

**DRAFTFINAL SCOPE OF WORK FOR AN
ENVIRONMENTAL IMPACT STATEMENT FOR THE
ST. JOHN'S TERMINAL BUILDING AT 550 WASHINGTON STREET**

A. INTRODUCTION

The applicants, the New York City Department of City Planning (DCP) and SJC 33 Owner 2015 LLC, are requesting discretionary approvals (the “proposed actions”) that would facilitate the redevelopment of the St. John’s Terminal Building with a mix of residential and commercial uses, and public open space (the “proposed project”) at 550 Washington Street (Block 596, Lot 1) (the “development site”) in Manhattan Community District 2. The development site is zoned M1-5 and M2-4 and is located along Route 9A, south of Clarkson Street and intersected by West Houston Street, directly across from Pier 40 (see **Figure 1**).

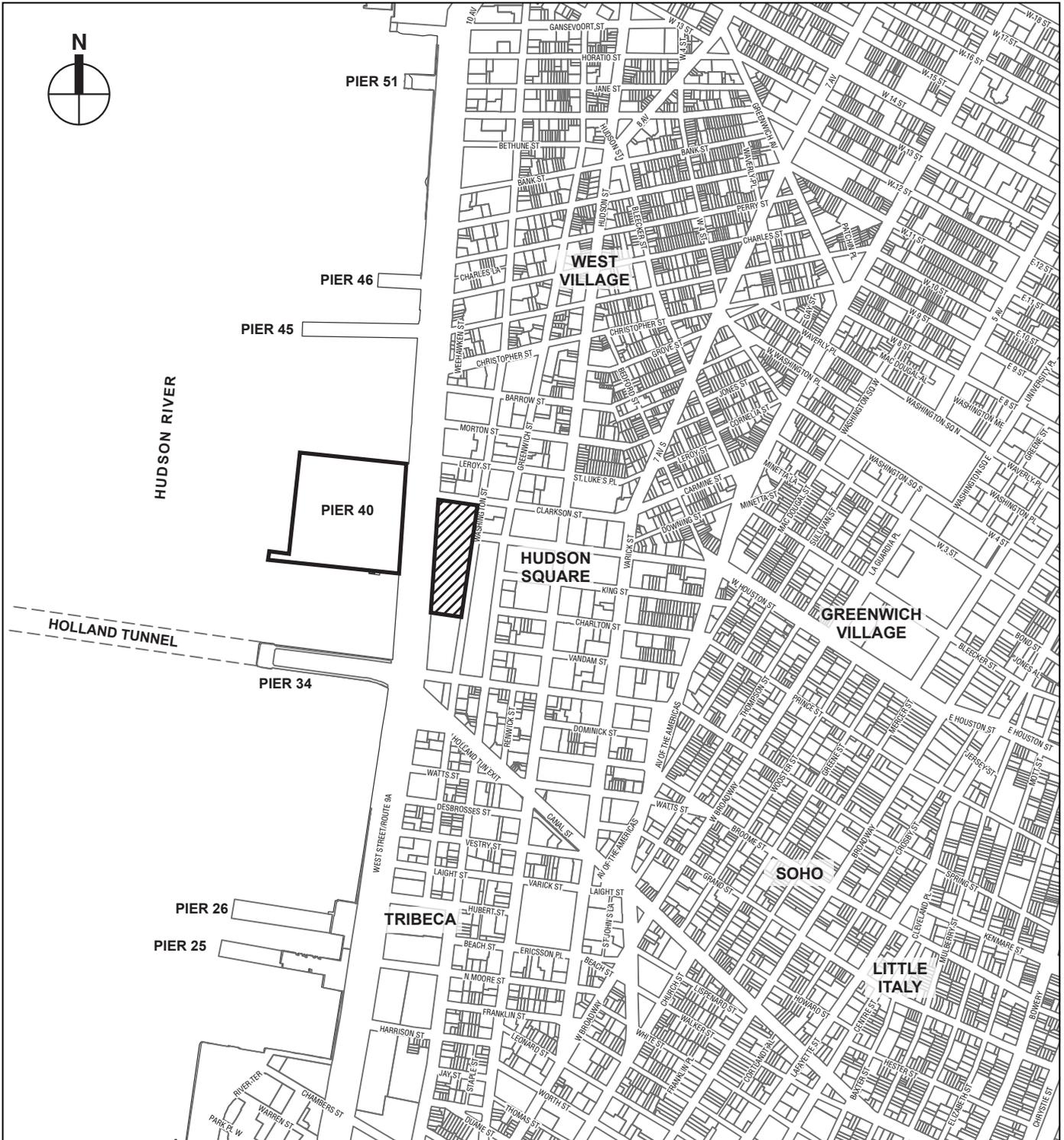
The proposed actions include a zoning text amendment, a zoning map amendment, ~~two~~four zoning special permits, authorizations, and a Chairperson’s certification, as well as an action by the Hudson River Park Trust (HRPT).

DCP is proposing the following action:

- A Zoning Text amendment to establish the Special Hudson River Park District ~~comprising, which would comprise~~ Pier 40 and the development site. The text amendment would further define Pier 40 as the “granting site” and the development site as the “receiving site” in the special district. The special district would include provisions for a new special permit that, in accordance with a recent amendment to the Hudson River Park Act, would permit the transfer of floor area within the Special Hudson River Park District. The special permit would additionally allow specified bulk waivers and require that residences serve a variety of income levels on the development site. Under the proposed special district text, the uses and increased density permitted by the proposed zoning districts, described below, would not be applicable to the development site absent the grant of the special permit. The text amendment would also establish two Chairperson’s Certifications to facilitate the transfer of floor area.

SJC 33 Owner 2015 LLC controls the development site and is proposing the following:

- A Zoning Map amendment to map the Special Hudson River Park District ~~comprising, which would comprise~~ Pier 40 and the development site and to rezone the development site. The Zoning Map amendment would rezone the portion of the development site north of West Houston Street from an M1-5 manufacturing zoning district to a C6-4 commercial zoning district, which would permit residential use and increased density; rezone a portion of the development site south of West Houston Street from an M2-4 manufacturing zoning district to a C6-3 commercial zoning district, which would also permit residential use and increased density; and rezone the remainder of the development site south of West Houston Street from an M2-4 manufacturing zoning



-  Development Site
-  Granting Site

0 1000 FEET
SCALE

550 Washington Street/Special Hudson River Park District

district to an M1-5 manufacturing zoning district, which would permit hotel use but leave the existing permitted density unchanged.

- A special permit pursuant to the proposed Special Hudson River Park District to permit the transfer of 200,000 square feet (sf) of floor area from Pier 40 to the development site and permit certain bulk waivers on the development site. Under the proposed special district text, the uses and increased density permitted by the proposed C6-4, C6-3 and M1-5 zoning districts would not be applicable to the development site absent the grant of the special permit
- ~~A~~Three special ~~permit~~permits pursuant to the Manhattan Core parking regulations (Zoning Resolution Section 13-45 and 13-451) for ~~additional~~772 accessory parking ~~spaces in three separate parking facilities.~~
- Authorizations pursuant to Zoning Resolution Section 13-441 to allow three curb cuts for parking access on West Street, a wide street.
- A Chairperson's Certification pursuant to the proposed Special Hudson River Park District to ~~facilitate~~allow a building permit for the proposed project to be issued, on the basis that the applicant and HRPT have agreed on payment terms for the transfer of floor area from Pier 40.

In addition to the approvals described above, the proposed project also requires an action by ~~the Hudson River Park Trust (HRPT).~~HRPT. HRPT must conduct a Significant Action process as required by the Hudson River Park Act, Chapter 592 of the Laws of 1998 ("the Act") before its Board of Directors can approve the sale of the defined amount of floor area. Further, before the Board can approve the sale, it must also comply with the State Environmental Quality Review Act (SEQRA) and adopt SEQRA Findings.

~~It is expected that~~ There will be a Restrictive Declaration in connection with the proposed project, which would govern the proposed project's development.

As described in greater detail below, the proposed actions would facilitate a proposal by SJC 33 Owner 2015 LLC to redevelop the development site with a mix of uses, which are assumed for analysis purposes to include up to approximately 1,586 residential units (including up to 476 permanently affordable units) and approximately 160,000-255,000 gsf of retail uses, 229,700 gsf of hotel (or office) space, ~~44,200~~20,750 sf of publicly accessible open space, and ~~886~~cellar-level accessory parking (412-830 spaces¹). The transfer of floor area within the Special Hudson River Park District made possible by the proposed actions would enable the critical repair and rehabilitation of Pier 40's infrastructure in Hudson River Park as provided for in the Act as amended in 2013.

DCP, acting on behalf of the City Planning Commission (CPC), will be the lead agency for the environmental review. HRPT will be an involved agency. Based on the Environmental Assessment Statement (EAS) that has been prepared, the lead agency has determined that the proposed project has the potential to result in significant adverse environmental impacts, requiring that an Environmental Impact Statement (EIS) be prepared. This ~~Draft~~Final Scope of Work outlines the

¹ The number of proposed parking spaces has been reduced from 886 when the Draft Scope of Work was issued to 830 and more recently to 772. Because analyses based on a larger number of parking spaces are more "conservative" in terms of disclosing potential impacts, the DEIS will consider 830 parking spaces for analysis purposes.

technical areas to be analyzed in the preparation of a Draft EIS (DEIS) for the proposed project. Scoping is the first step in the preparation of the EIS and provides an early opportunity for the public and other agencies to be involved in the EIS process. It is intended to determine the range of issues and considerations to be evaluated in the EIS. This ~~Draft~~**Final** Scope of Work includes a description of the proposed project and the actions necessary for its implementation, presents the proposed framework for the EIS analysis, and discusses the procedures to be followed in the preparation of the DEIS. The *City Environmental Quality Review (CEQR) Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed project's effects on the various environmental areas of analysis.

The formal public review process for the proposed actions was initiated at a public scoping meeting for the preparation of an EIS held on November 20, 2015 in Spector Hall, 22 Reade Street, New York, NY, 10007. Written comments were accepted through the close of the public comment period, which ended at close of business on November 30, 2015.

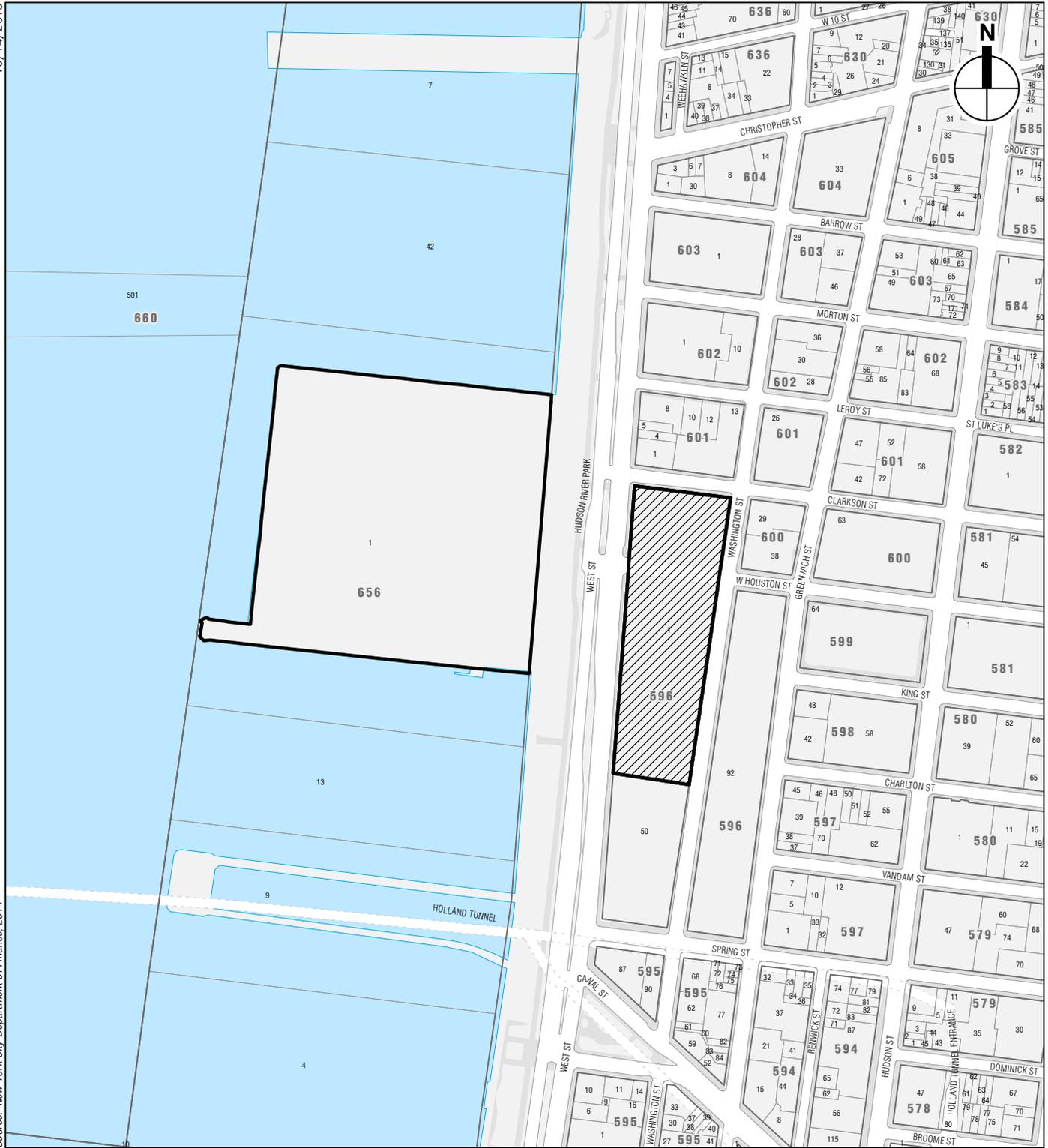
Subsequent to the public scoping meeting, the City reviewed and considered comments received during the public scoping process. **Appendix A** to this Final Scope identifies the comments made during the public review period and provides responses (see **Appendix B** for written comments received). This Final Scope of Work was prepared after consideration of relevant public comments.

B. PROJECT DESCRIPTION

DEVELOPMENT SITE

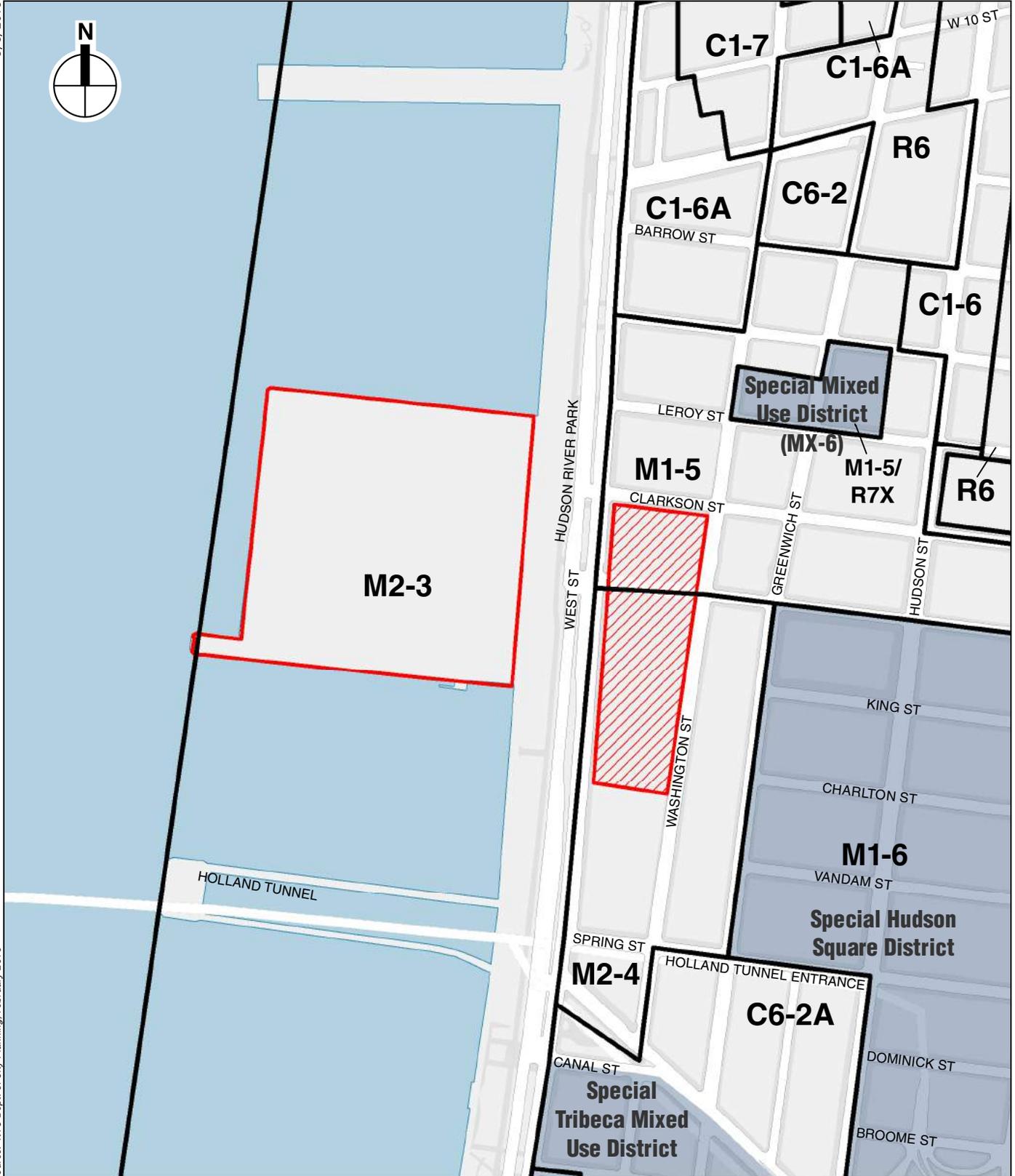
The existing St. John's Terminal Building is located along Route 9A south of Clarkson Street (Manhattan Block 596, Lot 1) and spans a portion of West Houston Street, across from Pier 40 of the Hudson River Park (see **Figure 2**). While the portion of the building north of West Houston Street is largely vacant, the south building is occupied by commercial tenants (office, back office and communications) and is also used as temporary event space (fashion shows, exhibits, etc.). The existing buff-colored brick building is four stories tall, with three stories above West Houston Street. The ground floor is primarily a series of loading bays along both West Street and Washington Street. Originally built as a shipping terminal in the 1930s, the building is underutilized and obsolete for modern uses.

Under New York City zoning, the portion of the development site north of West Houston Street (the North Site) is zoned M1-5 and the area south of West Houston Street is zoned M2-4 (including the Center Site and the South Site; see **Figure 3** for the existing zoning). The development site is currently treated as a single zoning lot, measuring approximately 213,654 sf, which allows permitted office and retail floor area to be distributed anywhere on the development site, and to be transferred back and forth across West Houston Street, although hotel uses are only permitted north of West Houston Street, in the M1-5 district. For commercial and manufacturing uses, these zoning districts allow a maximum floor area Ratio (FAR) of 5.0. For the purpose of this analysis, the portion of the development site that spans West Houston Street is assumed not to generate floor area, which means that the development site is assumed to have an effective lot area of 196,410 sf, and allowable development potential of up to 982,050 zoning square feet (zsf). The existing building has a total of 739,231 zsf; therefore, the development site is underbuilt by 242,819 zsf when compared to the permitted maximum of 982,050 zsf.

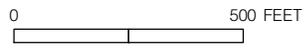


-  Development Site
-  Granting Site
-  Tax Block Boundary
-  Tax Lot Boundary





- Development Site
- Granting Site
- Zoning Districts
- Special Purpose District



GRANTING SITE

Pier 40 is an approximately 15-acre structure located over the Hudson River, directly west of the development site across Route 9A. The pier is located within Hudson River Park, and is under the jurisdiction of HRPT, pursuant to the Hudson River Park Act. Originally used as a passenger ship terminal, Pier 40 currently contains a public parking facility, athletic fields and other recreational uses, maritime uses, offices for HRPT, and other operational functions. HRPT has reported that Pier 40 is in need of timely and critical infrastructure repairs to its supporting piles and deck. In addition, HRPT has reported that the building located on the pier is significantly deteriorated, needing repairs to its roof, electrical and plumbing systems, and façade. In recent years, HRPT has been forced to close portions of the public parking garage to ensure public safety. According to HRPT, The balance of Pier 40's roof must be reconstructed, and the steel piles supporting the pier also need to be repaired.

PROPOSED PROJECT

The development site comprises ~~three sites~~, the North Site, Center Site, and South Site, as shown on **Figure 4**.

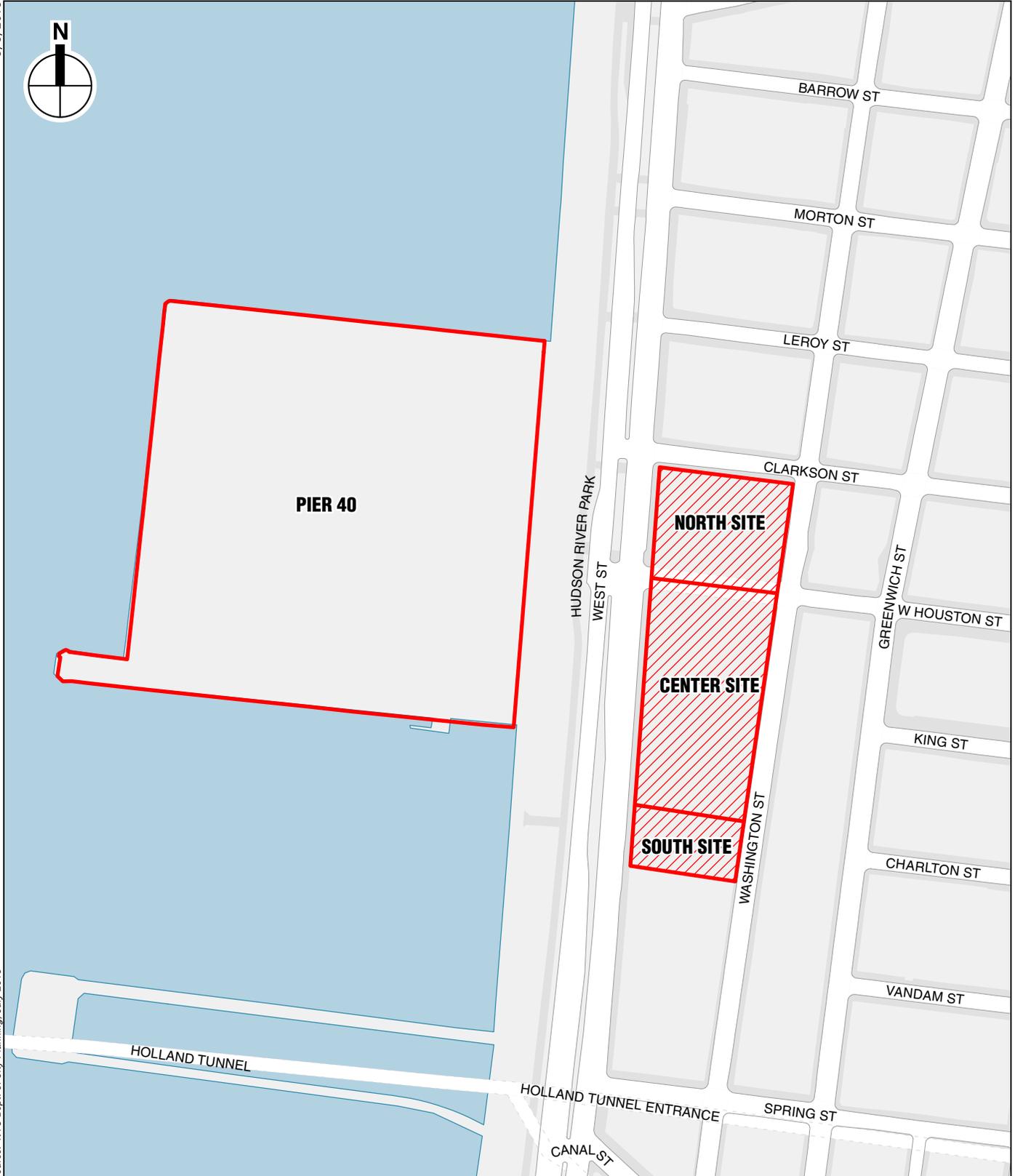
The North Site on the block north of West Houston Street would be rezoned from M1-5 to C6-4. With the proposed project, it ~~would be~~ assumed to be redeveloped with two primarily residential towers with a height of 360 feet to the roof of the east tower North-West building and 430 feet to the roof of the west tower, and retail in the base of the buildings the North-East building. Based on current plans, the North Site development is expected to total approximately 734,600 gross square feet (gsf). Pursuant to Zoning Resolution Section 89-21, a special permit for a proposed development that includes residential floor area must provide affordable housing in accordance with the Inclusionary Housing Program. The applicant has committed to providing 30 percent of total units and 25 percent of total residential floor area as permanently affordable ~~across the proposed project~~. Based on these ~~assumptions~~ parameters, The North Site is assumed to contain up to 593 units (approximately 579,600 gsf of residential floor area), including up to approximately 415 market-rate units and 178 permanently affordable senior units (113,850 gsf) in ~~a separate~~ the North-East building. The North Site ~~would also~~ is assumed to include approximately 100,000 gsf of retail uses on the ground, mezzanine, and second floors and approximately 55,000 gsf of parking uses (approximately 236 accessory parking spaces). Vehicular access to the North Site's parking garage would be provided via a new curb cut on West Street. The North-West building's residential entrance would be on Clarkson Street, and retail would be accessed from West Houston Street. The North-West building has been designed with two towers, with a maximum height of 430 feet to the roof of the west tower and 360 feet to the roof of the east tower (not including mechanical bulkheads). The North-East building would be an entirely separate building from the North-West building. It would rise approximately 175 feet to the roof, and the building's residential entrance would be on Washington Street. There would also be a new approximately 14,20020,750-square-foot outdoor publicly-accessible open space on the existing platform spanning West Houston Street. The platform would be modified to create large openings that would allow light and air to reach the street level. (described in greater detail below).

The Center Site includes the portion of the development site that ~~extends approximately 340 feet south of the midline of West Houston Street. It would be rezoned from M2-4 to C6-3 and is assumed to~~. The C6-3 zoning district would extend from 596 feet north of Spring Street to the midline of West Houston Street. The Center Site is assumed to be redeveloped with two

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Source: NYC Dept. of City Planning, July 2015



-  *Development Site*
-  *Granting Site*



primarily residential buildings with heights of 320 feet and 240 feet to the roof. The applicant has committed to providing the Center-East building and the Center-West building. Based on the private applicant's commitment to provide 30 percent of total units and 25 percent of total residential floor area in the project as permanently affordable across the proposed project. Based on these assumptions housing, the Center Site is assumed to contain up to 993 residential units (approximately 754,500 gsf of residential floor area), including up to 695 market rate units and up to 298 affordable units (226,335 gsf). There would be The affordable units could be located entirely with the Center-East or Center-West buildings, or may be distributed in both buildings. The Center Site is also assumed to include approximately 60,000 gsf of retail uses on the cellar, ground, mezzanine, and second floors, and approximately 101,000 gsf of below grade parking (412 spaces). The Center-East building, fronting on Washington Street, would be up to 240 feet in height, and the Center-West building, fronting on West Street, would be up to 320 feet in height (not including mechanical bulkheads). Residential entrances would be provided on West Houston Street, Washington Street (just south of West Houston Street), and in a through-block driveway at the southern end of the buildings. The Center-East and Center-West buildings would be separated by a 60-foot wide interior landscaped area in the middle of the block. This elevated area would be landscaped as a visual amenity but physical access would not be provided, due to operational, maintenance, and security considerations.

The through-block driveway south of the Center Site buildings would be 60 feet wide. The vehicular entrance to the Center Site parking garage would be located on this driveway, which would also provide access to a vehicular drop-off area located in front of the South Site hotel or office building (described below). Vehicles using the driveway to access either the Center Site or South Site buildings would be able to both enter and exit the development site from either Washington Street or West Street.

The South Site is immediately south of the through-block driveway at the southern end of the of the Center Site and is the remainder of the development site, which would be rezoned from M2-4 to M1-5. It is assumed that The South Site would not include an additional building with a height of 240 feet to the roof. This building would not include any residential uses, since they are not permitted under the proposed M1-5 zoning designation. The South Site's commercial space could include office or hotel use, since both uses are permitted under the proposed zoning and neither would be precluded by the proposed actions. The South Site building is assumed to be approximately 311,100 gsf, containing 229,700 gsf of hotel (or office) space and a 41,400 -gsf of event space, and 40,000 gsf of parking (182 parking spaces). Vehicular access to the South Site's parking garage would be via a new curb cut on West Street. The height of the South Site building is expected to be either 240 feet to the roof (hotel) or 144 feet to the roof (office). Pedestrian access to the south site building would be provided from the through-block driveway and vehicular access to the parking garage would be provided from West Street. On the southern boundary of the development site, there would be a 35-foot wide service alley, adjacent to the neighboring DSNY facility.

In addition, the proposed project would widen the west sidewalk of Washington Street from Clarkson Street to the southern end of the development site (subject to New York City Department of Transportation approval) to provide improved pedestrian circulation space and accommodate the increased pedestrian traffic generated by the proposed project.

As shown in **Table 1**, the full build out of the proposed project is assumed to include up to approximately 1,586 residential units (including up to approximately 476 permanently affordable units) and approximately 160,000 gsf of retail uses, 229,700 gsf of hotel (or office) space,

550 Washington Street/Special Hudson River Park District

14,20020,750 sf of publicly accessible open space, and 886830 cellar-level parking spaces.¹ See **Figures 5, 6, 7, and 8** for plans and a section of the proposed project. The three sites may be developed in any order. For analysis purposes ~~and allowing three years for construction,~~ it is assumed that full development would be complete by 2024.

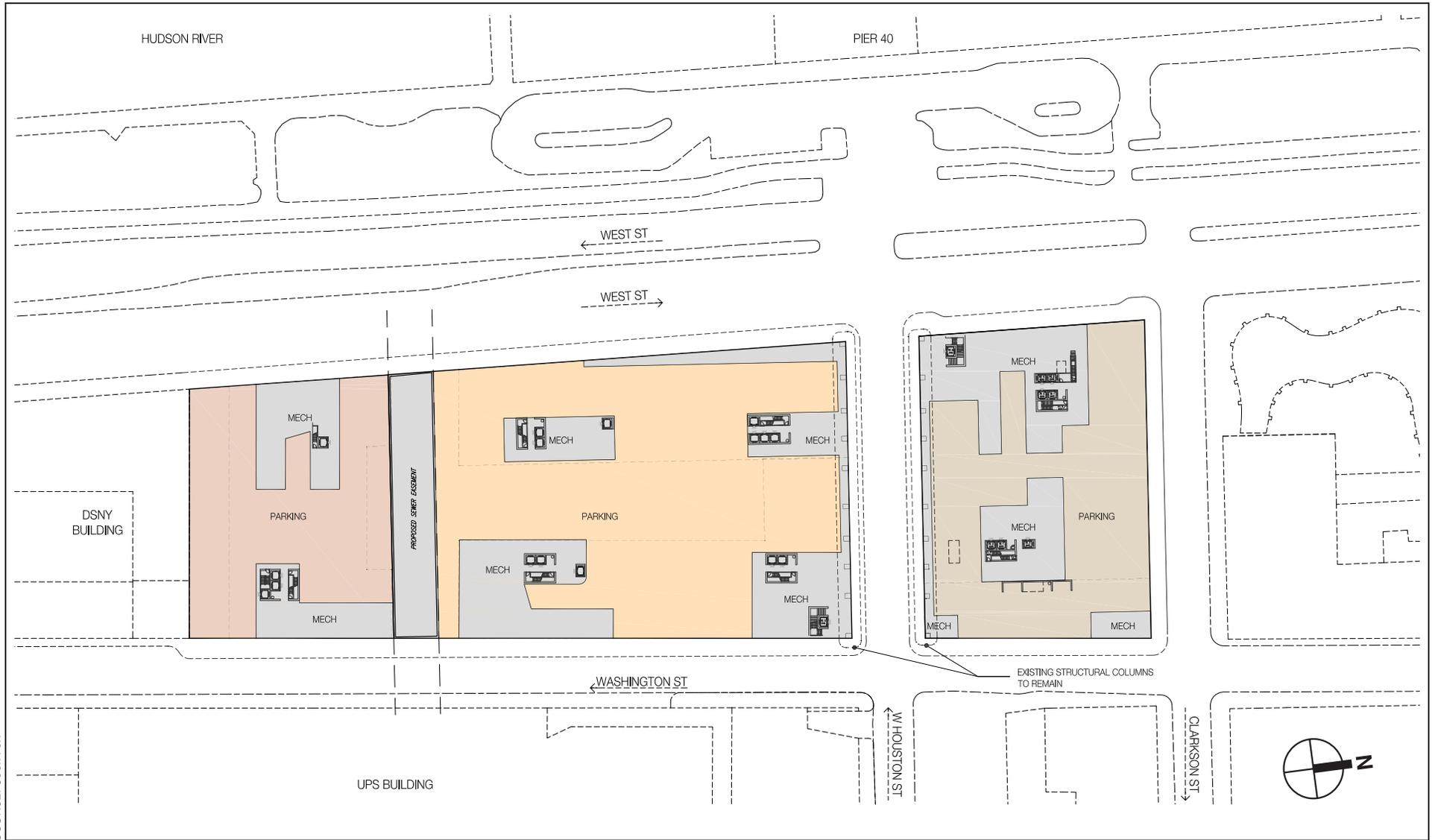
Table 1
Development Program for Analysis (~~Approx.~~ Approximate gsf)
Proposed Project

Use	North Site	Center Site	South Site	Total
Total Retail ¹ :	100,000	60,000	—	160,000
Local Retail	29,000	8,000	—	37,000
Destination Retail	71,000	52,000	—	123,000
Residential	579,600 (593 units)	754,500 (993 units)	—	1,334,100 (1,586 units)
Hotel ²	—	—	229,700 (353 rooms ³)	229,700
Event Space	—	—	41,400	41,400
Parking ⁴	55,000 (236 parking spaces)	101,000 (468412 parking spaces)	40,000 (182 parking spaces)	196,000 (886830 parking spaces)
Total:	734,600	915,500	311,100	1,961,200
Notes:	¹ The breakdown between local, destination, and big box retail uses is assumed for analysis purposes only. ² The proposed project may include either hotel or office space on the South Site. For analysis purposes, it is conservatively assumed to be hotel. <u>The EIS analyses will generally be based on hotel use as a more conservative assumption. Where it has the potential for greater impact, office use will be considered.</u> ³ Assumes 650 gsf per hotel room. ⁴ A portion of the building mechanical space is also included.			
Sources:	CookFox Architects, SJC 33 Owner 2015 LLC			

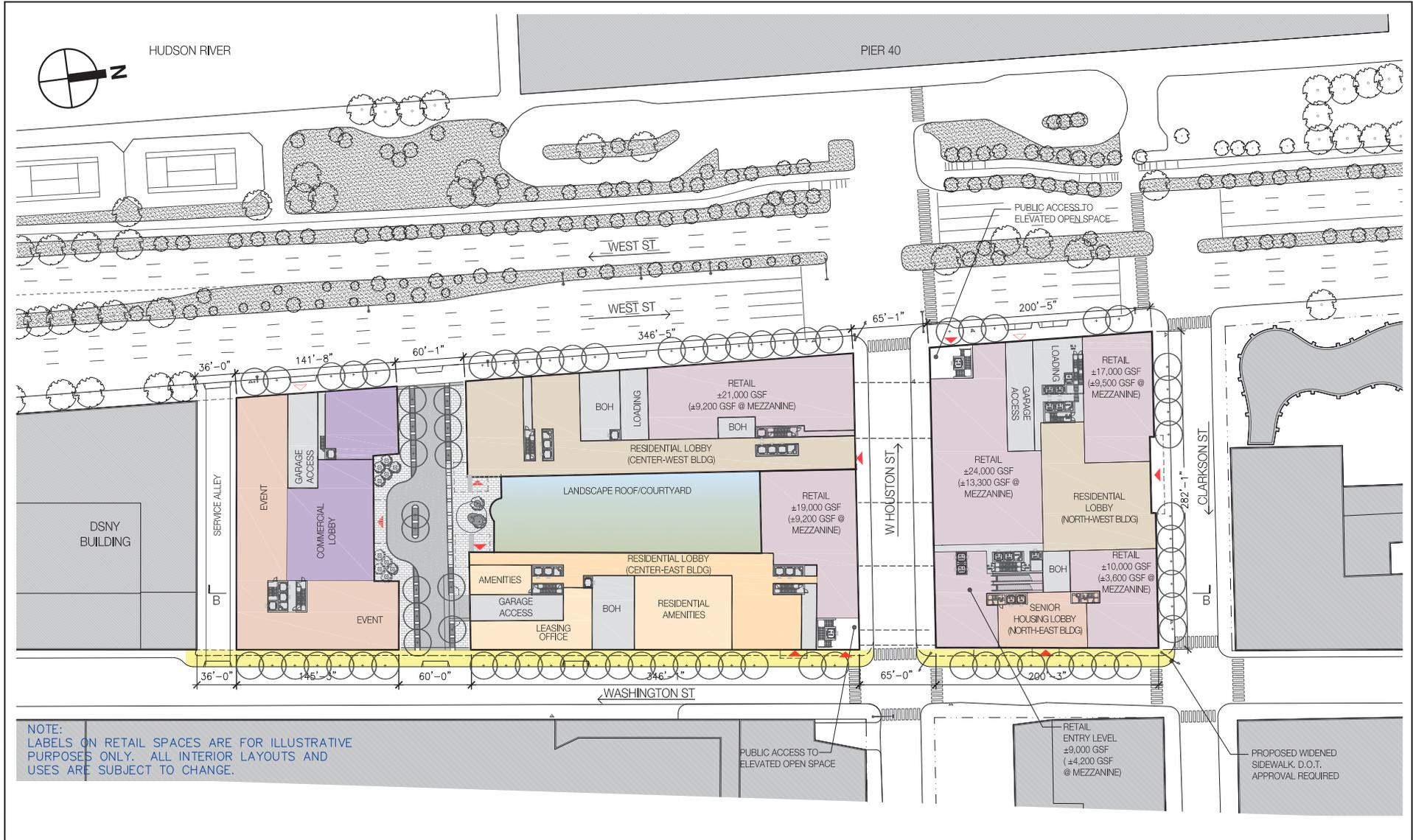
ELEVATED PUBLICLY ACCESSIBLE OPEN SPACE

The proposed project would include removal of the portion of the existing building over West Houston Street, and creation of an elevated 20,750-sf publicly accessible open space in its place. The new open space would include plantings, seating, and overlook locations, which would include space within adjacent arcades on the second floors of the North Site and Center Site buildings. Removing the portions of the existing building over West Houston Street would allow sunlight to reach the street, enhancing the safety and pedestrian experience of this area. The elevated public open space would have stair and elevator entrances on the south corner of Washington and West Houston Streets and on the north corner of West and West Houston Streets. The open space would be developed with the North Site or Center Site, whichever is developed first, and the respective access stairway and elevator would be built at the time the building in which it is located is also built. Alternative stair access locations would also be permitted, to accommodate any changes in crosswalk configurations on surrounding streets, and

¹ The number of proposed parking spaces has been reduced from 886 when the Draft Scope of Work was issued to 830 and more recently to 772. Because analyses based on a larger number of parking spaces are more “conservative” in terms of disclosing potential impacts, the DEIS will consider 830 parking spaces for analysis purposes.



