support space; Building 2, a 12-story 91,165 gsf apartment building located on the southerly line of Lot 14 and comprised of 75,461 gsf of residential use (89 DUs), 13,087 gsf of below grade accessory parking (82 spaces), and 2,618 gsf of below grade storage and building support space; Building 3, a 5-story enlargement and 10-story extension of an existing school building resulting in a 10-story 82,801 gsf mixed use building located on Lot 49 and comprised of 13,745 gsf of community facility use, 61,194 gsf of residential use (72 DUs), and 7,862 gsf of below grade storage and building support space; Building 4, a renovation and conversion of a vacant 4-story rectory building on Lot 52 to 5,699 gsf of residential use (4 DUs) and 1,425 gsf of below grade storage and building support space. The With-Action development would have a total of 219,278 gsf of mixed-use development, including approximately 176,114 gsf of residential use (205 DUs), 13,745 gsf of community facility use, 13,087 gsf of below grade accessory parking (82 spaces), and 16,333 gsf of below grade storage and building support space. The remainder of the Proposed Rezoning Area would remain unchanged.

Under CEQR guidelines, 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. If the 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 analysis is appropriate. As the Proposed Action is a zoning map amendment, a preliminary assessment cannot adequately describe existing and future conditions, and a detailed Land Use and Zoning analysis has been provided. The

Land Use Study Area



Legend

- Primary Study Area
- Proposed Development Site
- Secondary Study Area (Quarter-Mile Radius)

detailed analysis discusses existing and future conditions with and without the Proposed Action for a primary study area (coterminous with the Proposed Rezoning Area), and a secondary (¼ mile) study area surrounding the Proposed Rezoning Area.

II. METHODOLOGY

Existing land uses were identified through review of a combination of sources including field surveys and secondary sources such as the 125th Street Corridor Rezoning and Related Actions FEIS (2008). New York City Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the study area, and provided the basis for the zoning evaluation of the No-Action and With-Action conditions. Relevant public policy documents, recognized by the New York City Department of City Planning (NYCDCP) and other agencies, were utilized to describe existing public policies pertaining to the study area, and served as the basis for the No-Action and With-Action discussions of public policy.

The Proposed Action includes a zoning map amendment that would affect land use, zoning, and potentially public policy. Land use, zoning, and public policy are addressed and analyzed for two geographical areas for the proposed rezoning: (1) the Proposed Rezoning Area, also referred to as the primary study area, and (2) a secondary study area. For the purpose of this assessment, the primary study area is coterminous with the Proposed Rezoning Area, and consists of an approximately 81,966 sf area comprising the majority of the block bounded by West 117th Street to the south, St. Nicholas Avenue to the east, West 118th Street to the north, and a line 100 feet east of Frederick Douglass Boulevard to the west (see Figure C-1). The secondary study area extends approximately ¼ mile from the boundary of the Proposed Rezoning Area and encompasses areas that have the potential to experience indirect impacts as a result of the Proposed Action. It is generally bounded by West 112th Street to the south, Morningside Park to the west, West 123rd Street to the north, and Lenox Avenue to the east. Both the primary and secondary study areas have been established in accordance with *2012 CEQR Technical Manual* guidelines and can be seen in Figure C-1.

III. PRELIMINARY ASSESSMENT

Land Use and Zoning

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. As a detailed analysis is warranted for the Proposed Action, the information that would typically be included in a preliminary assessment (e.g., physical setting, present land use, zoning information, etc.) has been incorporated into the detailed analysis in Section IV below. As discussed in the detailed analysis, the Proposed Action is not expected to adversely affect land use or zoning.

Public Policy

According to CEQR guidelines, 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 an 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 the 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. As described below, the Proposed Action does not warrant a detailed assessment of public policies.

Aside from zoning regulations, there are no adopted City public policies applicable to the Proposed Rezoning Area: there are no 197-a plans, urban renewal areas, or designated industrial business zones, and no areas falling within the coastal boundary. Furthermore, the Proposed Action does not involve the siting of a public facility (Fair Share). Within the secondary study area (defined as a ¼ -mile radius), there are no applicable public policies except for the 197-a Plan for Manhattan CB 9.

Section 197-a of the New York City Charter authorizes Community Boards and Borough Boards, as well as the Mayor, the City Planning Commission (CPC), NYCDCP, and any Borough President to sponsor plans for the development, growth, and improvement of the City, its Boroughs, and communities. The Manhattan CB 9 197-a Plan was developed by Community Board 9 and adopted by the City Council in 2007.

The CB 9 Plan, which covers the area generally between West 110th and West 155th Streets west of Edgecombe and Morningside Avenues, has the following objectives: to reinforce and reinvigorate the ethnically and culturally diverse community through a sustainable agenda; ensure that future development is compatible with the existing neighborhood character without displacement; promote good jobs for residents; and provide affordable housing and services. To accomplish the objectives of the Plan, a study of contextual zoning in appropriate areas of CB 9 was recommended along with a new special zoning district for the Manhattanville neighborhood. As the only portion of the secondary study area that falls within CB 9 is Morningside Park, and the 197-a Plan made no recommendations for this area, the Proposed Rezoning would not conflict with the policy initiatives and objectives of the Community Board 9 197-a Plan. Therefore, the Proposed Action would not alter or conflict with identified public policies, and no further analysis of public policy is necessary.

IV. DETAILED ASSESSMENT

Background and Development History

Harlem has a long history of development and residential use. Originally established as the Village of Nieuw Haarlem in 1658, Harlem largely retained its rural character until the inauguration of train service along Fourth Avenue (now Park Avenue) by the New York and Harlem Railroad in 1837. By the 1860s, many of the streets to the east of the railroad were heavily built up, while wooden suburban homes were scattered elsewhere in the area.

As New York City's population grew and elevated rail lines extended northward along Second, Third, and Eighth Avenues, the urbanization of Harlem became inevitable. Most of Harlem as it stands today was constructed by the first decades of the 20th century and the area's built form is still characterized by rowhouses and apartment complexes of varying styles including Beaux Arts, Queen Anne, and Romanesque Revival. In the 1950s and 1960s, Harlem experienced an era of disinvestment and distress, sustaining extreme property abandonment, population loss, and vacancy. Today, the neighborhood remains predominantly residential but local ground-floor retail, commercial, public facilities and institutions, and vacant land are also common uses.

Existing Conditions

Land Use

Primary Study Area

The primary study area encompasses a large portion of a city block between West 118th and West 117th Streets, bounded by St. Nicholas Avenue to the east and a line 100 feet east of Frederick Douglass Boulevard to the west. Land uses in the primary study area include multi-family residential buildings (Lots p/o 1, 19, 60, 7501), public facilities and institutions (Lots 49, 53), community gardens (Lots 20, 21), private open space (Lot 19), and vacant buildings (Lots 14, 52). There are six occupied buildings within the primary study area, as well as one below grade public parking facility. It is estimated that approximately 122 residential units and 190,000 gsf of floor area are located within the primary study area. Over the past fifty years, the primary study area has undergone little new development, as only the construction of a 6-story mixed-use residential and commercial building on Lot 1 (built 2003) and the residential conversion of a 7-story condominium building have taken place. All other buildings were built between the late 1800s and 1960.

Table C-1 shows percentages of the total lot area within the primary study area devoted to each type of land use. As shown in Table C-1, 43 percent of the primary study area's total lot square footage supports multi-family residential uses. The next most prevalent use of area are public facilities and institutions (25%) and vacant buildings (25%), all of which were most recently occupied by institutional uses. The remaining area is occupied by community gardens (7%) and private open space (>1%). Although present within a ¼ mile of the primary study area, single and two-family residential uses, mixed commercial/residential uses, commercial/office buildings, transportation and utility uses, publicly accessible open spaces, and parking facilities are not represented within the primary study area.

Table C-1
Primary Study Area Lot Area by Land Use

Land Use	Total Lot Square Footage	Percent of Total
Multi-Family Walkup Buildings	5,023	6%
Multi-Family Elevator Buildings	29,900	37%
Public Facilities & Institutions	20,976	25%
Private Open Space	631	>1%
Community Gardens	5,253	7%
Vacant Buildings	20,183	25%
Total	**81,966**	**100%**

Projected Development Sites

The assessment of the primary study area conditions focuses on the Proposed Development Site, which has been identified in the RWCDS as the only site likely to be developed as a result of the Proposed Action (refer to Attachment A, "Project Description"). The following site description reflects the condition of the area at the time the surveys were conducted in December 2012.

- Proposed Development Site: Three of the lots included within the primary study area, which comprise a total lot area of approximately 28,636 sf, are owned by the Applicant (Block 1923, Lots 14, 49, 52). The Proposed Development Site is occupied by a vacant church building on West 117th Street (Lot 14), a school building on St. Nicholas Avenue (Lot 49), and a vacant former church rectory building on West 117th Street (Lot 52). The site has a built FAR of approximately 1.95.

Secondary Study Area

As described above, the secondary study area includes the area within an approximately ¼ mile radius of the Proposed Rezoning Area. As shown in Figure C-2, land uses in the secondary study area are primarily residential, and the predominant building types are 3 to 8 story multi-family walkup buildings and multi-family elevator buildings. The study area also includes mixed-uses (residential with ground floor retail), vacant land, commercial, and public facility and institutional uses.

The blocks in the eastern portion of the study area are homogenously residential, with most buildings north of West 116th Street between Adam Clayton Powell Jr. Boulevard and Lenox Avenue comprising the Mount Morris Park Historic District (S/NR and LPC). Most residential buildings within the historic district are one and two family or multi-family walkup brownstones ranging from 3 to 4 stories in height. Some mixed-use and commercial buildings are located along the major avenues. Lenox Avenue has taller buildings generally ranging from 5 to upwards of 11 stories.