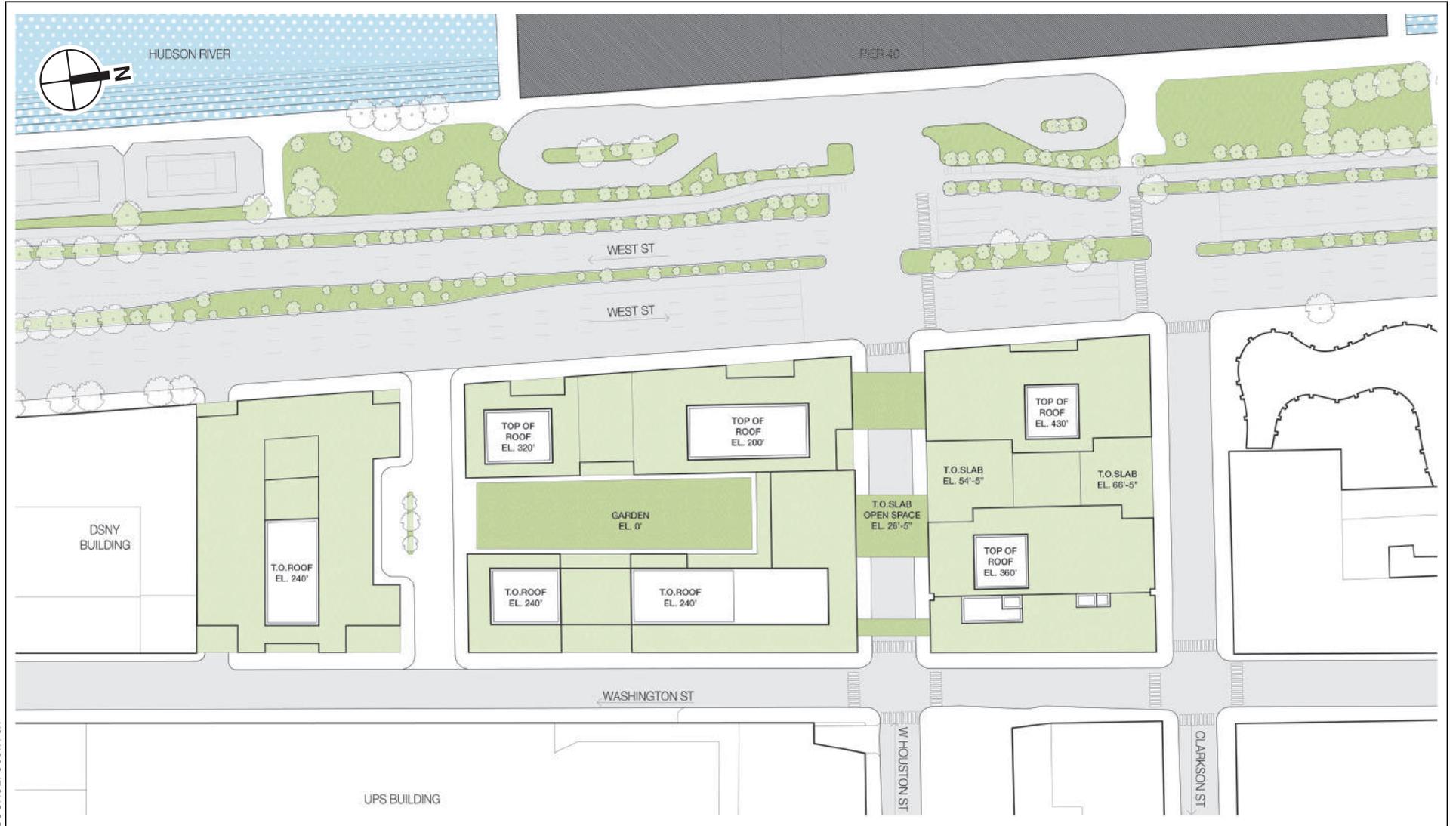
SOURCE: Cook Fox



SOURCE: Cook Fox

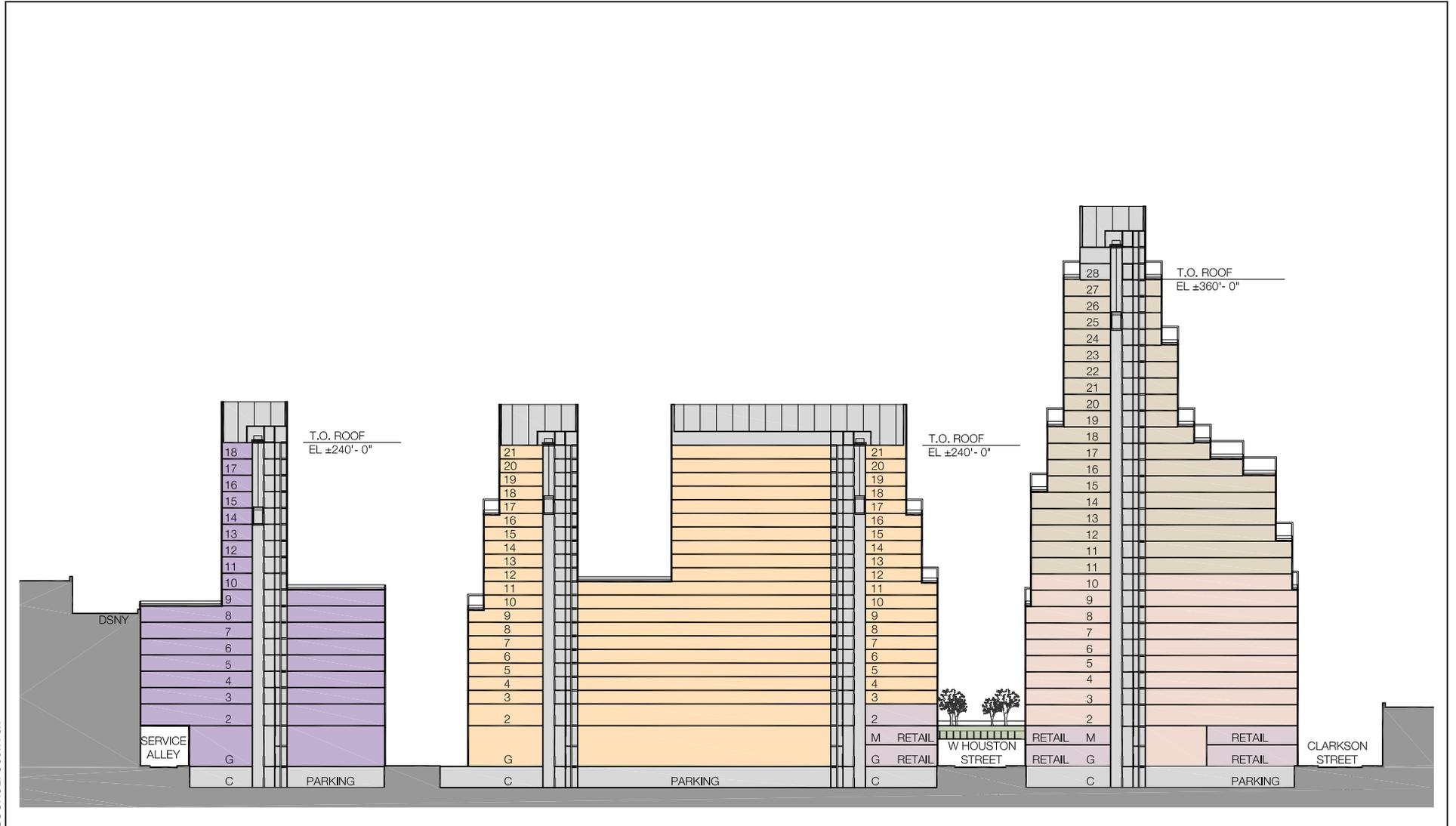
- ▲ Pedestrian Entrance
- △ Vehicular Entrance

- + Street Trees
- Widened Sidewalk



SOURCE: Cook Fox

SOURCE: Cook Fox



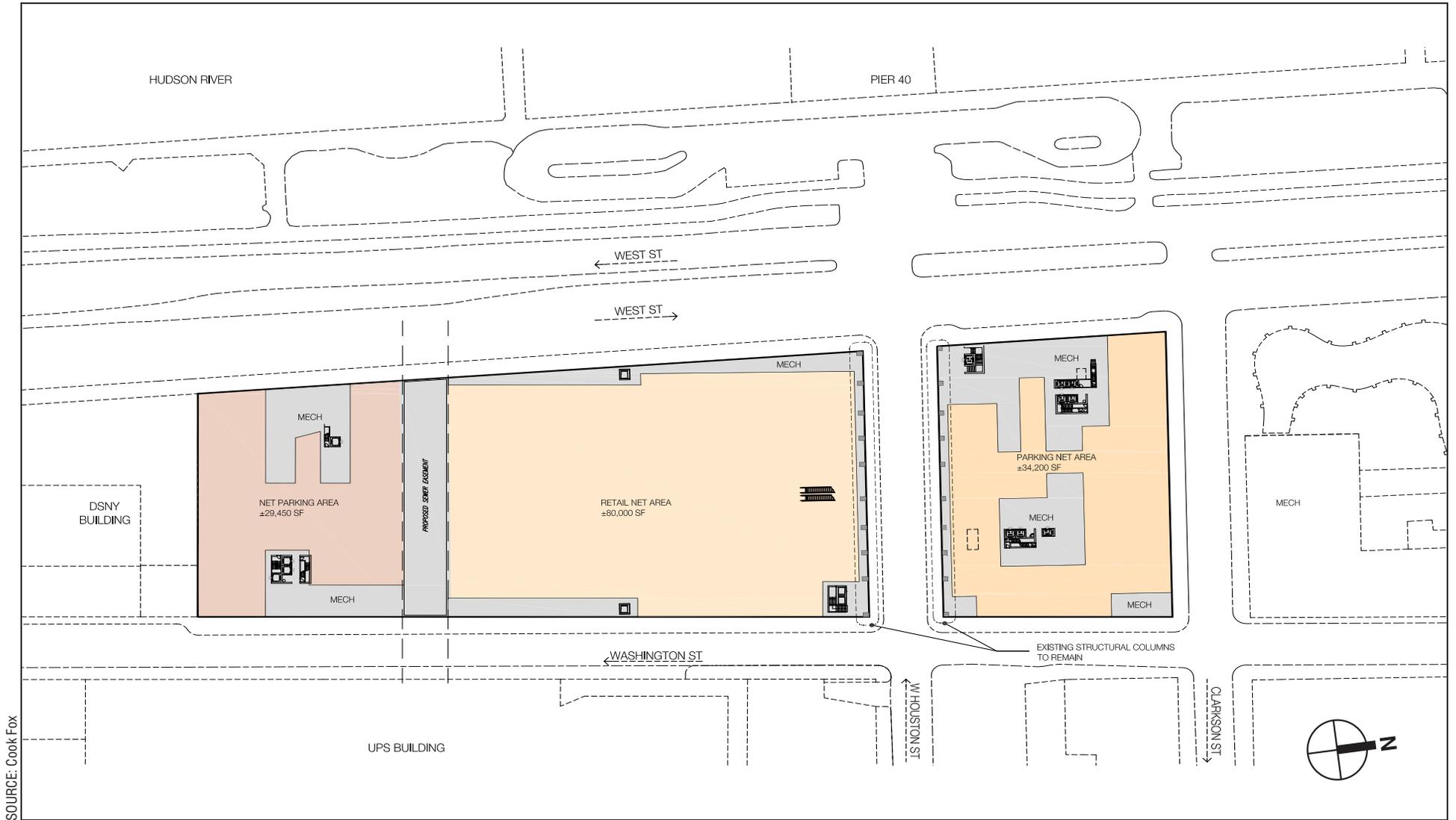
NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

to ensure that there is always at least one entrance to the elevated open space, regardless of building phasing.

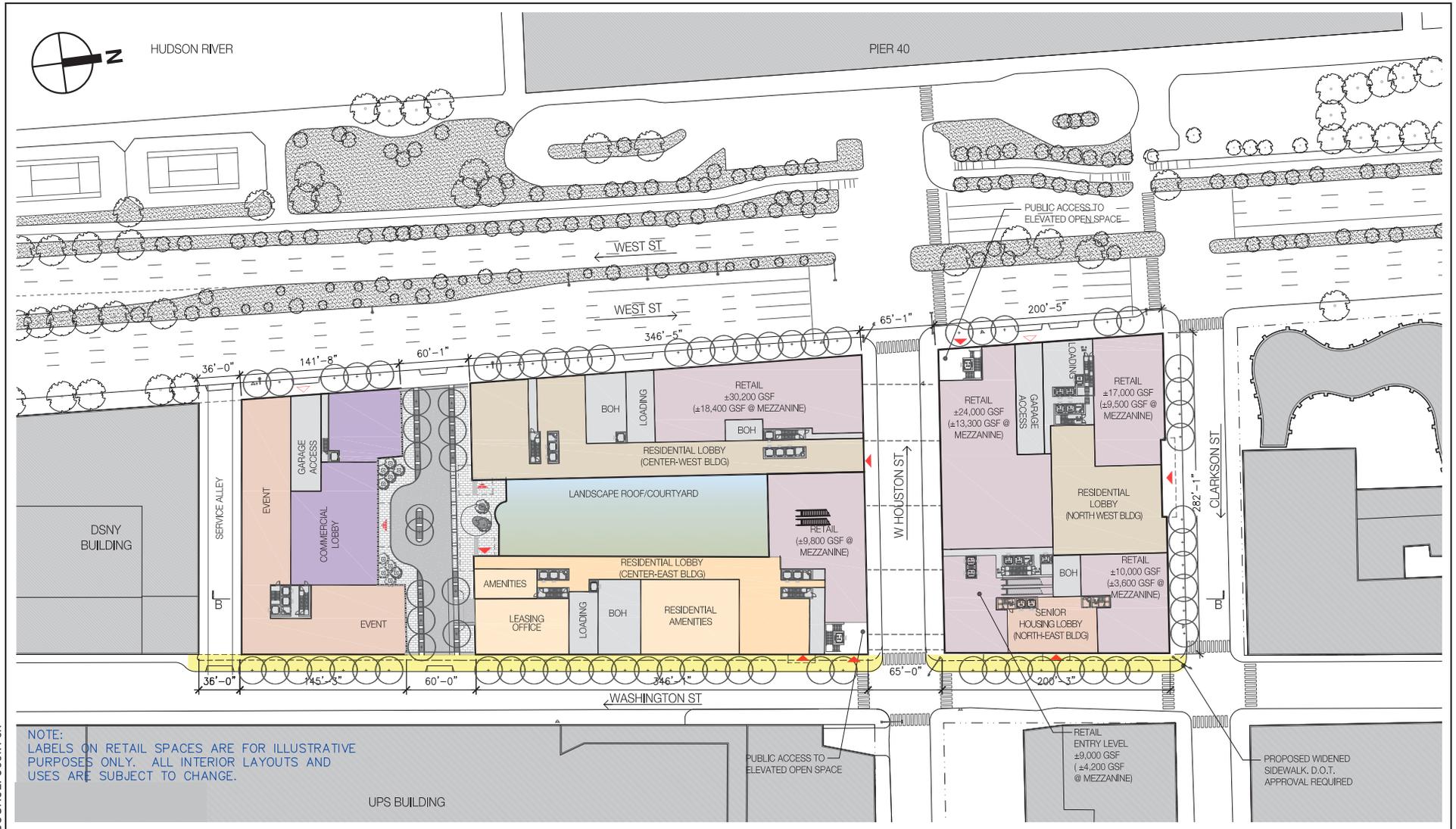
The design of the elevated publicly accessible open space would include a combination of planted and paved areas and a mixture of seating types to accommodate different users. Design elements within the new open space would evoke the original rail beds and the former use of the site. Established design guidelines would ensure that the new open space would be developed with: a mix of trees, seasonal plants, and plantings that are visible from street level; a combination of fixed and moveable seating, meeting standards for seat height, depth, and back height; adequate lighting; and clear paths for travel of at least 10 feet in width.

PROPOSED PROJECT WITH BIG BOX RETAIL

Due to the size, location, and proposed commercial zoning of the Center Site, it is possible that it could accommodate a big box retail use on its ground and cellar levels. Therefore, in order to ensure a conservative analysis, the EIS will also analyze a second With Action scenario that includes consider the proposed project with a 104,000-gsf big box retail use within the ground and cellar levels of the Center Site. The proposed project with big box retail scenario would be similar to the proposed project, except that the amount of parking would decrease and the amount of retail would increase. As shown in **Table 2**, ~~under the full build out of~~ the proposed project with big box retail scenario, ~~the full build out of the development site~~ is assumed to include up to approximately 1,586 residential units (including up to approximately 476 affordable units) and approximately 255,000 gsf of retail uses (including a 104,800-gsf big box use), 229,700 gsf of hotel (or office) space, 14,200~~20,750~~ sf of publicly accessible open space, and 412 cellar-level parking spaces. The site plan elements of this scenario—including the new public open space, through-block driveway, pedestrian entrances, and vehicular entrances—would generally be the same as the proposed project (described above), except there would be an additional loading dock entrance on Washington Street. See Figures 9, 10, and 11 for plans and a section of the proposed project with big box retail scenario.



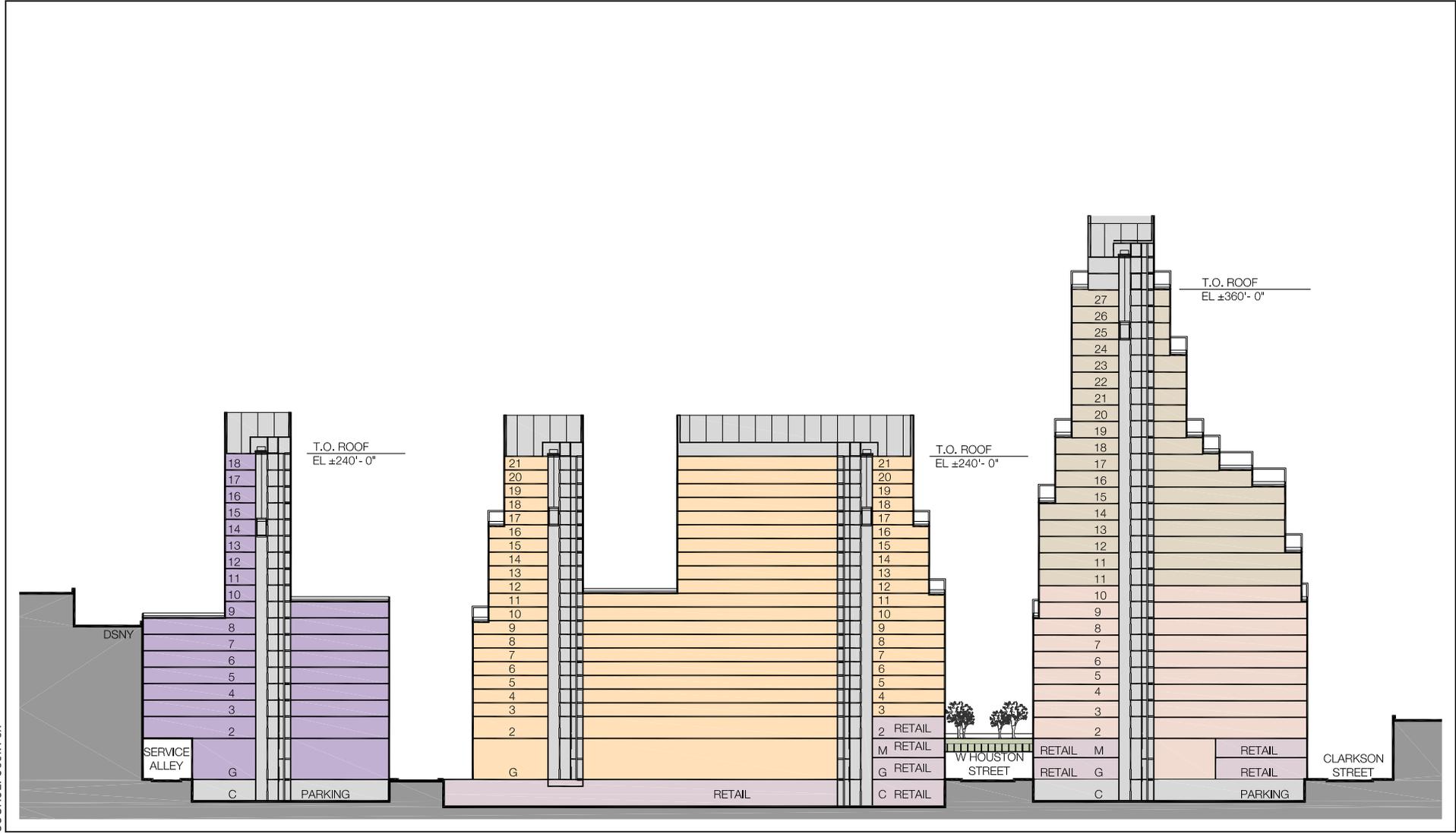
SOURCE: Cook Fox



NOTE:
 LABELS ON RETAIL SPACES ARE FOR ILLUSTRATIVE
 PURPOSES ONLY. ALL INTERIOR LAYOUTS AND
 USES ARE SUBJECT TO CHANGE.

- ▲ Pedestrian Entrance
- △ Vehicular Entrance
- + Street Trees
- Widened Sidewalk

SOURCE: Cook Fox



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Table 2

Development Program for Analysis (~~Approx.~~ Approximate gsf)
Proposed Project with Big Box Retail

Use	North Site	Center Site	South Site	Total
Total Retail ¹ :	100,000	155,000	—	255,000
Local Retail	29,000	8,000	—	37,000
Destination Retail	71,000	42,200	—	113,200
Big Box Retail	—	104,800	—	104,800
Residential ²	579,600 (593 units)	754,500 (993 units)	—	1,334,100 (1,586 units)
Hotel ²	—	—	229,700 (353 rooms ³)	229,700
Event Space	—	—	41,400	41,400
Parking ⁴	55,000 (236 parking spaces)	6,000	40,000 (176 parking spaces)	101,000 (412 parking spaces)
Total:	734,600	915,500	311,100	1,961,200
Notes: ¹ The breakdown between local, destination, and big box retail uses is assumed for analysis purposes only. ² The proposed project may include either hotel or office space on the South Site. For analysis purposes, it is conservatively assumed to be hotel. <u>The EIS analyses will generally be based on hotel use as a more conservative assumption. Where it has the potential for greater impact, office use will be considered.</u> ³ Assumes 650 gsf per hotel room. ⁴ A portion of the building mechanical space is also included.				
Sources: CookFox Architects, SJC 33 Owner 2015 LLC				

PROPOSED ACTIONS

In order to facilitate the proposed project, a series of discretionary approvals are needed. DCP is proposing the following action:

- A Zoning Text Amendment to establish the Special Hudson River Park District comprising, which would comprise Pier 40 and the development site. The text amendment would further define Pier 40 as the “granting site” and the development site as the “receiving site” in the special district. The special district would include provisions for a new special permit that, in accordance with a recent amendment to the Hudson River Park Act, would permit the transfer of floor area within the Special Hudson River Park District. The special permit would additionally allow specified bulk waivers and require that residences serve a variety of income levels on the development site. Under the proposed special district text, the uses and increased density permitted by the proposed zoning districts, described below, would not be applicable to the development site absent the grant of the special permit. The text amendment would also establish two Chairperson’s Certifications to facilitate the transfer of floor area.

SJC 33 Owner 2015 LLC controls the development site and is proposing the following actions:

- A Zoning Map Amendment to map the Special Hudson River Park District ~~comprising, which would comprise~~ Pier 40 and the development site and rezone the development site.

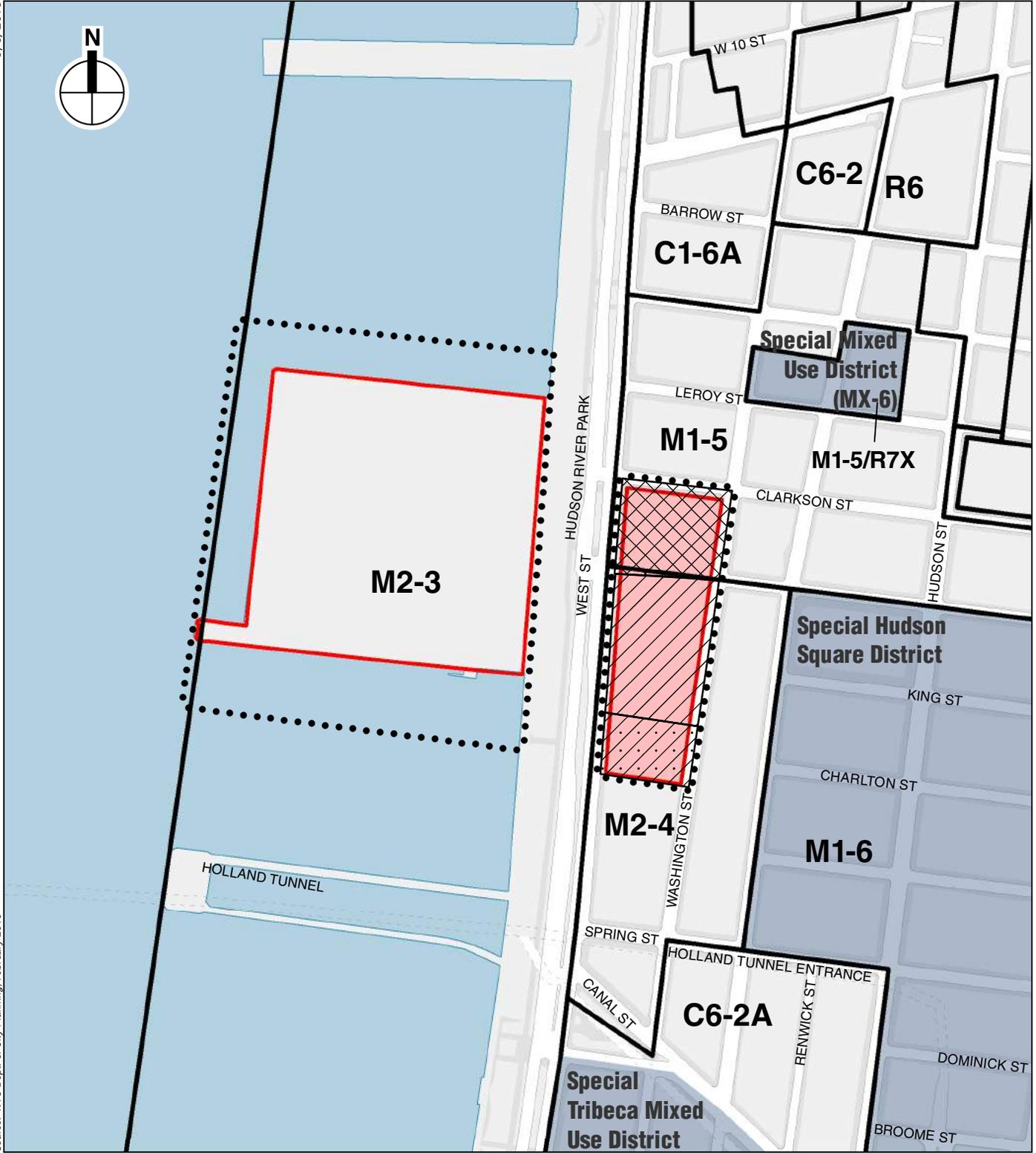
The Zoning Map amendment would rezone the ~~portion of the development site north of West Houston Street~~ North Site from an M1-5 manufacturing zoning district to a C6-4 commercial zoning district, ~~which would~~ M1-5 districts do not permit residential uses,

restrict certain commercial uses, and allow a maximum floor area ratio (FAR) of 6.5 for community facility uses and 5.0 for commercial or manufacturing uses. The proposed C6-4 zoning district would allow residential uses, a wider range of commercial uses, and a basic FAR of 10.0 for residential, commercial, and community facility uses. The rezoning of the North Site is needed to would permit residential use and permit, a wider range of commercial uses, and increased density;. The proposed Zoning Map amendment would rezone a portion of the development site south of West Houston StreetCenter Site from an M2-4 manufacturing zoning district to a C6-3 commercial zoning district, which would also. M2-4 districts do not permit residential uses, restrict certain commercial uses, and allow a maximum FAR of 5.0 for all permitted uses. The proposed C6-3 zoning would allow residential uses, a wider range of commercial uses, and a maximum FAR of 10.0 for community facility uses, 6.0 for commercial uses, and up to 7.52 for residential uses (using height-factor zoning). The rezoning of the Center Site is needed to permit residential use, a wider range of commercial uses, and increased density; and. Finally, the Zoning Map amendment would rezone the remainder of the development site south of West Houston StreetSouth Site from an M2-4 manufacturing zoning district to an M1-5 manufacturing zoning district, which. As noted above, M2-4 districts do not permit residential uses, restrict certain commercial uses, and allow a maximum FAR of 5.0 for all permitted uses. The proposed M1-5 zoning would permit hotel use but or office use (but not residential use), and leave the existing permitted density unchanged. The proposed zoning is shown on **Figure 12**.

- A special permit pursuant to Zoning Resolution Section 89-21 of the proposed Special Hudson River Park District to permit the transfer of 200,000 square feet of floor area from Pier 40 to the development site and permit certain bulk waivers on the development site.

The bulk waivers would allow: the proposed building heights that penetrate the applicable sky exposure plane; street walls higher than the maximum 85 feet; the maximum permitted residential FAR on the Center Site of 7.52 without regard lot coverage regulations; and encroachments of the South Site building into the rear yard equivalent area required by Section 43-28. The bulk waivers would permit the development of the development site with a varied mixture of buildings, with high street walls and stepped-back, articulated towers of different heights and widths, reflecting the context of the neighborhood. The tower heights and locations have been arranged to maintain sight lines through the site, and to graduate bulk vertically to reinforce the building bases that are consistent with the stock of buildings in the Hudson Square neighborhood. Overall, the bulk modifications would allow the proposed floor area and uses—including both the market-rate housing, affordable housing (including senior housing), and a variety of retail uses—to be accommodated on the development site with a context-sensitive design. Under the proposed special district text, the uses and increased density permitted by the proposed C6-4, C6-3 and M1-5 zoning districts would not be applicable to the development site absent the grant of the special permit

- A Three special permit permits pursuant to the Manhattan Core parking regulations (Zoning Resolution Section 13-45 and 13-451) for additional accessory parking a total of 772 accessory parking spaces in three separate parking facilities, with one in each of the North, Center, and South sites.
- Authorizations pursuant to Zoning Resolution Section 13-441 to allow three curb cuts for parking access on West Street, a wide street. These authorizations are required to



- Development Site
- Granting Site
- Zoning Districts
- Special Purpose District

- Proposed Special Hudson River Park District
- Proposed C6-3
- Proposed C6-4
- Proposed M1-5



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allow parking entrances for the North Site and South Site from West Street, and an entrance to a through-block private driveway between the Center and South Sites. The proposed curb cuts on West Street would represent a reduction in the number and size of curb cuts on West Street at present.

- A Chairperson's Certification pursuant to the proposed Special Hudson River Park District to ~~facilitate~~allow a building permit for the proposed project to be issued, on the basis that the applicant and HRPT have agreed on payment terms for the transfer of floor area from Pier 40.

In addition to the approvals described above, the proposed project also requires an action by HRPT. HRPT must conduct a Significant Action process as required by the Hudson River Park Act, Chapter 592 of the Laws of 1998 (~~“the Act”~~) before its Board of Directors can approve the sale of the defined amount of floor area. Further, before the Board can approve the sale, it must also comply with SEQRA and adopt SEQRA Findings.

Additionally, an approval from the New York State Department of Transportation (NYSDOT) approval of the proposed curb cut changes on Route 9A would ~~also~~ be required.

~~It is expected that there will~~There would be a Restrictive Declaration in connection with the proposed project, which would govern the proposed project's development. The Restrictive Declaration would, among other things:

- Require development in substantial accordance with the approved plans, which will establish an envelope within which the buildings must be constructed, including limitations on height, bulk, building envelopes, and floor area;
- Require development of 25 percent of the residential floor area and 30 percent of the residential units, across the project, as permanently affordable housing, at specified income levels;
- Require that the proposed project's development program be within the scope of the development scenario analyzed in the EIS;
- Provide for the implementation of “Project Components Related to the Environment” (PCREs) (i.e., certain project components which were material to the analysis of environmental impacts in the EIS); and
- Provide for measures necessary to mitigate significant adverse impacts, if identified in the EIS, substantially consistent with the EIS;
- ~~Provide that the special permit will be vested for the project by substantial construction of any one building, in accordance with Zoning Resolution Section 11-42; and~~

PURPOSE AND NEED

DCP is proposing a zoning text amendment to create the new Special Hudson River Park District with the goal of facilitating repair, maintenance, and development of Hudson River Park through the transfer of development rights from Pier 40 to the receiving site within the Special Hudson River Park District. The special district is intended to promote appropriate uses on the receiving site that complement the Park and serve residents of varied income levels.

The establishment of the Special Hudson River Park District is intended to enable the repair of Pier 40, an important commercial property in Hudson River Park. Public parking and other uses on the pier currently fund approximately 40 percent of HRPT's annual operating budget. However, Pier 40 is in need of critical repairs to its roof, supporting piles, and aging

infrastructure including electrical systems. HRPT inherited the pier and a number of structural issues that came with it. HRPT has made emergency investments as needed, but the Pier has continued to deteriorate over time. In recent years sections of the roof have deteriorated significantly, forcing HRPT to close portions of the parking garage to ensure public safety. These closures have in turn reduced the Park's operating revenue. Pier 40's entire roof must be reconstructed and the thirteen miles of steel piles supporting the pier must also be repaired, according to an underwater inspection commissioned by HRPT in 2014. The transfer of floor area within the Special Hudson River Park District made possible by the proposed actions would support the critical repair and rehabilitation of Pier 40's infrastructure in Hudson River Park as provided for in the Hudson River Park Act as amended in 2013.

The proposed project is intended to ~~enable the transformation of~~ transform an underutilized ~~and outmoded~~ building into a ~~vibrant~~, mixed-use development with ~~new shops~~, residences serving a variety of income levels, publicly-accessible open space ~~and amenities to enliven this waterfront site. Significantly, the transfer of floor area that is part of~~, office or hotel use, and retail.

The proposed project ~~will support infrastructure repairs to Pier 40, a critical asset to Hudson River Park, as provided for in the Act~~ is intended to provide new market rate housing, permanently affordable housing, and senior housing. SJC 33 Owner 2015 LLC has committed to providing 25 percent of the residential floor area and 30 percent of the residential units as permanently affordable housing, including senior housing.

C. FRAMEWORK FOR ENVIRONMENTAL REVIEW

The lead agency is required to take a “hard look” at the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An EIS is a comprehensive document used to ~~systematically~~ consider environmental effects, evaluate reasonable alternatives, and identify and mitigate, to the maximum extent practicable, any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action.

This section outlines the conditions to be examined in the EIS.

FUTURE WITHOUT THE PROPOSED ACTIONS

In the future without the proposed actions (the No Action condition), the development site is expected to be redeveloped with a program that does not require any discretionary approvals. The No Action development would utilize the available unused floor area of 242,819 zsf as well as existing floor area above West Houston Street that would be demolished and reused on the north site. The platform space above West Houston Street would be developed as a private open space serving the building tenants.

On the North Site, the No Action development will include hotel, office, and retail uses in a 48-story (approximately 630 feet) building. South of West Houston Street in the No Action condition, the existing building will be demolished and rebuilt but there will be no change in floor area. The development on the Center and South sites will include office uses, event space, and retail uses. Overall, as summarized in **Table 3**, the No Action development is assumed to include approximately 322,000 gsf of retail uses (including 61,500 gsf of local retail and 260,500 gsf of destination retail), 427,000 gsf of office space, a 285,000-gsf hotel (438 rooms),

and approximately 176 accessory parking spaces. **Figures 13, 14, 15 and 16** show conceptual plans for the No Action condition development of the development site.