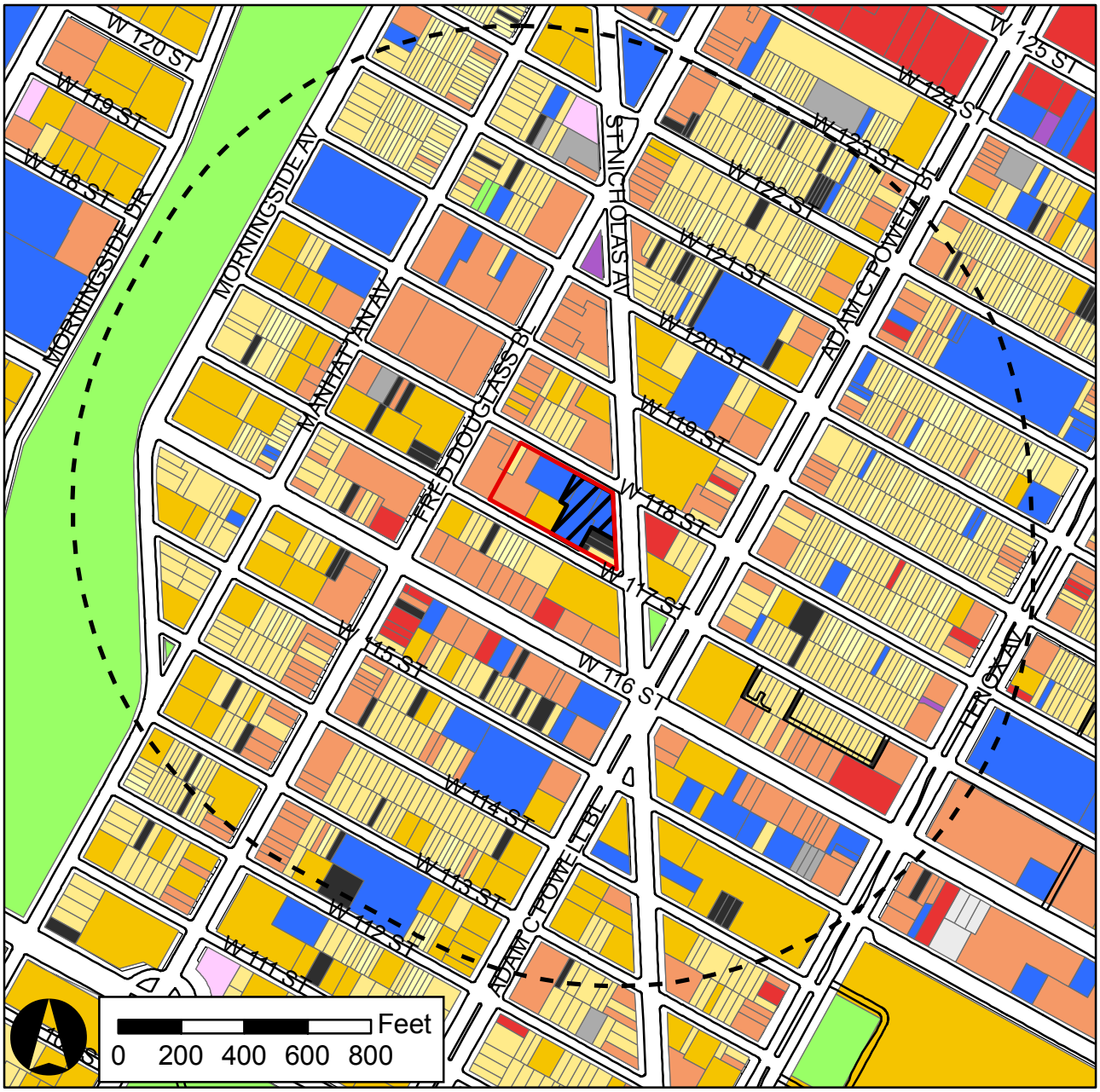
A wider variety of uses are found to the south of the primary study area. In addition to one and two family buildings, there are a number of multi-family residential and mixed use buildings (residential with ground floor retail) concentrated along the major avenues. Ground floor retail provides local services and shopping such as restaurants, laundromats, banks, hardware stores, delis, discount stores, and beauty salons. Additionally, there are a number of public facility and institutional uses in the area including the Wadleigh Secondary School for Performing Arts at 203 West 114th Street, PS 241 Family Academy at 249 West 112th Street, the New York Public Library (LPC designated) at 203 West 115th Street, the First Corinthian Baptist Church (formerly the Regent Theater; LPC designated) at 1912 Adam Clayton Powell Jr. Boulevard, the Canaan Baptist Church at 132 West 116th Street, and the Masjid Malcolm Shabaz Mosque at 119 Lenox Avenue. Vacant land and buildings are also common in the area to the south of the primary study area. Buildings to the south of the primary study area tend to range from 5 to 7 stories in height but also include some taller buildings such as the 17-story NYCHA building at 131 St. Nicholas Avenue.

The western portion of the secondary study area is characterized by residential and mixed use buildings (residential with ground floor retail). Buildings along Frederick Douglass Boulevard tend to be taller than the rest of the secondary study area and typically range from 5 to 12 stories in height. The area near Morningside Park is home to a number of institutional uses including the Police Athletic League at 441 Manhattan Avenue and the Hugo Newman College Preparatory School at 51 Morningside Avenue. A small number of public parking facilities are also located in this area to the west of Frederick Douglass Boulevard.

Zoning

Primary Study Area

The area directly affected by the Proposed Action is zoned R7A, a medium-density contextual apartment house district mapped in established neighborhoods such as Harlem and the East Village. Contextual Quality Housing regulations are mandatory in R7A districts and typically produce high lot coverage, seven- and eight-story apartment buildings that blend with existing structures. The maximum FAR for both residential and community facility uses in R7A zoning districts is 4.0. Buildings must have interior amenities for the residents pursuant to the Quality Housing Program. Off-street accessory parking is not allowed in front of a building and is required for 50 percent of all dwelling units (can be waived if 15 or fewer spaces are required).



Legend

- Primary Study Area
- Proposed Development Site
- Secondary Study Area (Quarter-Mile Radius)
- 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 Facilities
- Vacant Land
- All Others or No Data

Source: PLUTO 2012 (NYCDCP) and field observations

The primary study area is located within an area of the city eligible for the Food Retail Expansion to Support Health Program (FRESH). The FRESH program provides zoning and discretionary tax incentives for developers and owners who provide grocery stores in mixed residential and commercial buildings. As the primary study area's R7A zoning does not allow for commercial uses, any new development would not be eligible for the FRESH program. It is also worth noting that the primary study area is not located within an Inclusionary Housing designated area and is thus not eligible to receive the floor area bonuses associated with this program.

Secondary Study Area

The majority of the secondary study area is zoned R7-2, which is similar to R7A in that it is a medium-density apartment house district but Quality Housing regulations are optional. The maximum FAR in R7-2 districts is 3.44 for residential uses and 6.5 for community facilities. As in other non-contextual districts, a taller building may be constructed by providing more open space on a site. In R7-2 districts, parking is required for 50 percent of residential units, and can be waived if 15 or fewer spaces are required. C1-4 and C2-4 overlay districts are mapped along the major thoroughfares such as Frederick Douglass Boulevard, Adam Clayton Powell Jr. Boulevard, Lenox Avenue, and West 116th Street. The maximum commercial FAR in these areas is 2.0.

In 2002, the Frederick Douglass Boulevard corridor was rezoned from R7-2 to R8A. The rezoning increased the permitted residential density along Frederick Douglass Boulevard, from 3.44 to 6.02 FAR. R8A districts are contextual and typically result in high lot coverage 10- to 12-story apartment buildings, set at or near the street line. The area between the building's street wall and the street line must be planted and the building must have interior amenities pursuant to the Quality Housing Program. Off-street accessory parking is not allowed in front of buildings within an R8A district, and parking is required for 40 percent of dwelling units (waived if 15 or fewer spaces are required). As previously mentioned, C1-4 overlay districts (maximum FAR 2.0) are also mapped along Frederick Douglass Boulevard.

A small C4-5X zone is located to the east of the primary study area bounded by West 115th Street to the north, West 117th Street to the south, Lenox Avenue to the west, and Fifth Avenue to the east. C4-5X districts are contextual and can differ from corresponding non-contextual districts in terms of commercial and residential bulk and density. The maximum FAR allowed in C4-5X districts is 4.0 for commercial uses, 5.0 for residential, and 5.0 for community facilities. The residential district equivalent to a C4-5X district is R7X.

Future Without the Proposed Action (No-Action)

Land Use

Primary Study Area

In the 2017 future without the Proposed Action, only land uses that are currently permitted in the primary study area would be allowed. The Applicant would construct an approximately 139,943 gsf (114,545 zsf) as-of-right residential development on the Proposed Development Site. The No-Action residential development would have an FAR of 4.0 and would be comprised of approximately 116,836 gsf of residential use (135 DUs), 10,780 gsf (67 spaces) of below grade accessory parking, and 12,327 gsf of below grade storage and building support space.

Secondary Study Area

In the 2017 future without the Proposed Action, it is expected that no change in land use would occur in the secondary study area. Land uses would remain primarily residential, with some mixed-uses (residential with ground floor retail), vacant land, commercial, and public facility and institutional uses. There are no known development projects within the secondary study area.

Zoning

In the 2017 future without the Proposed Action, no changes to zoning would occur in either the primary or secondary study areas. The primary study area would remain zoned R7A and the majority of the secondary study area would remain zoned R7-2 with the exception of R8A zoning along Frederick Douglass Boulevard and a small two block area zoned C4-5X to the east of the site. There are no known rezoning proposals within either the primary or secondary study area.