**Table 3
No Action Scenario Program For Analysis**

Use	Approximate gsf
Retail ¹	322,000
<i>Local Retail</i>	61,500
<i>Destination Retail</i>	260,500
Office	427,000
Hotel	285,000 (438 rooms)
Event Space	50,000
Parking	68,000 (176 spaces)
No Action Building gsf	1,152,000
Note: ¹ The breakdown between local and destination retail uses is assumed for analysis purposes only.	
Sources: CookFox Architects, SJC 33 Owner 2015 LLC	

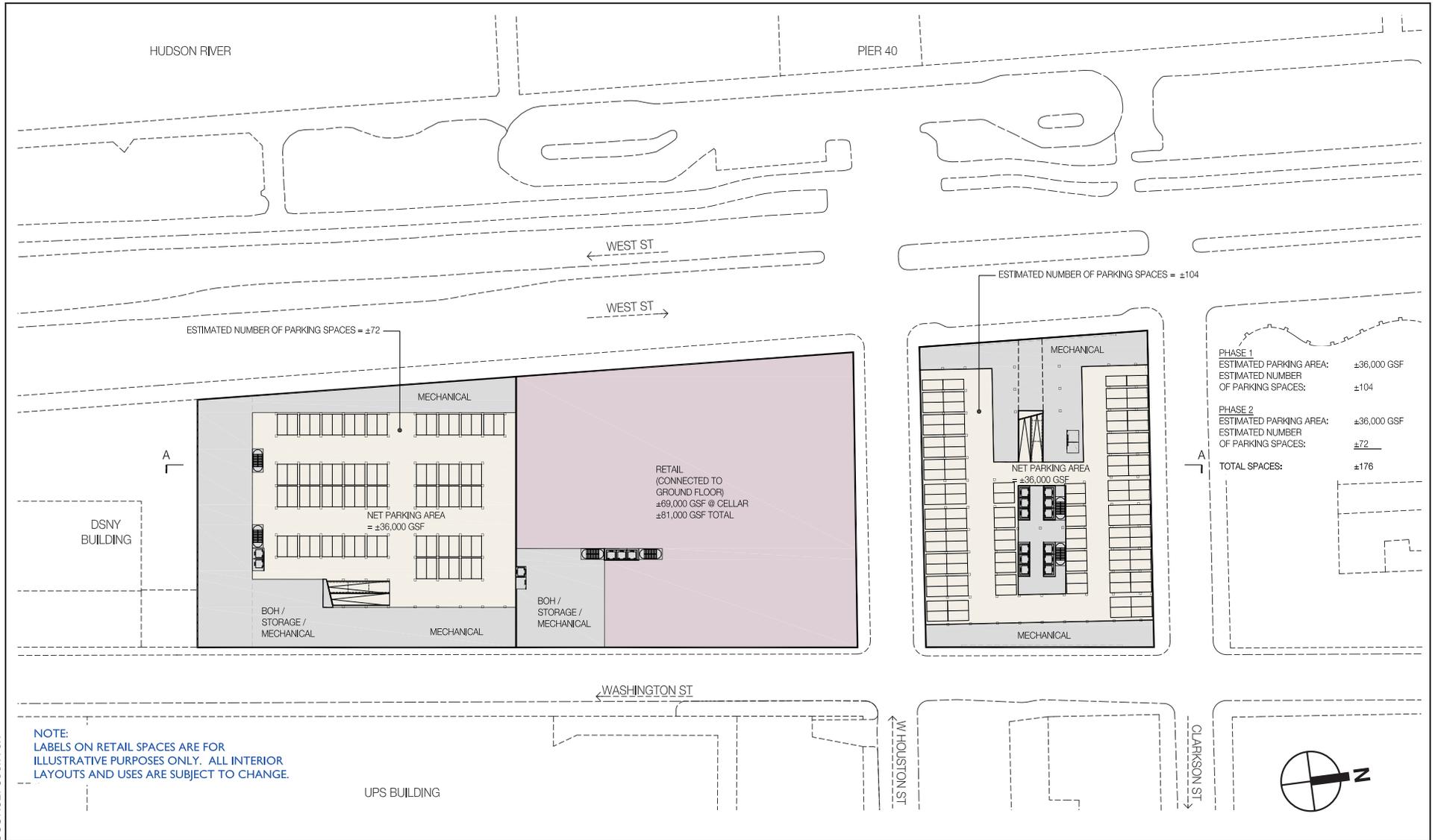
FUTURE WITH THE PROPOSED ACTIONS

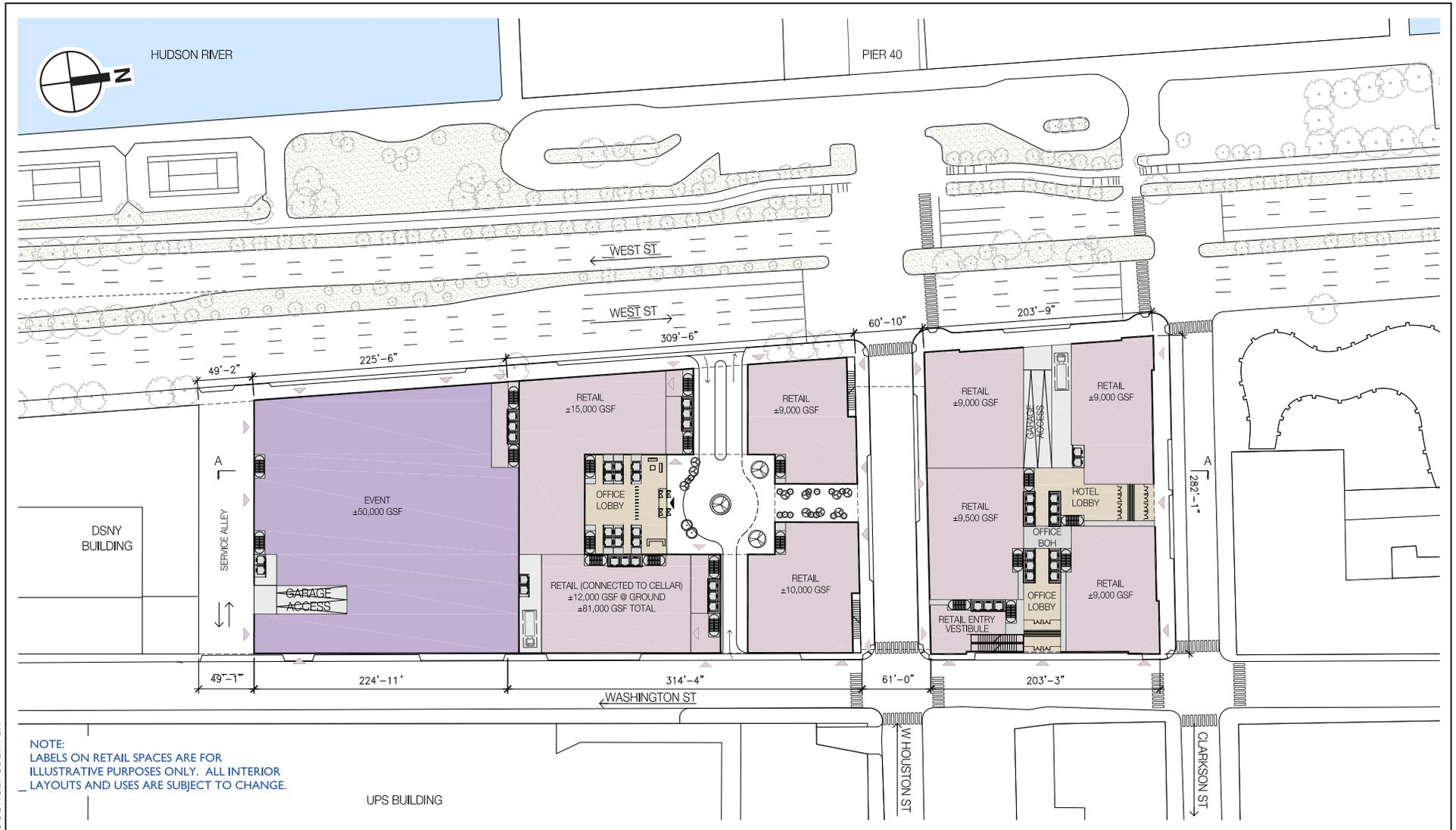
In the future with the proposed actions (the With Action condition), the development site is assumed to be redeveloped with one of the two development programs described above, under “Project Description:”; the proposed project or the proposed project with big box retail. As noted above, the South Site could contain either hotel or office use. The EIS analyses will generally be based on hotel use as a more conservative assumption. Where it has the potential for greater impact, office use will be considered.

The analysis assumptions for the No Action development, With Action development (proposed project scenario), and increment for analysis are summarized below in **Table 4**.

**Table 4
Comparison of No Action and With Action Conditions (gsf)
Proposed Project**

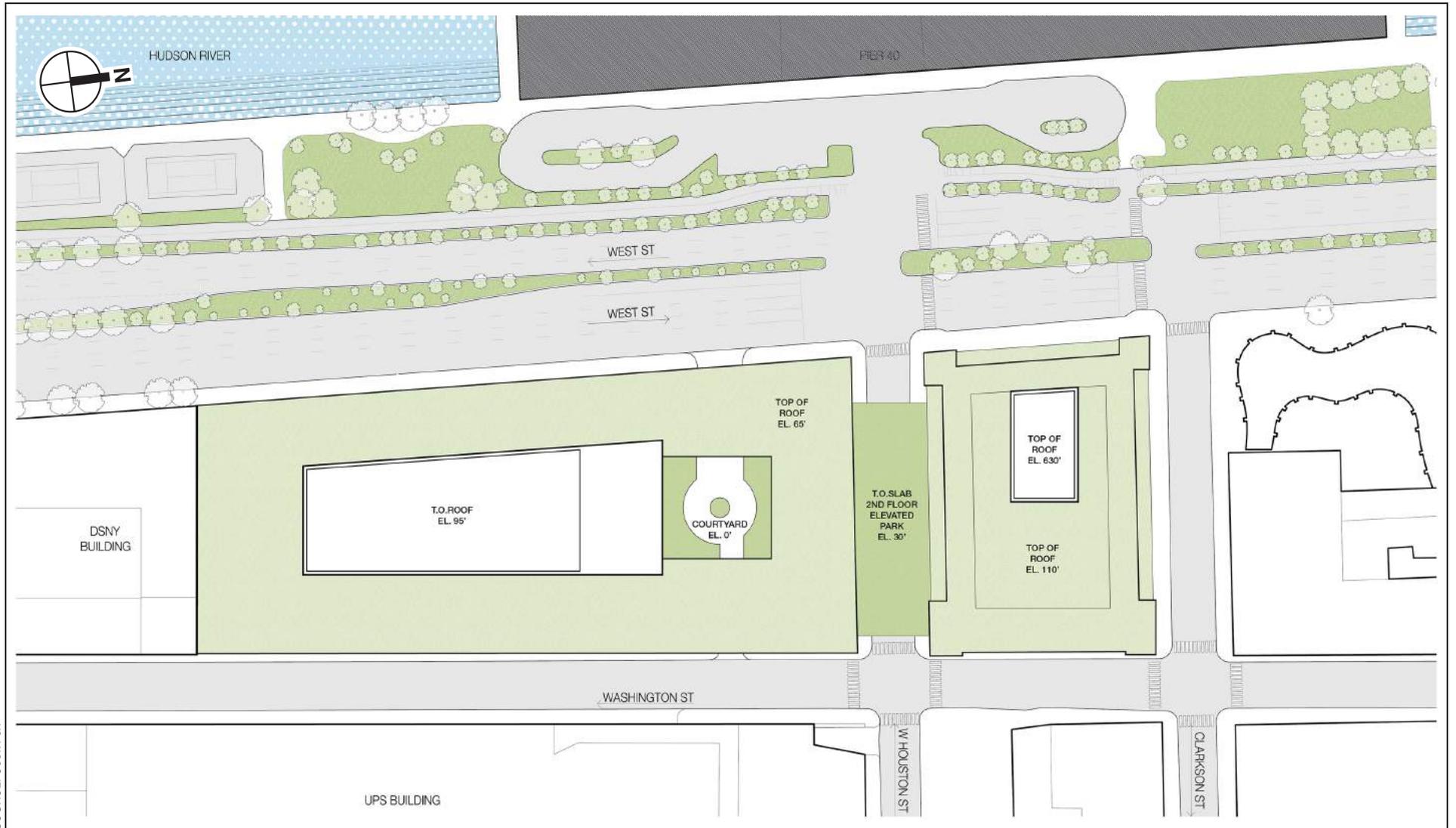
Uses	No Action Condition	With Action Condition	Increment for Analysis
Total Retail ¹	322,000	160,000	-162,000
<i>Local Retail</i>	61,500	37,000	-24,500
<i>Destination Retail</i>	260,500	123,000	-137,500
<i>Big Box Retail</i>	—	—	—
Residential	—	1,334,100 (1,586 units)	1,334,100 (1,586 units)
Hotel ²	285,000 (438 rooms)	229,700 (353 rooms)	-55,300 (-85 rooms)
Office	427,000	—	-427,000
Event Space	50,000	41,400	-8,600
Parking	68,000 (176 spaces)	196,000 (886830 spaces)	128,000 (740654 spaces)
Total:	1,152,000	1,961,200	809,200
Notes: ¹ The breakdown between local, destination, and big box retail uses is assumed for analysis purposes only.			
² The proposed project may include either hotel or office space on the South Site. <u>For analysis purposes, it is conservatively assumed to be hotel. The EIS analyses will generally be based on hotel use as a more conservative assumption. Where it has the potential for greater impact, office use will be considered.</u>			





SOURCE: Cook Fox

NOTE: LABELS ON RETAIL SPACES ARE FOR ILLUSTRATIVE PURPOSES ONLY. ALL INTERIOR LAYOUTS AND USES ARE SUBJECT TO CHANGE.



SOURCE: Cook Fox

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

As shown in **Table 4**, the proposed project is assumed to result in the incremental development of 809,200 the development site, compared to the No Action condition.

The analysis assumptions for the No Action development, With Action development (proposed project with big box retail scenario), and increment for analysis are summarized below in **Table 5**.

Table 5
Comparison of No Action and With Action Conditions (gsf)
Proposed Project with Big Box Retail

Uses	No Action Condition	With Action Condition	Increment for Analysis
Retail ¹	322,000	255,000	-67,000
Local Retail	61,500	37,000	-24,500
Destination Retail	260,500	113,200	-147,300
Big Box Retail	—	104,800	104,800
Residential	—	1,334,100 (1,586 units)	1,334,100 (1,586 units)
Hotel ²	285,000 (438 rooms)	229,700 (353 rooms)	-55,300 (-85 rooms)
Office	427,000	—	-427,000
Event Space	50,000	41,400	-8,600
Parking	68,000 (176 spaces)	101,000 (412 spaces)	17,000 (236 spaces)
Total:	1,152,000	1,961,200	809,200
Notes:	¹ The breakdown between local, destination, and big box retail uses is assumed for analysis purposes only. ² The proposed project may include either hotel or office space on the South Site. For analysis purposes, it is conservatively assumed to be hotel. <u>The EIS analyses will generally be based on hotel use as a more conservative assumption. Where it has the potential for greater impact, office use will be considered.</u>		

As shown in **Table 5**, the proposed project with big box retail scenario is assumed to result in the incremental development of 809,200 gsf on the development site, compared to the No Action condition.

The increments between the No Action and With Action conditions, taken together with the proposed changes in use, will form the basis for analysis in the EIS. The technical chapters of the EIS will account for both With Action scenarios, as appropriate. As noted above, the gsf and program components for the development are provided for the purpose of environmental analysis as a reasonable upper limit. The proposed special permit and proposed zoning would control the amount and type of development permitted on the site. These estimates are conservative since usable built area ~~is expected to~~ may be less.

The EIS will consider the potential for the proposed project to result in significant adverse environmental impacts upon complete build out of the proposed project, which is assumed for analysis purposes to be in 2024. ~~Since~~ The proposed project could be built all at once or may be phased, and development of the three sites may take place in any order. An interim build year will be considered if full development would result in significant adverse impacts requiring mitigation.

D. SCOPE OF WORK

As described earlier, the environmental review provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and mitigate where practicable, any significant adverse environmental impacts.

The EIS will contain:

- A description of the proposed actions and project and ~~the~~its environmental setting;
- A statement of the potential significant adverse environmental impacts of the proposed project, including ~~its~~their short- and long-term effects—~~and,~~ typical associated environmental effects, and cumulative effects when considered with other planned developments in the area;
- A description of mitigation measures proposed to eliminate or minimize adverse environmental impacts;
- An identification of any adverse environmental effects that cannot be avoided if the proposed project is implemented;
- A discussion of reasonable alternatives to the proposed project; and
- ~~An identification~~A discussion of irreversible and irretrievable commitments of resources ~~that would be involved if to develop the proposed project is built; and~~
- ~~A description of measures proposed to minimize or fully mitigate any significant adverse environmental impacts.~~

The first step in preparing the EIS document is the public scoping process. Scoping is the process of focusing the environmental impact analysis on the key issues that are to be studied in the EIS. The proposed scope of work for each technical area to be analyzed in the EIS follows. The EAS that has been prepared for the proposed project identified one technical area (solid waste and sanitation services) in which the proposed project would not result in significant adverse impacts and therefore does not require further analysis in the EIS. The scope of work and the proposed impact assessment criteria below are based on the methodologies and guidance set forth in the *CEQR Technical Manual*.

TASK 1: PROJECT DESCRIPTION

As the first chapter of the EIS, the Project Description will introduce the reader to the proposed project and set the context in which to assess impacts. The chapter will identify the proposed project (brief description and location of the proposed project) and provide the following:

- An introduction to the background and history of the development site, the granting site, and the proposed project;
- A statement of the public purpose and need for the proposed project, and key planning considerations that have shaped the proposal;
- ~~A description of the analysis framework for the environmental review, including a discussion of the No Action condition and the build year(s) for analysis;~~
- A detailed description of the proposed project, ~~including both the No Action program and the With Action program (for both Phase 1~~the North, Center, and Phase 2);~~South sites;~~
- A description of the design of the proposed project with supporting figures;
- A discussion of the approvals required, procedures to be followed, the role of the EIS in the process, and its relationship to any other approvals.

TASK 2: ANALYTICAL FRAMEWORK

This chapter will discuss the framework for the analyses of the EIS. It will provide a discussion of the public review process for the proposed actions, including both the Uniform Land Use Review Procedure (ULURP) and CEQR. The chapter will identify the analysis year and describe the future development conditions (No Action and With Action) that will be assessed in the EIS. It will also provide a list of background development projects that will be incorporated into each technical analysis in the EIS, as appropriate.

TASK 3: LAND USE, ZONING, AND PUBLIC POLICY

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project, describes the public policies that guide development, and determines whether a proposed project is compatible with those conditions and policies or whether it may affect them. In addition to considering the proposed project's effects in terms of land use compatibility and trends in zoning and public policy, this chapter will also provide a baseline for other analyses.

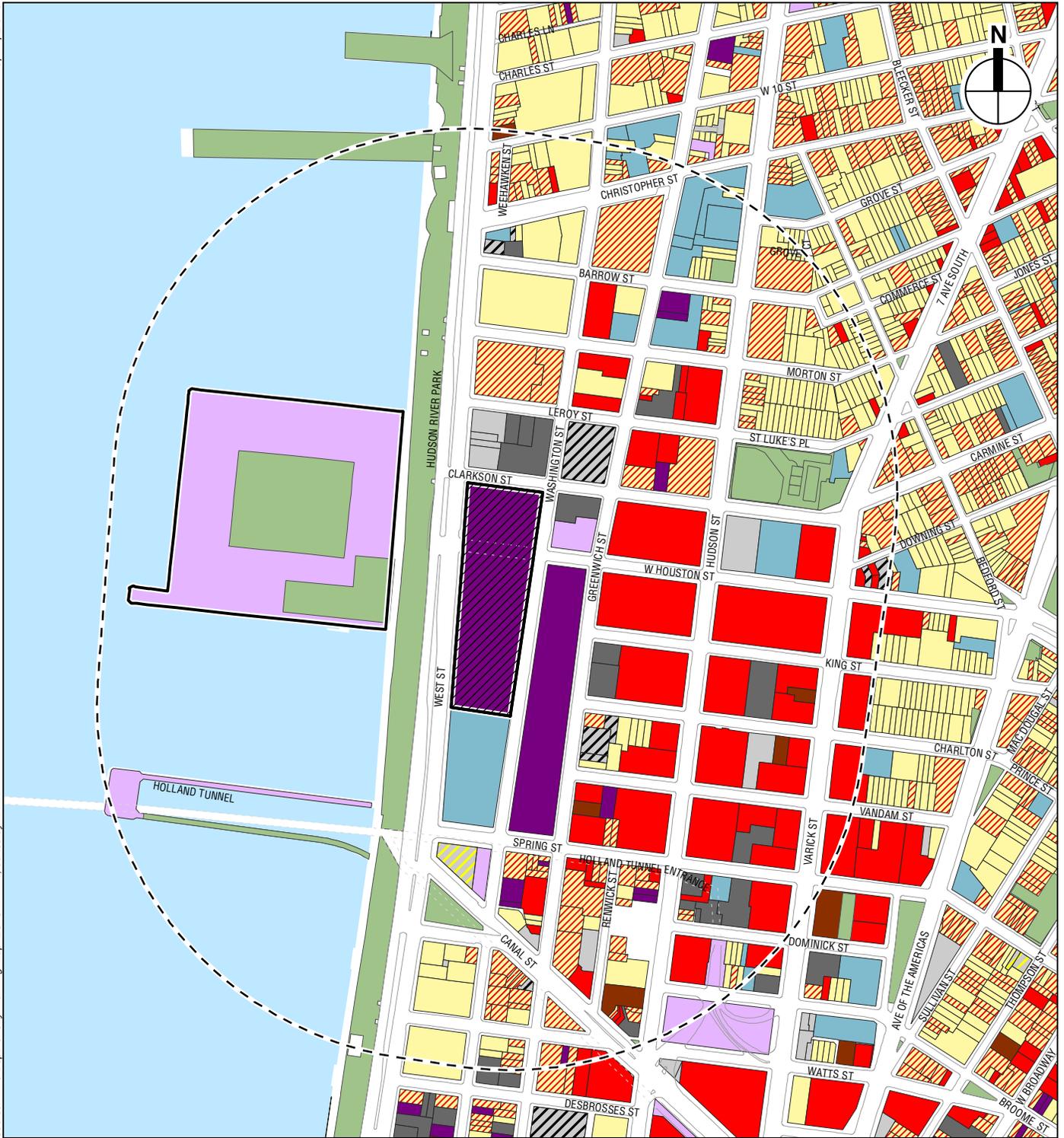
The land use chapter will provide the following:

- A brief development history of the development site, the granting site, and the study area. The study area will include the development site and the area within approximately ¼-mile (see **Figure 17**).
- Describe conditions in the study area, including existing uses and the current zoning.
- Describe predominant land use patterns in the study area, including recent development trends and zoning changes.
- Summarize other public policies that may apply to the development site and study area, including any formal neighborhood or community plans, the New York City Waterfront Revitalization Program (WRP), and OneNYC.
- Prepare a list of other projects expected to be built in the study area that would be completed by the 2024 analysis year. Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area.
- Describe the proposed actions and provide an assessment of the impacts of the proposed project on land use and land use trends, zoning, and public policy. Consider the effects of the proposed project related to issues of compatibility with surrounding land use, consistency with public policy initiatives, and the effect on development trends and conditions in the area.

TASK 34: SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of an area.

According to the *CEQR Technical Manual*, the six principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due



- | | |
|--|--|
|  Development Site |  Public Facilities and Institutions |
|  Granting Site |  Residential |
|  Study Area (Quarter-Mile boundary) |  Residential with Commercial Below |
|  Commercial and Office Buildings |  Transportation and Utility |
|  Hotels |  Vacant Land |
|  Industrial and Manufacturing |  Vacant Building |
|  Open Space and Outdoor Recreation |  Under Construction |
|  Parking Facilities | |

0 500 FEET

Land Use
Figure 17

550 WASHINGTON STREET

to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry. The following describes how each of these issues needs to be addressed in the analysis.

DIRECT RESIDENTIAL DISPLACEMENT

There are no residential uses located on the development site; therefore, the proposed project would not result in any direct residential displacement impacts, and no further assessment of this issue is required.

DIRECT BUSINESS DISPLACEMENT

The development site contains two active businesses. In the With Action condition, these businesses would likely relocate when their leases expire, or they may be relocated within the development site. This would not be considered direct displacement under CEQR; therefore, an analysis of direct business displacement will not be required.

INDIRECT RESIDENTIAL DISPLACEMENT

The proposed project would introduce more residential units than the 200-unit threshold requiring a preliminary assessment of potential indirect residential displacement. The concern with respect to indirect residential displacement is whether the proposed project—by introducing a substantial new development that is markedly different from existing uses, development, and activities within the neighborhood—could lead to increases in property values, and thus rents, making it difficult for some residents to afford their homes. The objective of the indirect residential displacement assessment is to determine whether the proposed project would either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change.

The indirect residential displacement assessment will use the most recent available U.S. Census data, New York City Department of Finance’s Real Property Assessment Data (RPAD) database, as well as current real estate market data to present demographic and residential market trends and conditions for a 1/2-mile study area. The presentation of study area characteristics will include population, housing value and rent, and average household income. Following *CEQR Technical Manual* guidelines, the preliminary assessment will perform the following step-by-step evaluation:

- **Step 1:** Determine if the proposed project would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- **Step 2:** Determine if the proposed project population is large enough to affect real estate market conditions in the study area. If the population increase is greater than 5 percent in the study area as a whole or within any identified subareas, then Step 3 will be conducted. If the population increase is greater than 10 percent in the study areas as a whole or within any identified subarea, then a detailed analysis is required.

- **Step 3:** Consider whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends. This evaluation will consider the following:
 - If the vast majority of the study area has already experienced a readily observable trend toward increasing rents and new market development, further analysis is not necessary. However, if such trends could be considered inconsistent and not sustained, a detailed analysis may be warranted.
 - If no such trend exists either within or near the study area, the action could be expected to have a stabilizing effect on the housing market within the study area by allowing limited new housing opportunities and investment, and no further analysis is necessary.
 - If those trends do exist near to or within smaller portions of the study area, the action could have the potential to accelerate an existing trend. In this circumstance, a detailed analysis will be conducted.

If the preliminary assessment cannot rule out the potential for significant adverse impacts due to indirect residential displacement, then a detailed analysis will be conducted. The detailed analysis would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the proposed project on prevailing socioeconomic trends and, thus, impacts on the identified population at risk.

INDIRECT BUSINESS DISPLACEMENT

The concern with respect to indirect business displacement is whether a proposed project may introduce trends that make it difficult for businesses to remain in the area. In the With Action condition, the proposed project would introduce approximately the same amount of retail space and less commercial office space to the development site than the No Action condition. Since the proposed project would not result in an addition of more than 200,000 sf of commercial space, an assessment of potential indirect business displacement is not required.

SPECIFIC INDUSTRIES

A preliminary assessment will consider whether the proposed project could significantly affect business conditions in any industry or category of businesses within or outside the study area, or would substantially reduce employment or impair viability in a specific industry or category of businesses.

TASK 45: COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by any proposed development. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands. According to the thresholds presented in the *CEQR Technical Manual*, the proposed project is not expected to trigger detailed analyses of outpatient health care facilities or police and fire protection serving the development site. However, the proposed project would introduce a residential population that would have the potential to affect elementary/middle schools, child care, and public libraries. The assessments of potential impacts on each are described below.

550 Washington Street/Special Hudson River Park District

A schools analysis is required under CEQR for proposed actions that would result in more than 50 elementary/middle school or 150 high school students. In Manhattan, based on CEQR guidelines, this would require that 310 or more residential units be constructed as part of the proposed project to require an elementary and intermediate schools analysis. Accordingly, a detailed analysis of elementary and intermediate schools will be included in the EIS. This analysis will include the following:

- Identify schools serving the development site and discuss the most current information on enrollment, capacity, and utilization using information from the New York City Department of Education (DOE).
- Based on the data provided from DOE and DCP, determine future No Action conditions in the area.
- Based on methodology presented in the *CEQR Technical Manual*, assess the potential impact of students generated by the proposed project on schools.

However, since the proposed project would not result in more than 2,492 residential units (the CEQR threshold for performing an analysis of high school conditions), an analysis of high schools is not warranted.

Because the number of affordable residential units (excluding senior citizen units) would exceed the minimum number of residential units (170) requiring detailed analyses of publicly funded child care, the EIS will also include an analysis of child care as described below:

- Identify existing publicly funded group child care facilities within approximately 1.5 miles of the development site.
- Describe each facility in terms of its location, number of slots (capacity), and existing enrollment. Information will be based on publicly available information and consultation with the Administration for Children's Services' Division of Child Care and Headstart (CCHS).
- Any expected increases in the population of children under 12 within the eligibility income limitations, based on CEQR methodology, will be discussed as potential additional demand, and the potential effect of any population increases on demand for publicly funded group child care services in the study area will be assessed. The potential effects of the additional eligible children resulting from the proposed project will be assessed by comparing the estimated net demand over capacity to the net demand over capacity estimated in the No Action condition.

The proposed project would also exceed the CEQR threshold requiring analysis of public libraries (901 residential units). Therefore, using the guidance of the *CEQR Technical Manual*, the EIS will:

- Describe and map the local libraries and catchment areas in the vicinity of the development site.
- Identify the existing user population, branch holdings and circulation. Based on this information, estimate the holdings per resident.
- Determine conditions in the No Action condition based on planned developments and known changes to the library system.

- Based on the population to be added by proposed project, estimate the holdings per resident and compare conditions in the No Action condition and the With Action condition.

TASK 56: OPEN SPACE

The *CEQR Technical Manual* recommends performing an open space assessment if a project would have a direct effect on an area open space (e.g., displacement of an existing open space resource) or an indirect effect through increased population size (for the development site, an assessment would be required if the proposed project's population is greater than 200 residents or 500 employees).

Compared to conditions in the future No Action condition, the proposed project is not expected to result in an incremental increase of 500 or more employees; therefore, an assessment of the potential for indirect effects on open space due to an increased worker population is not warranted. However, the increase in the residential population resulting from the proposed project will exceed the 200-resident CEQR threshold requiring a detailed residential open space analysis. The methodology set forth in the *CEQR Technical Manual* consists of establishing a study area for analysis, calculating the total population in the study area, determining the age composition of the study area population, and creating an inventory of publicly accessible open spaces within a 1/2-mile of the development site (such as Hudson River Park); this inventory will include examining these spaces for their facilities (active vs. passive use), condition, and use (crowded or not). The chapter will project conditions in the No Action condition, and assess impacts of the proposed project based on quantified ratios and qualitative factors. New public open space created as part of the proposed project will be described and considered in the analysis. ~~The analysis will begin with a preliminary assessment to determine the need for further analysis. If warranted,~~ A detailed assessment will be prepared, following the guidelines of the *CEQR Technical Manual*.

TASK 67: SHADOWS

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features.

The proposed project would result in new structures taller than 50 feet. In addition, the development site is located adjacent to Hudson River Park, a publicly-accessible open space. Specific features of Hudson River Park located adjacent to the development site include the Pier 40 facility, which contains public ball fields. A portion of the Route 9A walkway/bikeway also runs through the area. In addition, the Hudson River itself is considered a sunlight-sensitive natural feature. A shadows assessment is therefore required to determine how the Project-generated shadow might affect these resources, and whether it would reach other nearby sunlight-sensitive resources. The proposed project's shadows will be compared to shadows generated by development that would occur on the development site in the No Action condition.

The shadows assessment will follow the methodology described in the *CEQR Technical Manual*, and will include the following tasks:

- Develop a base map illustrating the development site in relationship to publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features in the area.
- Determine the longest possible shadow that could result from the proposed project to determine whether it could reach any sunlight-sensitive resources at any time of year.
- Develop a three-dimensional computer model of the elements of the base map developed in the preliminary assessment.
- Develop a three-dimensional representation of the proposed project and the No Action project.
- Using three-dimensional computer modeling software, determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the proposed project on four representative days of the year.
- Document the analysis with graphics comparing shadows resulting from the No Action condition with shadows in the With Action condition, with incremental shadow highlighted in a contrasting color. Include a summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource.
- Assess the significance of any shadow impacts on sunlight-sensitive resources. If any significant adverse shadow impacts are identified, identify and assess potential mitigation strategies.

TASK 78: HISTORIC AND CULTURAL RESOURCES

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if there is the potential to affect either archaeological or architectural resources. Since the proposed project would require at least some subsurface disturbance on portions of the development site, it will be necessary to analyze the potential impacts of the proposed project on archaeological resources. The development site building is not a known architectural resource, but there are architectural resources in the surrounding area. Therefore, consistent with the *CEQR Technical Manual*, the historic and cultural resources analysis will include the following tasks.

- Request a preliminary determination of archaeological sensitivity for the portions of the development site that would experience subsurface disturbance from the New York City Landmarks Preservation Commission (LPC) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). If it is determined that all or part of the development site may be sensitive for archaeological resources, a Phase 1A Archaeological Documentary Study of the affected area will be prepared as directed by LPC and/or OPRHP.
- Select the study area for architectural resources, and map and briefly describe designated architectural resources in the study area. Consistent with the guidance of the *CEQR Technical Manual*, designated architectural resources include: New York City Landmarks (NYCL), Interior Landmarks, Scenic Landmarks, New York City Historic Districts; resources calendared for consideration as one of the above by LPC; resources listed on or formally determined eligible for inclusion on the State and/or National Registers of Historic Places (S/NR), or contained within a district listed on or formally

determined eligible for listing on the Registers; resources recommended by the New York State Board for listing on the Registers; and National Historic Landmarks (NHL).

- Conduct a field survey of the development site and study area to identify any potential architectural resources that could be affected by the proposed project.
- Assess the potential effects of the proposed project on archaeological and architectural resources, including visual and contextual changes as well as any direct physical impacts.
- If necessary, measures to avoid, minimize, or mitigate any adverse impacts on historic and cultural resources would be developed and described.

TASK 89: URBAN DESIGN AND VISUAL RESOURCES

According to the methodologies of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a development site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared. Since the proposed project would result in an increase in allowable built floor area on the development site, a preliminary assessment of urban design and visual resources will be prepared in the EIS. The preliminary assessment will determine whether the proposed project, in comparison to the No Action condition, would create a change to the pedestrian experience that is sufficiently significant to require greater explanation and further study. The study area for the preliminary assessment of urban design and visual resources will be consistent with that of the study area for the analysis of land use, zoning and public policy. The preliminary assessment will include a narrative and graphics depicting the existing project area, the future No Action condition, and the future With Action condition. A detailed analysis will be prepared if warranted based on the preliminary assessment.

TASK 910: NATURAL RESOURCES

As stated in the *CEQR Technical Manual*, a natural resource is defined as a plant or animal species and any area capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the City's environmental balance. Such resources include surface and groundwater, wetlands, dunes and beaches, grasslands, woodlands, landscaped areas, gardens, and built structures used by wildlife. An assessment of natural resources is appropriate if a natural resource exists on or near the site of the proposed action, or if an action involves disturbance of that resource. The development site is located in a fully developed area of Manhattan, contains limited natural resources other than exterior structural habitat and common urban wildlife species that use these structural habitats (e.g., rock doves, house sparrow, etc.). Any individual wildlife that use the development site would be expected to move to adjacent similar habitats.

As noted above, the proposed project has the potential to cast shadows on the Hudson River, a natural resource. Therefore, this chapter of the EIS will summarize the findings of the shadows analysis pertaining to the Hudson River.

TASK 1011: HAZARDOUS MATERIALS

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. 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 increased; or c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials section will examine the potential for significant hazardous materials impacts from the proposed project. The EIS will include a discussion of the site's history and current environmental conditions. A Phase I Environmental Site Assessment (ESA) for the project site will be prepared that will include the review of historic Sanborn maps, regulatory databases, and a site reconnaissance. The results of the Phase I ESA, as well as any previous relevant Phase II Subsurface Site Investigations will be summarized in the hazardous materials chapter. If needed, additional hazardous materials studies (e.g., Phase II Subsurface Site Investigation) will also be performed. The chapter will include a discussion of the proposed project's potential to result in significant adverse hazardous materials impacts and, if necessary, will include a description of any additional further testing, remediation, or other measures that would be necessary to avoid impacts.

TASK 412: WATER AND SEWER INFRASTRUCTURE

According to the *CEQR Technical Manual*, a water and sewer infrastructure assessment analyzes whether a proposed project may adversely affect New York City's water distribution or sewer system and, if so, assess the effects of such projects to determine whether their impact is significant, and present potential mitigation strategies and alternatives. Because the proposed project would introduce an incremental increase above the No Action condition of more than 1,000 residential units and is located in a combined sewer area within Manhattan, an analysis of water and sewer infrastructure is warranted. This analysis will consist of the following:

- A description of the existing stormwater drainage system and surfaces (pervious or impervious) on the project site and of the existing sewer system that serves the project site (based on records obtained from DEP).
- A description of any changes to the site's stormwater drainage system, the site's surface area, and the area's sewer system that are expected in the No Action condition.
- An analysis of potential project impacts that will consist of the identification and assessment of the effects of the incremental With Action sanitary and stormwater flows on the capacity of the sewer infrastructure. The DEP volume calculation worksheet will be prepared. Any best management practices to be included as part of the proposed project will be described.

TASK 4213: ENERGY

According to the *CEQR Technical Manual*, because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code (which reflects State and City energy policy), actions resulting in new construction would not create significant energy impacts, and as such would not require a detailed energy assessment. For CEQR purposes, energy impact analyses focuses on an action's consumption of energy. A qualitative assessment will be provided in the EIS, as appropriate, including an estimate of the additional energy consumption associated with the proposed project.

TASK 1314: TRANSPORTATION

The transportation analysis will be undertaken pursuant to the methodologies outlined in the *CEQR Technical Manual*. This analysis will begin with the projection of travel demand estimates to identify transportation elements that would be subject to the evaluation of potential impacts, will present the collection of baseline data, and will continue with detailed analyses of existing and future conditions. Where necessary, improvement measures will be explored to address significant adverse impacts identified by the detailed analyses.

TRAVEL DEMAND PROJECTIONS AND SCREENING ASSESSMENTS

The transportation analysis for the environmental review will compare the proposed project with the No Action scenario to determine the trip-making increments that could occur as a result of the proposed project. Travel demand estimates and a transportation screening analysis have been prepared and summarized in a ~~draft~~ the Travel Demand Factors (TDF) Memorandum (see **Appendix 1C**). Detailed trip estimates were developed using standard sources, including the *CEQR Technical Manual*, U.S. census data, approved studies, and other references. The trip estimates (Level-1 screening assessment) were summarized by peak hour (weekday AM, midday, and PM, and Saturday afternoon), mode of travel, and person vs. vehicle trips. The trip estimates also identified the number of peak hour person trips made by transit and the number of pedestrian trips traversing the area's sidewalks, corner reservoirs, and crosswalks.

The *CEQR Technical Manual* states that quantified transportation analyses may be warranted if a proposed action results in 50 or more vehicle-trips and/or 200 or more transit/pedestrian trips during a given peak hour. The *CEQR Technical Manual* also indicates that the analysis should include intersections identified as problematic (in terms of operation and/or safety) or congested, even though the assigned trips may be less than the established thresholds. The information presented in the ~~draft~~-TDF memo will be ~~has been~~ reviewed with the lead agency and involved expert agencies, such as the New York City Department of Transportation (DOT) and/or New York City Transit (NYCT). For technical areas determined to require further detailed analyses (i.e., traffic, parking, transit, and/or pedestrians), those analyses will be prepared in accordance with *CEQR Technical Manual* procedures.

TRAFFIC

Based on the trip estimates presented in the ~~draft~~-TDF memo and review conducted with DOT, a study area of 18 intersections, comprising primarily ~~intersections~~ those along the West Houston Street, Washington Street, West Street, and Canal Street corridors will be included for a detailed analysis of potential traffic impacts. These intersections ~~could~~ include:

- West Street at Tenth Avenue;
- West Street at Clarkson Street;
- West Street at West Houston Street;
- West Street at Spring Street;
- West Street at Canal Street North;
- West Street at Canal Street South;
- Washington Street at Clarkson Street;
- Washington Street at West Houston Street;

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- Washington Street at Spring Street;
- Greenwich Street at Clarkson Street;
- Greenwich Street at West Houston Street;
- Greenwich Street at Canal Street;
- Hudson Street at Clarkson Street;
- Hudson Street at West Houston Street;
- Hudson Street at Canal Street;
- Varick Street at Clarkson Street;
- Varick Street at West Houston Street;
- ~~Varick Street at Spring Street~~;
 - ~~Varick Street at Canal Street~~; and
 - Avenue of the Americas at West Houston Street.

~~This list of study area intersections is preliminary and is subject to change based on findings made from the travel demand estimates, traffic distribution, and assignment patterns, and accident patterns.~~

Data Collection and Baseline Traffic Volumes

Data collection efforts will be undertaken pursuant to *CEQR Technical Manual* guidelines. The traffic data collection program will include 9-day automatic traffic recorder (ATR) counts, intersection turning movement counts, vehicle classification counts, conflicting bike/pedestrian volumes, and an inventory of existing roadway geometry (including street widths, travel directions, lane markings, curbside regulations, bus stop locations, etc.) and traffic control. Official signal timing data will be obtained from DOT for incorporation into the capacity analysis described below. Using the collected traffic data, balanced traffic volume networks will be developed for the weekday AM, midday, and PM, and Saturday afternoon peak hours.

Existing Conditions Capacity Analysis

The traffic analysis will be performed using the 2000 *Highway Capacity Manual* (HCM) procedures and the Highway Capacity Software (HCS+) version 5.5. Analysis results for the weekday AM, midday, and PM, and Saturday peak hours will be tabulated to show intersection, approach, and lane group volume-to-capacity (v/c) ratio, average vehicle delay, and level-of-service (LOS). Congested vehicle movements will be described.

No-Action Condition Analysis

The future No-Action traffic volumes will incorporate *CEQR Technical Manual* recommended background growth plus trips expected to be generated by nearby development projects and the as-of-right development program on the project site. The same intersections selected for analysis under existing conditions will be assessed to identify changes in v/c ratio, average vehicle delay, and LOS. Notable deteriorations in service levels will be described.

With-Action Condition Analysis

Incremental vehicle trips associated with the proposed project will be overlaid onto the No-Action peak hour traffic networks for analysis of potential impacts. Vehicle movements found to incur delays exceeding the CEQR impact thresholds will be described. For these locations, traffic engineering improvement measures will be explored to mitigate the identified significant adverse traffic impacts to the extent practicable.

TRANSIT

Transit services to the project site are available via the No. 1 subway line along Varick Street and the C and E lines along Sixth Avenue, as well as, the M20 and M21 local bus routes. There are also several express bus routes serving the area. Based on the findings presented in the ~~draft~~ TDF memo, the incremental subway and bus trips would be below the *CEQR Technical Manual* analysis thresholds of 200 subway trips and 50 bus trips on a particular route in one direction, respectively, during the weekday AM and PM peak hours. However, an assignment of the projected subway trips ~~will be~~ has been undertaken to determine if the varying directionality of the projected subway trips and the varying distribution patterns associated with the No-Action and With-Action land uses would result in the need to prepare a detailed analysis of subway station elements and line-haul conditions. ~~Where warranted, the associated analyses would~~ This assessment, which will be presented in the EIS to assess, confirmed that a detailed subway analysis is not warranted. Therefore, the proposed project would not have the potential for any significant adverse subway impacts.

PEDESTRIANS

Based on the findings presented in the ~~draft~~ TDF memo, the incremental pedestrian trips would be below the *CEQR Technical Manual* analysis threshold of 200 pedestrian trips during any peak hour. However, an assignment of the projected pedestrian trips ~~will be~~ has been undertaken to determine if the varying directionality of the projected pedestrian trips and the varying distribution patterns associated with the No-Action and With-Action land uses would result in the need to prepare a detailed analysis of area sidewalks, corner reservoirs, and crosswalks. The pedestrian study area determined for impact assessment would also consider the sensitive land uses near the project site, such as Pier 40 and Hudson River Park across West Street, and safety conditions along key pedestrian routes to these land uses. ~~Where warranted, the associated analyses~~ Based on the results of this assessment, which will be presented in the EIS, and discussions with DOT, a detailed analysis of pedestrian conditions at the three locations listed below would be presented in the EIS to assess the potential for any significant adverse pedestrian impacts.

Sidewalks

- Washington Street between West Houston Street and Spring Street – west sidewalk, northern segment; and
- Washington Street between West Houston Street and Spring Street – west sidewalk, southern segment.

Crosswalks

- West Street and West Houston Street – north crosswalk.

PARKING

An off-street parking supply and utilization analysis will be performed for an area within ¼-mile of the project site. This analysis will involve an inventory of existing parking levels, projection of future No-Action and With-Action utilization levels (including parking accumulation estimates for the No-Action and With-Action development programs), and comparison of these projections to the future anticipated parking supply to determine the potential for a parking shortfall.

VEHICULAR-PEDESTRIAN SAFETY

The most recent three years of crash data from NYSDOT for the study area intersections will be reviewed and summarized to identify high-accident locations, which according to the *CEQR Technical Manual*, are those that had 48 or more crashes or 5 or more bike/pedestrian-related accidents over a 12-month period. Improvement measures will be explored, where warranted, to address the identified unsafe geometric and/or operational deficiencies.

TASK 1415: AIR QUALITY

The vehicle trips generated by the proposed project are not likely to exceed the *CEQR Technical Manual's* carbon monoxide (CO) screening threshold of 170 vehicles in a peak hour at any intersection or the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, it is anticipated that the mobile source air quality analysis will include a screening analysis; if screening thresholds are exceeded, a detailed mobile source analysis would be required. However, the proposed project's parking facilities will be analyzed to determine their effect on air quality. In addition, since the development site is situated near an existing UPS and Federal Express distribution facilities, and the Department of Sanitation's garage parking garage, potential impacts from diesel trucks may be of concern. Therefore, an analysis of emissions from trucking operations associated with the aforementioned facilities will be performed. Potential impacts from the heating and hot water systems that would serve the proposed project on surrounding uses will also be assessed. The effect of heating and hot water systems associated with large or major emission sources in existing buildings on the proposed project will be analyzed, if required by the lead agency. The analysis may include an analysis of large emission sources, as needed.

MOBILE SOURCE ANALYSIS

- A screening analysis for CO and PM for the worst case scenario location(s) will be prepared based on the traffic analysis and the above mentioned CEQR criteria. If screening levels are exceeded, a dispersion analysis would be required.
- Calculate emission factors for the parking facility analysis. Select emission calculation methodology. Compute vehicular cruise and idle emission factors for the parking garage for the proposed project with and without the big box retail using the MOVES 2014 model and applicable assumptions based on guidance by EPA, DEC and DEP.
- Select appropriate background levels. Select appropriate CO and PM background levels for the study area.
- Perform an analysis of CO and PM for the proposed project's parking facilities. The analysis will use the procedures outlined in the *CEQR Technical Manual* for assessing

potential impacts from proposed parking facilities. Cumulative impacts from on-street sources and emissions from parking garage will be calculated, where appropriate.

- Perform an analysis of CO and PM for the proposed project's open space. The analysis will use the mobile source microscale analysis procedures outlined in the *CEQR Technical Manual* for assessing potential impact from the traffic on the intersection of West Houston Street and West Street to the public open space between the North Site and Center Site of the proposed development.
- Compare with benchmarks and evaluate impacts. Evaluate potential impacts by comparing predicted future CO and PM levels with standards, and *de minimis* criteria. If significant adverse impacts are predicted, recommend design measure to minimize impacts.
- An analysis of emissions from the nearby UPS truck distribution facility, Fedex ship center and DSNY/UPS parking garage will be performed to determine the potential for impacts on the proposed project. The trips generated by DSNY/UPS parking garage will also be included in the no action scenario for mobile air quality analysis purposes. The U.S. Environmental Protection Agency (EPA) MOVES model will be used to calculate emissions. The EPA CAL3QHC intersection model will be used to predict 1-hour and 8-hour average CO concentrations, and the CAL3QHCR model will be used for 24-hour and annual average PM_{2.5} and 24-hour average PM₁₀ concentrations, as required by the screening. The predicted levels will be compared to the national ambient air quality standards for CO and PM₁₀, and the City's CO and PM_{2.5} *de minimis* criteria.

STATIONARY SOURCE ANALYSIS

- A detailed stationary source analysis will be performed using the EPA AERMOD dispersion model to estimate the potential impacts from the heating and hot water systems for the proposed project. Five years of recent meteorological data, consisting of surface data from the nearest representative National Weather Service Station, and concurrent upper data from Brookhaven, New York, will be used for the simulation modeling. Concentrations of the air contaminants of concern will be determined at sensitive receptor locations on the proposed project, as well as at off-site locations from the cumulative effects of the emission sources associated with the proposed project. Predicted values will be compared with the corresponding guidance thresholds and national ambient air quality standards.
- Since the development site is located in a manufacturing district, an analysis of uses surrounding the development site will be conducted to determine the potential for impacts from industrial emissions is required in accordance with *CEQR Technical Manual* methodologies. A field survey will be performed to determine if there are any processing or manufacturing facilities within 400 feet of the development site. In addition, the potential impacts generated by the future operation of DSNY/UPS parking facility on 500 Washington Street will also be evaluated. A copy of the air permits for each of these facilities will be requested from DEP's Bureau of Environmental Compliance. A review of DEC Title V permits and the EPA Envirofacts database will also be performed to identify any federal or state-permitted facilities. If permit information on any emissions from processing or manufacturing facilities within 400 feet of the development site are identified, an industrial source screening analysis as detailed in the *CEQR Technical Manual*, will be performed.

- In addition, the new multi-level DSNY/UPS facility on 500 Washington Street (CEQR No. 07DOS003M) may have fueling, washing, storage and maintenance operations for DSNY vehicles and UPS semi-trailer storage. Therefore, potential impacts generated by emissions from automobile related operations will be analyzed, as needed. Potential transitory odor impacts on the development site from DSNY collection vehicles at the DSNY garage will be evaluated.

TASK 1516: GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

In accordance with the *CEQR Technical Manual*, a greenhouse gas (GHG) emissions analysis discloses the GHG emissions that could result from a large-scale proposed project, and assesses the consistency of the proposed project with the City's goals to reduce GHG emissions. Therefore, this chapter of the EIS will quantify Project-generated GHG emissions and assess the consistency of the proposed project with the City's established GHG reduction goal. Emissions will be estimated for the analysis year and reported as carbon dioxide equivalent (CO₂e) metric tons per year. GHG emissions other than carbon dioxide (CO₂) will be included if they would account for a substantial portion of overall emissions, adjusted to account for the global warming potential. GHG emissions associated with the proposed project will be compared to those that would otherwise occur in the No Action condition.

Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the proposed project will be discussed, and the potential for those measures to reduce GHG emissions from the proposed project will be assessed to the extent practicable.

As the development site is located in a flood hazard zone, the potential impacts of climate change on the proposed project will be evaluated. The discussion will focus on sea level rise and changes in storm frequency projected to result from global climate change and the potential future impact of those changes on project infrastructure and uses.

The GHG analysis will consist of the following subtasks:

- The potential effects of climate change on the proposed project will be evaluated based on the best available information. The evaluation will focus on potential future sea and storm levels and the interaction with project infrastructure and uses. The discussion will focus on early integration of climate change considerations into the project design to allow for uncertainties regarding future environmental conditions resulting from climate change.
- Direct Emissions—emissions from on-site boilers used for heat and hot water and on-site electricity generation, if any, would be quantified. Since fuel types are not known, emissions will be based on the carbon intensity factors specified in Table 18-3 of the *CEQR Technical Manual*.
- Indirect Emissions—emissions from purchased electricity generated off-site and consumed on-site during operation will be estimated, also using the information provided in Table 18-3 of the *CEQR Technical Manual*.
- Indirect Mobile Source Emissions—emissions from ferry trips to or from the development site will be estimated based on available information on the number of ferry trips, fuel type, ferry fuel efficiency, and trips distances. Emissions from project-generated vehicle trips to and from the ferry terminals will also be accounted for using trip distances provided in the *CEQR Technical Manual* and vehicle emission factors from the MOVES model.
- Emissions from construction and emissions associated with the extraction or production of construction materials will be qualitatively discussed. Opportunities for reducing GHG

- emissions associated with construction will be considered. If found to be a potentially significant component of overall emissions, embodied GHG emissions from the use of construction materials, including concrete and steel, will be determined.
- Potential measures to reduce energy use and GHG emissions will be discussed and quantified to the extent that information is available.
 - Consistent with the guidelines of the *CEQR Technical Manual*, the benefits or drawbacks of the proposed project will be qualitatively discussed in relation to the achievement of the City's GHG reduction goal.

TASK 1617: NOISE

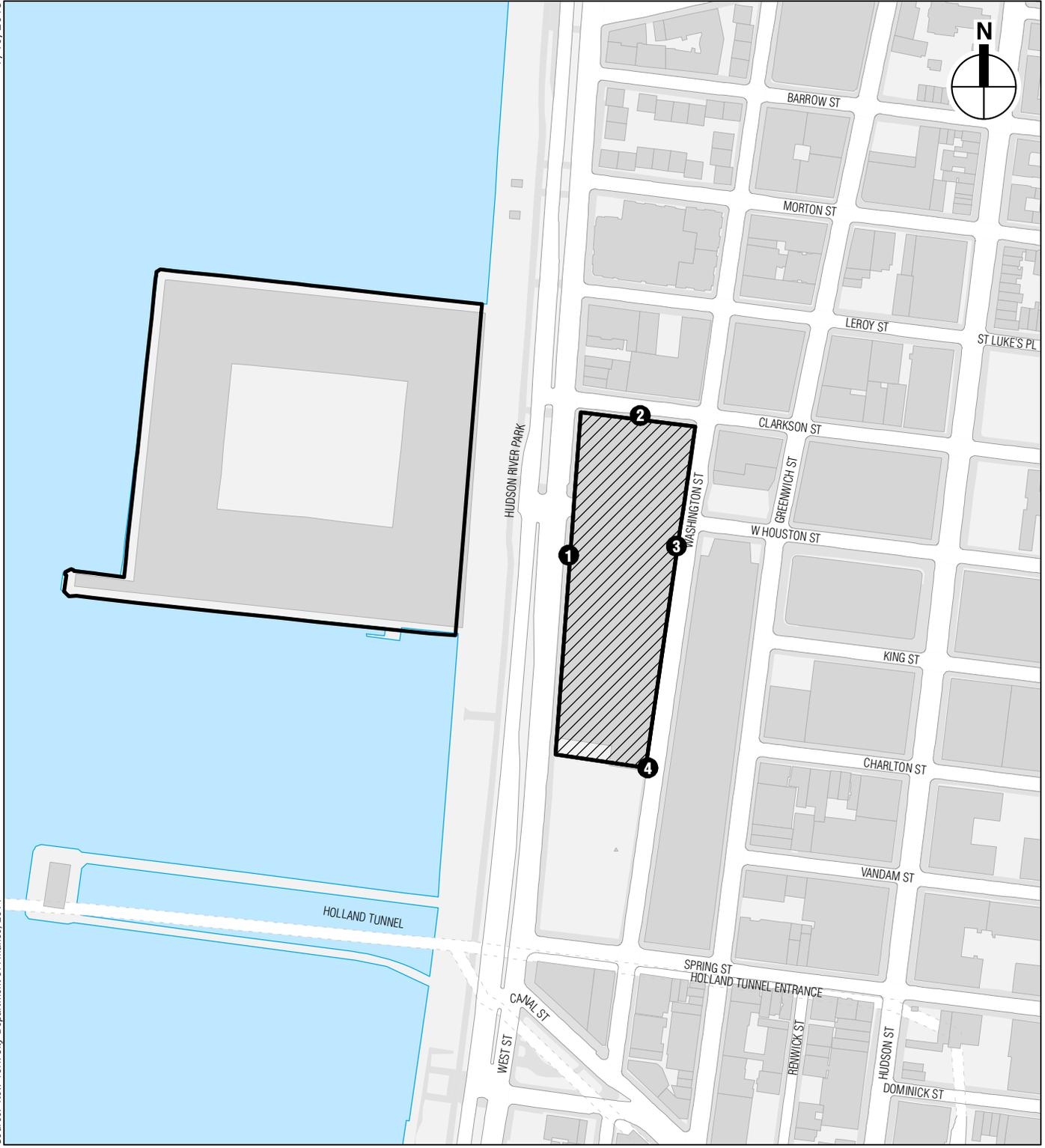
The *CEQR Technical Manual* requires that the noise study address whether the proposed project would result in a significant increase in noise levels (particularly at sensitive land uses such as residences) and what level of building attenuation is necessary to provide acceptable interior noise levels within the development resulting from the proposed project.

With regard to mobile sources of noise, because of the heavy traffic volumes on streets and roadways adjacent to the development site, Project-generated traffic may not result in significant noise impacts. A screening-level analysis will be used to assess the potential for a mobile source noise impact. In addition, analyses will be performed to determine the level of building attenuation necessary to satisfy CEQR interior noise requirements at the development site.

With regard to stationary sources of noise, all of the proposed project's mechanical equipment would be designed to meet all applicable noise codes and regulations. Consequently, no detailed stationary source noise analysis would be provided.

Specifically, the proposed work program will include the following tasks:

- Select appropriate noise descriptors. Appropriate noise descriptors to describe the existing noise environment will be selected. The L_{eq} and L_{10} levels will be the primary noise descriptors used for the analysis. Other noise descriptors including the L_1 , L_{10} , L_{50} , L_{90} , L_{min} , and L_{max} levels will be examined as appropriate.
- Based on the traffic studies, perform a screening analysis using proportional modeling techniques to determine whether there are any locations where there is the potential for the proposed project to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project-generated traffic.
- Select four receptor locations for building attenuation analysis purposes. As shown on **Figure 18**, receptor locations will be adjacent to the proposed development site.
- Perform 20-minute measurements at each receptor location during typical weekday AM- (7:00 AM to 9:00 AM), midday- (12:00 PM to 2:00 PM), and PM peak periods- (4:30 PM to 6:30 PM). Off peak periods will also be analyzed for Weekday Pre-PM (2:30 to 4:30 PM), Saturday AM (5:45 AM to 6:45 AM) and Saturday Midday (12:30 PM to 1:30 PM). L_1 , L_{10} , L_{50} , L_{90} , L_{min} , and L_{max} values will be recorded. Where site access and security permits, a continuous measurement may be performed in lieu of a 20-minute measurement.
- Data analysis and reduction. The results of the noise measurement program will be analyzed and tabulated.
- Determine future noise levels both with and without the proposed project. Future noise levels will be determined based on the measured existing noise levels and the incremental changes in noise levels calculated by the mobile source noise screening analysis. In addition,



-  Development Site
-  Granting Site
-  Noise Receptor

0 500 FEET

the No Action noise level will incorporate the noise level generated by truck operations in the DSNY/UPS parking garage.

- Determine the level of attenuation necessary to satisfy CEQR criteria. The level of building attenuation necessary to satisfy CEQR requirements is a function of exterior noise levels and will be determined. The building attenuation study will identify the level of building attenuation required to satisfy CEQR requirements by building and façade. Recommendations regarding general noise attenuation measures needed for the proposed project to achieve compliance with standards and guideline levels will be made.
- Identify and analyze any measures necessary to mitigate noise impacts predicted to occur as a result of the proposed project.

TASK 1718: PUBLIC HEALTH

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any one of these technical areas and the lead agency determines that a public health assessment is warranted, an analysis will be provided for that specific technical area.

TASK 1819: NEIGHBORHOOD CHARACTER

Neighborhood character is determined by a number of factors, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. According to the guidelines of the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character. Therefore, if warranted based on an evaluation of the proposed project's impacts, an assessment of neighborhood character would be prepared following the methodologies outlined in the *CEQR Technical Manual*. The analysis would begin with a preliminary assessment, which would involve identifying the defining features of the area that contribute to its character. If the preliminary assessment establishes that the proposed project would affect a contributing element of neighborhood character, a detailed assessment will be prepared to examine the potential neighborhood character-related effects of the proposed project through a comparison of future conditions both with and without the proposed project.

TASK 1920: CONSTRUCTION IMPACTS

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, community noise patterns, air quality conditions, and mitigation of hazardous materials. This chapter will describe the reasonable worst-case construction schedule and phasing plan for each construction related impact area, and logistics assumptions for the proposed project. It will also include a discussion of anticipated on-site activities and will provide estimates of construction workers and truck deliveries.

Technical areas to be analyzed include:

- *Transportation Systems*. This assessment will consider losses in lanes, sidewalks, off-street parking on the development site, and effects on other transportation services, if any, during the construction periods, and identify the increase in vehicle trips from construction workers and equipment. Based on the trip projections of activities associated with peak construction and completed portions of the proposed project, an assessment of potential impacts during construction and how they are compared to the project's operational impacts will be provided.
- *Air Quality*. The construction air quality impact section will contain a detailed ~~qualitative~~quantitative discussion of emissions from on-site construction equipment, on-road construction-related vehicles, and fugitive dust. The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any Project-specific control measures required to further reduce the effects of construction and to ensure that significant impacts on air quality do not occur.
- *Noise*. The construction noise impact section will contain a detailed ~~qualitative~~quantitative discussion of noise from each phase of construction activity. Appropriate recommendations will be made to comply with DEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code. The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any project-specific control measures required to further reduce construction noise.
- *Hazardous Materials*. In coordination with the hazardous materials summary, determine whether the construction of the project has the potential to expose construction workers to contaminants.
- *Other Technical Areas*. As appropriate, discuss other areas of environmental assessment for potential construction-related impacts.
- If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK ~~20~~21: MITIGATION

Where significant adverse project impacts have been identified for the proposed project, measures to mitigate those impacts will be identified and described. The mitigation chapter will address the anticipated impacts requiring mitigation, likely mitigation measures, and the timing of the mitigation measures. Where impacts cannot be practicably mitigated, they will be disclosed as unavoidable adverse impacts.

TASK ~~21~~22: ALTERNATIVES

The purpose of an alternatives analysis is to examine reasonable and feasible options that avoid or reduce project-related significant adverse impacts and achieve the stated goals and objectives of the proposed actions. The EIS will include an analysis of the following alternatives:

- A No Action Alternative, which is analyzed throughout the EIS as the No Action condition;
- ~~An a~~Alternatives that reduces or eliminate any unmitigated significant adverse impacts; and
- ~~Other possible alternatives that may be developed during the EIS preparation process.~~

- A Lesser Density Alternative.

The specifics of these alternatives will be finalized as project impacts become clarified. The description and evaluation of each alternative will be provided at a level of detail sufficient to permit a comparative assessment of each alternative discussed.

TASK ~~2223~~: EIS SUMMARY CHAPTERS

In accordance with *CEQR Technical Manual* guidelines, the EIS will include the following three summary chapters, where appropriate to the proposed project:

- Unavoidable Adverse Impacts—which summarizes any significant adverse impacts that are unavoidable if the proposed project is implemented regardless of the mitigation employed (or if mitigation is impossible);
- Growth-Inducing Aspects of the proposed project—which generally refers to “secondary” impacts of a proposed project that trigger further development; and
- Irreversible and Irrecoverable Commitments of Resources—which summarizes the proposed project and its impacts in terms of the loss of environmental resources (i.e., use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

TASK ~~2324~~: EXECUTIVE SUMMARY

The executive summary will utilize relevant material from the body of the EIS to describe the proposed project, its significant and adverse environmental impacts, measures to mitigate those impacts, and alternatives to the proposed project. *

**Appendix A:
Responses to Comments on the Draft Scope of Work for the
Draft Environmental Impact Statement for the
550 Washington Street/Special Hudson River Park District Proposal**

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Scope of Work, issued on October 21, 2015, for the Draft Environmental Impact Statement (DEIS) for the 550 Washington Street/Special Hudson River Park District proposal.

City Environmental Quality Review (CEQR) requires a public scoping meeting as part of the environmental review process. A public scoping meeting was held on November 20, 2015 in Spector Hall, 22 Reade Street, New York, NY, 10007. Oral and written comments were accepted through the close of the public comment period, which ended at close of business on November 30, 2015.

Section B lists the organizations and individuals that provided relevant comments on the Draft Scope of Work. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the Draft Scope of Work. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

**B. LIST OF ORGANIZATIONS AND INDIVIDUALS THAT
COMMENTED ON THE DRAFT SCOPE OF WORK**

ELECTED OFFICIALS AND COMMUNITY BOARD

1. Assemblymember Deborah J. Glick, providing testimony for: Manhattan Borough President Gale Brewer, New York State Senator Brad M. Hoylman, New York City Councilmember Corey Johnson, United States Congressman Jerrold L. Nadler, and New York State Senator Daniel L. Squadron, verbal (Glick et al 009) and written (Glick et al 013) comments dated November 20, 2015
2. Tobi Bergman, Chair, Manhattan Community Board #2, verbal comments delivered November 20, 2015 (Bergman CB2 014) and letter dated November 24, 2015 (Bergman CB2 012)
3. David Gruber, Chair, Pier 40 Air Rights Transfer Working Group, Manhattan Community Board #2, undated resolutions from November 12, 2015 meeting, (Gruber CB2 011)

ORGANIZATIONS

4. Marcy Benstock Executive Director, Clean Air Campaign, letter dated November 25, 2015 (Benstock CAC 010)

550 Washington Street/Special Hudson River Park District

5. Andrew Berman, Executive Director, Greenwich Village Society for Historic Preservation, verbal comments delivered November 20, 2015 (Berman GVSHP 018) and letter dated November 20, 2015 (Berman GVSHP 003)
6. Bunny Gabel, New York Representative, Friends of the Earth, letter dated November 29, 2015 (Gabel FotE 005)
7. Greenwich Village Community Task Force, letter dated November 30, 2015 (GVCTF 004)
8. Joel Kupferman, Executive Director, Environmental Justice Initiative, letter dated November 25, 2015 (Kupferman EJI 008)
9. Allison Tupper, Sierra Club, verbal comments delivered November 20, 2015 (Tupper SC 015)

INTERESTED PUBLIC

10. Pauline Augustine, email dated November 10, 2015 (Augustine 020)
11. Peter Brown, email dated November 16, 2015 (Brown 021)
12. Steven Clay and Julie Harrison, email dated October 28, 2015 (Clay_Harrison 033)
13. Linda Ferrando, email dated November 12, 2015 (Ferrando 022)
14. Jim Fouratt, email dated October 28, 2015 (Fouratt 023)
15. Rosemary Goldford, email dated November 12, 2015 (Goldford 024)
16. Carolyn Goldhush, email dated October 28, 2015 (Goldhush 025)
17. Cathleen Gorman, email dated October 28, 2015 (Gorman 026)
18. Richard Grossman, email dated October 27, 2015 (Grossman 027)
19. Ralph Gurkin, email dated December 2, 2015 (Gurkin 001)
20. Jill Hanekamp, undated letter, (Hanekamp 002)
21. Dan Miller, verbal comments delivered November 20, 2015 (Miller 017)
22. Tony Ruscitto, verbal comments delivered November 20, 2015 (Ruscitto 019)
23. Terri, email dated November 9, 2015 (Terri 028)
24. Elise A Tollner, email dated October 28, 2015 (Tollner 029)
25. Jane Weissman, email dated October 27, 2015 (Weissman 030)
26. Carolyn Wells, email dated November 23, 2015 (Wells 006)
27. Deborah Wexler, email dated November 6, 2015 (Wexler 031)
28. Rachel Wood, email dated October 27, 2015 (Wood 032)
29. Andrew Zelter, verbal comments delivered November 20, 2015 (Zelter 016)

FORM LETTERS

30. Statements of opposition (names appear below), “Pier 40 Hudson River Air Rights Transfers and the Need to Protect the Nearby South Village,” emails dated October–November 2015 (Pier40Letter 034)
 - This form letter was received from the following individuals: Jana Adler; Irene Alfandari; Nancy Allerston ; Mindy Aloff; Scott Amundsen ; Richita Anderson; Sarah Apfel; Susan K. Appel; Leif Arntzen; Helen-Jean Arthur; Marilyn Bai; Stephen Barre; Jack Barth; Barbara Bienenfeld; Dave Bienenfeld; Tim Birchby; Alice Blank; Walter Boxer; Lise Brenner; Kathleen Brown; Charles Browning; Jeff Caltabiano; Brent Camery; Margot Carpenter; Martha Cataldo; Regina Cherry; Eve Cholmar; Sid Cholmar; Constance Christopher; Phyllis Cohl; Frank Commesso; Terri Cook; Dan Coughlin; Debbie Cymbalista; Isabelle Deconinck; Alain DeGrelle; Phil Desiere; Elsa Dessberg; Carol Dobson; Jennie Dorn; Richard Dorn; John Doyle; Lauren Doyle; Christine Dugas; Jacqueline Duran; Cristy Dwyer; Bonnie Egan; Israel Eiss; A.S. Evans; Linda Ferrando; Annette Fesi; Bonny Finberg; Martha Fishkin; Diane Fraher; Gregory

Garnant; Linda Garrido; Deley Gazinelli; Rachel Gellman; Amy Gilfenbaum; Leah Gitter; Howard Glener; Steven Godeke; Suzanne Goodelman; Robyn Gottlieb; Anthony Gramm; Crista Grauer; Mitchell Grubler; Rochelle Gurstein; Ed Hamilton; Joshua Hamilton; Amy Harlib; Kate Harrison; Jacqueline Helt; Luke Henry; Roberta Hershenson; Jo Higgins; John Mauk Hilliard; Susan Hirsch; Rene Hofstede; Terri Howell; Martin Hunter; Carole L. Hyman; Mark Iannello; Anita Isola; Mary Jenkins; Tom Jennings; Jamie Johnson; Sarah Johnson; Regina Joseph; Merle Kaufman; Sally Kay; James Kempster; Sandra Kingsbury; Joan Klyhn; Leslie Kriesel; R Kurshan; Meredith Kurtzman; Mary LaMaMa Experimental Theatre Club; Jeanne Lawler; John Leguizamo; Justine Leguizamo; Howard Levitsky; Edith Lewis; Renee Lewis; Rebecca Lipski; Linda Lusskin; Bonnie Lynn; Elide Manente ; Stephen Mango; Elaine Masci; Linda Mason; Donna Mastrandrea; Carole Mavity; Marilyn McCarthy; Mary Ann Mcgonigle; Victoria McMahan; Judith Medwin; Patricia Melvin; Risa Mickenberg; Sam Moskowitz; Geoff Mottram; Margaret Murphy; Susan Nial; Jeffry Nickora; Teresa O'Connor; Elliana Openshaw; Patricia Orfanos; Cheryl Page; Anne Marie Paolucci; Gilda Pervin; Lisa Piloni; Daniel Pincus; Kate Puls; Cynthia Pyle; Paul Rackow; Doug Ramsdell; Carol Flamm Reingold; Mandi Riggi; Monica Rittersporn; Bruce Robbins; Craig Rosenberg; David Rosenberg; Sarah Rosenblatt; Susan Rosengarten; Jackie Rudin; Joel Ruttem; Philip Schneider; Katherine Schoonover; Laura Sewell; Deborah Shapiro; Debra Sherman; Tommy Shi; Kriti Siderakis; Jennifer Siedun; Karin SmattRobbins; Susan Smiman; Mimi Smith; Fran Smyth; Patricia Spadavecchia; Carol Steinberg; Patricia Storace; Kristine Stortroen; Deirdre Synek; Anita Taub; Kirsten Theodos; Doris Toumarkine ; Merry Tucker; Stephen Ucats; Anne Valentino; Mary Vanderwoude; Michael Vatis; Marc Wallace; Gary Weisner; James Wesolowski; Katherine Wessling; Maryann White; Bob Williams; Erich Winkler; Kim Wurster; Amanda Yaggy; Efrem Zelony-Mindell

C. COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

PROJECT DESCRIPTION

Comment 1: The scoping documents leave many questions unanswered, or “TBD,” as many details of the project have yet to be finalized. We find it hard to understand how this study can be properly conducted when we are being told that many crucial aspects will only be determined later on, including specifics as important as the use of the commercial space on the south block. For example, without knowing if the South Site will be event or office space, we cannot ascertain how many employees might be on site. This impacts all forms of traffic, as well as the types of services that might be needed. A full proposal for the exact use of each space within the proposed development needs to be provided, and all questions need to be answered and studied prior to certification of the DEIS. (Glick et al 009, Glick et al 013)

Response: As stated in the Final Scope of Work and in accordance with the methodology of the *CEQR Technical Manual*, the DEIS considers a Reasonable Worst Case Development Scenario (RWCDs), which is a scenario with the worst environmental consequences. For this project, scenarios both with and without a big box retail component are considered. More specifically, for the South Site

where two potential uses have been identified, the DEIS will consider both hotel and office use. Therefore, whichever use is ultimately selected, the greatest impact will have been considered.

Comment 2: We urge that alternative means of generating income for the Hudson River Park (HRP) be included in the analysis, including imposing a dedicated tax funding the park for new development on this and other sites adjacent to the park that benefit directly from the park's construction. (Berman GVSHP 003, Berman GVSHP 018, Wells 006)

The analysis should also consider alternatives for generating revenue for the park, such as a dedicated tax upon new development on the St. John's Center site and other sites adjacent to the park that would directly fund park construction and maintenance. (Kupferman EJI 008)

Response: The purpose and need of the proposed actions is described in Chapter 1, "Project Description." Further consideration of alternative funding is beyond the scope of the DEIS.

Comment 3: Please explain the terms of the restrictive declaration. (GVCTF 004)

Response: As stated in the Final Scope of Work, the general terms of the restrictive declaration will be included in the DEIS, to the degree known at that time.

AIR RIGHTS TRANSFER

Comment 4: Providing critical funds towards stabilizing Pier 40, through the purchase of air rights, is a fundamental component of this deal. We are concerned that an appraisal for the value of the air rights has not been completed, yet it appears a deal has been reached to sell 200,000 square feet of air rights for \$100 million. We would like to see a full appraisal, including the process through which the appraisal was conducted. We are further concerned that \$100 million is likely not enough to cover the cost of completely repairing the pier. We would like a comprehensive list of all repairs needed for Pier 40 and their associated costs. We would like confirmation that the repairs for Pier 40 that can be achieved through this project will be sufficient to ensure adequate future access for decades to come. (Glick et al 009, Glick et al 013)

We urge that an open and transparent evaluation of the air rights that are to be transferred be immediately studied as part of the scoping process. (Bergman CB2 012, Bergman CB2 014, Gabel FotE 005, Gruber CB2 011)

I am deeply troubled by the plan to move ahead with massive air rights transfers from Pier 40. (Augustine 020, Clay_Harrison 033, Fouratt 023, Goldford 024, Goldhush 025, Gorman 026, Grossman 027, Pier40Letter 034, Tollner 029, Weissman 030, Wexler 031, Wood 032)

Water doesn't have air rights. The Sierra Club and several other local organizations have long been against development in and over the river and have lately adopted a new resolution to that effect. (Tupper SC 015)

An accurate analysis also must include a comprehensive accounting of all potential air rights not only on Pier 40 but in the remainder of the park. (Berman GVSHP 003, Berman GVSHP 018)

Response: The method for appraising the value of air rights is not subject to CEQR analysis and will not be studied in the DEIS. The Hudson River Park Trust has confirmed that the appraisal will describe the methodology used to determine the value of the air rights. The appraisal itself will be prepared in accordance with the Uniform Standards of Professional Appraisal Practice and Code of Ethics of the Appraisal Institute, the generally accepted appraisal industry standard. The appraisal determines fair market value but not the sales price for the air rights sales that may ultimately be approved by the Hudson River Park Trust's Board of Directors; that decision will be made by the Trust's Board following the completion of ULURP. The appraisal will be used to inform that decision and to comply with State law. The Hudson River Park Act allows limited commercial development to occur on certain piers, including Pier 40, subject to local zoning and land use regulations. Pursuant to existing Waterfront Zoning Regulations, piers and other over-water structures generate floor area, according to their water coverage, but they do not generate floor area for that portion of the zoning lots extending beyond the pier footprint. No development in or over the water is proposed by this action in any event; rather, the proposal would result in a reduction of 200,000 square feet of development rights from Pier 40. The currently proposed actions would not allow any transfers from any other piers besides Pier 40, so it would be speculative to analyze other piers at this time. Any future transfers of floor area from HRP will be subject to their own environmental review when the details of any such transfers are known.

Comment 5: While the proposed special district for air rights transfer will only apply to the St. John's site and Pier 40, it is our understanding that it will be the outline through which any future Uniform Land Use Review Process (ULURP) regarding air rights transfers from Hudson River Park Trust (HRPT) will be based. As such, what nexus will be created in this special district that would limit the transfer of development rights from HRPT piers to geographically distant receiving sites? (Glick et al 009, Glick et al 013)

Response: The Hudson River Park Act limits the area from which development rights could potentially be transferred from HRP to the area within one block inland from the park. Moreover, the proposed Special Hudson River Park District would limit the geographic nexus for any future expansion of the Special District. Specifically, under the proposed action, the granting site, improvement to the park and receiving site must all be within either the same community district or within one half mile of each other. Also, any future use of the Special

Hudson River Park District for other granting sites in HRP or other receiving sites in the blocks fronting HRP would require a zoning text and map amendment that would be subject to both ULURP and CEQR.

Comment 6: The plan fails to address long-standing questions from groups such as the Greenwich Village Society for Historic Preservation about how air rights from HRP can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. (Augustine 020, Clay_Harrison 033, Fouratt 023, Goldhush 025, Gorman 026, Grossman 027, Pier40Letter 034, Tollner 029, Weissman 030, Wexler 031, Wood 032)

Response: The previously enacted State legislation is not the subject of this DEIS, which explores a specific action. Any future transfers of floor area from HRP will be subject to their own environmental review when the details of any such transfers are known. It would be speculative to analyze future transfers at this time.

Comment 7: We are not convinced that the “air rights”—which are so central to this proposed project—even exist. Please note that the amendments to the Hudson River Park Act do not create air rights over Pier 40, but only ratify the transfer of air rights whether they exist now or are created in the future. (Gabel FotE 005, Kupferman EJI 008)

The idea that a temporary structure over water has air rights that it can transfer is absurd. This is not what the law is for; this cannot and should not be legal. (Gurkin 001)

It is our view that there is no “as of right” construction in and over public waters other than the riparian right to “wharf out” to access water deep enough for navigation. All such construction is subject to considerations not only of applicable New York State and federal law but also the Public Trust Doctrine. In our view, the presence of navigable water between the land and the air extinguishes any air rights. (Kupferman EJI 008)

We also do not see any support for the notion that construction of a pier creates air rights that otherwise would not exist over a river. We are quite concerned at the dangerous precedent that would be set if this were the position taken. Would this mean that every waterfront property owner with title to any underwater land could make a windfall profit by building a pier and then selling the air rights? Could this occur not only along rivers but also wetlands? This proposal could result in a plethora of unnecessary waterfront construction projects and create a financial motivation to essentially cover our near shore waters as well as tidal and inland wetlands. (Kupferman EJI 008)

Response: Please see the Response to Comment 4. These comments are outside the scope of CEQR or the State Environmental Quality Review Act (SEQRA) analysis.