Future With the Proposed Action (With-Action)

Land Use

Primary Study Area

In the 2017 future with the Proposed Action, the existing R8A zoning district mapped along Frederick Douglass Boulevard would extend farther east, overlaying the entire block bounded by West 118th Street to the north, St. Nicholas Avenue to the east, and West 117th Street to the south. While no new land uses would be allowed in the future with the Proposed Action, the proposed zoning map amendment would increase the maximum allowable FAR for residential and community facility uses.

The Proposed Action is expected to result in the development of higher density residential and community facility uses at one projected development site, the Proposed Development Site (Lots 14, 49, 52). As discussed in the RWCDS section of Attachment A, "Project Description," the RWCDS would introduce an approximately 219,278 gsf of mixed-use development, including 176,114 gsf of residential use (205 DUs), 13,745 gsf of community facility use, 13,087 gsf (82 spaces) of below grade parking, and 16,333 gsf of below grade storage and building support space on the Proposed Development Site. The With-Action development would have an FAR of 6.5.

Secondary Study Area

The Proposed Action would not introduce any new land uses to the secondary study area and would have no direct impact on land uses. As noted above, blocks immediately surrounding the Proposed Rezoning Area primarily support residential uses, with some mixed-use buildings, commercial, public facility and institutional, and vacant land. The proposed uses for the Proposed Development Site would be compatible with these existing uses.

Zoning

In the 2017 future with the Proposed Action, a portion of one City tax block in Central Harlem would be rezoned from R7A to R8A. The Proposed Rezoning Area would total approximately 81,966 sf in area and would be bound to the west by a line 100 feet east of Frederick Douglass Boulevard, to the north by West 118th Street, to the east by St. Nicholas Avenue, and to the south by West 117th Street.

The R8A zoning district is a contextual zoning district, which typically produces medium-density apartment houses. Contextual zoning districts regulate the height, bulk, and setback of new buildings. The goal of contextual zoning is to create new buildings that are consistent with the existing neighborhood character. As previously described and shown below in Table C-2, the proposed R8A zoning district would increase allowable density for a maximum FAR of 6.02 for residential uses and 6.5 for community facility uses. The rezoning would also increase the maximum street wall height to 85 feet and the maximum building height to 120 feet.

R8A districts typically result in high lot coverage 10- to 12-story apartment buildings, set at or near the street line. The area between the building's street wall and the street line must be planted and the building must have interior amenities pursuant to the Quality Housing Program. Off-street parking is not allowed in front of buildings within an R8A district, and parking is required for 40 percent of dwelling units (waived if 15 or fewer spaces are required).

Table C-2
Comparison of Height, Bulk, and Setback Regulations Under Existing and Proposed Zoning

	R7A (Existing)	R8A (Proposed)
Floor Area Ratio (FAR)	4.0 residential 4.0 community facility	6.02 residential 6.5 community facility
Street Wall	- Set at or near the street line - All open areas between street wall and street line must be planted - Maximum 65 feet of front wall before setback	- Set at or near the street line - All open areas between street wall and street line must be planted - Maximum 85 feet of front wall before setback
Height and Setback	- Maximum height of 80 feet - Above maximum base height, must setback 10 feet when facing a wide street and 15 feet when facing a narrow street	- Maximum height of 120 feet - Above maximum base height, must setback 10 feet when facing a wide street and 15 feet when facing a narrow street

V. CONCLUSION

Only land uses that are currently permitted in the primary and secondary study areas would be allowed in the future with the Proposed Action. The new residential and community facility uses that are expected to result from the Proposed Action would represent a continuation of the historically residential character of the surrounding area. As all new development within the primary study area would take place on vacant or underutilized land, the development resulting from the Proposed Action is expected to positively affect surrounding land uses. Therefore, there would be no potential to generate land uses that would be incompatible with existing and anticipated land uses and no existing uses would be directly displaced so as to adversely affect other surrounding uses.

The proposed zoning map amendment would largely preserve the existing character of this area of Central Harlem and prevent development that is out of context with the established streetscapes. The proposed R8A contextual zoning district would establish maximum base height and building height limits for new buildings. The use of a contextual zoning district would ensure that the scale and bulk of new buildings are sensitive to and consistent with existing and anticipated developments. Furthermore, the Proposed Action would also not result in land uses that conflict with public policies applicable to the study area such as the Manhattan Community Board 9 197-a Plan. Therefore, the Proposed Action would not result in significant adverse impacts to land use, zoning, and public policy and no further analysis is necessary.

ATTACHMENT D
SHADOWS

I. INTRODUCTION

According to the *2012 CEQR Technical Manual*, an adverse shadow impact is considered to occur when the incremental shadow from a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources. Sunlight-sensitive resources can include publicly accessible open space, architectural resources, natural resources, and greenstreets. In general, shadows on city streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are also not considered significant under CEQR.

For environmental assessment purposes, a reasonable worst-case development scenario (RWCDS) that differs from the Applicant's Proposed Development has been identified. Absent the Proposed Action, the Proposed Development Site would be developed with an approximately 139,943 gsf as-of-right residential development. This No-Action scenario would consist of approximately 116,836 gsf of residential use (135 DUs), 10,780 gsf of below grade accessory parking (67 spaces), and 12,327 gsf of below grade storage and building support space. In the future with the Proposed Action, the analysis framework anticipates that the Proposed Development Site would be developed with four buildings, including: Building 1, an 8-story 38,188 gsf residential building located on the northerly line of Lot 14 and comprised of 33,760 gsf of residential use (40 DUs) and 4,428 gsf of below grade storage and building support space; Building 2, a 12-story 91,165 gsf apartment building located on the southerly line of Lot 14 and comprised of 75,461 gsf of residential use (89 DUs), 13,087 gsf of below grade accessory parking (82 spaces), and 2,618 gsf of below grade storage and building support space; Building 3, a 5-story enlargement and 10-story extension of an existing school building resulting in a 10-story 82,801 gsf mixed use building located on Lot 49 and comprised of 13,745 gsf of community facility use, 61,194 gsf of residential use (72 DUs), and 7,862 gsf of below grade storage and building support space; Building 4, a renovation and conversion of a vacant 4-story rectory building on Lot 52 to 5,699 gsf of residential use (4 DUs) and 1,425 gsf of below grade storage and building support space. The With-Action development would have a total of 219,278 gsf of mixed-use development, including approximately 176,114 gsf of residential use (205 DUs), 13,745 gsf of community facility use, 13,087 gsf of below grade accessory parking (82 spaces), and 16,333 gsf of below grade storage and building support space. The remainder of the Proposed Rezoning Area would remain unchanged.

According to the *2012 CEQR Technical Manual*, a shadow assessment is required only if a project would result in structures (or additions to existing structures) of 50 feet or more and/or be located adjacent to, or across the street from, a sunlight-sensitive resource. The Proposed Action is a zoning map amendment affecting one city block in Central Harlem that would replace existing R7A zoning with an R8A district. As the With-Action development would be located adjacent to several sunlight-sensitive resources, a shadow assessment is required in order to determine whether the Proposed Action would result in new shadows long enough to reach any of the resources at any time of year. As discussed below, compared to the No-Action condition, the shadows generated as a result of the Proposed Action would not be significant in terms of frequency or duration.

II. METHODOLOGY

First, a preliminary screening assessment must be conducted to ascertain whether the shadows resulting from the Proposed Action could reach any sunlight-sensitive resources at any time of year. The preliminary screening assessment consists of three tiers of analysis. The first tier identifies the longest shadow study area based on the maximum height of the structure(s) resulting from the proposed project. If there are sunlight-sensitive resources within this radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by looking at specific representative days of the year and determining the maximum extent of shadows over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadows analysis is required to determine the extent and duration of the incremental shadow resulting from the proposed action. The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text.