Comment 8: Based upon financial analysis done for a zoning variance for the site directly to the north, the proposed change to allow residential development increases the value of this site by approximately 83%. Combined with the increase in square footage, the proposed actions nearly triple the value of this site—an increase of several billion dollars in value. In exchange, the public is receiving \$100 million towards repairs for Pier 40 and approximately 300,000 square feet of affordable housing. The analysis should study how much of the proposed additional square footage and how much residential square footage is actually necessary to generate the proposed income for Pier 40 and to pay for the 300,000 square feet of affordable housing, while making the project economically worthwhile compared to an as-of-right development. Conversely, the analysis should study how much more additional funding for Pier 40 and/or how much more affordable housing could be generated by the proposed zoning changes while still allowing the proposed development to bring in a sufficient return to be preferable to an as-of-right development. (Berman GVSH 003, Berman GVSH 018, Gurkin 001, Wells 006)

We understand from analysis by the Greenwich Village Historic Preservation Council that the value of the St. John's Center site would be nearly tripled for the developer of the proposed project, yet the public would only receive \$100 million towards Pier 40 repairs and 300,000 square feet of affordable housing. (Kupferman EJI 008)

Response: This is outside the scope of a CEQR or SEQRA analysis. The Hudson River Park Trust Board of Directors will determine the final price for any development rights sales following the completion of the ULURP process.

FRAMEWORK FOR ANALYSIS

Comment 9: We object to the segmentation of this proposal by the Department of City Planning (DCP) and HRPT, with the proposal from the City Planning Commission (CPC)/DCP's and the developers to be assessed first, and everything involving HRPT, Pier 40, and the Hudson River put off until some future time. The most immediate significant adverse environmental effects of this proposal will not occur in the year 2024 (as DCP's segmented Draft Scope of Work and/or Environmental Assessment Statement [EAS] suggest), but as soon as DCP/CPC and/or other government entities approve them—if they do. The very worst and most immediate environmental impacts will be related to the misuse of public waterways like the Hudson River and the misuse of public funds to subsidize development which is not truly water-dependent at the worst possible locations (including, but not limited to, Pier 40). (Benstock CAC 010, Gabel FotE 005)

Response: No illegal segmentation would occur. No development on Pier 40, or in other locations in or over the water, is proposed by this action. Rather, a transfer of development rights from Pier 40 to the development site is being proposed. The

proposed transfer of floor area from Pier 40 to the development site is appropriately being analyzed in a single DEIS. Any future transfers of floor area from the Park will be subject to their own environmental review when the details of any such transfers are known.

Comment 10: The current proposal, which includes not only housing but also retail and event space, would increase the density of allowable development, exacerbating traffic and infrastructure issues in the surrounding area. (Kupferman EJI 008)

Response: As discussed in the Scope of Work, the DEIS will examine the potential environmental impacts that would result from the proposed actions, including increased density.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 11: It is our understanding that DCP has worked with the developer to determine the proposed zoning and densities within this application. On one block, what is currently a 5 floor area ratio (FAR) of manufacturing zoning would become a 12 FAR of residential and commercial. Why was the proposed underlying zoning not lower? As we mentioned, one of the major benefits of this project is the financial contribution to HRPT, and a lower underlying zoning would result in a requirement to purchase a greater number of air rights. Furthermore, this project highlights the pressures to develop and increase density throughout the neighborhood. (Glick et al 009, Glick et al 013)

Response: The proposed zoning district designations were determined in consultation with DCP to determine the appropriate amount of development of this area of the City, consistent with long-term land use trends in this neighborhood. The proposed text also limits the increased floor area permitted by a transfer to 20 percent of the otherwise allowed maximum floor area, which is consistent with other transfer district mechanisms in the City. The impact of the increased density at the site will be studied in the EIS.

Comment 12: The community welcomes hotel or office uses on the development site south of West Houston Street. (GVCTF 004)

Response: Comment noted.

SOCIOECONOMIC CONDITIONS

AFFORDABLE HOUSING

Comment 13: We would like a broad range of affordability and levels of Area Median Income (AMI) to be examined. This analysis should speak to the local, neighborhood median income levels, percentage of rent burden households, and gaps in affordability or the AMI levels present in the construction of other affordable units within Community Board 2 (CB2). (Glick et al 009, Glick et al 013)

Additional and varied income bands between 60 percent AMI and 130 percent AMI, and even greater than 130 percent AMI, need to be studied (nearby West Village Houses uses 165 percent AMI) to create and accommodate a truly diverse community. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: AMI levels have been defined for this project in coordination with New York City Department of Housing Preservation and Development (HPD) and are taken into consideration in the DEIS where relevant. Other ranges of affordability will not be analyzed in the DEIS.

Comment 14: The scope should study what statistical percentage of seniors are married or have partners and might require more than a studio, given the allotment that is currently 75 percent studios and only 25 percent one-bedroom apartments. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: This is not a comment on the Draft Scope of Work. Unit sizes are subject to requirements by HPD.

INDIRECT RESIDENTIAL DISPLACEMENT

Comment 15: The analysis of indirect residential displacement must include the effect on the remaining rent-regulated units in Hudson Square and the impact on the 380 affordable units at West Village Houses to the north. (GVCTF 004)

Response: As described in the 2014 *CEQR Technical Manual* (page 5-7), the objective of an indirect residential displacement is to determine whether the proposed project may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. Generally, an indirect residential displacement analysis is conducted only in cases in which the potential impact may be experienced by renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents. The units described by the commentator are not occupied by tenants that are vulnerable to indirect displacement due to rent increases caused by market forces, and therefore are not the subject of analysis.

Comment 16: The increase in property values will make it more difficult for both renters and long-time owners to stay in their homes. A tax abatement plan for surrounding, long-established properties (both rental and owner-occupied) is one mechanism that could be studied. The community would like to have the study suggest other mechanisms to prevent indirect residential displacement. (GVCTF 004)

Response: As described in the Response to Comment 15, the focus of an indirect residential displacement assessment are populations that may be vulnerable to displacement due to increased rents, and therefore does not include homeowners. If the analysis identifies the potential for significant adverse impacts due to the indirect displacement of an identified vulnerable population of

renters, potential mitigation measures would be advanced as part of the DEIS analysis.

INDIRECT BUSINESS DISPLACEMENT

Comment 17: Hudson Square is a vigorous commercial area and its rezoning protected commercial space very deliberately. Not studying indirect business displacement is not acceptable. The community wants to see jobs preserved and the mixed-use nature of the area perpetuated. Indirect Business Displacement should be studied. (GVCTF 004)

Response: As stated in the Scope of Work and in accordance with the guidance of the *CEQR Technical Manual*, since the proposed project would not result in the incremental addition of more than 200,000 square feet of commercial space, an assessment of potential indirect business displacement is not required. While the proposed project's residential increment is above the 200-unit threshold and consequentially warrants an assessment of indirect residential displacement, from a commercial perspective, the study area already has an established residential market such that the proposed project's residential increment would not have a significant effect on commercial rents.

COMMUNITY FACILITIES AND SERVICES

Comment 18: While the developer will study the need for new school seats based on pre-determined city formulas, we have long believed these formulas are out of date. Coupled with the existing overcrowding issue that we face in Lower Manhattan, we have serious concerns about the impact of this residential development on our schools. As there is much of the site that is currently unprogrammed, such as space on the south section, we would like the DEIS to study the inclusion of a school on the site. (Glick et al 009, Glick et al 013)

Response: As stated in the Scope of Work, the DEIS will examine the potential for the proposed project to result in significant adverse impacts on schools, in accordance with the guidance of the *CEQR Technical Manual* and through the use of standardized formulas supplied by New York City School Construction Authority (SCA). If significant adverse impacts are identified, potential mitigation measures will be discussed.

Comment 19: No assumptions of potential schools that may or may not ever materialize should be included in the study. (Gruber CB2 011)

Response: In accordance with the *CEQR Technical Manual*, the DEIS analysis will consider schools that are either existing or under construction.

Comment 20: A more focused neighborhood CB2 school sub-district should be included in the scope to analyze not only the impact on the units added by this project, but also taking into account all the new residential buildings both recently completed

and/or planned in the immediate area. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: Consistent with the guidelines of the *CEQR Technical Manual*, the DEIS will analyze potential effects on schools in the community school district's sub-district in which the development site is located. The analysis will take projected enrollment growth into account, as well as anticipated background development projects that are identified in the School Construction Authority's Projected New Housing Starts for the Department of Education's Capital Plan.

Comment 21: Since a portion of this site is proposed to be affordable housing units, early child care centers should be studied factoring in a range of AMIs for those living in the affordable units. (Glick et al 009, Glick et al 013)

Response: The DEIS will include an analysis of the proposed development's potential effects on publicly-funded child care centers, in accordance with the *CEQR Technical Manual*.

Comment 22: The proposed development is a major residential complex including a number of units for seniors being built in a flood zone. This will inevitably create additional pressures and costs for any evacuations or emergency response. The extent of these pressures and costs, as well as how those needs will be met, must be fully studied during the DEIS. (Bergman CB2 012, Bergman CB2 014, Glick et al 009, Glick et al 013, Gruber CB2 011)

Response: The proposed building will meet the requirements of the NYC Building Code, which has been modified in response to recent flooding events and includes provisions for emergencies and egress. In addition, the residential components, including the senior housing portion, would be located with direct access out to the elevated open space area over Houston Street, which will serve as a safe evacuation area in the case of a flood emergency.

Comment 23: Greenwich Village lost its historic hospital recently to a residential conversion. There are many fewer doctors in the area now and the closest hospitals lie far to the east (the closest is on Second Avenue and is not even in our Community Board District) which is hard to get to via public or private surface transportation. The few medical doctors left nearby are often fully booked. The impact on health care facilities and the ease and speed of access to health providers should be studied. (GVCTF 004)

The scope should study anticipated hospital or other health facility response times, especially with so many seniors on site. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: The *CEQR Technical Manual* does not require an analysis of health care for a project of this size. It should be noted that a new Lenox Hill Hospital

Emergency Department and outpatient facility is located at Seventh Avenue and West 12th Street.

Comment 24: While the preliminary EAS indicated that parts of this project “would not result in the introduction of a sizable new neighborhood” we think this is clearly untrue. Currently, the area is zoned for commercial and manufacturing. We are concerned the neighborhood does not have the infrastructure to support major residential development. The introduction of up to 1,586 new residential units would dramatically change the nature of the neighborhood. As such, services which are not currently needed will be imperative to the residences which are proposed. Such items which are not slated to be studied but warrant a full study during the DEIS to include: health care needs, fire, police, sanitation services, and neighborhood character. (Glick et al 009, Glick et al 013)

The scope should study anticipated fire and police response times to the project site. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: The DEIS analysis of the proposed development’s potential to affect community facilities will follow the guidance of the *CEQR Technical Manual*. The CEQR threshold for an assessment of potential impacts on health care facilities and police/fire protection services is the creation of a “sizable new neighborhood,” as defined by the *CEQR Technical Manual*. As an example of what constitutes a “sizable new neighborhood,” the *CEQR Technical Manual* identifies Hunters’ Point South, which is an approximately 30-acre development with up to 5,000 units of housing, as well as retail space, community/cultural facilities, school space, parking, and a continuous waterfront park. The proposed actions would result in redevelopment within the existing, established Hudson Square neighborhood and would not be considered a “sizable new neighborhood.” Therefore, an analysis of indirect effects on health care facilities and police/fire protection services is not warranted.

Consistent with the *CEQR Technical Manual*, the DEIS will include an assessment of neighborhood character.

OPEN SPACE

Comment 25: We appreciate the inclusion of some publicly accessible open space. However, this seems to be the majority, if not all, of the open space on the complex, and we are concerned that the use of the open space by the large number of residents within the proposed complex will inevitably limit the availability for the public. What hours will this space be accessible to the public? What policies will govern access to the space? Will it be mapped as parkland? If not, what protections, deed restrictions or covenants will be in place to ensure it continues to be publicly accessible in perpetuity? (Glick et al 009, Glick et al 013)

Response: It is anticipated that the open space will be operated similar to a privately owned public space, as provided in the Zoning Resolution. Physical improvements to

the space will be required by the approved ULURP plans, and operating requirements, including hours of operation and maintenance standards, will be set forth in the restrictive declaration to be recorded against the property.

Comment 26: As proposed, there is a rather large garden on the center block for viewing only. Zoning requirements clearly state that all open space on a single zoning lot, which these parcels will comprise, must be accessible to all residents of that zoning lot if that space is part of mandatory open space. Therefore, the environmental review and program plan should reflect this regulatory reality. However, if somehow this area does not count toward required open space, a review should be conducted of what impacts it would have if this garden was opened to the residents of the adjacent buildings and the general public. (Glick et al 009, Glick et al 013)

Response: Any required open space waivers will be identified in the land use application. Any impacts on surrounding area open spaces will be discussed in the Open Space chapter of the DEIS.

Comment 27: Regardless of additional open space on site, it is clear that residents at these proposed buildings would use Hudson River Park as their local park. Given the importance of Hudson River Park as a regional park that attracts users from across the City, we request a thorough study of the impacts on available space for both active and passive recreation that considers current estimates of actual users, including those that live beyond the impact area. (Glick et al 009, Glick et al 013, Zelter 016)

This study must include analysis of increased use of Pier 40 by the new residents. (GVCTF 004)

Response: As noted in the Draft Scope of Work, an analysis of open space resources, including Hudson River Park, will be included in the DEIS. The analysis will use the methodology of the *CEQR Technical Manual* in determining the potential for the proposed project to result in open space impacts, taking into consideration both quantitative and qualitative factors.

Comment 28: CB 2 is vastly underserved in terms of active open space. The community wants a calculation of the number of additional active use acres this development will require. The development should provide public active space to meet their needs and an additional 10 percent in order to bring our community closer to its active space needs. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011, GVCTF 004)

Response: As noted above, an analysis of open space resources will be included in the DEIS based on the methodology of the *CEQR Technical Manual*. The analysis will include calculations of active open space in the study area for the existing, No Action, and With Action conditions. Following the *CEQR Technical Manual*

approach qualitative factors will also be discussed, as appropriate. If significant adverse impacts are expected to result from the proposed project, potential mitigation measures will be identified and discussed.

Comment 29: The community's enthusiasm about Pier 40 and dedication thereto is quite vociferous. If its fields are not preserved, the reaction would be swift and loud. Be thorough and considerate in your review of the application; its precedential effect is critical to the health of the Hudson River Park and the fields at Pier 40, not to mention the health of the citizens of our city. (Hanekamp 002, Miller 017)

Response: Comment noted.

HISTORIC AND CULTURAL RESOURCES

Comment 30: The St. John's building is a historic and cultural resource because of its importance to the story of the Greenwich Village waterfront and the story of New York's economic and transportation history. The loss of this building is the loss of an important story. There are nearby resources that Landmarks Preservation Commission (LPC) promised to landmark and never did. The community would like to see those structures and more protected for the future and to work on ways to preserve the St. John's building heritage. (GVCTF 004)

Response: LPC reviewed and commented on the Draft Scope of Work, determining that the project site was of no architectural or archaeological significance. The historic resources analysis of the preliminary DEIS will be submitted for LPC review. As noted in the Scope of Work, the DEIS will also consider other nearby historic resources, as appropriate.

NATURAL RESOURCES

Comment 31: Aside from the construction process itself, a development of this size has a major impact on the local environment. Given its proximity to the water and the bird flight path, the impact these buildings will have on birds is of particular concern. Over 900 million birds are killed every year because they fly into glass windows on tall buildings such as the one being proposed for the North Site of this project. Will this project be using bird-safe windows? (Glick et al 009, Glick et al 013)

Response: To mitigate potential collisions, several bird safety strategies will be implemented. All glass will be specified to be clear to make the interior visible to birds rather than reflecting the sky. Windows will have multi-lite mullion patterns, breaking up large expanses of glass. Interior shades will help to register as a solid surface, and awnings will cover portions of the windowed areas. The building will be a masonry grid, eliminating glass corners and thus interrupting any views that may appear as a straight flight path. As migration paths are also interrupted by bright artificial lights, the buildings will have no exterior lighting, significantly reducing light trespass.

Comment 32: Will the buildings be seeking LEED certification? (Glick et al 009, Glick et al 013)

Response: While the design of specific project elements is still evolving, the project will aim to integrate high-performance systems and resiliency measures to create a highly efficient building that promotes the health and well-being of its occupants and surrounding community. Such measures may include landscaped open space and planted roofs as well as efficient light fixtures and building-wide systems.

WATER AND SEWER INFRASTRUCTURE

Comment 33: As it has never been a residential area, the area already lacks sufficient sewage and solid waste management systems. Individual residential units and businesses on the far West Side of Manhattan currently experience back-up of water in sinks and toilets when there are floods in the area. This preexisting deficiency will only be exacerbated by the introduction of such a significant number of new residential units. A comprehensive study as to how this will be addressed in this project is essential. (Bergman CB2 012, Bergman CB2 014, Glick et al 009, Glick et al 013, Gruber CB2 011)

Response: As noted in the Draft Scope of Work, the DEIS will include an analysis of potential project impacts that will identify the effects of incremental project-generated sanitary and stormwater flows on the capacity of the sewer infrastructure.

Comment 34: This area experiences building flooding during heavy rainstorms and sustained severe damage during Superstorm Sandy. This rezoning application affords the city the important opportunity to study the existing, local sewer inadequacy and addressing that inadequacy in a comprehensive way throughout the neighborhood. This issue is of vital importance to this community. (GVCTF 004)

Response: The EIS will analyze the effects of the proposed project on sewers. As noted in the Scope of Work, the EIS will also include a discussion of sea level rise and the project's resiliency measures to address flooding conditions. It should be noted that flood protection is a DOB requirement regardless of whether a project is subject to environmental review. Large-scale infrastructure planning is beyond the scope of the proposed project.

TRANSPORTATION

TRAFFIC

Comment 35: We request a study be conducted to determine whether the entrance to the proposed senior affordable housing complex is safe, given its proximity to the traffic and trucks on Washington Street. (Glick et al 009, Glick et al 013)

Response: As noted in the Scope of Work, the DEIS will consider pedestrian safety conducted in accordance with the guidance of the *CEQR Technical Manual*. The project sponsor discussed with NYCDOT the potential to widen the sidewalk along the proposed project's Washington Street frontage between Clarkson Street and the DSNY garage. This improvement, if approved, is expected to enhance pedestrian circulation and safety and more specifically as it relates to the senior affordable housing.

Comment 36: The analysis must also look at the considerable traffic and pedestrian traffic generated by the 200,000 to 300,000 square feet of event and retail space, recognizing that much or all of the retail space could be "destination retail," attracting patrons from a considerable distance. By comparison, there should be analysis of how much traffic would be generated by restricting the retail uses to smaller stores, and only those which serve a more local function. (Berman GVSHP 003, Berman GVSHP 018, Wells 006)

The traffic impacts created by box stores compared to smaller stores needs to be thoroughly studied as well as the impacts of limiting the size of the individual retail establishments. Our concern has always been access to proximate neighborhood retail options, especially for the senior population, given the site's distance from existing neighborhood retail corridors. (Glick et al 009, Glick et al 013)

Response: The EIS will study reasonable worst-case development scenarios that reflect maximum trip-making under the proposed zoning and thus conservatively consider potential significant adverse impacts. As noted in the Draft Scope of Work, these scenarios include a large amount of destination retail space and potentially a big box retail use. In accordance with the guidance of the *CEQR Technical Manual*, the proposed project's potential impacts on vehicular and pedestrian traffic will be determined and, where impacts are identified, feasible measures will be recommended to mitigate impacts to the extent practicable. Since the larger retail uses at the site would be permitted under the proposed zoning and this scenario represents a conservative worst-case condition for analysis, a condition whereby only smaller stores are permitted, as suggested by the commenters, is not warranted.

PEDESTRIANS/BICYCLISTS

Comment 37: We would like the DEIS to include a study of the impact of the developer including a pedestrian bridge over Route 9A to provide increased access to the park. (Glick et al 009, Glick et al 013, GVCTF 004)

The scope should study the creation of a footbridge, at the developer's expense, that is tied into their elevator towers that would allow not only car parkers, both long and short term, but pedestrians and varied Pier 40 users, adult and children

alike, to cross a six-lane highway safely and efficiently. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: A pedestrian bridge over Route 9A is not a component of the proposed project. An analysis of its potential effects and the feasibility of connecting the proposed project and Pier 40 is beyond the scope of this EIS. However, the EIS's transportation analyses will evaluate the operations and safety of pedestrian crossing at the Route 9A and West Houston Street intersection. Where warranted, operational and/or safety improvements will be recommended for consideration by NYCDOT and NYSDOT.

Comment 38: The scope should study the possibility of either reducing the size of the building footprint to accommodate a wider sidewalk, or study the effects of creating a wider sidewalk by narrowing Washington Street between Houston and Clarkson Streets, so that the increased pedestrian flow from the Senior Center and other amenities at the development site can be accommodated. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: The project sponsor discussed with NYCDOT the potential to widen the sidewalk along the proposed project's Washington Street frontage between Clarkson Street and the DSNY garage.

Comment 39: One of the topics for study in this process is the issue of bikes: how will this project create more use of the bike path along Hudson River Park; how much bike parking should this project provide for the new residents; and how will bike safety be impacted by the increased number of users? (GVCTF 004)

Response: While the proposed project is expected to generate additional patronage to the bike path along Hudson River Park, it is not subject to study under the guidelines of the *CEQR Technical Manual*. However, an increase in crossing activities across Route 9A at West Houston Street will be studied as part of the EIS analysis and, where vehicular, bike, and/or pedestrian safety issues are identified, feasible measures will be recommended for NYCDOT and NYSDOT consideration. As for bike parking, the on-site parking garages will provide the necessary number of bike parking spaces in compliance with zoning.

TRANSIT

Comment 40: Public transportation in this area is woefully inadequate. This study should recommend ways to improve this resource to meet the needs of the new residents when they are added to the needs of existing community members. (GVCTF 004)

Response: As noted in the Draft Scope of Work, the EIS will include a transit analysis performed in accordance with the guidance of the *CEQR Technical Manual*. If the analysis identifies a significant adverse transit impact, feasible measures will be explored to mitigate the impact to the extent practicable.

PARKING

Comment 41: It is unclear why the developer is proposing over 886 new parking spaces when across the street at Pier 40, there is an underutilized parking garage. Within the draft scope, it is proposed that the alternative to 886 parking spaces is a study of big box stores and 450 parking spaces. We would like the DEIS to include as alternatives, an option in which there is no parking as well as an option of limited parking and no big box stores. (Glick et al 009, Glick et al 013)

Response: As noted in the Final Scope of Work, 830 parking spaces are assumed for analysis purposes in the DEIS. Based on refinements to the ULURP application, the actual number of parking spaces is expected to be less. The higher number assumed in the DEIS is conservative in that it has a greater potential to result in traffic impacts. The DEIS consideration of alternatives will focus on alternatives to the proposed project that avoid or minimize significant adverse environmental impacts of the project. To the degree that proposed parking would result in significant adverse impacts, consideration of an alternative with fewer parking spaces will be included in the DEIS. As stated in previous responses, the EIS will analyze reasonable worst-case development scenarios to establish the envelope of potential significant adverse impacts.

Comment 42: The scope should study: the negative impact of 600 parking spaces on traffic and road congestion; the impact of a destination box store against the need for a local shops, such as a large supermarket that will serve the project and the immediate surrounding community; and the concept of the project using the available parking right across the highway, which would enhance the HRPT cash flow and thin out the massive request for 600 spaces. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: As stated above, reasonable worst-case development scenarios have been developed for study in the EIS. The scenarios raised in the comment are either within the envelope of worst-case scenarios to be studied or are beyond the scope of this EIS.

Comment 43: Please include the requirement to provide Zipcar, Citi Bike, and bike parking in the accessory parking facility. We recommend the study of the necessity of any accessory parking. (GVCTF 004)

Response: The EIS's parking analysis will provide an illustration of the anticipated parking demand associated with the proposed project and compare it to the proposed number of parking spaces. Bike parking will be provided within the on-site parking garages in accordance with zoning. Many parking facilities across NYC have also incorporated shared car use businesses, such as Zipcar, which, if the market demands, could be accommodated in the proposed parking garages. With regard to Citi Bike, NYCDOT has increasingly installed stations across NYC where demand is expected. While there is already an existing Citi Bike

station at West Houston Street between Greenwich Street and Hudson Street, it is possible that the City could expand existing sites or identify new locations for Citi Bike, based on need and available suitable locations.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Comment 44: The full scope of the proposed development lies within Zone 1 on New York City’s Hurricane Evacuation map. The area experienced significant flooding during Hurricane Sandy. Building this many square feet of residential and commercial space a block from the water is precarious at best. We understand the developer will comply with current city and federal regulations regarding resiliency, but those do not address many additional concerns that might come up due to the scope of this project. First, the developer has indicated that it intends to use “dry flood protections.” As we understand it, this would effectively create a wall around the development so that water cannot penetrate the development during a flood. This method achieves the goal of allowing retail to be at grade-level without fear of flooding. What is the impact of this methodology on the surrounding buildings? Has there been a comprehensive study of the foundations of buildings in the area to determine what impacts might result from a major diversion of water such as this? Has a study of “wet flood protections” been conducted? If not, we would like to have such a comparison study conducted. (Glick et al 009, Glick et al 013)

The scope should study the impact on nearby properties that might occur if dry walling is used for flood mitigation. (Bergman CB2 012, Bergman CB2 014, Gruber CB2 011)

Response: As noted in the comment, the developer will comply with current city and federal regulations regarding resiliency. Furthermore, as part of this EIS, the resiliency measures will be evaluated in the context of potential future conditions as they are projected to change due to sea level rise associated with climate change, as required by the *CEQR Technical Manual* and as delineated in the revisions to the *New York City Waterfront Revitalization Program* (October 2013) Policy 6.2. The review under Policy 6, in general, requires evaluation of project resiliency, including Policy 6.1.D, “Design project so that they do not adversely affect adjacent shorelines or properties by exacerbating flooding or erosion.”

Comment 45: We would like to understand how much additional height above slab, if any, would be added to the buildings if the mechanicals must be put on the top of the building. (Glick et al 009, Glick et al 013)

Response: The building is currently designed to accommodate some of the mechanical systems at the top of the building—the mechanical bulkheads will not change from the dimensions that have been shown.

NOISE

Comment 46: When Route 9A was resurfaced, the state chose the noisiest road surface as it was the most durable. But the noise from the cars on it is quite high. Now, the noise factor will not be studied because our government chose to use a road surface that produces a loud volume during ordinary use. Please include a noise study so that the community will know what the issues were if Route 9A were ever resurfaced with a quieter surface. (GVCTF 004)

Response: The resurfacing of Route 9A is not part of the proposed project. However, noise levels in the area, including the contribution of roadway noise, will be analyzed in the EIS noise analysis. Compared to conditions with a quieter, repaved roadway surface, the conditions that will be considered in the EIS are conservative in that background levels would be noisier.

NEIGHBORHOOD CHARACTER

Comment 47: The proposed actions would increase by over 70 percent the allowable size of development on this site. This would have a profound impact upon the scale and character of the adjacent neighborhood, affecting everything from real estate prices to traffic, as well shadows inland and on the park. (Berman GVSHP 003, Berman GVSHP 018)

The effects on neighborhood character must be studied, as there is no doubt that this project will affect the neighborhood character. (GVCTF 004)

Response: As described in the Draft Scope of Work, the EIS will include an analysis of neighborhood character to be conducted in accordance with the *CEQR Technical Manual*. Other technical areas, including socioeconomics, traffic and shadows, will also be studied in the EIS, as detailed in the Scope of Work.

CONSTRUCTION IMPACTS

Comment 48: Houston Street is one of the largest westbound throughways in the area and is the only point for blocks in which a vehicle can turn south onto Route 9A. Furthermore, Pier 40 and Hudson River Park are extremely popular and located immediately across the street. Ongoing noise, pollution, truck traffic and other construction related activity could have a significant impact on the quality of life for those in the area, including those using the park, for an extended period of time. (Glick et al 009, Glick et al 013)

Response: As described in the Draft Scope of Work, the EIS will include an analysis of construction impacts that will be conducted in accordance with the *CEQR Technical Manual*.

Comment 49: The scoping documents indicate that the project will be completed within 36 months of the start of construction, and no later than 2024. Talks with the developer have made it clear that this timeline is not definite. A more

comprehensive study of the construction process should be conducted, including the various combinations of phasing for construction and the impact phased construction will have on traffic patterns, pedestrian flow, noise and pollution. Part of that analysis should have special consideration for the impacts on the senior residents as, if they are part of an earlier phase, they will be subject to construction-related quality of life and safety concerns for a longer period. Furthermore, there is a tenant currently occupying space in the south block, which might not be vacated until the lease expires in 2026. If the tenant remains in place, we expect that a major gap in the construction timeline would result. A full study of the impacts of such a gap should also be studied both for the project and for the study of reasonable worst-case scenario. (Glick et al 009, Glick et al 013)

Response: The construction analysis will consider the potential for the proposed project to result in significant adverse environmental impacts based on the reasonable worst-case construction phasing plan, which conservatively assumes that all three construction phases of the project would undergo construction simultaneously. Since the construction of the proposed project could instead be phased, the effects of project construction activities on completed portions of the proposed project and/or existing tenants within the development site will be considered in the DEIS. As warranted, additional analyses will be performed for the FEIS.

Comment 50: A monthly construction meeting with the community must be mandated. Such monthly meetings are essential to insure clear communications between developers and the community and allow both sides to plan properly for all the issues that arise during a major construction project. (GVCTF 004)

Response: This is not a comment on the Draft Scope of Work. Construction of the proposed project will comply with all applicable regulations, including those of the Department of Buildings.

Comment 51: Given the variables affecting the completion of the individual components of this large-scale project, the scope should include a study of what happens if only one phase of the project is built, as well as what happens if none of the affordable housing units are built and the developer tries to walk away from the project. (Glick et al 009, Glick et al 013)

Response: The Restrictive Declaration will include completion requirements for the affordable housing, tied to completion of the market-rate units. The DEIS will consider the reasonable worst case development scenario; any development smaller than that analyzed in the DEIS would be expected to have fewer effects on the environment.

OTHER COMMENTS

Comment 52: We strongly urge DCP, as part of the scoping process, to help mitigate the ripple effect of this project and study how to expeditiously take all necessary steps and required studies to support the Community Board-approved proposals for contextual zoning in the South Village and University Place and Broadway corridors, as well as implementing the third and final leg of the South Village Landmark District with the goal of doing this concurrently with the proposed Special Zoning District, so that it leads to approvals of these plans and proposals at the same time as the possible approval of the Hudson River Park Zoning District. (Bergman CB2 012, Bergman CB2 014, Brown 021, Ferrando 022, Gruber CB2 011)

Response: The potential rezonings identified above are not part of the proposed project and are not appropriate for study in this DEIS.

Comment 53: I am deeply troubled that a plan to upzone the Pier 40-adjacent St. John’s site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

The entire South Village needs zoning and landmark protections to preserve its special character. Rather than supporting these, the City is moving ahead with a plan to increase, by many hundreds of thousands of square feet, the size of allowable development on a three-block stretch nearby at West Houston and West Streets.

It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village. (Augustine 020, Clay_Harrison 033, Fouratt 023, Goldford 024, Goldhush 025, Gorman 026, Grossman 027, Pier40Letter 034, Tollner 029, Weissman 030, Wexler 031, Wood 032)

Response: See Response to Comment 52.

Comment 54: We would like a study of a downzoning of the surrounding area, including the South Village. (Glick et al 009, Glick et al 013)

Response: See Response to Comment 52.

Responses to Comments on the Draft Scope of Work

Comment 55: The community encourages the developer to find ways to include many income bands in the affordable housing units. 165% of AMI is a level that is used nearby at West Village Houses and allows a young working couple to apply to live in the area. (GVCTF 004)

Response: Comment noted.

Comment 56: The impact of proposed rezonings of the R7-A zone in the South Village and of the University Place/Broadway Corridors should also be analyzed as part of the scope. These rezonings would generate up to 200,000 square feet of new affordable housing while helping to preserve the scale and character of these nearby portions of CB 2. Such outcomes should be considered in combination with the proposed actions, as a way to mitigate or improve some of its considerable impacts. (Berman GVSHP 003, Berman GVSHP 018, Wells 006)

Response: See Response to Comment 52.

Comment 57: What is the sustainability of Pier 40 once the \$100 million is exhausted? (Ruscitto 019)

Response: This is not a comment on the Draft Scope of Work.

Comment 58: Air rights transfers just help real estate developers, not the people who need affordable housing (Terri 028)

Response: This is not a comment on the Draft Scope of Work.

*

APPENDIX B
WRITTEN COMMENTS RECEIVED ON
THE DRAFT SCOPE OF WORK

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DEPARTMENT OF CITY PLANNING

CITY OF NEW YORK

-----x

SCOPING MEETING

DRAFT ENVIRONMENTAL IMPACT STATEMENT

RE: 550 Washington Street/Special Hudson River Park

District Proposal

CEQR NO. 16DCP031M

-----x

Spector Hall

22 Reade Street

New York, New York

November 20, 2015

10:05 A.M.

B E F O R E :

ROBERT DOBRUSKIN,

THE CHAIRMAN

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A P P E A R A N C E S :

FOR NYC DEPT. OF CITY PLANNING:

Robert Dobruskin - Director - Environmental
Assessment and Review Division
Karolina Hall
Evren Ulker Kacar

Other Project Participants

ALSO PRESENT:

The Public

Marc Russo,
Stenographer

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P R O C E E D I N G S

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THE CHAIRMAN: Good morning,
everyone.

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Welcome.

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This is the public scoping
meeting for the 550 Washington Street/Special
Hudson River Park District proposal.

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For the record, the City
Environmental Quality Review application No. is
16DCP031M. Today's date is November 20th, 2015 and
the time is now 10:05.

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17

My name is Robert Dobruskin. I'm
the Director of the Environmental Assessment and
Review Division for the New York City Department of
City Planning and I'll be chairing today's scoping
meeting.

18

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The Department is acting on
behalf of the City Planning Commission as the lead
agency for the proposal's environmental review.

21

22

Joining me today are a few
members of the DCP team:

23

24

25

Evren Ulker Kacar is a Senior
Project Manager in the Environmental Assessment and
Review Division and she is the environmental

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2 reviewer for for this project.

3

4 We also have Karolina Hall, who
5 is the planner for the Manhattan office of City
6 Planning.

6

7 So together we are here to
8 receive your comments on the Draft Scope of Work
9 for the Draft Environmental Impact Statement, or
10 DEIS, that will be prepared for the 550 Washington
11 Street proposal.

11

12 The Draft Scope of Work
13 identifies all the subjects that will be analyzed
14 in that upcoming DEIS and, also, explains the
15 methodologies that will be used in those analyses.

15

16 For those of you who might not
17 have seen it yet, we do have some copies of the
18 Draft Scope available at the table outside of this
19 room and it's also available on the Department's
20 website.

20

21 We also have copies of the
22 protocol for today's meeting and it's also
23 available on our website.

23

24 For the purpose of scoping, this
25 will allow for public participation and input in
the preparation of the DEIS at the earliest stage

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2 possible. And toward that end, we'll have an
3 opportunity today to receive comments on the Draft
4 Scope from elected officials, government agencies,
5 Community Board representatives and members of the
6 public.

7

8 Today also marks the beginning of
9 the written comment period on the Draft Scope and
10 that will remain open until November 30th.

11

12 At the close of the public
13 comment period, the Department will consider all of
14 the comments that we have received; those that we
15 hear today, as well as any written comments we
16 receive and then review them and decide what
17 changes, if any, need to be made to the Draft
18 Scope.

19

20 We will then issue the Final
21 Scope of Work and it is the Final Scope of Work
22 that is the basis for preparing the DEIS.

23

24 So the scoping meeting's going to
25 be divided into three parts:

26

27 During the first part, the
28 applicant team will make a brief presentation
29 describing the proposal and also, summarizing the
30 Draft Scope of Work.

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During the second part of the meeting, we'll receive comments from elected officials, Community Board representatives and any government agencies.

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During the third and the final part of the meeting, we'll receive comments from the members of the general public.

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If people wish to speak today, you do need to fill out a speaker's card. Those are available at the desk outside of this room. Speaking time will be limited to three minutes and we ask that you focus your comments on the Draft Scope of Work itself, the subjects to be analyzed in the DEIS and the methodologies to be used in this analysis.

17

18

So now I'm going to turn things over to Karolina, who will begin the presentation.

19

Karolina.

20

MS. HALL: Right.

21

Thank you.

22

Good morning.

23

24

25

The Department of City Planning, SJC 33 Owner 2015 LLC, the private applicant, proposed a set of actions to enable the

1

2 redevelopment of the St. John's Terminal Building
3 at 550 Washington Street. The site is bordered by
4 Clarkson Street, West Street, Washington Street and
5 the extension of Charlton Street in Manhattan
6 Community District 2.

7 Through discretionary approvals,
8 the private applicant proposes 1,961,200 gross
9 square feet of new construction on the St. John's
10 Terminal site, comprising up to 1,334,100 gross
11 square feet of residential use; 25 percent of
12 residential floor area would be permanently
13 affordable.

14 The project additionally includes
15 up to 431 gross square feet of commercial space, a
16 14,200 square-foot elevated public open space and
17 up to 886 parking spaces below grade.

18 Five New York City zoning actions
19 are being sought.

20 The Department of City Planning
21 proposes a single action, a zoning text amendment
22 to establish a Special Hudson River Park District;

23 Designate Pier 40 as a granting
24 site, and

25 St. John's Terminal as a

1

2 receiving site;

3

4 Establish a special permit to
5 allow the transfer of development rights from Pier
6 40 to St. John's Terminal; and

7

8 To permit certain bulk waivers.

9

10 SJC 33 owner 2015 LLC proposes
11 four actions. These will be described in greater
12 detail by the private applicant team.

13

14 A zoning map amendment special
15 permit, pursuant to the new Special Hudson River
16 Park District text;

17

18 A special permit for additional
19 accessory parking pursuant to Sections 13-345 and
20 13-451; and,

21

22 A Chairperson's certification to
23 facilitate transfer of development rights.

24

25 Further, the Hudson River Park
Trust is required to undertake a significant action
process as stipulated by the Hudson River Park Act
for the sale of the floor area from the park.

26

27 The next slide, please.

28

29 The Department of City Planning
30 proposed a zoning text amendment, again, to
31 establish a Special Hudson River Park District.

32

1

2 The text would designate Pier 40 as the granting
3 site and St. John's Terminal as the receiving site
4 in this special district.

5

The text amendment would, also,
6 establish a special permit to allow transfer of
7 development rights from Pier 40 to St. John's
8 Terminal and allow the City Planning Commission to
9 modify certain bulk requirements.

10

In 2013, the Hudson River Park
11 Act was amended to allow the Trust to sell unused
12 development rights from the designated park
13 commercial use piers to sites within one block east
14 of the park if, and to the extent, permitted by
15 local zoning law.

16

The proposed text amendment
17 establishes a special permit that would enable the
18 transfer of development rights from Hudson River
19 Park to a receiving site. The text defines Pier 40
20 as a granting site and St. John's Terminal as a
21 receiving site.

22

These two sites comprise the
23 proposed Special Hudson River Park District.

24

In addition to permitting the
25 transfer of development rights, the special permit

1

2 would allow certain bulk waivers on the receiving
3 site and would ensure that uses and increased
4 density made available through the zoning map
5 amendment would only be effective with the grant of
6 the special permit and payment to the Hudson River
7 Park of funds associates with the transfer of
8 development rights.

9 The special permit is proposed to
10 include certain findings that would need to be met
11 in order for the City Planning Commission to grant
12 the special permit. As part of these findings, the
13 Commission would consider whether the transfer of
14 floor area would support the rehabilitation,
15 maintenance and development of the Hudson River
16 Park and the repair of Pier 40.

17 The Commission would also
18 consider whether the receiving -- for the receiving
19 site, whether the proposed development rights
20 results in a superior site plan with complementary
21 uses;

22 Whether the transferred floor
23 area and associated bulk modifications allow
24 adequate light and air to surrounding streets and
25 public spaces and are appropriate in relation to

1

2 improvements to Hudson River Park;

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4 Whether the proposed open space
5 will be of a high quality, visible and accessible
6 to the public; and,

6

7 Whether affordable housing on the
8 development site would support the objectives of
9 inclusionary housing.

9

10 I'll now hand it over to Michael
11 Sillerman, the private applicant team.

11

12 MR. SILLERMAN: Good morning.

12

13 Michael SilLerman of Kramer
14 Levin, land use counsel to the applicant.

14

15 The -- the private actions are
16 shown on the slide above. Let me elaborate on
17 them.

17

18 Show the existing zoning map.

18

19 So the first action is a zoning
20 map amendment to map the Special Hudson River Park
21 District, which comprises, as was indicated, Pier
22 40 and the development site, and to rezone the
23 development site from the existing zoning shown
24 above.

24

25 The next map.

25

The zoning map amendment would

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2 rezone the portion of the development site west --
3 northwest of Houston Street from the M1-5
4 manufacturing district to a C6-4 commercial zoning
5 district. It's called the north site. It would
6 permit 10 FAR.

7 The portion of the development
8 site south of West Houston Street for 340 feet
9 south would be rezoned from M2-4 Manufacturing
10 District to a C6-3, Commercial Zoning District.
11 It's called the Center site. It would permit an FAR
12 of 7.52 and the remainder of the site, the south
13 site would be rezoned to an M1-5 Manufacturing
14 District. It would permit hotel use but it would
15 leave the existing 5 FAR permitted density
16 unchanged.

17 The next action is a special
18 permit pursuant to the Special Hudson River Park
19 District established by the text described above.
20 That would permit the transfer of 200,000 square
21 feet of floor area from Pier 40 to the development
22 site and permit certain bulk waivers to the site.

23 Under the proposed special
24 district text, the uses and the increased density
25 permitted by the rezoned C6-4, C6-3 and M1-5 zoning

1

2 districts, would not be applicable to the
3 development site, absent the grant of the special
4 permit.

5 The next action is a special
6 permit pursuant to the Manhattan Core parking
7 regulations for additional accessory parking. And
8 the final action are Chairperson certifications,
9 pursuant to the text, which facilitate and regulate
10 and condition the transfer floor area.

11 Thank you.

12 MR. COOK: Good morning.

13 My name is Richard Cook. CookFox
14 Architects, architect for the project.

15 I'll be brief but I'd like to
16 start in 1609, the point of the first European
17 contact.

18 (Laughter.)

19 MR. COOK: It's a project that
20 we're very interested, Eric Sanderson and I believe
21 that we can learn a lot from studying history when
22 we plan for the future of our City. This is the
23 site up on the shore of Manhattan.

24 The next, please.

25 And this is the location of the

1

2 site. It was originally on the natural waterfront
3 of our City. You can see the scale of it here.

4 And there are many things that we've learned. Our
5 city was formed, in part, by the geography of the
6 place, Canal Street, that you see right here. And
7 you can see Canal Street here.

8 And then this site embedded in
9 our working waterfront. This happens to be the map
10 of 1873 but it shows the working waterfront, the
11 piers. And this is the history of this building.
12 It was an enormous connector of industry at one
13 time.

14 But now what it is, is a new
15 opportunity. And this slide shows the importance of
16 Hudson River Park west side as a commuting path for
17 bicycles and runners, the adjacency of Pier 40, and
18 that No. 1 subway line is within five minutes
19 walking distance of the site.

20 The incredible resource of active
21 play space of Pier 40 is an important component of
22 the thinking of the project. You can see in this
23 slide, Pier 40 and the active play space and then
24 you can see the building called 550 Washington, or
25 St. John's Center, in the background.

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The slide that's up right now is -- shows the relationship of Pier 40 with 550 Washington and St. John's Center adjacent to the Department of Sanitation and the Hudson Square district that is immediately adjacent to.

It has been a connector. At the moment it is not. We have this beautiful Hudson River Park, Pier 40 on the left and they're really acting as a wall from our City to our park and the waterfront. Much of our work has been based upon filling in gaps in the historic street front where there's parking lots and we've lost buildings and we'd love filling in these streetscapes. This is the exact opposite condition.

This is a condition where we'll have 17,000 square feet of dark shaded public way, over 200 feet of a dark corridor. And the dream, in the very first sketch of the project, was to open this up. This is the very first concept for the project that we would be able to create a publicly accessible open space here, remove the building mass over Houston and open Houston to our waterfront.

As we go underneath, you can see

1

2 that these are historic rails that we're looking at
3 right here. The rail beds of what we now call the
4 Highline, was the New York Central Railroad
5 Westside Improvement Project, which began and ended
6 here. The second floor of this building had 850
7 feet of rail tracks.

8 We propose removing the platform
9 here and bringing daylight down to the street,
10 having retail continuity along Houston and what
11 you're looking at here is the open space above.

12 Again, another view of that.

13 The next, please.

14 And what it would be like to be
15 up on this space, a remarkable new open, elevated
16 public open space.

17 And then if this is Washington
18 that we're looking at here, West Houston here and
19 this is the entrance into the mixed-income
20 residential, 51 percent affordable, 49 percent
21 market rate.

22 And there will be views from the
23 affordable units out to the river.

24 I'll quickly go through the
25 massing.

1

2

This is Washington Street.

3

This here, West Houston and

4

Clarkson.

5

The first building is the senior

6

affordable housing and the illustra massing.

7

The second component is the

8

market rate residential;

9

The mixed income residential;

10

The market rate residential; and,

11

The commercial component in the

12

M-15 commercial, potentially a hotel.

13

These are the heights that are

14

proposed. The 240-foot height here, 320 West

15

Street for this component. The top of the slab at

16

360 here and 430 feet tall.

17

Our -- the question is how do we

18

-- how do we design a building that looks like

19

something that has a passion and a spirit? And we'd

20

love forms found in nature. We believe that there

21

was a golden age of New York City buildings.

22

On the left is Hugh Ferriss'

23

Metropolis of Tomorrow, 1929 in part, inspired by

24

the Equitable Building, which we're moving to.

25

And the start of the zoning --

1

2 the zoning resolution itself, there were buildings
3 that were done, including 345 Hudson, these big,
4 powerful masonry buildings with these beautiful
5 setbacks. They were the inspiration for the form
6 making. These kind of setbacks just do something
7 beautiful to the eye in the urban streetscape.

8 This is an illustrative diagram
9 of what the building could look like on West Street
10 and then with the approved building, the VSA, that
11 we understand is going ahead and back without it
12 there.

13 And this is what we're trying to
14 accomplish for the City. We believe that opening
15 up the end of Houston will -- will be important and
16 there are serious and public benefits for the
17 project besides the visual.

18 The rezoning is, we believe, will
19 create a healthy, vibrant and mixed-use community.
20 It will have a new landscaped, publicly accessible
21 open space. Obviously, it's to save Pier 40.
22 There's proposed \$100 million payment in exchange
23 for 200,000 square feet. That payment will be to
24 repair the infrastructure at Pier 40.

25 We're excited about the ability

1

2 to create permanent mixed income and senior
3 affordable housing. Thirty percent of all
4 residential units will be affordable and 25 percent
5 of all the residential floor area. And a project
6 like this, of course, has the additional public
7 benefits of -- of job creation.

8

Thank you for the time.

9

And I will turn it over to Anne
10 Locke from AKRF.

11

Thank you.

12

MS. LOCKE: Thank you and good
13 morning, everyone.

14

I'm Anne Locke from AKRF and
15 we're the firm in charge of preparing the
16 preliminary DEIS for City Planning review.

17

As you've heard before, we're
18 here really to receive your comments on the scope
19 of work for the Draft EIS for the Hudson River Park
20 Special District and for the development -- the
21 redevelopment of the site now occupied by St.
22 John's Center.

23

These are the areas of analysis.
24 We're looking at a full range of environmental
25 impacts in the Draft EIS. In this particular EIS,

1

2 as in many, traffic and transportation are a major
3 concern.

4

Community facilities and urban
5 design, as well.

6

Air quality and noise are always
7 important, as are construction period impacts.

8

The operational impacts will be
9 considered for a full development by 2024.

10

The exact order of development
11 has not yet been determined so the construction
12 analysis will conservatively assume simultaneous
13 construction of all three sites.

14

Mitigation measures will be
15 considered for any significant adverse impacts that
16 are identified.

17

What's different about this --
18 about this DEIS from other DEIS's is that we have
19 both the proposed project that we are seeking
20 approval for and the proposed project with big box
21 retailers.

22

You can see, the two -- the two
23 projects are described here. What happens --
24 what's different -- well, let me say what's the
25 same. The same for the residential units, the same

1

2 for the hotel, the same as the event space.

3

4 Now what changes when the big box
5 gets added to the center site, where it will be
6 allowed by the zoning proposal, is that there's
7 less parking at the cellar level and then there's
8 less retail at the ground level.

8

9 So this is a unique EIS in having
10 two alternative projects that we're looking at.

10

11 And I thank you.

11

12 We're here -- we're here to hear
13 from the public, the comments on the scope of work.

13

14 Thank you.

14

15 THE CHAIRMAN: Thank you very
16 much, Anne.

16

17 That concludes the presentation
18 and the first part of the meeting.

18

19 So now we're going to move on to
20 the second part, comments from elected officials.

20

21 So far we have two speakers and
22 the first will be:

22

23 Assemblymember Deborah Glick.

23

24 And she'll be followed by

24

25 Community Board 2, Chair Tobi Bergman.

25

ASSEMBLYMEMBER GLICK: Thank

1

2 you.

3 As I stated, this is a joint
4 testimony from Congressman Nadler, the Manhattan
5 Borough President Gale Brewer, Senator -- State
6 Senators Hoylman and Squadron, City Councilmember
7 Johnson and myself and they all have
8 representatives who are here. And I will do this
9 as quickly as I can. But you can imagine, when you
10 get six offices together, there's quite a lot of
11 material.

12 And thank you for this
13 opportunity to discuss the project proposed at 550
14 Washington Street, which would facilitate the
15 redevelopment of the St. John's Terminal into a
16 major, major mixed-use complex, while transferring
17 development rights, air rights from Hudson River
18 Park to the site.

19 As proposed, this redevelopment
20 would create just under 200 million -- two million
21 square feet of new residential, commercial, hotel
22 and office space in what is currently a commercial
23 and residential district, manufacturing district.

24 The proposal includes a text -- a
25 zoning text amendment, a zoning map amendment, two

1

2 zoning special permits and a Chairperson's
3 certification, as well as action by the Hudson
4 River Park Trust.

5

6 We understand it's a massive
7 proposal, which includes several important
8 components, such as the 476 units of affordable
9 housing and a single-time payment to the Hudson
10 River Park for repairs at Pier 40.

11

12 The scoping documents leave many
13 questions unanswered or to be determined as many of
14 the details of the project have yet to be
15 finalized.

16

17 We find it hard to -- sorry.

18

19 This is what happens when you
20 practice at home at night.

21

22 We find it hard to understand how
23 this proposal can be properly conducted when we are
24 being told that many of the crucial aspects all
25 will be determined later on, including specifics
such as the use of commercial space on the south
lot. For example, without knowing if the southern
site will be an event space or office space, we
can't determine how many employees might be on this
site. This impacts all forms of traffic, as well

1

2 as types of services that might be needed.

3

4 A full proposal for the exact use
5 of each space within the proposed development needs
6 to be provided and all questions need to be
7 answered and studied prior to the Certification of
8 the DEIS.

8

9 Housing. The proposal includes a
10 significant amount of affordable housing, including
11 senior housing and mixed income building.

11

12 The developer indicated that he's
13 work with the City to determine the appropriate
14 levels of affordability. We would like a broad
15 range of affordability and levels of AMI be
16 examined. This analysis, which should speak to the
17 local neighborhood median levels, percentage of
18 rent burden of households and gaps in
19 affordability.

19

I'm sorry.

20

21 And all AMI levels present in the
22 construction of other affordable housing units
23 within Community Board 2.

23

24 The appraisal for the value of
25 the air rights has not been completed. Yet it
26 appears that the deal to sell 200,000 square feet

1

2 of air rights for \$100 million has been reached.

3 We'd like to see the full appraisal, including the
4 process through which the appraisal was conducted.

5 We are further concerned that
6 \$100 million is not likely to cover the costs of
7 completely repairing the pier and we'd like a
8 comprehensive list of all repairs needed for Pier
9 40 and their associated costs.

10 We'd like confirmation that the
11 repairs for Pier 40 that can be achieved through
12 this project will be sufficient to ensure adequate
13 future access for decades to come.

14 While the proposed special
15 district for air rights transfer will apply only to
16 the St. Johns site and Pier 40, it's our
17 understanding that it will be the outline through
18 which any future ULURP regarding air rights
19 transfers from HRPT will be based. As such, what
20 nexus will be created in this special district that
21 would limit the transfer of development rights from
22 HRPT piers to geographically distant receiving
23 sites?

24 Phasing construction. Houston
25 Street is one of the largest westbound

1

2 thoroughfares in the area and is open -- and is the
3 only place where cars or vehicles can turn onto
4 Route 9A going south.

5 Furthermore, Pier 40, Hudson
6 River Park is extremely popular and located
7 immediately across the street. Ongoing noise
8 pollution, traffic, truck traffic and other
9 construction related activity could have a
10 significant impact on the quality of life for those
11 in the area, including those using the park for an
12 extended period of time.

13 The scoping documents indicate
14 that the project will be completed within 36 months
15 of the start of construction and no later than
16 2024. Talks with the developer made it clear that
17 this time line is not definite and is subject to
18 many variables.

19 As such, a more comprehensive
20 study of the construction process should be
21 conducted, including the various combinations of
22 phasing for construction and the impact of the
23 phased construction will have on traffic patterns,
24 pedestrian flow, noise and pollution.

25 Part of that analysis should have

1

2 special consideration to the impacts on the senior
3 residence as -- if they are, in fact, part of the
4 earlier phase, they will be subject to
5 construction-related quality of life and safety
6 concerns for a long period of time.

7 Furthermore, there is a tenant
8 currently occupying the space in the south lot,
9 which might not be vacated until the lease expires
10 in 2026 -- 2026, yes.

11 If a tenant remains in place, we
12 expect that a major gap in construction would
13 result. A full study of the impacts of such a gap
14 should be studied for both the project and for the
15 study of the reasonable worst case scenario.

16 Given the variables affecting the
17 completion of the individual components of this
18 large scale project, the scope should include a
19 study of what happens if only one phase of the
20 project is built, as well as what happens if none
21 of the affordable housing units are available and
22 the developer tries to walk away from the project
23 to open space.

24 We appreciate the inclusion of
25 some publicly accessible open space and whether

1

2 this seems to be the majority, if not all of the
3 open space on the complex, we're concerned that the
4 use of the open space by the large number of
5 residents within the complex will inevitably limit
6 the availability to the public.

7

As proposed, there appears to be
8 a rather large garden on the center block, which
9 would be for viewing only.

10

Zoning requirements clearly state
11 that all open space on a single zoning lot, which
12 these parcels will comprise, must be accessible to
13 all residents of that zoning lot if the space is
14 part of mandatory open space. Therefore, the
15 environmental review and program plan should
16 reflect this regulatory reality.

17

However, somehow if this area
18 does not count towards required open space, a
19 review should be conducted of what impacts it would
20 have if this garden was open to the residents of
21 the adjacent buildings and the general public.

22

We would also like to ensure that
23 this public space is available in perpetuity,
24 including the possibility of zoning the open space
25 as parkland and we'd like to know what commitments

1

2 have been made on this.

3

4 Regardless of any additional open
5 space on sites, clearly, the residents at these
6 proposed buildings would use Hudson River Park as
7 their local park. Given the importance of the park
8 as a regional park that attracts users from across
9 the City, we request a thorough study of the impact
10 on available space for both active and passive
11 recreation that considers current estimates of
12 additional and actual users, including those who
13 live beyond the impacted area.

13

14 We'd like the DEIS to include a
15 study of the impact of the developer, including a
16 pedestrian bridge over Route 9A to provide
17 increased access to the park.

17

18 Parking and big box retailer.

18

19 It's unclear why the developer is
20 proposing over 886 new parking spaces when across
21 the street at Pier 40 there is an underutilized
22 parking garage. Within this Draft Scope, it is
23 proposed that the alternative to an 886 parking
24 spaces is a big box store and 450 parking spaces.
25 We'd like the DEIS to include alternative, an
option in which there's no parking at all, as well

1

2 as an option of limited parking and no big box
3 stores.

4 Additionally, the traffic impacts
5 created by box stores compared to smaller stores
6 need to be thoroughly studied, as well as the
7 impacts of limiting the size of individual retail
8 establishments. Our concern has always been access
9 to approximate neighborhood retail options,
10 especially for senior populations given the site's
11 distance from existing neighborhood retail
12 corridors.

13

I'm almost done.

14

The full scope resiliency.

15

16 The full scope of the proposed
17 development lies within one of the New York City's
18 hurricane evacuation map. The area experienced
19 significant flooding during Hurricane Sandy. The
20 building has many square feet of residential,
21 commercial space on a block that is a block from
the water and that's precarious at best.

22

23 We understand the developer will
24 comply with current City and federal regulations
25 regarding resiliency but those do not address many
additional concerns that might come up due to the

1

2 scope of this project.

3

4 First, the developers indicated
5 that it intends to use dry flood protections. As
6 we understand it, this would effectively create a
7 wall around the development so water cannot
8 penetrate the development or flood. This method
9 achieves its goal of allowing retail to be at grade
level without fear of flooding.

10

11 What is the impact of this
12 methodology on the surrounding buildings? Has
13 there been a comprehensive study of the foundations
14 of buildings in the area to determine what impacts
15 might result from a major diversion of water such
16 as this? Has the study of wet flood protections
17 been conducted? If not, we'd like to have such a
comparison study done.

18

19 Additionally, we would like to
20 understand how many additional -- how much
21 additional height above this site, if any, would be
22 added if the building mechanicals are put on the
top.

23

New school seats.

24

25 While the developer will study
the need for new school seats based on

1
2 predetermined City formulas, we've long believed
3 these formulas are out of date. Coupled with the
4 existing overcrowding issue that we face in Lower
5 Manhattan, we have serious concerns about the
6 impact of this residential development on our
7 schools, as there is much of the site that's
8 currently not programmed, such as the space on the
9 south section, we'd like the DEIS to study
10 inclusion of a school on the site.

11 The developer is also going to
12 study the impact of this on early childhood care
13 centers but a portion of this site is proposed to
14 be affordable housing. The early childhood care
15 centers should be studied factoring in the range of
16 AMIs for those in the units.

17 Density and zoning.

18 It's our understanding that City
19 Planning has worked with the developers to
20 determine the proposed zoning and densities within
21 this application. On one block, which is currently
22 a M1-5 Manufacturing, it would become 12 FAR,
23 including the affordable housing and residential
24 and commercial. Why was the proposed underlying
25 zoning not lower? As we mentioned, one of the

1

2 major benefits for the project is financial
3 contributions to the Hudson River Park and lowering
4 the underlying zoning would result in a requirement
5 to purchase just a greater number of air rights.

6

7 Furthermore, this project
8 highlights the pressures to develop and increase
9 density throughout the neighborhood and as such, we
10 would like a study of downzoning in the surrounding
11 area, including the South Village.

12

13 The environment.

14

15 Aside from the construction
16 process itself, the development of this size has
17 major impact on the local environment. Given its
18 proximity to the water, the bird flight path, the
19 impact of these buildings will have on birds is of
20 particular concern. Over 900 million birds are
21 killed every year because they fly into glass on
22 tall buildings. And as such, one being proposed
23 for the north site, will this project be using bird
24 safe glass and, additionally, will tall building --
25 will the buildings be seeking LEED certification?

26

27 Finally, additional areas of
28 study, the preliminary EAS indicated that parts of
29 this project would not result in the introduction

1

2 of sizeable new neighborhoods. We think this is
3 preliminarily untrue. Currently, the area is zoned
4 commercial and manufacturing and we are concerned
5 that the area does not have the infrastructure to
6 support major residential development.

7 The introduction of up to 1,586
8 new residential units dramatically changes the
9 nature of the neighborhood. And as such, services
10 which are not currently needed, will be imperative
11 to the residences that are proposed.

12 Such items that are not slated to
13 be studied but warrant a full study include:

14 Health care needs;
15 Fire;
16 Police;
17 Sanitation services; and,
18 A neighborhood character.

19 Since it's never been a
20 residential area, the area already lacks sufficient
21 sewage and solid waste management systems.

22 Individual residential units and businesses on the
23 far west side of Manhattan currently experience
24 backup water -- back up of water in sinks and
25 toilets when there are floods from heavy rains.

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This creates existing deficiency, will only be exacerbated by the introduction of a significant number of new residential units.

A comprehensive study of how this will be addressed in this project is essential. The proposed development is a major residential complex, including a number of units for seniors being built in a flood zone. This will inevitably create additional pressures and cause for evacuation or emergency response. The extent of these pressures and costs, as well as those of how those needs will be met, must be studied in the DEIS.

And in conclusion, we hope that the public and we will be provided with full answers to all the outstanding questions prior to the certification of the DEIS.

The community process created through ULURP deserves to start only when we have a full understanding of exactly what is being asked of and provided to the community.

I thank you very much for your attention and for giving me the additional time required to address the needs and concerns of all

1

2 of the offices involved.

3

Thank you very much.

4

THE CHAIRMAN: Thank you very

5

much.

6

Would you mind leaving a copy of

7

your testimony?

8

ASSEMBLYMEMBER GLICK: We have

9

those copies.

10

THE CHAIRMAN: Okay.

11

Thank you.

12

The next speaker is Tobi Bergman.

13

MR. BERGMAN: Good morning.

14

I'm Tobi Bergman, Chair of

15

Community Board 2, Manhattan.

16

I'm going to read a statement.

17

There's broad recognition of the

18

following:

19

1. Pier 40 is an extraordinary,

20

indispensable and irreplaceable resource that

21

requires substantial rehabilitation.

22

2. There is a housing crisis in

23

New York City with detrimental impacts on the well

24

being of our City and its residents and on the

25

affordability and diversity of our district.

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626 RXR Plaza, West Tower, 6th Floor, Uniondale, New York 11556*

1

2

3. The St. John's Center

3

currently contributes little to our community and

4

is partially responsible for a disconnect --

5

disconnection between the neighborhood below Spring

6

Street and the neighborhood above Houston Street.

7

This project provides an

8

important opportunities in these regards. This

9

project also poses significant and potentially

10

harmful impacts to the nearby neighborhoods. Many

11

of these will be studied based on standard scoping

12

under consideration now.

13

For the benefit of our entire

14

community and for a successful outcome on the

15

benefits of this project, it's essential that the

16

work to evaluate these impacts be in depth and

17

sincere and not prolonged.

18

Community Board 2, Manhattan

19

reviewed the scoping documents and has passed a

20

resolution with regard to its various aspects.

21

We've established a working group

22

for this project.

23

David Bloomberg, I expect to be

24

here later to present in more detail, some of the

25

things that we discussed in the -- in our

1

2 resolution.

3

4 things.

5

6 1. Hudson River Park is a --
7 it's unusual in that, in accordance with the
8 legislation that created it, there is an
9 expectation that revenues supporting the park will
10 be generated at certain park commercial piers
11 within the park, including Pier 40.

12

13 Largely responding to the high
14 cost of essential repairs of the underwater
15 conditions at Pier 40, the New York State
16 Legislature allowed for transfer of development
17 rights from the park commercial piers to lots
18 within one block of the park. Because of the
19 significance of these development rights to the
20 future success of the park, the development rights
21 at Pier 40 should be taken to be part of the open
22 space resources for the purpose of the scope of
23 this project.

24

25 Therefore, the valuation of the
rights to be transferred under the proposed actions
and the consequent reduction of value of future
transfers should be part of the scope and studied

1

2 in the context of a determination of to what extent
3 the need to Hudson River Park and Pier 40 will be
4 met by the transfer of the rights.

5

6 2. The proposed actions will
7 create opportunities and pressure for additional
8 transfers from Pier 40 to sites in largely
9 residential areas north of the project.

10

11 The scope should evaluate the
12 quantity of development rights that will remain at
13 the pier after the proposed transfer, the potential
14 use of these rights both at Pier 40 and on the east
15 side of West Street and how any negative impacts
16 should be mitigated by restrictions on future
17 transfers.

18

19 3. This is a major project that
20 proposes new development on a scale unprecedented
21 in Community Board 2. At the same time, our board
22 has long expressed, but still unaddressed concerns
23 about the potential for unwanted development in
24 nearby South Village.

25

26 We believe this development would
27 indeed have an impact as far away as the South
28 Village because it will encourage larger scale
29 development in the area between.

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To encourage community acceptance of this project and with it, to achieve the opportunities that it offers, we believe it is very important to mitigate the impacts of this huge development by simultaneously initiating actions to protect the South Village in accordance with the proposals already approved by our board.

Thank you.

THE CHAIRMAN: Thank you very much.

Are there any other elected officials, Community Board representatives or government agencies who wish to speak at this time?

(No response.)

THE CHAIRMAN: If not, we will end the second part of the meeting and move on to the third and final part, comments from the general public.

The first speaker will be Allison Tupper;

To be followed by Andrew Zelter.

Good morning.

MS. TUPPER: Good morning.

Thank you for the opportunity to

1

2 speak.

3

I'm speaking for the Sierra Club
and I'm also a member of the Clean Air Campaign.

5

I would like to make a point that
the early sign out here said that this was going to
be healthy, resilient and diverse, and I doubt it.

8

I think it really could not.

9

The main point is that water
doesn't have air rights. The Sierra Club and
several other local organizations have long been
against development in and over the river and have
lately made a new resolution -- an additional
resolution saying that water does not have air
rights.

16

As Mr. Bergman pointed out, this
sets a precedent for selling air rights up and down
the river and -- and water all over the country.

19

Chicago probably does not need
more -- more air rights along its lake.

21

It's really outrageous that we're
sweeping that main issue under the rug and talking
about details about this kind of development. A
lot of the details that Ms. Glick and Mr. Bergman
had mentioned are very, very important. But

25

1

2 they're not the point.

3

4 The point is, water doesn't have
5 air rights. Whether there's a pier or not a pier,
6 water doesn't have air rights.

7

8 Thank you.

9

10 THE CHAIRMAN: Thank you very
11 much.

12

13 The next speaker then is Andrew
14 Zelter;

15

16 And he'll be followed by Dan
17 Miller.

18

19 MR. ZELTER: Good morning.

20

21 And I'd first like to thank City
22 Planning and all the stakeholders for the
23 opportunity to speak this morning and for all the
24 time and energy that goes into a new project such
25 as this.

26

27 My name's Andrew Zelter. I'm a
28 father of four kids in Lower Manhattan and I'm also
29 the president of Downtown Little League, a program
30 that serves approximately 1,200 children, offering
31 organized baseball and softball activities.

32

33 And I would like to just come
34 back to some of the comments that we've heard this

35

1

2 morning about Pier 40 and understand that what
3 we're doing on the east side, certainly does impact
4 what happens on the west side.

5 And when Richard spoke, I thought
6 he eloquently described Pier 40 as this incredible
7 aspect of active play space. And, again, speaking
8 from a youth sports perspective, I know there are
9 folks in the room as involved as I, this -- this
10 facility provides space for literally thousands of
11 children year round and ensuring that we not only
12 use the financial arrangements that are in place or
13 that can come from this to address, again, what
14 Richard described as repairing the critical
15 infrastructure.

16 But I would add that I think we
17 need to take a longer term view and focus on how
18 what we structure and support happening on the east
19 side supports not only currently needs and repair
20 of Pier 40 but really, also, takes into account
21 what we can do and use these types of opportunities
22 to protect the long-term future and use of, not
23 only children, but all residents and citizens that
24 -- that live in Manhattan, visit Manhattan.

25 And, clearly, I think it goes

1

2 without question that 1,586 residential units will
3 only bring more users into the park. And it's
4 absolutely critical, I think, that we expand our
5 consideration beyond what's needed today to what is
6 needed to sustain this park going forward.

7

Thank you.

8

THE CHAIRMAN: Thank you.

9

The next speaker is Dan Miller;

10

And he will be followed by Andrew

11

Berman.

12

MR. MILLER: Hi.

13

Thank you very much.

14

Many of the points that and

15

results that were made, I will make myself. I just

16

want to make clear that my name is Dan Miller. I'm

17

a member of CB2 but I'm speaking as an individual.

18

I live at the southwest corner of

19

Leroy and West so I probably have the best view of

20

the future development, as well as Pier 40.

21

I am less concerned about the

22

development than I am about the sustainability of

23

the pier across the street. I willingly lose my

24

morning light because I face south, as well as west

25

won't be affected. But I want to make sure that

1

2 City Planning understands that thousands of kids
3 from soccer players to lacrosse players to baseball
4 players, use the pier on a yearly basis, more than
5 tens of thousands. I don't have exact statistics.

6 But as past president of GVLL,
7 our organization would not exist without the pier.
8 I know that today DUSC has to send their players
9 across the river to New Jersey because they don't
10 have enough playing space.

11 So our focus is what can we do to
12 make sure that not only the pier, but the park
13 itself, can be sustained from now into the future?
14 And considering that Pier 40 is a revenue source
15 for the park, it's crucial that City Planning
16 understands the importance of this park, of the
17 pier because without it, New York City downtown is
18 unlivable.

19 And that's my point to you today.

20 THE CHAIRMAN: Thank you very
21 much.

22 And the next speaker is Andrew
23 Berman.

24 MR. BERMAN: Thank you very
25 much.

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The Greenwich Village Society for Historic Preservation has several concerns regarding the proposed actions, which we believe should be addressed in the Draft Scope of Work.

The proposed actions would increase by over 70 percent, the allowable size of development on the site. This would have a profound impact upon the scale and character of the adjacent neighborhood, affecting everything from real estate prices to traffic, as well as shadows inland and on the park.

Based upon financial analysis done for a zoning variance for the site directly to the north, the proposed change to allow residential development increases the value of this site by approximately 80 percent -- 83 percent. Combined with the increase in square footage, the proposed actions nearly triple the value of this site and increases several billion dollars in value.

In exchange, the public is receiving \$100 million towards repairs for Pier 40 and approximately 300,000 square feet of affordable housing. The analysis should study how much of the proposed additional square footage and how much

1

2 residential square footage is actually necessary to
3 generate the income to pay for Pier 40, as well as
4 the 300,000 square feet of affordable housing,
5 while making the project economically worthwhile
6 compared to an as-of-right development.

7

8 Conversely, the analysis should
9 study how much more additional funding for Pier 40
10 and/or how much more additional affordable housing
11 could be generated by the proposed zoning changes
12 while still allowing the proposed development to
13 bring in a sufficient return to be preferable to an
14 as-of-right development.

14

15 The analysis must look at the
16 considerable traffic and pedestrian traffic
17 generated by the two to 300,000 square feet of
18 event and retail space, recognizing that much or
19 all of the retail space could be destination
20 retail, attracting patrons from a considerable
21 distance.

21

22 By comparison, there should be an
23 analysis of how much traffic would be generated by
24 restricting the retail uses to smaller stores and
25 only those which serve a more local function.

25

 An accurate analysis must also

1

2 include a comprehensive accounting of all potential
3 air rights, not only on Pier 40 but in the
4 remainder of the park.

5 We also urge that alternative
6 means of generating income for the Hudson River
7 Park be included in the analysis, including
8 imposing a dedicated tax funding the park for new
9 development on this and other sites adjacent to the
10 park, which directly benefit from the park's
11 construction and maintenance.

12 Finally, the impact of the
13 proposed rezonings of the R-70 zone in the South
14 Village and of the University Place and Broadway
15 corridors should be analyzed as part of this scope.
16 Those rezonings would generate up to 200,000 square
17 feet of new affordable housing while helping to
18 preserve the scale and character of these nearby
19 portions of Community Board 2, which would be
20 directly affected by the proposed actions.

21 Such outcomes should be
22 considered in combination with the proposed actions
23 as a way to mitigate or improve some of its
24 considerable impacts.

25

Thank you.

1

2

THE CHAIRMAN: Thank you very

3

much.

4

Our next speaker is Tony -- I'm

5

sorry if I mispronounce this, is it Richito?

6

MR. RUSCITTO: It's

7

Ruscitto.

8

Hi. I'm sorry. I just got here.

9

I was at another meeting.

10

I'm on the board of directors to

11

Greenwich Village Little League and so my kids are

12

in the program and I'm involved with the league.

13

And my only question or concern

14

was the sustainability of Pier 40 once the \$100

15

million is exhausted.

16

So I don't know if that's just

17

going to be on the record or I don't expect you

18

guys to answer that here and now, I just wanted to

19

make that public.

20

THE CHAIRMAN: I believe that's

21

something that will be covered in the DEIS.

22

MR. RUSCITTO: Okay.

23

Thank you.

24

THE CHAIRMAN: Is there anyone

25

else who wishes to speak today?

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(No response.)

THE CHAIRMAN: I have no more
speaker cards.

If not, we'll close this scoping
meeting.

I just want to remind everyone
that we encourage you to send written comments.
The comment period will remain open until November
30th and we look forward to reviewing all of your
comments very carefully.

Thank you all very much for
attending and have a good morning.

(At 10:53 a.m., the proceedings
were concluded.)

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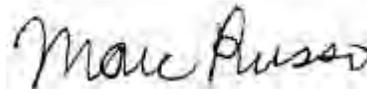
STATE OF NEW YORK)

SS.

COUNTY OF NEW YORK)

I, MARC RUSSO, a Shorthand
(Stenotype) Reporter and Notary Public within and
for the State of New York, do hereby certify that
the foregoing pages 1 through 52, taken at the time
and place aforesaid, is a true and correct
transcription of my shorthand notes.

IN WITNESS WHEREOF, I have
hereunto set my name this 3rd day of December,
2015.



MARC RUSSO

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From:
To:
Subject: FW: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Wednesday, October 28, 2015 8:43:09 AM

-----Original Message-----

From: Irene Alfandari [<mailto:ialfandari@yahoo.com>]
Sent: Wednesday, October 28, 2015 8:10 AM
To: Carl Weisbrod (DCP)
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

The South Village, an historic neighborhood with a wonderfully intact character, remains vulnerable to inappropriate demolition and totally out-of-scale new construction – up to 300 feet tall under existing rules. The entire South Village needs zoning and landmark protections to preserve its special character. Rather than supporting these, the City is moving ahead with a plan to increase by many hundreds of thousands of square feet the size of allowable development on a three-block stretch nearby at Houston and West Streets.

It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

Additionally, the scale of the proposed development is significantly greater than what could be otherwise built here, and would have significant impacts upon the surrounding community. The plan fails to address long-standing questions from groups like the Greenwich Village Society for Historic Preservation about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. No plan should move ahead without these questions being answered and these issues being addressed.

Irene Alfandari
340 West 57th Street, Apt. 115
New York, NY 10019

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#); [Samantha Kleinfield \(DCP\)](#)
Subject: FW: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Saturday, November 07, 2015 9:59:27 AM

-----Original Message-----

From: Richita Anderson [<mailto:richitaanderson@msn.com>]
Sent: Friday, November 06, 2015 12:23 PM
To: Carl Weisbrod (DCP)
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

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Richita Anderson
10 Downing Street, Apt. 2A
New York, NY 10014

-----Original Message-----

From: Pauline Augustine [<mailto:ifeltower@hotmail.com>]

Sent: Tuesday, November 10, 2015 8:28 PM

To: Carl Weisbrod (DCP)

Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

I am deeply upset that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village.

Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

I live in the South Village, an historic neighborhood with a wonderfully intact character. It remains vulnerable to inappropriate demolition and totally out-of-scale new construction – up to 300 Feet Tall under existing rules.

The entire South Village needs zoning and landmark protections to preserve its special character.

I am already affected by the tall buildings recently built and under construction. MY SUNLIGHT HAS DEMINISHED BY 2 HOURS by only one building.

Rather than supporting these, the City is moving ahead with a plan to increase by many hundreds of thousands of square feet the size of allowable development on a three-block stretch nearby at Houston and West Streets.

It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

Additionally, the scale of the proposed development is significantly greater than what could be otherwise built here, and would have significant impacts upon the surrounding community. The plan fails to address long-standing questions from groups like the Greenwich Village Society for Historic Preservation about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. .

Zoning and development should take human quality of life and right to AIR and SUNLIGHT INTO CONSIDERATION, ITEMS THAT INVOLVE OUR HEALTH AND WELL BEING.

I personally feel strangled by the development run rampant. The exchange of small amounts of available housing in exchange for tax breaks and luxury housing for mostly part time time residents who do not contribute in any way to our neighbours is frankly abominable.

No zoning or plans should move ahead without addressing these issues.