III. PRELIMINARY SCREENING

Tier 1 Screening Assessment

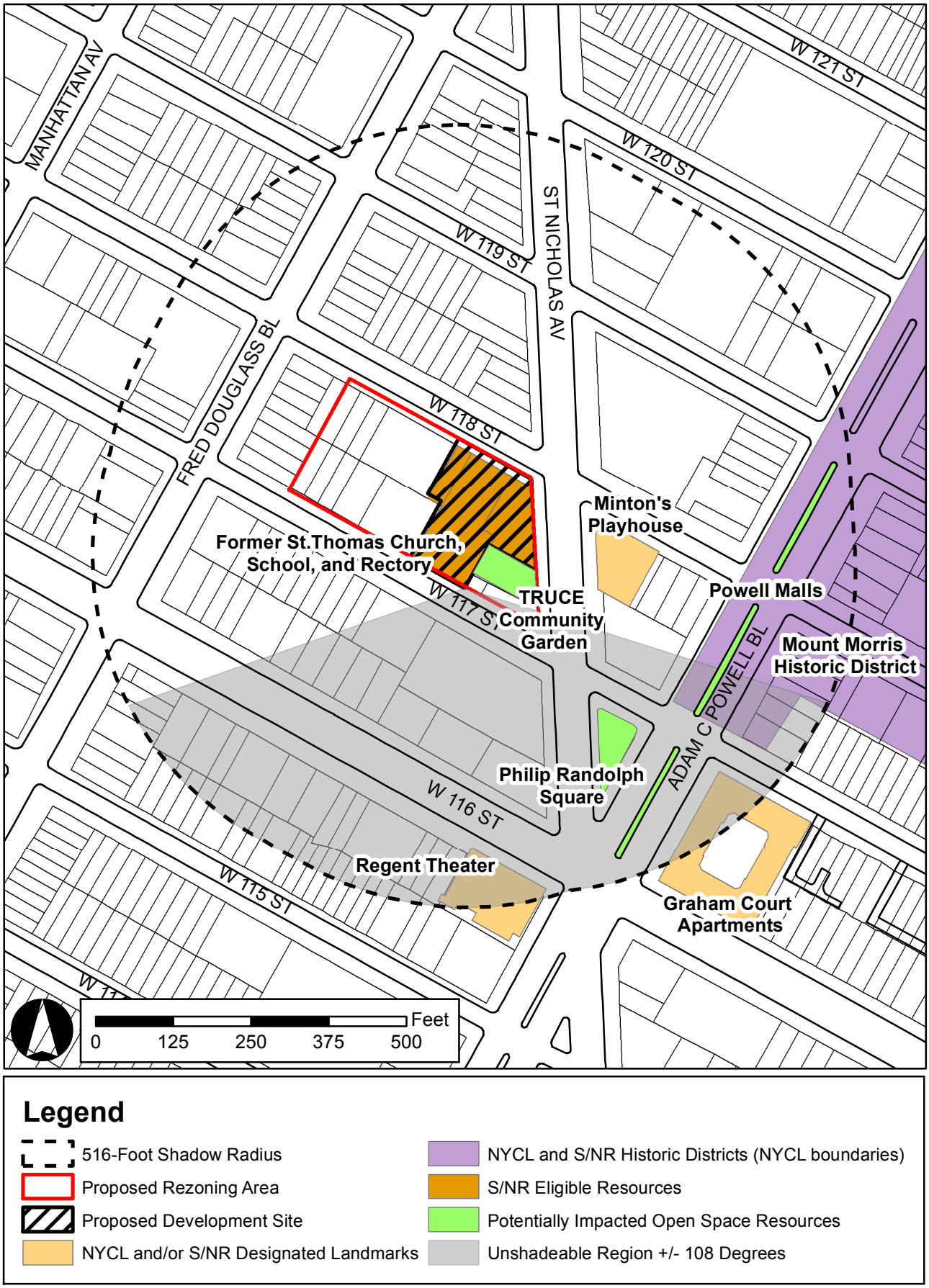
A base map was developed (see Figure D-1) showing the location of the Proposed Development Site, the surrounding street layout, and all potentially sunlight-sensitive resources (publicly accessible open spaces, architectural resources, natural resources, and greenstreets). According to the *2012 CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The height of the With-Action development (120 feet) was used to determine the maximum shadow radius of 516 feet (Tier 1 Assessment).

The results of the Tier 1 screening assessment confirm that within a 516-foot radius of the Proposed Development Site, there are seven potentially sunlight-sensitive resources, including three open space resources and four LPC designated and S/NR listed historic resources.

Open Space Resources

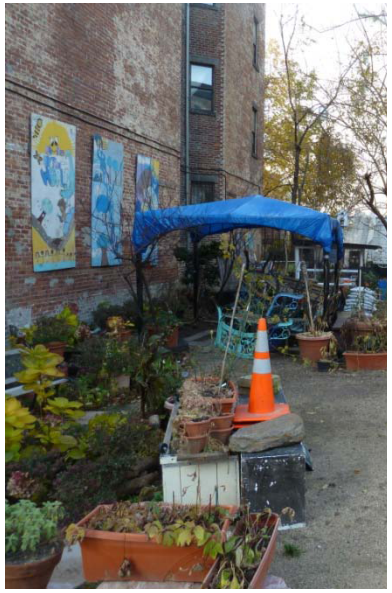
As illustrated in Figure D-1, three open space resources fall within the maximum shadows radius, including the TRUCE Community Garden, Philip Randolph Square, and the Adam Clayton Powell Jr. Malls. The TRUCE Community Garden is a 0.12 acre publicly accessible garden located directly adjacent to the Proposed Development Site along St. Nicholas Avenue. The community garden features planting beds, benches, and trees. Randolph Square is a 0.07 acre paved plaza with benches and trees located between West 117th and West 116th Streets along St. Nicholas Avenue, approximately 260 feet to the east of the development site. The Powell Malls serve as a planted median along Adam Clayton Powell Jr. Boulevard between 110th and 152nd Streets. Only a small portion (0.04 acres) of the malls fall within the maximum shadows radius. The malls are landscaped areas containing trees, shrubs, and flowers and are located approximately 330 feet to the east of the development site. Figure D-2 provides photos of each open space resource.

Shadow Study Area - Tier 1 and Tier 2 Assessment





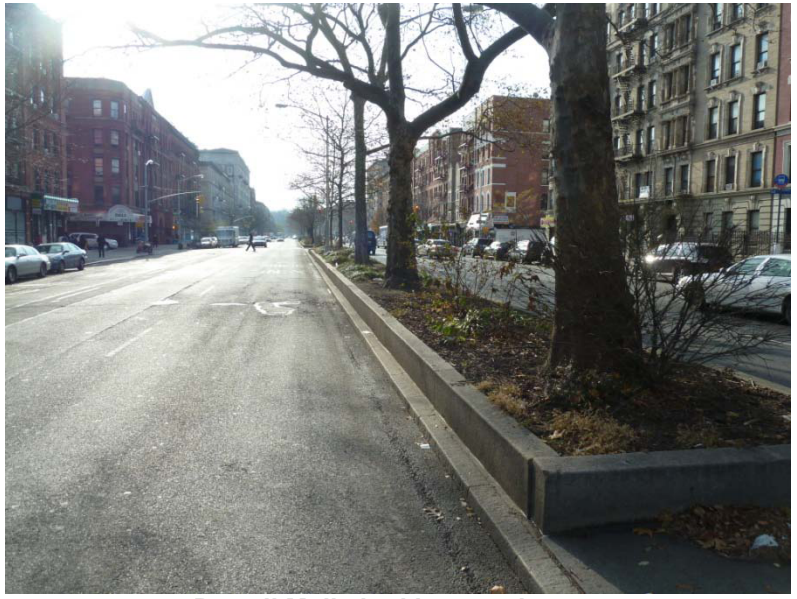
TRUCE Community Garden looking west



TRUCE Community Garden looking west



Philip Randolph Square looking west



Powell Malls looking south on
Adam Clayton Powell Jr. Boulevard

Architectural Resources

According to the *2012 CEQR Technical Manual*, architectural resources are considered to be sunlight-sensitive if they possess any of the following characteristics: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g. recessed balconies, arcades, prominent rustication), highly carved ornamentation, stained glass windows, and exterior materials and color that depend on direct sunlight for visual character. While four architectural resources fall within the maximum shadows radius, only two are considered sunlight-sensitive under CEQR.

The Regent Theater (now First Corinthian Baptist Church) (LPC designated) is a Renaissance Revival style theater building designed by Thomas W. Lamb and built in 1912-1913. The façade is adorned with multicolored terra cotta cast in an Italian Renaissance style and features numerous sunlight-sensitive features as defined by CEQR, including arcades, loggias, and balconies. These features are concentrated on the eastern façade of the building along Adam Clayton Powell Jr. Boulevard and could potentially be impacted by incremental project-generated shadows.

The Graham Court Apartments (LPC designated) was commissioned by William Waldorf Astor in 1898. Designed by Clinton & Russell, the building is done in an Italian Renaissance style and features a sunlight-sensitive rusticated limestone façade (first two floors) with tan or gray brick above and a crowning story of foliate terra cotta capped by a copper cornice. These features are concentrated on the western façade of the building along Adam Clayton Powell Jr. Boulevard and could potentially be impacted by incremental project-generated shadows.

Minton's Playhouse (S/NR listed) is a former jazz club located on the first floor of the Cecil Hotel at 210 West 118th Street. Famous for its role in the development of jazz music in the 1930s and 1940s, Minton's closed its doors in 1974 and was listed on the S/NR in 1985. In 2006, the club reopened briefly before closing again in 2010. Minton's Playhouse does not derive its historic character from the building's exterior and it lacks sunlight dependent features as defined by CEQR. Thus, the former jazz club is not considered a sunlight-sensitive resource and is not expected to be adversely impacted as a result of the Proposed Action.

The streets of the Mount Morris Park Historic District (LPC designated, S/NR listed) are lined with masonry row houses interspersed with institutional buildings of exceptional quality, all reflecting Harlem's late 19th century development as an affluent residential community. Almost every street contains examples of row houses in the neo-Greek, Romanesque Revival, and neo-Renaissance styles designed primarily by architects who specialized in speculative construction. In general, these architectural styles do not fit the CEQR criteria outlined above and do not depend on direct sunlight for their enjoyment. Therefore, the Mount Morris Park Historic District is not considered a sunlight-sensitive resource and is not expected to be adversely impacted as a result of the Proposed Action.

Therefore, based on the results of the Tier 1 screening assessment and the CEQR definition of sunlight-sensitive architectural resources, the only resources to be considered in the next tiers of screening assessments are the Regent Theater (now First Corinthian Baptist Church) and Graham Court Apartments.

Tier 2 Screening Assessment

Using the five sunlight-sensitive resources identified in the Tier 1 assessment, a Tier 2 screening was performed. Figure D-1 shows the triangular portion of the longest shadow study area that cannot be shaded in New York City due to the path of the sun in the northern hemisphere. According to CEQR

guidelines, this area to the south of the development site (between -108 degrees from true north and 108 degrees from true north) can be excluded from further analysis.

The results of the Tier 2 screening confirm that three sunlight-sensitive resources located within the longest shadow study area cannot be shaded by the With-Action development and no further analysis is required for these resources. The resources excluded from further analysis are Philip Randolph Square, the Regent Theater (now First Corinthian Baptist Church), and Graham Court Apartments. Therefore, the next tier of screening assessment focuses on the two remaining sunlight-sensitive resources, the TRUCE Community Garden and the Powell Malls between West 117th and West 119th Streets.