Sincerely

Pauline Augustine
145 Sullivan St
Apt 4C
New York, NY 10012

November 25, 2015

Robert Dobruskin, Director
Environmental Assessment and Review Division
NYC Department of City Planning
120 Broadway, 31st Floor
New York NY 10271

Re: Public Scoping Notice for
CEQR No. 16DCP031M, 550 Washington
St./Special Hudson River Park District

Dear Mr. Dobruskin,

The NYC Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC) as CEQR lead agency, is proposing a zoning text amendment (among other things) to establish a Special Hudson River Park District that would straddle both land and water in the vicinity of Pier 40 in the Hudson River. The text amendment would "define Pier 40 as the granting site and [the St. John's Terminal Building on 3 upland blocks across from Pier 40] as the Receiving Site in the special district." The "proposed actions" include "an action by the Hudson River Park Trust (HRPT)." (Oct. 21, 2015 Public Notice.)

Clean Air Campaign Inc. (CAC) objects to the **segmentation** of this proposal by DCP and the Hudson River Park Trust (HRPT), with CPC/DCP's and the developers' proposal to be assessed first, and everything involving HRPT, pier 40 and the Hudson River put off until some future time. The most immediate significant adverse environmental effects of this proposal will not occur in the year 2024 (as CPD's segmented Draft Scope of Work and/or Environmental Assessment Statement suggest), but as soon as DCP/CPC and/or other government entities approve them--if they do. The very worst and most immediate environmental impacts will be related to the misuse of public waterways like the Hudson River and the misuse of public funds to subsidize development which is not truly water-dependent at the worst possible locations (including, but not limited to, Pier 40).

Other procedural problems. CAC also objects to the way the "public meeting" for this proposal was carried out. The "public meeting" was to start at 10 am. When a CAC representative arrived at 11:05 am, she was told that the hearing was over and that all the City Planning representatives had left. There was no sign-in sheet or other means of registering CAC's interest or CAC's views. The only people left in the hearing room (Spector Hall) were perhaps 20 people from HRPT and the developers of 550 Washington Street. We have since learned that other people arrived later intending to speak and had the same experience.

There is **no way to conduct a fair, honest, objective, open environmental review that complies with the State Environmental Quality Review (SEQR) law** (both its letter and spirit) without considering all aspects of all elements of CPC's, CPD's and HRPT's overall proposal and their combined environmental effects together. A segmented CEQR/SEQR review of just some (but by no means all) of the main elements in this major new policy initiative--one that may set precedents far and wide--would be unlawful.

We request that CPC, CPD and HRPT either withdraw this air rights transfer proposal or go back to the drawing boards and re-start the CEQR/SEQR process again from the beginning. We also ask CPD to acknowledge the receipt of this letter.

Sincerely,

Marcy Benstock
Executive Director

Tobi Bergman, *Chair*
Terri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

November 24, 2015

Carl Weisbrod, Director
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Mr. Weisbrod:

At its Full Board meeting on November 20, 2015, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

Resolution concerning recommendations for changes to the draft scope for the Environmental Impact Study concerning the 550 Washington Street/Special Hudson River Park District Proposal.

Economics and Pier 40 air rights transfer

Whereas, the Hudson River Park Trust (“HRPT”) was created as a public/private partnership and the Trust is charged with creating its own operating and maintenance funds; and

Whereas, as one of the principal reasons that the Hudson River Park Zoning District is being proposed is to give the HRPT the opportunity to sell its air rights as per the New York State enabling legislation of 2013; and

Whereas, major concerns were voiced about the economics of the proposed sale of those air rights in that the HRPT, and by extension the community, should be the major beneficiary of the those air right sales and provide the Trust operating and maintenance monies for years to come, rather than creating a windfall for the developer; and

Whereas, this community is concerned that any future transferring of air rights from Pier 40 across the Interstate 9A, beyond the 200,000 sq. ft. (of the 600,000 sq. ft. +available) air rights transfer proposed for this project, would be the catalyst for inappropriate development and/or re-development, as very few receiving sites are available in our community in the permitted transfer area, as per a study by Cornell University for the Trust; and

Whereas, the sheer size and magnitude of the potentially extremely high market rate value of the subject building, along with collectively other proposed and already realized projects in our community board, will cause a significant high value ripple effect on development in other areas of our community (as well as pushing up property taxes that will drive out existing affordable units for long time local residents), both in our historic districts and contextual zones, while several already proposed and CB2, Man. approved plans for height and context are still pending.

Therefore, be it resolved that an open and transparent evaluation of the air rights that are to be transferred be immediately studied as part of the scoping process; and

Be it further resolved that CB2, Man. strongly urges the Department of City Planning, as part of the scoping process, to help mitigate the ripple effect and study how to expeditiously take all necessary steps and required studies to support the Community Board-approved proposals for contextual zoning in the South Village and University Place and Broadway corridors, as well as implementing the third and final leg of the South Village Landmark District with the goal of doing this concurrently with the proposed Special Zoning District, so that it leads to approvals of these plans and proposals at the same time as the possible approval of the Hudson River Park Zoning District.

Schools

Whereas, there are collectively many new buildings, both already built and proposed in the immediate district, that by themselves did not trigger a school ULURP analysis; and

Whereas, a new elementary school at Duarte Square that the community anticipated would be open by now has been delayed with no indication of a start date in sight; and

Whereas, that school is already projected to be near full capacity, if and when it is opened; and

Whereas, there is absolutely no agreement on the NYU campus “Bleecker School” as yet; and

Whereas, our existing elementary schools are at or near capacity;

Therefore, be it resolved that a more focused neighborhood CB2, Man. school sub- district be included in the scope to analyze not only the impact on the units added by this project, but also taking into account all the new residential buildings both recently completed and/or planned in the immediate area; and

Be it further resolved that no assumptions of potential schools that may or may not ever materialize be included in the study.

Retail, parking and pedestrian flow

Whereas, the proposed development is calling for over 200,000 sq ft of retail space, including a destination big box store; and

Whereas, parking for over 600 cars will create yet more congestion along an already over-crowded roadway and street system that feeds the into the Holland Tunnel, Brooklyn and Long Island; and

Whereas, the creation of large numbers of parking spaces will be competitive with the HPRT existing parking facilities and will be counterproductive to the HRPT cash flow that contributes to the Park’s operating and maintenance funds; and

Whereas, there are elevator towers proposed as part of the project plans.

Therefore, be it resolved the scope study: **a)** the negative impact of 600 parking spaces on traffic and road congestion; **b)** the impact of a destination box store against the need for a local shops, such as a large supermarket that will serve the project and the immediate surrounding community; **c)** the concept of the project using the available parking right across the highway, which would enhance the HRPT cash flow and thin out the massive request for 600 spaces; and, finally **d)** the creation of a footbridge, at the developer's expense, that is tied into their elevator towers that would allow not only car parkers, both long and short term, but pedestrians and varied Pier 40 users, adult and children alike, to cross a six-lane highway safely and efficiently.

Seniors

Whereas, the sidewalk on Washington Street between Clarkson and Houston Streets, the site of the senior housing, is exceptionally narrow and hundreds of Fedex and UPS trucks use Washington Street as a venue on the way to their routes; and

Whereas, the only AMI levels in the proposal as it now stands are a 60% AMI and a 130% AMI with nothing in-between; and

Whereas, the allotment and allocation of apartments are currently 75% studios and 25% one bedroom apartments as part of the senior housing plan.

Therefore, be it resolved that the scope study the possibility of either reducing the size of the building footprint to accommodate a wider sidewalk, or study the effects of creating a wider sidewalk by narrowing Washington Street between Houston and Clarkson Streets, so that the increased pedestrian flow from the Senior Center and other amenities at the site can be accommodated; and

Be it further resolved that additional and varied income bands between 60% AMI and 130% AMI, and even greater than 130% AMI, needs to be studied (nearby West Village Houses uses 165% AMI) to create and accommodate a truly diverse community; and

Be it also further resolved that the scoping study statistically what percentage of seniors are married or have partners and might require more than a studio, given the allotment that is currently 75% studios and only 25% one bedroom apartments.

Technical, environmental and open space

Whereas, the project is in the NYC flood plain; and

Whereas, the project is located at the very edge of the community and concerns were voiced about the delivery of Municipal and other services and the lack of open space.

Therefore, be it resolved that

1. if dry walling for flood mitigation is used, the impact that might have on nearby properties be included in the scope;
2. anticipated fire and police response times to the project site be studied as part of the scope;

3. anticipated hospital or other health facility response times be studied, especially with so many seniors on site as part of the scope;
4. while the overall sewers are adequate, there are local inadequacies experienced within the district, such as sewer backup and flooding during heavy rain, and these conditions need to be studied as part of the scope;
5. CB2 is estimated to rank at the very bottom of community boards in open space. The scope needs to study having this development provide public open space for not only its residents, but for the community as a whole.

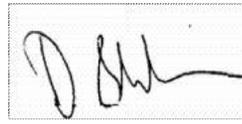
Vote: Unanimous, with 38 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Tobi Bergman, Chair
Community Board #2, Manhattan



David Gruber, Chair
Pier 40 Air Rights Transfer Working Group
Community Board #2, Manhattan

TB/fa

c: Hon. Jerrold L. Nadler, Congressman
Hon. Deborah Glick, Assembly Member
Hon. Daniel Squadron, NY State Senator
Hon. Brad Hoylman, NY State Senator
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Margaret Chin, Council Member
Hon. Corey Johnson, Council Member
Hon. Rosie Mendez, Council Member
Sylvia Li, Dept. of City Planning
Lauren George, Director, Intergovernmental & Community Affairs
Landmarks Preservation Commission
Noreen Doyle, Executive Vice President, Hudson River Park Trust

An accurate analysis also must include a comprehensive accounting of all potential air rights not only on Pier 40 but in the remainder of the park. We also urge that alternative means of generating income for the Hudson River Park be included in the analysis, including imposing a dedicated tax funding the park for new development on this and other sites adjacent to the park which benefit directly from the park's construction.

Finally, the impact of proposed rezonings of the R7-A zone in the South Village and of the University Place/Broadway Corridors should also be analyzed as part of the scope. These rezonings would generate up to 200,000 square feet of new affordable housing while helping to preserve the scale and character of these nearby portions of Community Board #2. Such outcomes should be considered in combination with the proposed actions, as a way to mitigate or improve some of its considerable impacts.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Berman", with a long horizontal flourish extending to the right.

Andrew Berman
Executive Director

Cc: Borough President Gale Brewer
City Councilmember Corey Johnson
City Councilmember Margaret Chin
City Councilmember Rosie Mendez
State Senator Brad Hoylman
State Assemblymember Deborah Glick
Community Board #2, Manhattan

From: [Peter Brown](#)
To: [Carl Weisbrod \(DCP\)](#)
Subject: Preserving and Protecting University Place and Broadway Corridors in the Village
Date: Monday, November 16, 2015 3:48:40 PM

Dear Mr. Weisbrod:

I enthusiastically support the Greenwich Village Society for Historic Preservation's proposed University Place/Broadway Contextual Rezoning proposal with inclusionary zoning. I strongly urge the New York City Department of City Planning to take up the proposal right away.

Current zoning in the area allows developments such as the completely inappropriate planned 308 ft. tall tower at 110 University Place, or even worse. Such out-of-character development should not be allowed or encouraged in this area, defined by low-to-mid-rise structures.

GVSHP's proposed rezoning would put in place appropriate height limits, streetwall requirements, and contextual envelopes; eliminate the current incentives for dorm or hotel development over residential development; and could lead to the creation of new affordable housing.

This proposal has been strongly endorsed by the local Community Board and elected officials; I urge City Planning to move ahead with it as soon as possible.

Peter Brown
31 East 12th Street
New York, NY 10003

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#); [Samantha Kleinfield \(DCP\)](#)
Subject: Fwd: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Wednesday, October 28, 2015 3:10:21 PM

Sent from my iPad

Begin forwarded message:

From: Steven Clay & Julie Harrison <jh@granarybooks.com>
Date: October 27, 2015 at 1:06:34 PM EDT
To: <cweisbrod@planning.nyc.gov>
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Reply-To: <jh@granarybooks.com>

Dear Mr. Weisbrod:

BAD NEWS!! You sold us out to development! I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village.

Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials. The South Village, an historic neighborhood with a wonderfully intact character, remains vulnerable to inappropriate demolition and totally out-of-scale new construction – up to 300 feet tall under existing rules. The entire South Village needs zoning and landmark protections to preserve its special character. Rather than supporting these, the City is moving ahead with a plan to increase by many hundreds of thousands of square feet the size of allowable development on a three-block stretch nearby at Houston and West Streets.

It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

Additionally, the scale of the proposed development is significantly greater than what could be otherwise built here, and would have significant impacts upon the surrounding community. The plan fails to address long-standing questions from groups like the Greenwich Village Society for Historic Preservation about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. No plan should move ahead without these questions being answered and these issues being addressed.

Steven Clay & Julie Harrison
168 Mercer Street, 2nd Floor
New York, NY 10012

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#)
Subject: Fw: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Thursday, November 12, 2015 8:45:58 PM

From: linda ferrando [mailto:lindaferrando@mac.com]
Sent: Thursday, November 12, 2015 07:16 PM
To: Carl Weisbrod (DCP)
Subject: Re: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Well I am disappointed that you haven't done many things.... How about addressing the issue at hand? Why aren't you protecting the area and it's residents with our rezoning issues that would protect and promote affordable housing? Why are you protecting the developer and not the neighborhood residents? People who have spent their lives in this community and have sustained the economy through all of these years. Our children go to the schools, our families spend money in the area. The plan for the St. Johns building goes well beyond that which is necessary to provide funding for Pier 40. The proposal is massive and greedy and not in line with the community who sustain the area.

And equally important, you have not responded to why there is no rezoning plan for University Place, where I have lived for 20 plus years. Why aren't there height limits in this area? Why isn't there affordable units planned for this area? Why is the entire area 'luxury' only? Why isn't it an appropriate scale to the neighborhood? Why are you taking our light and air?

I am also disappointed that every successful, busy, needed establishment that has been in our neighborhood for 20, 30 and 40 years have all closed down in just the last 2 to 3 years because of the massive development, sky high rent increases and greed that is taking place. The deli of 40 years closed, the diner of 35 years, closed, the dry cleaner of 20 years, closed, the pizza place of 35 years, closed, the grocery store of 25 years, closed, the chinese food restaurant of 38 years, closed, the neighborhood bistro of 10 years, closed, Bowlmore, closed The Billiard Store, closed. I could go on and on and on. They were the neighborhood, they were successful and they are all gone. Now we have a bank on every corner, hundreds of CVS and Duane Read drug stores and 7/11's. NYC is a mall and a bad one at that....

Stop the greed and take care of your community instead of the wealthy developers.

Linda Ferrando

On Nov 9, 2015, at 3:33 PM, Carl Weisbrod (DCP) wrote:

Thank you for reaching out regarding the proposal for Pier 40. While, I appreciate your concerns about maintaining the scale and character of this neighborhood, I am disappointed that you are so dismissive of the city's critical need for housing generally

and affordable and affordable senior housing in particular. The city's population is growing and a majority of renter households in the city are rent stressed (paying more than a third of their income on rent). In addition, our senior population is projected to grow by 40% by 2040 and there is limited housing to meet their diverse needs. The need for affordable and affordable senior housing is particularly acute in the West Village, where very little of it currently exists.

The Mayor has doubled the amount of city funds that are being invested in affordable housing over the next ten years to meet these dire needs. But beyond that, the private sector is also playing a role here --we are mandating the development of affordable housing as a condition of any zoning approval that results in increased housing capacity, as part of our goal to foster neighborhood integration. This is particularly relevant for the project and neighborhood in question.

In addition, without a massive infusion of funds, Pier 40 is in danger of collapsing (as you probably know, parts of it are already closed to the public). And, transferring its existing development rights away from Pier 40 means that those rights won't be available for development on Pier 40, thereby helping to preserve the open and recreational space there.

I would hope you would agree that affordable housing, housing for seniors, and assuring the survival of Pier 40 as a community amenity are important public goals and getting the private sector to support these goals so that taxpayer dollars can go further toward meeting all of our critical public needs is a worthy endeavor.

I note that this proposal is subject to the full public review process which will provide ample opportunity for input from all stakeholders. We welcome your participation in this process.

Sincerely,

Carl Weisbrod

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#); [Samantha Kleinfield \(DCP\)](#)
Subject: FW: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Wednesday, October 28, 2015 8:47:06 AM

-----Original Message-----

From: Jim Fouratt [<mailto:jim.fouratt@gmail.com>]
Sent: Wednesday, October 28, 2015 1:00 AM
To: Carl Weisbrod (DCP)
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

The South Village, an historic neighborhood with a wonderfully intact character, remains vulnerable to inappropriate demolition and totally out-of-scale new construction – up to 300 feet tall under existing rules. The entire South Village needs zoning and landmark protections to preserve its special character. Rather than supporting these, the City is moving ahead with a plan to increase by many hundreds of thousands of square feet the size of allowable development on a three-block stretch nearby at Houston and West Streets.

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Jim Fouratt
227 Waverly Place
#6c
NYC, NY 10014

FRIENDS OF THE EARTH 72 Jane Street NY, NY 10014

November 29, 2015

Mr. Robert Dobruskin
Director, Environmental Assessment and Review Division
NYC Dept. of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Mr. Dobruskin:

RE: Scoping notice for CEQR
#16DCPO31M 550 Washington St./ Special
Hudson River Park District

New York Friends of the Earth has worked since 1973 to protect the Hudson River and its invaluable, nationally important aquatic resources from damage caused by development schemes.

We strongly object to the St. John's Terminal (550 Washington Street) development proposal which includes the sale of air rights of Pier 40 as a way to allow building taller buildings with increased density on the St. John's site. We believe that sale of air rights from navigable waterways is a highly questionable maneuver. We have seen no objective, credible documents that support either the legality or the environmental wisdom of this kind of "air rights sale."

Any proposal to use the alleged air rights over Pier 40 in the Hudson River to increase inland buildings' height and density must be included in a single comprehensive Environmental Impact Statement (EIS) that STARTS with full public disclosure of all relevant legal and other documents. This EIS must also include detailed information about how Pier 40 would be rebuilt for, say \$100 million, and how the rebuilt Pier 40 site would be used should such an air rights transfer be allowed. As the inland and in-water portions of the overall proposal are tied together in one proposal, every component of the overall package must be presented and assessed in a single EIS process.

Considering detailed plans for development on the St. John's Terminal site before the full details of all aspects of the air rights transfer proposal are disclosed and evaluated is a misuse of public resources (both time and public funds). It is a classic example of putting the cart before the horse.

A comprehensive, single EIS process must be carried out. Initial documents to be made available to the public BEFORE EIS scoping occurs must include complete information about the basis for all financial claims (how the \$100 million price tag for the sale of Pier 40's alleged air rights was arrived at, for example); about Pier 40's proposed future uses; about how Pier 40 would be rebuilt to accommodate those uses, and more. Only then could the cumulative impact such rebuilding and such uses would have on the Hudson River and its living marine resources (among other things) be properly assessed

That comprehensive single EIS for the whole overall proposal would also have to assess honestly and objectively how this precedent would affect the future uses of other piers, now-open waters in the Hudson River and other public waterways around New York City and the country where the use of air rights transfers might be employed as a way to increase allowable height, bulk or other aspects of inland (or other in-water) buildings. The use of pier and over-water air rights to increase building heights and density has far-reaching implications that are more important than the current details of on-land buildings, and those implications must be considered first.

We urge City Planning to require full disclosure of all aspects of the air rights transfer deal City Planning is proposing before proceeding further, and to hold a citywide public meeting and hearing on the facts before any more taxpayer dollars are wasted advancing the current appalling process.

Sincerely,

Bunny Gabel, New York Representative, Friends of the Earth



**Testimony of Borough President Gale Brewer, Assemblymember Deborah J. Glick,
State Senator Brad M. Hoylman, Councilmember Corey Johnson, Congressman
Jerrold L. Nadler, State Senator Daniel L. Squadron**

Presented by Assemblymember Deborah Glick

**Regarding the 550 Washington Street/Special Hudson River Park District project
CEQR No. 16DCP031M
November 20, 2015**

Thank you for the opportunity to testify before you today on behalf of Congressman Jerrold Nadler, Borough President Gale Brewer, State Senators Brad Hoylman and Daniel Squadron, and Councilmember Corey Johnson. The project proposed at 550 Washington Street would facilitate the redevelopment of the St. John's Terminal into a major mixed-use complex while transferring development rights ("air rights") from Hudson River Park to the site. As proposed, this redevelopment would create just under 2 million square feet of new residential, commercial, hotel and office space in what is currently a commercial and manufacturing district. The proposal includes a zoning text amendment, a zoning map amendment, two zoning special permits and a Chairperson's certification, as well as an action by the Hudson River Park Trust. We understand that this is a massive proposal, which also includes several important components such as up to 476 units of affordable housing and a single-time payment to the Hudson River Park Trust for repairs at Pier 40.

The scoping documents leave many questions unanswered, or "TBD" as many of the details of the project have yet to be finalized. We find it hard to understand how this study can be properly conducted when we are being told that many crucial aspects will only be determined later on, including specifics as important as the use of the commercial space on the south block. For example, without knowing if the southern site will be event or office space we cannot ascertain how many employees might be on site. This impacts all forms of traffic, as well as the types of services that might be needed. A full proposal for the exact use of each space within the proposed development needs to be provided and all questions need to be answered and studied prior to certification of the Draft Environmental Impact Statement (DEIS).

Housing

The proposal includes a significant amount of affordable housing, including senior housing and a mixed income building. The developer has indicated that it has worked with the City to determine appropriate levels of affordability; we would like a broad range of affordability and levels of Area Median Income (AMI) to be examined. This analysis should speak to the local, neighborhood median income levels, percentage of rent burdened households, and gaps in affordability or the AMI levels present in the construction of other affordable units within Community Board 2.

We also request that a study of the sizes of apartments and the breakdown of size distribution be included within the scope. For example, within the senior housing component, it is proposed that 75% of these units will be studios and 25% will be one-bedrooms. What is the minimum square footage for each type of unit? Is this the appropriate distribution of unit sizes? While a “poor door” has not been proposed in the mixed-use building, the creation of segregated senior affordable housing and market-rate only buildings are proposed and warrants additional study in terms of public policy and social impacts. Additionally, we request a study be conducted to determine whether the entrance to the proposed senior affordable housing complex is safe, given its proximity to the traffic and trucks on Washington Street.

Pier 40

Providing critical funds towards stabilizing Pier 40, through the purchase of air rights, is a fundamental component of this deal. We are concerned that an appraisal for the value of the air rights has not been completed, yet it appears a deal to sell 200,000 square feet of air rights for \$100 million has been reached. We would like to see a full appraisal, including the process through which the appraisal was conducted. We are further concerned that \$100 million is likely not enough to cover the cost of completely repairing the pier. We would like a comprehensive list of all repairs needed for Pier 40 and their associated costs. We would like confirmation that the repairs for Pier 40 that can be achieved through this project will be sufficient to ensure adequate future access for decades to come.

While the proposed special district for air rights transfer will only apply to the St. John’s site and Pier 40, it is our understanding that it will be the outline through which any future Uniform Land Use Review Process (ULURP) regarding air rights transfers from HRPT will be based. As such, what nexus will be created in this special district that would limit the transfer of development rights from HRPT piers to geographically distant receiving sites?

Phasing and Construction

Houston Street is one of the largest westbound throughways in the area and is the only point for blocks in which a vehicle can turn south onto Route 9A. Furthermore, Pier 40 and Hudson River Park are extremely popular and located immediately across the street. Ongoing noise, pollution, truck traffic and other construction related activity could have a significant impact on the quality of life for those in the area, including those using the park, for an extended period of time.

The scoping documents indicate that the project will be completed within 36 months of the start of construction, and no later than 2024. Talks with the developer have made it clear that this timeline is not definite, and is subject to many variables. As such, a more comprehensive study of the construction process should be conducted, including the various combinations of phasing for construction and the impact phased construction will have on traffic patterns, pedestrian flow, noise and pollution. Part of that analysis should have special consideration for the impacts on the senior residents as, if they are part of an earlier phase, they will be subject to construction-related quality of life and safety concerns for a longer period. Furthermore, there is a tenant currently occupying space in the south block, which might not be vacated until the lease expires in 2026. If the tenant remains in place, we expect that a major gap in the construction timeline would result. A full study of the impacts of such a gap should also be studied both for the project and for the study of reasonable worse-case scenario.

Given the variables affecting the completion of the individual components of this large-scale project, the scope should include a study of what happens if only one phase of the project is built, as well as what happens if none of the affordable housing units are built and the developer tries to walk away from the project.

Open Space

We appreciate the inclusion of some publically accessible open space. However, this seems to be the majority, if not all, of the open space on the complex, and we are concerned that the use of the open space by the large number of residents within the proposed complex will inevitably limit the availability for the public. What hours will this space be accessible to the public? What policies will govern access to the space? Will it be mapped as parkland? If not, what protections, deed restrictions or covenants will be in place to ensure it continues to be publicly accessible in perpetuity?

As proposed, there is what appears to be a rather large garden on the center block which would be for viewing only. Zoning requirements clearly state that all open space on a single zoning lot, which these parcels will comprise, must be accessible to all residents of that zoning lot if that space is part of mandatory open space. Therefore, the environmental review and program plan should reflect this regulatory reality. However, if somehow this area does not count toward required open space, a review should be conducted of what impacts it would have if this garden was opened to the residents of the adjacent buildings and the general public.

Regardless of additional open space on site, it is clear that residents at these proposed buildings would use Hudson River Park as their local park. Given the importance of Hudson River Park as a regional park that attracts users from across the City, we request a thorough study of the impacts on available space for both active and passive recreation that considers current estimates of actual users, including those that live beyond the impact area. We would also like the DEIS to include a study of the impact of the developer including a pedestrian bridge over Route 9A to provide increased access to the park.

Parking and Big Box Retail

It is unclear why the developer is proposing over 886 new parking spaces when across the street at Pier 40, there is an underutilized parking garage. Within the draft scope, it is proposed that the alternative to 886 parking spaces is a study of big box stores and 450 parking spaces. We would like the DEIS to include as alternatives, an option in which there is no parking as well as an option of limited parking and no big box stores. Additionally, the traffic impacts created by box stores compared to smaller stores needs to be thoroughly studied as well as the impacts of limiting the size of the individual retail establishments. Our concern has always been access to proximate neighborhood retail options, especially for the senior population, given the site's distance from existing neighborhood retail corridors.

Resiliency

The full scope of the proposed development lies within Zone 1 on New York City's Hurricane Evacuation map. The area experienced significant flooding during Hurricane Sandy. Building this many square feet of residential and commercial space a block from the water is precarious at best. We understand the developer will comply with current city and federal regulations regarding resiliency, but those do not address many additional concerns that might come up due to the scope of this project. First, the developer has indicated that it intends to use "dry flood protections." As

we understand it, this would effectively create a wall around the development so that water cannot penetrate the development during a flood. This method achieves the goal of allowing retail to be at grade-level without fear of flooding. What is the impact of this methodology on the surrounding buildings? Has there been a comprehensive study of the foundations of buildings in the area to determine what impacts might result from a major diversion of water such as this? Has a study of “wet flood protections” been conducted? If not, we would like to have such a comparison study conducted. Additionally, we would like to understand how much additional height above slab, if any, would be added to the buildings if the mechanicals must be put on the top of the building.

New Public School Seats

While the developer will study the need for new school seats based on pre-determined city formulas, we have long believed these formulas are out of date. Coupled with the existing overcrowding issue that we face in Lower Manhattan, we have serious concerns about the impact of this residential development on our schools. As there is much of the site that is currently unprogrammed, such as space on the south section, we would like the DEIS to study the inclusion of a school on the site.

The developer is also going to study the impact of this project on early child care centers, but as a portion of this site is proposed to be affordable housing units, the early child care centers should be studied factoring in a range of AMIs for those living in the affordable units.

Zoning and Density

It is our understanding that the Department of City Planning has worked with the developer to determine the proposed zoning and densities within this application. On one block, what is currently a 5 FAR of manufacturing zoning would become a 12 FAR of residential and commercial. Why was the proposed underlying zoning not lower? As we mentioned, one of the major benefits of this project is the financial contribution to the Hudson River Park Trust, and a lower underlying zoning would result in a requirement to purchase a greater number of air rights. Furthermore, this project highlights the pressures to develop and increase density throughout the neighborhood. As such, we would like a study of a downzoning of the surrounding area, including the South Village.

Environment

Aside from the construction process itself, a development of this size has a major impact on the local environment. Given its proximity to the water and the bird flight path, the impact these buildings will have on birds is of particular concern. Over 900 million birds are killed every year because they fly into glass windows on tall buildings such as the one being proposed for the North Site of this project. Will this project be using bird-safe windows? Additionally, will the buildings be seeking LEED certification?

Additional Areas for Study

While the preliminary Environmental Assessment Statement (EAS) indicated that parts of this project “would not result in the introduction of a sizable new neighborhood” we think this is clearly untrue. Currently, the area is zoned for commercial and manufacturing. We are concerned the neighborhood does not have the infrastructure to support major residential development. The introduction of up to 1,586 new residential units would dramatically change the nature of the neighborhood. As such, services which are not currently needed will be imperative to the residences which are proposed. Such items which are not slated to be studied but warrant a full study during the DEIS to include: health care needs, fire, police, sanitation services and neighborhood character.

As it has never been a residential area, the area already lacks sufficient sewage and solid waste management systems. Individual residential units and businesses on the Far West Side of Manhattan currently experience back-up of water in sinks and toilets when there are floods in the area. This preexisting deficiency will only be exacerbated by the introduction of such a significant number of new residential units. A comprehensive study as to how this will be addressed in this project is essential.

The proposed development is a major residential complex including a number of units for senior being built in a flood zone. This will inevitably create additional pressures and costs for any evacuations or emergency response. The extent of these pressures and costs, as well as how those needs will be met, must be fully studied during the DEIS.

Conclusion

We hope that the public and we are provided with full answers to all of outstanding questions prior to certifying the DEIS. The community process created through a ULURP deserves to start only when we have a full understanding of exactly what is being asked of and provided to the community. Thank you for your attention to this matter. We look forward to continuing to work with you on this project and ask that we be kept apprised of any next steps.

----- Original Message -----

From: Rosemary Goldford [<mailto:Rgoldford@yahoo.com>]

Sent: Thursday, November 12, 2015 11:59 AM

To: Carl Weisbrod (DCP)

Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

Is everyone waiting to see how much can be developed until the city infrastructure...including transportation ...shuts down...doesn't move..falls in the water...(what water) to realize enough is enough for the WHOLE city?

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

The South Village, an historic neighborhood with a wonderfully intact character, remains vulnerable to inappropriate demolition and totally out-of-scale new construction – up to 300 feet tall under existing rules. The entire South Village needs zoning and landmark protections to preserve its special character. Rather than supporting these, the City is moving ahead with a plan to increase by many hundreds of thousands of square feet the size of allowable development on a three-block stretch nearby at Houston and West Streets.

It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

Additionally, the scale of the proposed development is significantly greater than what could be otherwise built here, and would have significant impacts upon the surrounding community. The plan fails to address long-standing questions from groups like the Greenwich Village Society for Historic Preservation about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. No plan should move ahead without these questions being answered and these issues being addressed.

Rosemary Goldford
10 w 15th
Ny, NY 10011

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#); [Samantha Kleinfield \(DCP\)](#)
Subject: Fwd: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Wednesday, October 28, 2015 3:16:46 PM

Sent from my iPad

Begin forwarded message:

From: Carolyn Goldhush <celestialtour@gmail.com>
Date: October 27, 2015 at 1:31:46 PM EDT
To: <cweisbrod@planning.nyc.gov>
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Reply-To: <celestialtour@gmail.com>

Dear Mr. Weisbrod:

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

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Carolyn Goldhush
55 West 14th Street, Apt. 9J
New York, NY 10011

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#); [Samantha Kleinfeld \(DCP\)](#)
Subject: Fwd: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Wednesday, October 28, 2015 11:30:11 AM

Sent from my iPad

Begin forwarded message:

From: Cathleen Gorman <cmguva@msn.com>
Date: October 28, 2015 at 11:26:31 AM EDT
To: <cweisbrod@planning.nyc.gov>
Subject: **Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village**
Reply-To: <cmguva@msn.com>

Dear Mr. Weisbrod:

I agree with all of the following words, but to add my own, I find it very difficult to trust anyone involved in these agreements, including Mayor de Blasio. I don't feel that this push for affordable housing warrants the massive, relentless development all over this city. \$100 million hardly seems enough to compensate for the damage done to the neighborhood, and it is particularly insulting that you let Barry Diller's ego stroking pier project go through and yet claim that there are no other solutions for Pier 40. Can't there ever be a middle ground in this city?

Can't you ever consider existing residents' quality of life? Especially when all we ask is for consideration of existing zoning laws and forward moderation? I wish that we as voters mattered more to NYC government and politics than developers' pockets. It just makes me so sad and disillusioned.

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

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Cathleen Gorman
85 8th Avenue, Apt. 1P
New York, NY 10011

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#); [Samantha Kleinfield \(DCP\)](#)
Subject: FW: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Tuesday, October 27, 2015 9:42:14 PM

-----Original Message-----

From: Richard Grossman [<mailto:Rgrossman1@nyc.rr.com>]
Sent: Tuesday, October 27, 2015 9:18 PM
To: Carl Weisbrod (DCP)
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

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Richard Grossman
37 West 12th Street
New York, NY 10011

Tobi Bergman, *Chair*
Terri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

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Pier 40 Air Rights Transfer Working Group

The Pier 40 Air Rights Transfer Working Group of Community Board #2, Manhattan met on Thursday, November 12, 2015, at 6:30 p.m. at an NYU building, located at 194 Mercer Street, in room 306.

Working Group Members Present: David Gruber (Chair), Katy Bordonaro, Anita Brandt, Ritu Chattree, Dan Miller, Robert Woodworth

Working Group Members Absent with Notification: Rich Caccappolo

Other CB2 Members Present: Susanna Aaron, Tobi Bergman (CB2 Chair), Tom Connor, Terri Cude, Alexander Meadows, Sandy Russo, Susan Wittenberg

Elected Officials Representatives Present: Robert Atterbury (Rep. Nadler), Sarah Sanchala (Assemblywoman Glick), Charlie Anderson (Assemblywoman Glick), David Moss (Councilmember Johnson), Jared Odessky (Sen. Hoylman), Morris Chan (BP Brewer)

Guests: See attached list.

RESOLUTIONS:

Resolution concerning recommendations for changes to the draft scope for the Environmental Impact Study concerning the 550 Washington Street/Special Hudson River Park District Proposal.

Economics and Pier 40 air rights transfer

Whereas, the Hudson River Park Trust (HRPT) was created as a public/private partnership and the Trust is charged with creating its own operating and maintenance funds; and

Whereas, as one of the principal reasons that the Hudson River Park Zoning District is being proposed is to give the HRPT the opportunity to sell its air rights as per the New York State enabling legislation of 2013; and

Whereas, major concerns were voiced about the economics of the proposed sale of those air rights in that the HRPT, and by extension the community, should be the major beneficiary of the

those air right sales and provide the Trust operating and maintenance monies for years to come, rather than creating a windfall for the developer; and

Whereas, this community is concerned that any future transferring of air rights from Pier 40 across the Interstate 9A, beyond the 200,000 sq ft (of the 600,000 sq ft +available) air rights transfer proposed for this project, would be the catalyst for inappropriate development and/or re-development, as very few receiving sites are available in our community in the permitted transfer area, as per a study by Cornell University for the Trust; and

Whereas, the sheer size and magnitude of the potentially extremely high market rate value of the subject building, along with collectively other proposed and already realized projects in our community board, will cause a significant high value ripple effect on development in other areas of our community (as well as pushing up property taxes that will drive out existing affordable units for long time local residents), both in our historic districts and contextual zones, while several already proposed and CB 2 approved plans for height and context are still pending.

Therefore, be it resolved that an open and transparent evaluation of the air rights that are to be transferred be immediately studied as part of the scoping process; and

Be it further resolved that CB2 strongly urges the DCP, as part of the scoping process, to help mitigate the ripple effect and study how to expeditiously take all necessary steps and required studies to support the Community Board-approved proposals for contextual zoning in the South Village and University Place and Broadway corridors, as well as implementing the third and final leg of the South Village Landmark District with the goal of doing this concurrently with the proposed Special Zoning District, so that it leads to approvals of these plans and proposals at the same time as the possible approval of the Hudson River Park Zoning District.

Schools

Whereas, there are collectively many new buildings, both already built and proposed in the immediate district, that by themselves did not trigger a school ULURP analysis; and

Whereas, a new elementary school at Duarte Square that the community anticipated would be open by now has been delayed with no indication of a start date in sight; and

Whereas, that school is already projected to be near full capacity, if and when it is opened; and

Whereas, there is absolutely no agreement on the NYU campus “Bleecker School” as yet; and

Whereas, our existing elementary schools are at or near capacity.

Therefore, be it resolved that a more focused neighborhood CB2 school sub-district be included in the scope to analyze not only the impact on the units added by this project, but also taking into account all the new residential buildings both recently completed and/or planned in the immediate area; and

Be it further resolved that no assumptions of potential schools that may or may not ever materialize be included in the study.

Retail, parking and pedestrian flow

Whereas, the proposed development is calling for over 200,000 sq ft of retail space, including a destination big box store; and

Whereas, parking for over 600 cars will create yet more congestion along an already over-crowded roadway and street system that feeds the into the Holland Tunnel, Brooklyn and Long Island; and

Whereas, the creation of large numbers of parking spaces will be competitive with the HPRT existing parking facilities and will be counterproductive to the HRPT cash flow that contributes to the Park's operating and maintenance funds; and

Whereas, there are elevator towers proposed as part of the project plans.

Therefore, be it resolved the scope study a) the negative impact of 600 parking spaces on traffic and road congestion; b) the impact of a destination box store against the need for a local shops, such as a large supermarket that will serve the project and the immediate surrounding community; c) the concept of the project using the available parking right across the highway, which would enhance the HRPT cash flow and thin out the massive request for 600 spaces; and, finally d) the creation of a footbridge, at the developer's expense, that is tied into their elevator towers that would allow not only car parkers, both long and short term, but pedestrians and varied Pier 40 users, adult and children alike, to cross a six-lane highway safely and efficiently.

Seniors

Whereas, the sidewalk on Washington Street between Clarkson and Houston Streets, the site of the senior housing, is exceptionally narrow and hundreds of Fedex and UPS trucks use Washington Street as a venue on the way to their routes; and

Whereas, the only AMI levels in the proposal as it now stands are a 60% AMI and a 130% AMI with nothing in-between; and

Whereas, the allotment and allocation of apartments are currently 75% studios and 25% one bedroom apartments as part of the senior housing plan.