Tier 3 Screening Assessment

Based on the results of the Tier 2 screening assessment, a Tier 3 screening assessment was performed to determine if shadows resulting from the Proposed Action can reach either the TRUCE Community Garden or the Powell Malls. As discussed in Attachment A, "Project Description," the With-Action development represents the worst-case scenario for environmental analysis and was used for all three-dimensional computer modeling of shadows. As shadows from the With-Action development would reach both of the sunlight-sensitive open space resources on one or more of the four representative analysis days, a detailed shadow analysis is required.

IV. DETAILED SHADOW ANALYSIS

As directed by the *2012 CEQR Technical Manual*, shadow analyses were performed for the two open space resources identified above on four representative days of the year: March 21/September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); June 21, the summer solstice and the longest day of the year; and December 21, the winter solstice and shortest day of the year. These four representative days indicate the range of shadows over the course of the year. The *2012 CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset. The results of the shadow analysis show the incremental difference in shadow impact between the With-Action and No-Action conditions. As shown in Table D-1 below and Figure D-3, only the TRUCE Community Garden would experience incremental shadows as a result of the Proposed Action.

TABLE D-1
Shadow Duration on TRUCE Community Garden and Powell Malls

	ANALYSIS DAY	**March 21/Sept. 21**	**May 6/August 6**	**June 21**	**December 21**
	TIME WINDOW	**7:36 AM – 4:29 PM**	**6:27 AM – 5:18 PM**	**5:57 AM – 6:01 PM**	**8:51 AM – 2:53 PM**
TRUCE Community Garden	Shadow enter-exit time	1:19 – 3:00 PM	12:46 – 4:15 PM	12:38 – 4:16 PM	No Shadow
	Incremental shadow duration	1 hr 41 min	3 hrs 29 min	3 hrs 38 min	No Shadow
Powell Malls	Shadow enter-exit time	No Shadow	No Shadow	No Shadow	No Shadow
	Incremental shadow duration	No Shadow	No Shadow	No Shadow	No Shadow

March 21/September 21

Incremental shadows from the With-Action development would reach the TRUCE Community Garden on the March 21/September 21 analysis day. No incremental shadows would be experienced at the Powell Malls on this analysis day.

On the spring and fall equinoxes, as shadows grow in length, incremental shadows from the With-Action development would enter the community garden at 1:19 PM and exit at 3:00 PM for a total duration of 1 hour and 41 minutes.

At 1:25 PM shadows from existing buildings cover large portions of the garden and only a small portion receives direct sunlight. At this time, incremental shadows cover only a sliver of the garden's western edge and are virtually imperceptible (Figure D-3). By 2:00 PM, shadows from existing buildings have shifted east allowing sunlight to penetrate farther into the garden. At this time, incremental shadows cover only a sliver of the garden's northern edge and are virtually imperceptible (Figure D-3). By 3:00 PM, incremental shadows exit the garden.

May 6/August 6

Incremental shadows from the With-Action development would reach the TRUCE Community Garden on the May 6/August 6 analysis day. No incremental shadows would be experienced at the Powell Malls on this analysis day.

On May 6 and August 6, halfway between the solstice and equinox, incremental shadows form the With-Action development would enter the community garden at 12:46 PM and exit at 4:15 PM for a total duration of 3 hours and 29 minutes.

At 1:00 PM shadows from existing buildings cover the southeastern portion of the garden and approximately half of the garden receives direct sunlight. At this time, incremental shadows cover only a sliver of the garden's western edge and are virtually imperceptible (Figure D-3). By 2:30 PM, shadows from existing buildings have shifted east and the majority of the garden is cast in shade. At this time, incremental shadows cover a small area in the center of the garden (Figure D-3). From 3:43 to 4:15 PM, the garden is completely cast in shade as a result of incremental shadows. During this 32 minutes span, incremental shadows cover only a small area and are virtually imperceptible by 4:00 PM (Figure D-3).

June 21

Incremental shadows from the With-Action development would reach the TRUCE Community Garden on the June 21 analysis day. No incremental shadows would be experienced at the Powell Malls on this analysis day.

On the longest day of the year, the summer solstice, the sun is most directly overhead and shadows are shortest in length. Incremental shadows would enter the community garden at 12:38 PM and exit at 4:16 PM for a total duration of 3 hours and 38 minutes.

At 1:30 PM shadows from existing buildings cover the southeastern portion of the garden and more than half of the garden receives direct sunlight. At this time, incremental shadows cover a small strip of the garden along the western edge (Figure D-3). By 3:00 PM, shadows from existing buildings have shifted east and approximately three-quarters of the garden is cast in shade. At this time, incremental shadows cover a small area along the northern edge and center of the garden (Figure D-3). From 4:05 to 4:16 PM, the garden is completely cast in shade as a result of incremental shadows. During this 11 minute span, incremental shadows cover only a small area and are virtually imperceptible.

December 21

On the shortest day of the year, the winter solstice, when shadows are at their longest, no incremental shadows would be experienced at the TRUCE Community Garden or the Powell Malls.



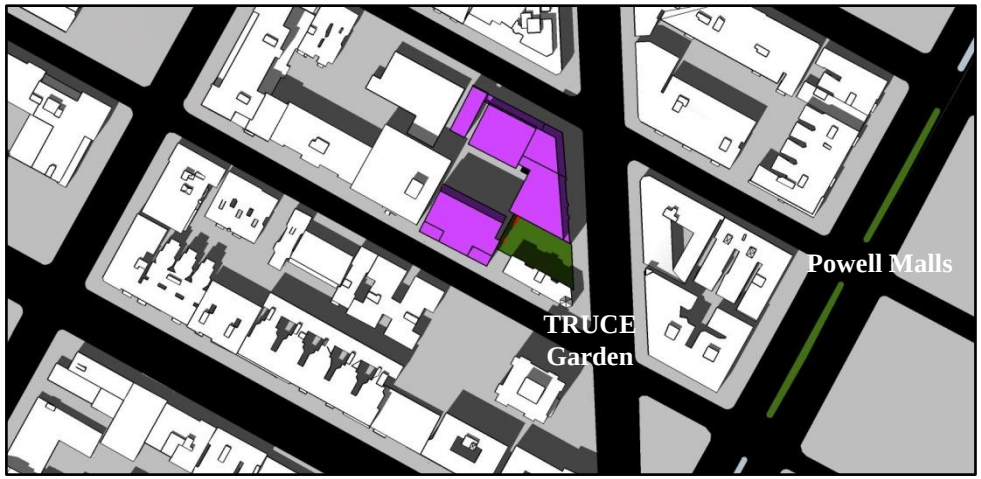
1:25 PM



2:00 PM

Project Site Incremental Shadow Open Space

Figure D-3
Incremental Shadows on March 21/September 21



1:00 PM



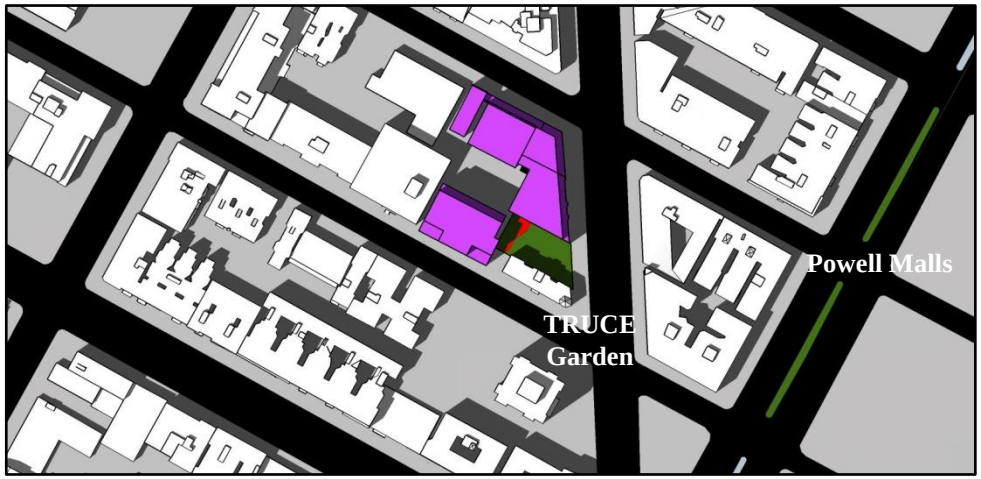
2:30 PM



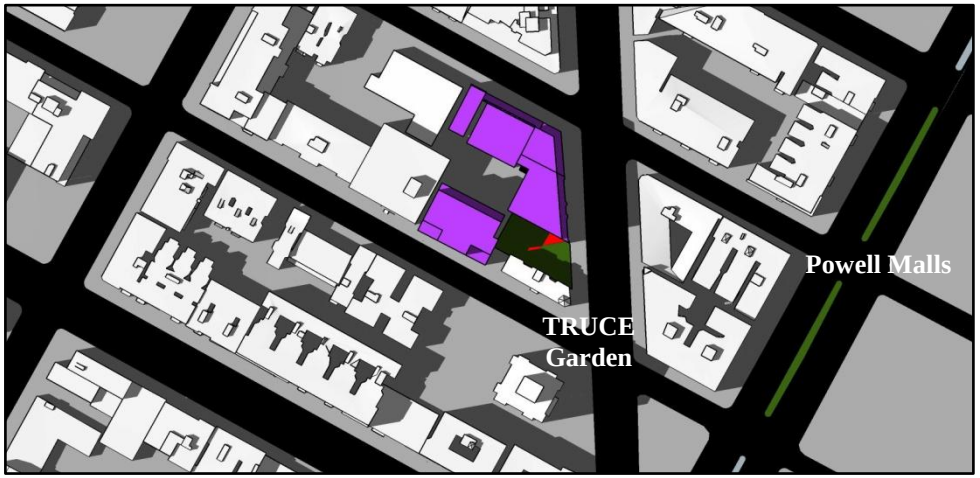
4:00 PM

Project Site Incremental Shadow Open Space

Figure D-3 (Cont'd)
Incremental Shadows on May 6/August 6



1:30 PM



3:00 PM



4:00 PM

Project Site Incremental Shadow Open Space

Figure D-3 (Cont'd)
Incremental Shadows on June 21

Assessment

The incremental shadows from the With-Action development would reach small portions of the TRUCE Community Garden during three of the representative analysis days and would not reach the Powell Malls. On two analysis days, project-generated shadows would remove the remaining sunlit area of the community garden, albeit for only 32 minutes on May 6/August 6 and 11 minutes on June 21. As described in detail below, the Proposed Action is not expected to affect the use or operation of the TRUCE Community Garden and would not result in significant adverse shadow impacts.

The With-Action development would cast incremental shadows on the TRUCE Community Garden during the early afternoon on three representative analysis days. Incremental shadows would last for 1 hour 41 minutes on March 21/September 21, 3 hours 29 minutes on May 6/August 6, and 3 hours 38 minutes on June 21. While these incremental shadows would range in duration, the extent of the incremental shadows would be limited to small portions of this open space resource (Figure D-3), generally along the community garden's western and northern edges. While there are planting beds located in areas that would receive project-generated incremental shadows, the community garden would still obtain adequate sunlight for its vegetation during the plant growing season from March through October (at least the 4 to 6 hour minimum specified in the *2012 CEQR Technical Manual*). Furthermore, the incremental shadows created as a result of the Proposed Action are not expected to substantially reduce the usability of this open space, as the affected areas contain walking paths, grass, planted areas, and trees, and do not contain any playgrounds or other recreational activities that may be adversely affected by a reduction in sunlight during these periods. Therefore, the new incremental shadows cast by the With-Action development would not adversely affect the utilization or enjoyment of this resource.

The Powell Malls would experience no incremental shadows as a result of the Proposed Action and therefore would not be adversely affected.

V. CONCLUSION

Overall, there would be no noticeable reduction in the usability of any open space or public appreciation of sunlight-sensitive historic resources as a result of incremental shadows created by the Proposed Action, compared to the No-Action conditions. The incremental shadows resulting from the Proposed Action would reach only small portions of the TRUCE Community Garden on three of the representative analysis days. Therefore, no significant adverse shadows impacts are anticipated as a result of the Proposed Action.

ATTACHMENT E
AIR QUALITY

I. INTRODUCTION

As detailed in Attachment A, "Project Description," the Applicant, 117th Street Equities, LLC, is requesting a zoning map amendment affecting a portion of one City tax block in the Central Harlem neighborhood of Manhattan Community District 10. The affected area is bounded to the west by a line 100 feet east of Frederick Douglass Boulevard, to the north by West 118th Street, to the east by St. Nicholas Avenue, and to the south by West 117th Street. The Proposed Rezoning Area is currently zoned R7A, a medium-density contextual apartment house district. The Proposed Action would replace the existing R7A district with an R8A contextual zoning district. The Proposed Action is intended to facilitate a 190,265 gsf mixed-use development (the "Proposed Development") on Applicant owned land along West 117th Street, St. Nicholas Avenue, and West 118th Street. The proposed rezoning would also allow the Applicant to preserve a portion of a vacant building formerly occupied by St. Thomas the Apostle Church for a new community facility use.

The Proposed Action is expected to result in the development of higher density residential and community facility uses at one projected development site, the Proposed Development Site (Lots 14, 49, 52). Under the proposed zoning map amendment, a range of new development could potentially occur on this site in the future. For conservative environmental analysis purposes, a Reasonable Worst-Case Development Scenario (RWCDS) which differs from the Applicant's Proposed Development has been identified for the site. The RWCDS assumes that in the With-Action scenario the Proposed Development Site would consist of four buildings, including: Building 1, an 8-story 38,188 gsf residential building located on the northerly line of Lot 14 and comprised of 33,760 gsf of residential use (40 DUs) and 4,428 gsf of below grade storage and building support space; Building 2, a 12-story 91,165 gsf apartment building located on the southerly line of Lot 14 and comprised of 75,461 gsf of residential use (89 DUs), 13,087 gsf of below grade accessory parking (82 spaces), and 2,618 gsf of below grade storage and building support space; Building 3, a 5-story enlargement and 10-story extension of an existing school building resulting in a 10-story 82,801 gsf mixed use building located on Lot 49 and comprised of 13,745 gsf of community facility use, 61,194 gsf of residential use (72 DUs), and 7,862 gsf of below grade storage and building support space; Building 4, a renovation and conversion of a vacant 4-story rectory building on Lot 52 to 5,699 gsf of residential use (4 DUs) and 1,425 gsf of below grade storage and building support space. The With-Action development would have a total of 219,278 gsf of mixed-use development, including approximately 176,114 gsf of residential use (205 DUs), 13,745 gsf of community facility use, 13,087 gsf of below grade accessory parking (82 spaces), and 16,333 gsf of below grade storage and building support space. The remainder of the Proposed Rezoning Area would remain unchanged.

Air quality is a general term used to describe pollutant levels in the atmosphere. As the With-Action Development would introduce heating/hot water, ventilation, and air conditioning (HVAC) systems that may burn fossil fuels, air quality could be affected by the With-Action Development. A preliminary analysis pursuant to the requirements of the *2012 CEQR Technical Manual* determined that a detailed analysis is warranted. The potential air quality impacts that are addressed in this detailed analysis are:

1. The potential for emissions from the heating/hot water, ventilation, and air conditioning systems of existing land uses to significantly impact the With-Action buildings;
2. The potential for emissions from the HVAC systems of the buildings to be located on the Proposed Development Site to significantly impact other buildings on the Proposed Development Site (i.e., project-on-project impacts).

Air quality analyses were conducted following the procedures outlined in the *2012 CEQR Technical Manual* to determine whether the Proposed Action would result in violations of ambient air quality standards or exceedances of health-related guideline values. The methodologies and procedures utilized are described below.

II. STANDARDS AND GUIDELINES

National Ambient Air Quality Standards

National Ambient Air Quality Standards (NAAQS) were promulgated by The US Environmental Protection Agency (EPA) for six major pollutants, deemed criteria pollutants, because threshold criteria can be established for determining adverse effects on human health. They consist of primary standards, established to protect public health, and secondary standards, established to protect plants and animals and to prevent economic damage. The six pollutants are:

- *Carbon Monoxide (CO)*, which is a colorless, odorless gas produced from the incomplete combustion of gasoline and other fossil fuels.
- *Lead (Pb)* is a heavy metal principally associated with industrial sources.
- *Nitrogen dioxide (NO_2)*, which is formed by chemical conversion from nitric oxide (NO), which is emitted primarily by industrial furnaces, power plants, and motor vehicles.
- *Ozone (O_3)*, a principal component of smog, is formed through a series of chemical reactions between hydrocarbons and nitrogen oxides in the presence of sunlight.
- *Inhalable Particulates (PM_{10}/$PM_{2.5}$)* are primarily generated by diesel fuel combustion, brake and tire wear on motor vehicles, and the disturbance of dust on roadways. The PM_{10} standard covers those particulates with diameters of 10 micrometers or less. The $PM_{2.5}$ standard covers particulates with diameters of 2.5 micrometers or less.
- *Sulfur dioxides (SO_2)* are heavy gases primarily associated with the combustion of sulfur-containing fuels such as coal and oil.

Table E-1 shows the New York and National Ambient Air Quality Standards, as well as recorded values at the monitoring stations closest to the site. The 1-hour NO_2 standard was established on February 9, 2010. Based on current NYCDCP guidelines, modeling of the 1-hour NO2 standard is not required for an EAS until further notice pending discussions with NYCDEP. Therefore, it will not be included in the analysis.

Table E-1
National and New York State Ambient Air Quality Standards

Pollutant	Averaging Period	Standard	2011 Value	Monitor
Sulfur Dioxide	3-hour average	1,300 μg/m^3 (0.5 ppm)	133.1 μg/m^3 (43.7 ppb)	Botanical Gardens (Bronx)
	1-hour average[e]	196.5 μg/m^3 (75 ppb)	114.1 μg/m^3 (51 ppb)	
Inhalable Particulates (PM_{10})	24-hour average	150 μg/m^3	57 μg/m^3	P.S. 19
Inhalable Particulates ($PM_{2.5}$)	3-yr average annual mean[f]	12 μg/m^3	11.7 μg/m^3	P.S. 19
	Maximum 24-hr. 3-yr. avg.[c]	35 μg/m^3	29.5 μg/m^3	
Carbon Monoxide	8-hour average[a]	9 ppm	2.0 ppm	CCNY
	1-hour average[a]	35 ppm	3.1 ppm	
Ozone	Maximum daily 8-hr avg.[b]	0.075 ppm	0.079 ppm	Botanical Gardens (Bronx)
Nitrogen Dioxide	12-month arithmetic mean	100 μg/m^3 (53 ppb)	39.8 μg/m^3	Botanical Gardens (Bronx)
	1-hour average[d]	188 μg/m^3 (100 ppb)	69.3 ppm	
Lead	Quarterly mean	0.15 μg/m^3	0.006 μg/m^3	I.S. 52 (2010)

Notes: ppm = parts per million; μg/m^3 = micrograms per cubic meter.

a. Not to be exceeded more than once a year.

b. Three-year average of the annual fourth highest maximum 8-hour average concentration effective May 27, 2008.

c. Not to be exceeded by the 98th percentile of 24-hour $PM_{2.5}$ concentrations in a year (averaged over 3 years).

d. Three-year average of the 98th percentile of the daily maximum 1-hour average, effective January 22, 2010.

e. Three-year average of the 99th percentile of the daily maximum 1-hour average, final rule signed June 2, 2010.

f. Final rule signed December 14, 2012 and effective March 13, 2013.

Sources: New York State Department of Environmental Conservation; New York State Ambient Air Quality Development Report, 2011; New York City Department of Environmental Protection, 2012.

NYC *De Minimis* Criteria and Interim Guidelines

For carbon monoxide from mobile sources, New York City's *de minimis* criteria are used to determine the significance of the incremental increases in CO concentrations that would result from a proposed action. These set the minimum change in an 8-hour average carbon monoxide concentration that would constitute a significant environmental impact. According to these criteria, significant impacts are defined as follows:

- An increase of 0.5 parts per million (ppm) or more in the maximum 8-hour average carbon monoxide concentration at a location where the predicted No Action 8-hour concentration is equal to or above 8 ppm.

- An increase of more than half the difference between the baseline (i.e., No Action) concentrations and the 8-hour standard, where No Action concentrations are below 8 ppm.

For $PM_{2.5}$ analyses at the microscale level, the City's *de minimis* criteria for developing significance are:

- Predicted increase of more than half the difference between the background concentration and the 24-hour standard;

- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.1 ug/m^3 at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately one square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or

- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at a discrete or ground-level receptor location.

No interim guidelines have been assigned to PM_{10}.

State Implementation Plan (SIP)

The Clean Air Act requires states to submit to the EPA a SIP for attainment of the NAAQS. The 1977 and 1990 amendments required comprehensive plan revisions for areas where one or more of the standards have yet to be attained. New York County is part of a CO maintenance area and is nonattainment (moderate) for the 8-hour ozone standard and nonattainment for PM_{10} and $PM_{2.5}$. The state is under mandate to develop SIPs to address ozone, carbon monoxide, and PM_{10}. It is also working with the EPA to formulate standard practices for regional haze and $PM_{2.5}$.

New York State Short-Term and Annual Guideline Concentrations

The New York State Department of Environmental Conservation (NYSDEC) has established Short-Term Guideline Concentrations (SGCs) and Annual Guideline Concentrations (AGCs) for certain toxic pollutants or carcinogenic non-criteria pollutants that the EPA has no established standards for. These pollutants are the maximum allowable 1-hour guideline concentrations and annual guidelines concentrations below which the general public would feel no adverse health effects.

SGCs are intended to protect the public from acute, short-term effects of pollutant exposures, and AGCs are intended to protect the public from chronic, long-term effects of the exposures. However, for pollutants which the NYSDEC-established AGC is based on a health risk criteria (i.e., a one in a million cancer risk), the New York City Department of Environmental Protection (NYCDEP) considers impacts of less than 10 times the ACG as insignificant. This is because NYSDEC developed the AGCs for these pollutants by reducing the health risk criteria by a factor of 10 as an added safety measure. Therefore, in determining potential impacts, NYCDEP considers concentrations within ten times the AGC to be acceptable. While pollutants with no known acute effects have no SGC criteria, they do have AGC criteria. The guidelines are updated periodically, and NYSDEC DAR-1 (December 2003) contains the most recent compilation of the SGCs and AGCs guideline concentrations.

No NAAQS, SGCs, or AGCs exist for total solid particulates or total organic solvents. Therefore, as recommended by NYCDEP, all solid particulates are assumed to be PM_{10}. For total organic solvents, the SGCs and AGCs for specific compounds should be used in an analysis.

III. ANALYSIS OF HEATING SYSTEM EMISSIONS

Existing Conditions

New York County is part of a CO maintenance area and is nonattainment (Moderate) for the 8-hour ozone standard and nonattainment for PM_{10} and $PM_{2.5}$. It is in compliance with all other NAAQS.

Background Concentrations

Background concentrations for SO_2, and NO_x were obtained from the air quality monitor at the Botanical Gardens in the Bronx. $PM_{2.5}$ and PM_{10} were obtained from the PS19 monitor in Manhattan. Background values were calculated as follows:

- 114.1 µg/m^3 for the 1-hour SO_2 concentration averaged over 3 years of data (2009-2011) at the 99th percentile
- 133.1 µg/m^3 for the 3-hour SO_2 concentration based on 2011, the most recent year of monitored data
- 40.6 µg/m^3 for the annual NO_2 averaged over 5 years of data (2007-2011) at the 98th percentile
- 122.2 ug/m^3 for the 1-hour NO_2 averaged over 3 years of data (2009-2011) at the 98th percentile
- 40.7 µg/m^3 for the 24-hour PM_{10} concentration averaged over 3 years (2009-2011) using the highest, second highest concentrations
- 26.9 ug/m^3 for the 24-hour $PM_{2.5}$ concentration averaged over 3 years (2009-2011) using the 98th percentile concentrations
- 11.9 ug/m3 for the annual $PM_{2.5}$ concentration averaged over 3 years (2009-2011)

As a conservative approach for CO, the highest value from the past 5 years of monitored values was used as the background value. Based on the City College (CCNY) station in Manhattan, the CO background would be 3.5 ppm for the 1-hour average and 2.0 ppm for the 8-hour average as shown in Table E-2.

Table E-2
Monitored CO Concentrations (ppm)

Monitoring Location	Year	1-Hour	8-Hour
City College, NY (CCNY)	2007	2.5	1.5
	2008	1.8	1.4
	2009	2.8	2.0
	2010	**3.5**	1.8
	2011	3.1	**2.0**

Note: Numbers in bold type are the highest in their category.
Source: New York State Department of Environmental Conservation

Methodology

As discussed in Attachment B, "Supplemental Screening," detailed dispersion analyses using the USEPA AERMOD model were conducted for building sites that did not pass the screening-level analysis for existing-on-project and project-on-project impacts. For existing-on-project impacts, the detailed analysis assesses the potential impact of 2170 Frederick Douglass Boulevard on all buildings of the With-Action Development. For project-on-project impacts, the detailed analysis evaluates: 1) the potential impacts of the church building redevelopment (building site 1) to adversely affect the converted school building (building site 3) and 2) the potential impacts of the West 117th Street building (building site 2) and the converted school building (building site 3) on one another.

AERMOD, designed to support EPA's regulatory modeling programs, is a steady-state Gaussian plume model with three separate components: AERMOD (a dispersion model), AERMAP (a terrain preprocessor), and AERMET (a meteorological preprocessor). AERMOD can handle emissions from point, line, area, and volume sources. Typically, the model is run with five years of meteorological data that include surface mixing height, wind speed, stability class, temperature, and wind direction.

Pollutants Considered

For the assessment of existing-on-project impacts, no boiler information was available for 2170 Frederick Douglass Boulevard, and the pollutants associated with both natural gas and fuel oil were modeled. For the project-on-project analysis, the HVAC systems that would be installed in the buildings in the With-

Action Development would utilize natural gas. For fuel oil #2, the pollutants modeled included the 1-hour and 3-hour concentrations for SO_2, the 24-hour concentration for PM_{10}, and the 24-hour and annual concentrations for $PM_{2.5}$. For natural gas, the annual NO_2 concentrations were modeled.

Model Parameters

AERMOD was run using the regulatory default option, stack tip downwash, and a 4-hour half-life for SO_2. Initially, the model was run both with and without building downwash to determine which method produced the highest concentrations at elevated receptor points.

Building Downwash

EPA defines GEP (good engineering practice) stack height as the height necessary to ensure that emissions from a building's stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source as a result of atmospheric downwash, eddies, or wakes that may be created by the source itself, nearby structures, or nearby terrain obstacles. The Building Profile Input Program (BPIP) was run prior to running AERMOD for the modeled buildings.

Urban/Rural

Since the Proposed Action is within an urban location, AERMOD's URBAN option was selected. The population used for the urban area is 1,700,000, and the default urban surface roughness length of 1.0 m was used for the site.

Stack Parameters

For the assessment of existing-on-project impacts, the stack location at 2170 Frederick Douglass Boulevard was observed to be at a height of approximately 70 feet, which is lower than the roof of 257 West 117th Street (75 feet), an intervening building between 2170 Frederick Douglass Boulevard and the With-Action Development. As AERMOD does not recognize buildings as barriers, the stack height was modeled at the same height (75 feet) as the intervening building. The stack at 2170 Frederick Douglass Boulevard is located approximately 150 feet west of the Proposed Development Site.

For the assessment of project-on-project impacts, HVAC stacks on all buildings were assumed to be 3 feet higher than the rooftop. Per guidance from the NYC Department of City Planning, the stack parameters are based on the NYCDEP "CA Permit[1]" database and the heat input (with units of 10^6 BTU) of the boilers. Based on the square footage of the areas to be heated in the buildings, the calculated BTU ratings of the boilers were calculated to be less than 5 million BTU per hour. For boilers of this size, the stacks were assigned an exhaust temperature of 300° F, inside stack diameter of 0.5 feet, and an exhaust velocity of 3.9 m/s which were developed using the NYCDEP "CA Permit" database and the rated heat input (in million BTUs [MMBTUs] per hour) of the heating systems.

For the three projected development sites, stacks were placed 10 feet from the edge of the rooftop closest to the nearest building, which is typically the minimum distance required by the NYC Department of Buildings. No air quality impacts were projected with these stack positions. If the results had indicated potential concentrations higher than NAAQS (when combined with background concentrations) the modeled stack location would have been repositioned further from edge of the rooftop in 10-foot increments until: 1) the results indicated no potential impacts, or 2) the stack could not be reasonably

[1] CA refers to Combustion Applicable

positioned further away. Figure E-1 illustrates the stack locations used for analysis and the distances to adjacent buildings.

Point Sources

A single stack on a rooftop is a point source.

Emission Factors

For conservative environmental analysis purposes, all buildings within the Proposed Action were assumed to be entirely residential. Emission factors were developed for fuel combustion using natural gas on the three development sites. Heating use was assumed for 24 hours per day and 100 days per year (or 2,400 hours per year). For fuel oil #2 for existing residential buildings, the SO_2 emission factor used a sulfur content of 0. 15%, consumption of 0.21 gallons/sq. ft., and a conversion factor of 142 lbs/1,000 gallons. For PM_{10}, the consumption rate of 0.21 gallons/sq. ft. was used with a conversion factor of 2.38 lbs/1,000 gallons. For $PM_{2.5}$, the consumption rate of 0.21 gallons/sq. ft. was used with a conversion factor of 2.13 lbs/1,000 gallons. For natural gas, the NO_2 emission factor assumed a consumption rate of 45.2 cubic feet per square foot. The conversion rates were 100 lbs/cubic foot for uncontrolled boilers, 50 lbs/cubic foot for low NO_x boilers, and 32 lbs/cubic foot for low NO_x boilers with flue gas recirculation. Because these emissions represent both NO and NO_2 combined, the annual emissions were next multiplied by 0.80 to reflect the component of the total that is nitrogen dioxide.

Meteorology Data

AERMOD was run with data from LaGuardia Airport for 2008 through 2012, which has a base elevation of 3.4 meters for the anemometer. The upper air station used with La Guardia is Brookhaven. The data was obtained from Trinity Consultants, which provided the following description of the data and processing methods:

BREEZE FILLSFC: The BREEZE FILLSFC program identifies outlying and missing parameters, identifies the percentage of missing unprocessed data (to verify compliance with EPA's 90% regulation), and specifies how missing data is filled. The program is created to follow the EPA's guidelines for filling missing data in raw surface files as specified in their *Procedures for Substituting Values for Missing NWS Meteorological Data for Use in Regulatory Air Quality Models*. BREEZE FILLSFC is a FORTRAN executable program that reads raw surface meteorological data in CD-144 format and fills in missing observations of a length specified by the processor (typically 5 hours). The program measures the data capture of eight parameters: ceiling height, wind direction, wind speed, temperature, total opaque sky, station pressure, relative humidity, and total sky cover. Based on guidelines set forth by the EPA, the parameters are filled in using the following methods:

- *Temperature:* Filled using interpolation – missing hours are filled in by interpolating between the values prior to and following the gap.

- *Wind Speed:* Filled by averaging – an arithmetic average of the four surrounding values (two before and two after) is taken and the gap is filled accordingly.

- *Wind Direction:* Filled by vector averaging – a unit vector average of the four surrounding values (two before and two after) is taken and the gap is filled accordingly. Only valid wind directions are used in this average - calms and variables are ignored and other steps are taken to ensure only valid data is used.

HVAC Stack Locations and Distances to Adjacent Buildings



Legend

HVAC Stack 21’ Distance to Adjacent Building

The program generates a report which details the data capture percentage prior to filling as well as the number of hours filled for each parameter sorted by the method used to fill the missing data.

BREEZE FSL Fill: The BREEZE FSL Fill program reads in the raw upper air data files in FSL format and identifies missing soundings. For individual missing soundings, the program fills in the sounding from the same time on the previous day. For consecutive missing days, the first day is filled with the previous day, the last day is filled with the following day and the soundings in between are just left as missing. Using persistence for upper air filling has been used quite extensively and is generally acceptable since upper air conditions vary much less than surface conditions and AERMET uses very limited information from the files in any case. The program also has an option to fill in missing soundings with data from another station should that methodology be necessary.

Surface Characteristics

Surface characteristics for the project site and meteorological site were identified according to EPA's *AERMOD Implementation Guide*. In accordance with the EPA's AERMOD Implementation Guide dated 01/09/2008, Trinity Consultants used their AERSURFACE program for determining surface characteristics to be used in AERMET processing. By default, 12 sectors were implemented for determining surface roughness, and the seasonal averaging period was used. Both the airport and the site are in urban locations, and AERMOD's URBAN option was selected. The default urban surface roughness length of 1.0 m was used for the site.

Receptor Points

Receptor points were modeled one foot above stack height where the adjacent buildings were the same height and in the plume centerline where the receiving building was higher than the source building. Several floors were modeled as receptor points for the Proposed Action.

Results

The following labels have been assigned to each of the buildings of the With-Action Development and are used throughout this section: Building 1 (the church building redevelopment), Building 2 (the West 117th Street building), Building 3 (converted school building), and Building 4 (the rectory building conversion).

AERMOD Results for Existing Buildings on With-Action Development

As indicated in Attachment B, "Supplemental Screening," 2170 Frederick Douglass Boulevard warrants additional analysis. Modeling was performed for both fuel oil #2 and natural gas assuming a building size of 224,000 sf and a stack height of 75 feet. The stack is located approximately 50 feet from the eastern edge of the building facing St. Nicholas Avenue, placing it approximately 150 feet from the Proposed Development Site (see Figure E-1). Boiler permit records provided by NYCDEP indicated that the building's boilers run 5 hours per day, 7 days per week, for 32 weeks. Table E-3 shows that the resulting concentrations would not exceed the NAAQS or the NYCDEP de minimis values. Therefore, no air quality impacts are projected for existing buildings on the With-Action Development.

Table E-3
Modeled Pollutant Concentrations for 2170 Frederick Douglass Boulevard (ug/m^3)

Pollutant	SO_2, 1-Hour	SO_2, 3-Hour	PM_{10}, 24-Hour	$PM_{2.5}$, 24-Hour	$PM_{2.5}$, Annual	NO_2, Annual
Modeled	1.20	1.24	1.4	1.2	0.21	1.7
Background	114.1	133.1	40.7	N/A	N/A	41.0
Total	**115.3**	**134.4**	**42.7**	**1.2**	**0.21**	**42.7**
NAAQS	197	1,300	150	N/A	N/A	100
De Minimis	N/A	N/A	N/A	4.0	0.3	N/A

AERMOD Results for Project-on-Project Impacts

The developer would commit to using natural gas for the Proposed Development. Modeling results for boilers using natural gas are shown in Table E-4. The modeling did not assume the use of newer technology such as low-NO_x boilers or low-NO_x boilers with recirculation. Based on the concentrations in the table, no potential impacts are projected for any buildings with a three-foot high stack set back ten feet from the edge of the highest roof. Thus, no significant adverse impacts are projected for buildings using natural gas.

Table E-4
Nitrogen Dioxide AERMOD Concentrations (µg/m^3)

Scenario	Annual Concentrations (µg/m^3)			Comments
	Modeled	Background	Total	
Building 1 on Building 2	0.2	41	41.2	Pass. Uncontrolled. 10' from edge of roof
Building 1 on Building 3	0.2	41	41.2	Pass. Uncontrolled. 10' from edge of roof
Building 2 on Building 3	6.6	41	47.6	Pass. Uncontrolled. 10' from edge of roof
Building 3 on Building 2	19.3	41	60.3	Pass. Uncontrolled. 10' from edge of roof
NO_2 NAAQS (ug/m^3) Standard			**100**	

Source: Sandstone Environmental Associates, Inc.

IV. CONCLUSION

As shown above, the detailed HVAC analysis did not project air quality impacts on the With-Action Development as a result of fuel combustion at existing buildings (existing-on-project). Similarly, no impacts were projected from the With-Action buildings on one another (project-on-project) provided that the future buildings adhere to the recommended stack setback and height requirements. Therefore, to preclude the potential for significant adverse project-on-project air quality impacts, (E) designations would be required on the planned buildings of the Proposed Development Site.

The restrictions would specify the required stack setback distance (i.e. the distance that the stack on the building roof must be from the lot line). In addition, restrictions on the stack height would specify the required above-ground stack height. The use of an (E) designation would ensure adequate distance between HVAC exhaust stacks and nearby buildings of the With-Action Development that are of similar or greater height. The proposed restrictions would ensure that the Proposed Action would not cause violations of the NAAQS and would therefore have no significant adverse air quality impacts.

The Applicant intends to comply with the following (E) designations:

- Block 1923, Lot 14 (partial for 239-253 West 118th Street) (Building 1 – Church Building): Any new development or enlargement on the above-referenced properties that has frontage on West 118th Street must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) and ensure that HVAC stack(s) are at least 83 feet above ground level and at least 10 feet from the easterly lot line facing St. Nicholas Avenue and at least 133 feet from the southerly

lot line facing West 117th Street. Adherence to these conditions would avoid any potential significant adverse air quality impacts.

- Block 1923, Lot 14 (partial for 239-253 West 117th Street) (Building 2 – West 117th Street Building): Any new development or enlargement on the above-referenced properties has frontage on West 117th Street must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) and ensure that HVAC stack(s) are at least 123 feet above ground level and at least 18 feet from the easterly lot line facing St. Nicholas Avenue and at least 142 feet from the northerly lot line facing West 118th Street. Adherence to these conditions would avoid any potential significant adverse air quality impacts.

- Block 1923, Lot 49 (partial for 147 St. Nicholas Avenue) (Building 3 – School Building): Any new development or enlargement on the above-referenced properties that has frontage on St. Nicholas Avenue must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) and ensure that HVAC stack(s) are at least 123 feet above ground level and at least 10 feet from the westerly lot line facing Frederick Douglass Boulevard and at least 10 feet from the southerly lot line facing West 117th Street. Adherence to these conditions would avoid any potential significant adverse air quality impacts.

To the extent permitted under Section 11-15 of the Zoning Resolution, the requirements of the (E) designations may be modified, or determined to be unnecessary, based on new information or technology, additional facts or updated standards that are relevant at the time the site is developed.