Therefore, be it resolved that the scope study the possibility of either reducing the size of the building footprint to accommodate a wider sidewalk, or study the effects of creating a wider sidewalk by narrowing Washington Street between Houston and Clarkson Streets, so that the increased pedestrian flow from the Senior Center and other amenities at the site can be accommodated; and

Be it further resolved that additional and varied income bands between 60% AMI and 130% AMI, and even greater than 130% AMI, needs to be studied (nearby West Village Houses uses 165% AMI) to create and accommodate a truly diverse community; and

Be it also further resolved that the scoping study statistically what percentage of seniors are married or have partners and might require more than a studio, given the allotment that is currently 75% studios and only 25% one bedroom apartments.

Technical, environmental and open space

Whereas, the project is in the NYC flood plain; and

Whereas, the project is located at the very edge of the community and concerns were voiced about the delivery of Municipal and other services and the lack of open space.

Therefore, be it resolved that

1. if dry walling for flood mitigation is used, the impact that might have on nearby properties be included in the scope;
2. anticipated fire and police response times to the project site be studied as part of the scope;
3. anticipated hospital or other health facility response times be studied, especially with so many seniors on site as part of the scope;
4. while the overall sewers are adequate, there are local inadequacies experienced within the district, such as sewer backup and flooding during heavy rain, and these conditions need to be studied as part of the scope;
5. CB2 is estimated to rank at the very bottom of community boards in open space. The scope needs to study having this development provide public open space for not only its residents, but for the community as a whole.

Vote: Unanimous in favor.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David Gruber", with a long horizontal flourish extending to the right.

David Gruber, Chair
Pier 40 Air Rights Transfer Working Group
Community Board #2, Manhattan

From: [Robert Dobruskin \(DCP\)](#)
To: [Evren Ulker-Kacar \(DCP\)](#); [Karolina Grebowiec-Hall \(DCP\)](#)
Cc: [Erik Botsford \(DCP\)](#)
Subject: FW: Comments on Environmental Review for Pier 40/St. John's Rezoning
Date: Wednesday, December 02, 2015 1:03:24 PM

Robert Dobruskin, AICP
Director, Environmental Assessment and Review Division
Department of City Planning
212 720-3423

-----Original Message-----

From: Ralph Gurkin [<mailto:pwprl@yahoo.com>]
Sent: Tuesday, November 24, 2015 7:51 PM
To: Robert Dobruskin (DCP)
Subject: Comments on Environmental Review for Pier 40/St. John's Rezoning

Dear Director Dobruskin:

The idea that a temporary structure over water has air rights that it can transfer is absurd. This is not what the law is for and this cannot and should not be legal.

I have very serious concerns about the application and proposed scope of work for 550 Washington Street/Pier 40/the St. John's Center.

Under the proposal the value of this site is nearly tripled for this developer. And yet the public would only receive \$100 million towards Pier 40 repairs and 300,000 square feet of affordable housing. A clear analysis must be done to see if the proposed development could be smaller while still economically providing these amenities, and/or if more money for the park or affordable housing can and should be generated by the project under these terms.

Ralph Gurkin
206 Bowery
New York, NY 10012

Greenwich Village Community Task Force
119 Morton Street, #GA
New York, New York 10014

November 30, 2015

Robert Dobruskin
Director, Environmental Assessment and Review Division
22 Reade Street, Room 4E
New York, New York

Via email: rdobrus@planning.nyc.gov

Re: 550 Washington Street/Special Hudson River Park District
CEQR No. 16DCP031M

Dear Mr. Dobuskin:

The Greenwich Village Community Task Force was formed in 1998 to address land-use issues on Greenwich Village's western and southern edges. The Task Force consists of representatives of local civic organizations, block associations and tenant groups. Our primary concern is to preserve the historic character of the entire West Village community, including the Meat Market and the area between the Hudson River and the existing Greenwich Village Historic District. We are proud to have been instrumental in the community efforts to achieve the creation of the Weehawken Historic District, to create the first extension of the Greenwich Village Historic District into the area west of Greenwich Street between Christopher and Perry, to attain two downzonings of the waterfront area north and south of Christopher Street, among other achievements.

We are extremely concerned about the proposed rezoning of the St. John's Terminal and are submitting our concerns here so that the scoping process can include and address these concerns.

To begin with an overall comment, the Task Force has long called for a thorough planning effort for this long-time industrial area before it becomes residential. An exhaustive planning effort would protect existing residents and businesses and create the best environment for new residents and businesses.

Sincerely yours,
Katy Bordonaro and Zack Winestein
Co-chairs, Greenwich Village Community Task Force

Below are some of our specific comments for expansion of the scoping plan.

Quotes are in italics. Our comments are in regular font.

EAS Full Form, Page 9a

INDIRECT RESIDENTIAL DISPLACEMENT

The proposed project would introduce up to 1,586 residential units, which exceeds the 200-unit threshold requiring a preliminary assessment of potential indirect residential displacement. Therefore, an assessment of indirect residential displacement will be included in the EIS, as described in the Draft Scope of Work.

The analysis of indirect residential displacement must include the effect on the remaining rent-regulated units in Hudson Square and the impact on the 380 affordable units at West Village Houses to the north.

EAS Full Form, Page 9b

INDIRECT BUSINESS DISPLACEMENT

In the No Action condition, approximately 255,000 gsf of retail space, an approximately 285,000-gsf hotel, and approximately 427,000 gsf of office space would be introduced to the project site. In the With Action condition, the proposed project would result in a net decrease of commercial space (see Table A-6 and Table A-7). Since the proposed project would not result in an addition of more than 200,000 square feet of commercial space, an assessment of potential indirect business displacement is not required.

Hudson Square is a vigorous commercial area and its rezoning protected commercial space very deliberately. Not studying indirect business displacement is not acceptable. The community wants to see jobs preserved and the mixed-use nature of the area perpetuated. Indirect Business Displacement should be studied.

EAS Full Form, Page 9b

Health Care Facilities. The threshold for analysis is the introduction of a sizeable new neighborhood (such as Hunters' Point South). The Proposed Project would redevelop an existing site in a well-established area of Manhattan, and would not exceed this threshold. Therefore, the proposed project would not result in significant adverse impacts to health care facilities, and no further analysis is necessary.

Greenwich Village lost its historic hospital recently to a residential conversion. There are many fewer doctors in the area now and the closest hospitals lie far to the east (the closest is on Second Avenue and is not even in our Community Board District) which is hard to get to via public or private surface transportation. The few medical doctors left nearby are often fully booked. The impact on health care facilities and the ease and speed of access to health providers should be studied.

EAS Full Form, Page 9g

NEIGHBORHOOD CHARACTER

Neighborhood character is determined by a number of factors, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. According to the guidelines of the CEQR Technical Manual, an assessment of neighborhood character is generally needed when a project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character. Therefore, if warranted based on an evaluation of the proposed project's impacts, an assessment of neighborhood character would be prepared in the EIS, following the methodologies outlined in the CEQR Technical Manual, as described in the Draft Scope of Work.

The effects on neighborhood character must be studied as there is no doubt that this project will affect the neighborhood character.

CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, community noise patterns, air quality conditions, and mitigation of hazardous materials. A construction analysis will be included in the EIS to describe the construction schedule and logistics, as described in the Draft Scope of Work.

In addition to a construction analysis, if this project moves forward, a monthly construction meeting with the community must be mandated. Such monthly meetings are essential to insuring clear communications between developers and the community and allows both sides to plan properly for all the issues that arise during a major construction project.

It is expected that there will be a Restrictive Declaration in connection with the proposed project, which would govern the proposed project's development.

Please explain the terms of the restrictive declaration.

Project Description, page A-5-6

and rezone the remainder of the development site south of West Houston Street from an M2-4 manufacturing zoning district to an M1-5 manufacturing zoning district, which would permit hotel use but leave the existing permitted density unchanged. The proposed zoning is shown on Figure 12 of the EAS.

The community welcomes hotel or office uses on this block.

Project Description, page A-6

Require development of 25 percent of the residential floor area and 30 percent of the residential units, across the project, as permanently affordable housing, at specified income levels;

The community encourages the developer to find ways to include many income bands in the affordable housing units. 165% of AMI is a level that is used nearby at West Village Houses and allows a young working couple to apply to live in the area.

Scoping Notice, p. 2

A special permit pursuant to the Manhattan Core parking regulations (ZR Section 13-45 and 13-451) for additional accessory parking.

Please include the requirement to provide zip cars, Citibikes, and bike parking in the accessory parking facility. We recommend the study of the necessity of any accessory parking.

Scoping Notice, p. 4

*As shown in **Table 1**, the full build out of the proposed project is assumed to include up to approximately 1,586 residential units (including up to approximately 476 permanently affordable units) and approximately 160,000 gsf of retail uses, 229,700 gsf of hotel (or office) space, 14,200 sf of publicly accessible open space, and 886 cellar-level parking spaces.*

Please include the requirement to provide zip cars, Citibikes, and bike parking in the accessory parking facility. We recommend the study of the necessity of any accessory parking.

Draft Scope of Work, p. 11

INDIRECT RESIDENTIAL DISPLACEMENT

The proposed project would introduce more residential units than the 200-unit threshold requiring a preliminary assessment of potential indirect residential displacement. The concern with respect to indirect residential displacement is whether the proposed project—by introducing a substantial new development that is markedly different from existing uses, development, and activities within the neighborhood—could lead to increases in property values, and thus rents, making it difficult for some residents to afford their homes.

The increase in property values will make it more difficult for both renters and long-time owners to stay in their homes. A tax abatement plan for surrounding, long-established properties (both rental and

owner-occupied) is one mechanism that could be studied. The community would like to have the study suggest other mechanisms to prevent indirect residential displacement.

Draft Scope of Work, p. 14

TASK 5: OPEN SPACE

However, the increase in the residential population resulting from the proposed project will exceed the 200-resident CEQR threshold requiring a residential open space analysis. The methodology set forth in the CEQR Technical Manual consists of establishing a study area for analysis, calculating the total population in the study area, and creating an inventory of publicly accessible open spaces within a 1/2-mile of the development site (such as Hudson River Park); this inventory will include examining these spaces for their facilities (active vs. passive use),

CB 2 is vastly underserved in terms of active open space. The community wants a calculation of the number of additional active use acres this development will require. The development should provide public active space to meet their needs and an additional 10% in order to bring our community closer to its active space needs.

Draft Scope of Work, p. 16

TASK 7: HISTORIC AND CULTURAL RESOURCES

Select the study area for architectural resources, and map and briefly describe designated architectural resources in the study area. Consistent with the guidance of the CEQR Technical Manual, designated architectural resources include: New York City Landmarks (NYCL), Interior Landmarks, Scenic Landmarks, New York City Historic Districts; resources calendared for consideration as one of the above by LPC; resources listed on or formally determined eligible for inclusion on the State and/or National Registers of Historic Places (S/NR), or contained within a district listed on or formally determined eligible for listing on the Registers; resources recommended by the New York State Board for listing on the Registers; and National Historic Landmarks (NHL).

The St. John's building, itself, is a historic and cultural resource because of its importance to the story of the Greenwich Village waterfront and the story of New York's economic and transportation history. (see [Maritime Mile](#)). The loss of this building is the loss of an important story. There are nearby resources which LPC promised to landmark and never did. The community would like to see those structures and more protected for the future and to work on ways to preserve the St. John's building heritage.

Draft Scope of Work, p. 18

TASK 11: WATER AND SEWER INFRASTRUCTURE

This area experiences building flooding during heavy rainstorms and sustained severe damage during Superstorm Sandy. This rezoning application affords the city the important opportunity to study the existing, local sewer inadequacy and addressing that inadequacy in a comprehensive way throughout the neighborhood. This issue is of vital importance to this community.

TASK 13: TRANSPORTATION

This study must include analysis of increased use of Pier 40 by the new residents. Such analysis should look at the need for a foot bridge across 9A, for example.

One of the topics for study in this process is the issue of bikes. How this project will create more use of the bike path along the Hudson River Park. How much bike parking this project should provide for the new residents. How bike safety will be impacted by the increased number of users.

Public transportation in this area is woefully inadequate. This study should recommend ways to improve this resource to meet the needs of the new residents when they are added to the needs of existing community members.

Draft Scope of Work, p. 24

TASK 16: NOISE

With regard to mobile sources of noise, because of the heavy traffic volumes on streets and roadways adjacent to the development site, Project-generated traffic may not result in significant noise impacts. A screening-level analysis will be used to assess the potential for a mobile source noise impact. In addition, analyses will be performed to determine the level of building attenuation necessary to satisfy CEQR interior noise requirements at the development site.

The irony is that when Route 9A was resurfaced, the state chose the noisiest road surface as it was the most durable. But the noise from the cars on it is quite high. Now, the noise factor will not be studied because our government chose to use a road surface that produces a loud volume during ordinary use. Please include a noise study so that the community will know what the issues were if Route 9A were ever resurfaced with a quieter surface.

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

Dear Mr. Dobruskin,

I was among the approximately 50 people who attended the public scoping meeting hearing for the 550 Washington Street / Special Hudson River Park District Proposal on Friday morning November 20, 2015. While the public comments were muted, I assure you that the enthusiasm about Pier40 and dedication thereto is quite vociferous. If its fields are not preserved, the reaction would be swift and loud. I urge you to be thorough and considered in your review of the application; its precedential effect is critical to the health of the Hudson River Park and the fields at Pier 40, not to mention the health of the citizens of our city.

Please allow me to humanize Pier 40 for you. Pier 40 is more than a neighborhood park; it is the egalitarian pitch for organized sports in New York City. If you took the time to visit, I think you would be stunned by the number and diversity of its users. They are from all five boroughs and beyond and range in age from three to sixty plus, and, thanks to the unique shape and expansive square footage of the Pier, it is home to many sports, often at the same time. It is the home of the Tribeca T-baller whiffing balls at 8 a.m. , the 25 year old Queens nurse who plays rugby on Tuesday night, the Brooklyn financial wizard who jogs its perimeter in the morning and then plays field hockey after work, the Wall Streeter revisiting his soccer skills from the halcyon days at Dartmouth, the son of the Chelsea doorman finally old enough to play baseball for Greenwich Village Little League, the 52 year old captain of her LGBT soccer team, the linebacker for Stuyvesant High School, and the local middle schooler who is there for his daily physical education class and then later that evening for his travel soccer team.¹

And yet we need more fields. Pier 40 is in high demand, functioning at full capacity since its inception and faced with the ability to accommodate a small fraction of the requests for field space that it receives. It must be stabilized and protected, but also improved and field space expanded. Lower Manhattan is starved for playing fields

¹ The attached chart, an unscientific compilation of statistics from some of the current permit holders at Pier 40, is meant to give you rough idea of the number, age, gender, sports, and residence of a sampling of Pier 40's users, not to be an exhaustive or exact survey.

and our population is mushrooming as evidenced by the scale of this and many other recent and pending projects.

I have been involved in the fight to save Pier 40 for over ten years and write to you as a citizen of New York City and a parent of children who thrived on its fields. I am heartened by the possibility of stabilizing Pier 40, cautious about the transaction struck to save its pilings, and anxious about the increasing population's drag on its already-overplayed and over-demanded playing fields.

My hope was to give you a picture of the New Yorkers who are at Pier40 every day, all day and into the night. Please keep them in mind as you consider this project and plan the future of New York City.

Sincerely,

Jill Hanekamp
36 East Tenth Street, Apt 5E
New York, NY 10003
hanekampjill@aol.com

Pier 40 User	Number of Current Athletes	Number of Past Athletes	Sport	Demograph Adult/Youth
America SCORES New York	600		Soccer	Adults
Downtown United Soccer Club (D.U.S.C.)	1,810	15,000 (estimate)	Soccer	Youth 3-18
Gotham Girls FC	160	1,800	Soccer	Youth
Greenwich Village Little League	1,220	12,000	Baseball, Softball	Youth 5-17
Manhattan Celtic FC	113	600	Soccer	Adult 20 - Late 50's
Manhattan Kickers F.C. (Men's Team)	100	1,000	Soccer	Adult 20-50
New York City Law			Softball-	Adult

Department, Office of the Corporation Counsel	85-125		summer league	23-60
New York Ramblers	150	550+	Soccer	Adult
New York Women's Field Hockey	600	2,500-3,000	Field Hockey	Adult
NYC Metro Sports Inc.	3,000	10,000 est.	Softball-Co-ed	Adult Corporate 18-40's
NYU Stern's MBA Program	130	827	Soccer	Adult
P3-Pier Park & Playground	795	14,000	Baseball	Youth 5-17
St. Lukes (independent K-8)	75	700	P.E., Soccer	Youth
Stuyvesant High School	100-200/day during		Football, soccer, lacrosse,	Youth 13-18

	fall/spring seasons		baseball, softball	
Village Community School (independent K-8)	386	4,000	P.E., Soccer, Track	Youth 11-14
Xavier High School	400	8,000	Various	Youth 14-18





Environmental Justice Initiative
225 Broadway Suite 2625
New York, NY 10007
212-334-5551

November 25, 2015

Robert Dobruskin, Director
New York City Department of City Planning
22 Reade Street, 4E
New York, New York 10007
rdobrus@planning.nyc.gov

Re: 550 Washington Street / Special Hudson River Park District Proposal

Dear Mr. Dobruskin:

This letter of comment is sent to express very serious concerns about the pending application and proposed scope of work for environmental review of the 550 Washington Street/ Special Hudson River Park District Proposal (Pier 40/the St. John's Center).

We are not convinced that the "air rights" – which are so central to this proposed project – even exist. Please note that the amendments to the Hudson River Park Act do not *create* air rights over Pier 40, but only ratify the transfer of air rights whether they exist now or are created in the future.¹

It is our view that there is no "as of right" construction in and over public waters other than the riparian right to "wharf out" to access water deep enough for navigation. All such construction is subject to considerations not only of applicable New York State and federal law but also the Public Trust Doctrine. In our view, the presence of navigable water between the land and the air extinguishes any air rights.

¹ The amendments, enacted in 2013, amended Subdiv. 1 of §7 of chapter 592 of the laws of 1998 (the Hudson River Park Act), adding a new Subdiv. 1-a, to increase the authority of the Hudson River Park Trust, a public corporation, as follows:

To fulfill its purposes under this act, the trust shall have the following powers, functions, duties and authority subject to the limitations set forth in this act... (j) TO TRANSFER BY SALE ANY UNUSED DEVELOPMENT RIGHTS AS MAY BE AVAILABLE FOR TRANSFER TO PROPERTIES LOCATED UP TO ONE BLOCK EAST OF THE BOUNDARIES OF THE PARK ALONG THE WEST SIDE OF MANHATTAN, IF AND TO THE EXTENT DESIGNATED AND PERMITTED UNDER LOCAL ZONING ORDINANCES PROVIDED HOWEVER THAT REVENUES DERIVED FROM THE TRANSFER OF AIR RIGHTS FROM PIER 40 MUST BE USED IN THE FIRST INSTANCE FOR THE REPAIR OF PIER 40 INFRASTRUCTURE INCLUDING PILES AND ROOF, AFTER WHICH ANY EXCESS REVENUES MAY BE USED BY THE TRUST FOR OTHER USES PERMITTED BY THIS ACT. THE PROCEEDS OF SUCH SALES SHALL BE PAID TO AND BE THE PROPERTY OF THE TRUST. THE STATE AND THE CITY OF NEW YORK, EACH WITH RESPECT TO ANY TRANSFER OF UNUSED DEVELOPMENT RIGHTS RELATED TO ITS REAL PROPERTY IN THE PARK, SHALL EXPEDITIOUSLY EXECUTE ANY REQUIRED DOCUMENTS AS MAY BE NEEDED TO EFFECTUATE SUCH TRANSFER."

We also do not see any support for the notion that construction of a pier creates air rights that otherwise would not exist over a river. And we are quite concerned at the dangerous precedent that would be set if this were the position taken. Would this mean that every waterfront property owner with title to any underwater land could make a windfall profit by building a pier and then selling the air rights? Could this occur not only along rivers but also wetlands? This proposal could result in a plethora of unnecessary waterfront construction projects and create a financial motivation to essentially cover our near shore waters as well as tidal and inland wetlands.

Even if the sale of air rights were legal, the fiscal benefit of this project for the public appears to be shortchanged. Part of this involves a limitation in the legislation authorizing distribution of the availability of any existing air rights to a location not immediately adjacent to the site. It is not clear why the State Legislature chose to limit the area for distribution to just up to one block east of the park boundary – the area that includes the St. John's Center. This entails a likely ill-advised increase of development density near a waterfront area, which is of concern given the risks of sea level rise and increased storm/flooding risks related to climate change.

Moreover, it does not appear that this legislation was designed to provide an advantageous fiscal benefit for the public because it does not allow the City to consider developers from other parts of the City, so that the City could negotiate for the highest bidder or for a project that would enhance rather than burden its surrounding neighborhood – and avoid further density of development in a near-shore area.

As it is, we understand from analysis by the Greenwich Village Historic Preservation Council that the value of the St. John's Center site would be nearly tripled for the developer of the proposed project, yet the public would only receive \$100 million towards Pier 40 repairs and 300,000 square feet of affordable housing. We agree with the Greenwich Village Historic Preservation Council's concern that the current proposal, which includes not only housing but also retail and event space, would increase the density of allowable development that site, exacerbating traffic and infrastructure issues in the surrounding area.

We also agree with the Greenwich Village Historic Preservation Council that the analysis should also consider alternatives for generating revenue for the park, such as a dedicated tax upon new development on this site and other sites adjacent to the park that would directly fund park construction and maintenance.

Thank you for your consideration of these comments.

Sincerely,


Joel Kupferman
Executive Director
envjoel@ix.netcom.com

From: Terri [mailto:teecup27@aol.com]

Sent: Monday, November 09, 2015 5:23 PM

To: Carl Weisbrod (DCP)

Subject: Re: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

I am fully aware and support the need for affordable housing that is disappearing in both the West and the East Village as the hours go by--a problem that also needs to be addressed by the Mayor and his staff.... But allowing real estate developers to allocate a small percentage of units in new buildings and call that affordable housing is a joke. The citizens of NYC are tired of being fed such nonsense and know that if you are serious about affordable housing put up buildings with limited income restrictions and stop with million dollar condos as part of the equation. New Yorkers know that a better plan has to be developed by elected officials. **Air rights transfers** are just another way to help real estate developers not the people who desperately need affordable housing.

-----Original Message-----

From: Carl Weisbrod (DCP) <CWEISBROD@planning.nyc.gov>

To: Carl Weisbrod (DCP) <CWEISBROD@planning.nyc.gov>

Sent: Mon, Nov 9, 2015 3:33 pm

Subject: RE: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Thank you for reaching out regarding the proposal for Pier 40. While, I appreciate your concerns about maintaining the scale and character of this neighborhood, I am disappointed that you are so dismissive of the city's critical need for housing generally and affordable and affordable senior housing in particular. The city's population is growing and a majority of renter households in the city are rent stressed (paying more than a third of their income on rent). In addition, our senior population is projected to grow by 40% by 2040 and there is limited housing to meet their diverse needs. The need for affordable and affordable senior housing is particularly acute in the West Village, where very little of it currently exists.

The Mayor has doubled the amount of city funds that are being invested in affordable housing over the next ten years to meet these dire needs. But beyond that, the private sector is also playing a role here --we are mandating the development of affordable housing as a condition of any zoning approval that results in increased housing capacity, as part of our goal to foster neighborhood integration. This is particularly relevant for the project and neighborhood in question.

In addition, without a massive infusion of funds, Pier 40 is in danger of collapsing (as you probably know, parts of it are already closed to the public). And, transferring its existing development rights away from Pier 40 means that those rights won't be available for development on Pier 40, thereby helping to preserve the open and recreational space there.

I would hope you would agree that affordable housing, housing for seniors, and assuring the survival of Pier 40 as a community amenity are important public goals and getting the private sector to support these goals so that taxpayer dollars can go further toward meeting all of our critical public needs is a worthy endeavor.

I note that this proposal is subject to the full public review process which will provide ample opportunity for input from all stakeholders. We welcome your participation in this process.

Sincerely,

Carl Weisbrod

From: [Danielle J. DeCerbo \(DCP\)](#)
To: [Edith Hsu-Chen \(DCP\)](#); [Samantha Kleinfeld \(DCP\)](#); [Sophie Nitkin \(DCP\)](#)
Subject: Re: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Wednesday, October 28, 2015 8:01:31 AM

- minus CW

we should also note the 2013 State legislation as well. Anita has some language on that.

> On Oct 28, 2015, at 7:48 AM, Carl Weisbrod (DCP) <CWEISBROD@planning.nyc.gov> wrote:

>

> Note that this is a variant of the basic theme. We might want to craft two different responses. Here, we might want to note that 30% of the units will be affordable, it will help keep seniors in the neighborhood, and it will assure active open space for kids to play.

>

> -----Original Message-----

> From: Elise A Tollner [<mailto:ldavtoll@aol.com>]

> Sent: Wednesday, October 28, 2015 7:26 AM

> To: Carl Weisbrod (DCP)

> Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

>

>

> Dear Mr. Weisbrod:

>

> You are destroying New York City. You will leave it a wasteland of unaffordable housing created for international wealth that will simply move on. That was Bloomberg's legacy, and you have continued it. Very sad.

>

> I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

>

> The South Village, an historic neighborhood with a wonderfully intact character, remains vulnerable to inappropriate demolition and totally out-of-scale new construction – up to 300 feet tall under existing rules. The entire South Village needs zoning and landmark protections to preserve its special character. Rather than supporting these, the City is moving ahead with a plan to increase by many hundreds of thousands of square feet the size of allowable development on a three-block stretch nearby at Houston and West Streets.

>

> It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

>

> Additionally, the scale of the proposed development is significantly greater than what could be otherwise built here, and would have significant impacts upon the surrounding community. The plan fails to address long-standing questions from groups like the Greenwich Village Society for Historic Preservation about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. No plan should move ahead without these questions being answered and these issues being addressed.

>

>

> Elise A Tollner

> 12 Charles St.

> Apt. 5-C

> New York, NY 10014

From: [Carl Weisbrod \(DCP\)](#)
To: [Sophie Nitkin \(DCP\)](#); [Samantha Kleinfield \(DCP\)](#)
Subject: FW: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Date: Tuesday, October 27, 2015 8:34:11 PM

-----Original Message-----

From: Jane Weissman [<mailto:urbecoart@aol.com>]
Sent: Tuesday, October 27, 2015 7:08 PM
To: Carl Weisbrod (DCP)
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

To NYC's Elected & Appointed Officials,

I write to express deep concern about the City's plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site. I am also concerned with the City's failure to move on the long-standing proposal to rezone and landmark the nearby South Village.

The scale of the proposed development is significantly greater than what could and should be otherwise built here. It would have significant adverse impacts upon the surrounding community.

Moreover the plan fails to address long-standing questions about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland.

It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development.

Moreover, the City seems willing to jeopardize our historic neighborhoods -- what is special about New York and what, impart, attracts tourists to our city. The South Village is such neighborhood and its intact character remains vulnerable to inappropriate demolition and totally out-of-scale new construction.

No plan should move ahead without these issues being being addressed. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

Sincerely,

Jane Weissman

Jane Weissman
78 Bank Street, Apt. 22
New York, NY 10014

From: [Carolyn Wells](#)
To: [Robert Dobruskin \(DCP\)](#)
Subject: Comments on Environmental Review for Pier 40/St. John's Rezoning
Date: Monday, November 23, 2015 6:14:17 PM

Dear Director Dobruskin:

I have very serious concerns about the application and proposed scope of work for 550 Washington Street/Pier 40/the St. John's Center.

The current proposal would increase the density of allowable development on St. John's Center site profoundly, which will have tremendous impacts upon real estate prices, development pressure, traffic, and infrastructure in the surrounding area. Such impacts must be thoroughly analyzed and mitigated or eliminated.

Under the proposal the value of this site is nearly tripled for this developer. And yet the public would only receive \$100 million towards Pier 40 repairs and 300,000 square feet of affordable housing. A clear analysis must be done to see if the proposed development could be smaller while still economically providing these amenities, and/or if more money for the park or affordable housing can and should be generated by the project under these terms.

The proposal includes 200-300,000 square feet of retail and event space, much of which will be "destination retail." The environmental review must analyze the profound impact this would have upon the surrounding area in terms of vehicular and pedestrian traffic, as well as what the more limited impact would be if all retail were limited to local services and smaller spaces.

The analysis should also consider alternatives for generating revenue for the park, such as a dedicated tax upon new development on this site and other sites adjacent to the park that would directly fund park construction and maintenance. This would have significantly less impact than the current plan to transfer 200,000 sq feet of "air rights" from Pier 40 to enable an increase in the allowable size of development inland. A thorough analysis of all additional air rights from Pier 40 and the remainder of the Hudson River Park must also be provided before this process can move forward.

Finally, the analysis should consider as an alternative moving ahead with the long-called-for rezoning of the South Village and University Place/Broadway corridors. These would help protect the character of these nearby areas currently lacking in appropriate zoning protections. These contextual rezonings would balance out and help protect these areas from the potential negative impacts of this massive proposed upzoning, and potentially help create affordable housing as well.

Carolyn Wells
70 East 10th Street, Apt. 17N
New York, NY 10003

-----Original Message-----

From: Deborah Wexler [<mailto:drkwexler@gmail.com>]

Sent: Friday, November 06, 2015 2:23 PM

To: Carl Weisbrod (DCP)

Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village

Dear Mr. Weisbrod:

Please help stop the potential for a wall of tall buildings on the Hudson! It would be unfortunate if the proposed development is allowed to go forward, effectively cutting off the river from the adjacent neighborhood as was done in many places on the East River. Access to the river and an open sky are necessities in very an over-built urban environment.

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

The South Village, an historic neighborhood with a wonderfully intact character, remains vulnerable to inappropriate demolition and totally out-of-scale new construction – up to 300 feet tall under existing rules. The entire South Village needs zoning and landmark protections to preserve its special character. Rather than supporting these, the City is moving ahead with a plan to increase by many hundreds of thousands of square feet the size of allowable development on a three-block stretch nearby at Houston and West Streets.

It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

Additionally, the scale of the proposed development is significantly greater than what could be otherwise built here, and would have significant impacts upon the surrounding community. The plan fails to address long-standing questions from groups like the Greenwich Village Society for Historic Preservation about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. No plan should move ahead without these questions being answered and these issues being addressed.

Please do not let this project moved forward!!

Deborah Wexler
Union Square

Deborah Wexler
8 Union Square South, Unit 10B
New York, NY 10003

Sent from my iPad

Begin forwarded message:

From: Rachel Wood <rwood@halstead.com>
Date: October 27, 2015 at 3:32:34 PM EDT
To: <cweisbrod@planning.nyc.gov>
Subject: Pier 40 Hudson River Air Rights Transfers and the Need To Protect the Nearby South Village
Reply-To: <rwood@halstead.com>

Dear Mr. Weisbrod:

As a real estate agent since 1986...this is a horrible idea. Ghost city here we come! What an incredibly foolish idea. Why not put in a Solar Energy factory...build something that can truly help and supply real jobs that last...as opposed to destroy air quality, sun quality, talk about throwing the Village into shadowlands...

It makes me so sad this city is becoming more and more meretricious.

I am deeply troubled that a plan to move ahead with massive air rights transfers from Pier 40 and an upzoning of the adjacent St. John's site is moving ahead, while the City refuses to move on the long-standing proposal to rezone and landmark the nearby South Village. Proposals to rezone and extend landmark protections to the remainder of the South Village have been put forward by the Greenwich Village Society for Historic Preservation, and are supported by the local Community Board and Councilmember Corey Johnson, as well as other area elected officials.

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It is troubling that the City seems only willing to entertain rezoning proposals that substantially increase the allowable size and scale of development in our neighborhoods, when current rules already allow too great a scale of development. I urge you to balance your priorities and move ahead with long-standing, widely supported requests for a contextual rezoning of and landmark protections for the remainder of the South Village.

Additionally, the scale of the proposed development is significantly greater than what could be otherwise built here, and would have significant impacts upon the surrounding community. The plan fails to address long-standing questions from

groups like the Greenwich Village Society for Historic Preservation about how air rights from the Hudson River Park can and should be used and limited, alternatives which should be explored for funding the park, and even how many air rights state legislation has allowed to be transferred from the park to increase development inland. No plan should move ahead without these questions being answered and these issues being addressed.

Rachel Wood
Halstead Property
244 5th Avenue
Brooklyn, NY 11215

APPENDIX C
TRANSPORTATION DEMAND FACTORS MEMORANDUM



Environmental and Planning Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

Draft Memorandum

To: Project File
From: AKRF, Inc.
Date: October 14, 2015
Re: 550 Washington Street—Travel Demand Analysis
cc: NYCDP EARD; 550 Washington Street Project Team

A. INTRODUCTION

This memorandum details the trip generation assumptions and travel demand estimates for the redevelopment of the St. John’s Terminal Building at 550 Washington Street (the Development Site) with a mixed-use development (the Proposed Project). The Development Site is located on the west side of Manhattan, south of Clarkson Street between Washington Street and Route 9A/West Street.

In the Future Without the Proposed Project, the Development Site would be developed with approximately 427,000 gsf of office use, 322,000 gsf of retail use, 285,000 gsf of hotel use (438 rooms), 50,000 gsf of event space, and 176 accessory parking spaces. In the Future With the Proposed Project, the Development Site could be developed with two possible development scenarios—1) Proposed Project Without Big Box and 2) Proposed Project With Big Box. Based on current plans, the “Without Big Box” development scenario would consist of approximately 1,334,100 gsf of residential use (1,586 dwelling units), 160,000 gsf of retail use, 229,700 gsf of hotel use (353 rooms), 41,400 gsf of event space, and 886 accessory parking spaces. The “With Big Box” development scenario would include the same amount of residential, hotel, and event space uses; however, there would be more retail space with less parking, specifically 255,000 gsf of retail use and 412 accessory parking spaces. **Table 1** provides a comparison of the Future Without the Proposed Project and the Future With the Proposed Project.

Based on the screening analysis presented below, the incremental trips generated by the Proposed Project Without Big Box scenario and by the Proposed Project With Big Box scenario would exceed the CEQR traffic analysis threshold only. Detailed traffic and parking analysis will be conducted for the Proposed Project to identify the potential for significant adverse impacts. For transit and pedestrians, since the incremental trips generated by the Proposed Project under either development scenario would be below the *CEQR Technical Manual* analysis thresholds, the Proposed Project is not expected to result in any significant adverse transit or pedestrian impacts.

Table 1
Comparison of the Future Without and With the Proposed Project

Components	Future Without the Proposed Project (No-Action)	Future With the Proposed Project (With-Action)			
		Without Big Box	Increment	With Big Box	Increment
Residential					
GSF	0	1,334,100	1,334,100	1,334,100	1,334,100
Dwelling Unit	0	1,586	1,586	1,586	1,586
Office (GSF)	427,000	0	-427,000	0	-427,000
Retail (GSF)					
Destination	260,500	123,000	-137,500	113,200	-147,300
Big Box	0	0	0	104,800	104,800
Local	61,500	37,000	-24,500	37,000	-24,500
Total	322,000	160,000	-162,000	255,000	-67,000
Hotel					
GSF	285,000	229,700	-55,300	229,700	-55,300
Room*	438	353	-85	353	-85
Event Space					
GSF	50,000	41,400	-8,600	41,400	-8,600
Person	1,500	1,242	-258	1,242	-258
Accessory Parking (Space)	176	886	710	412	236
Notes: GSF = Gross Square Feet					
* Based on one room per 650 GSF (606 West 57th Street FEIS, 2014)					
Source: SJ OWNER LLC and CookFox Architects, 2015					

B. TRANSPORTATION PLANNING ASSUMPTIONS

Trip generation factors for the Proposed Project were developed based on information from the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, 2013 *Hudson Square Rezoning FEIS*, U.S. Census Data, and other approved EASs and EISs. The travel demand assumptions and trip generation sources are summarized in **Table 2**.

RESIDENTIAL

The daily person trip rate and temporal distribution are from the 2014 *CEQR Technical Manual*. The directional distributions for all peak hours are from the 2013 *Hudson Square Rezoning FEIS*. The modal split is based on the Journey-to-Work (JTW) data for the 2009-2013 U.S. Census Bureau American Community Survey (ACS) for Manhattan census tracts 33, 37, 39, 47, 49, 67, and 69. The vehicle occupancies are from the 2009-2013 U.S. Census ACS for autos and from the 2013 *Hudson Square Rezoning FEIS* for taxis. The daily delivery trip rate and temporal and directional distributions are from the 2014 *CEQR Technical Manual*.

OFFICE

The daily person trip rate and temporal distribution are from the 2014 *CEQR Technical Manual*. The directional distributions for all peak hours are based on the 2013 *Hudson Square Rezoning FEIS*. The weekday AM and PM peak hour modal splits are based on the Reverse-Journey-to-Work (RJTW) data for the 2006-2010 U.S. Census Bureau ACS (Special Tabulation: Census Transportation Planning) for Manhattan census tracts 33, 37, 39, 47, 49, 67, and 69. The weekday midday and Saturday peak hour modal splits are based on the 2013 *Hudson Square Rezoning FEIS*. The vehicle occupancies are from the 2006-2010 U.S. Census ACS for autos and from the 2013 *Hudson Square Rezoning FEIS* for taxis. The daily delivery trip rate and temporal and directional distributions are from the 2014 *CEQR Technical Manual*.

Table 2 (continued)
Travel Demand Assumptions

Use	Local Retail				Hotel				Event Space			
Total Daily Person Trip	(1) Weekday 205.0 Trips / KSF				(1) Weekday 9.4 Trips / Room				(5) Weekday 2.68 Trips / Person			
Trip Linkage	25%		25%		0%		0%		0%		0%	
Net Daily Person Trip	Weekday 153.75 Trips / KSF				Weekday 9.4 Trips / Room				Weekday 2.68 Trips / Person			
Temporal	AM	MD	PM	Saturday	AM	MD	PM	Saturday	AM	MD	PM	Saturday
	(1)				(1)				(5)			
	3%	19%	10%	10%	8%	14%	13%	9%	0%	0%	32%	0%
Direction	(2)				(2)				(5)			
	In	50%	50%	50%	50%	39%	54%	65%	56%	50%	50%	75%
Out	50%	50%	50%	50%	61%	46%	35%	44%	50%	50%	25%	50%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Modal Split	(2)				(2)				(6)			
	AM	MD	PM	Saturday	AM	MD	PM	Saturday	AM	MD	PM	Saturday
Auto	2.0%	2.0%	2.0%	2.0%	9.0%	8.0%	9.0%	9.0%	17.4%	17.4%	17.4%	17.4%
Taxi	3.0%	3.0%	3.0%	3.0%	18.0%	15.0%	18.0%	18.0%	6.4%	6.4%	6.4%	6.4%
Subway	6.0%	6.0%	6.0%	6.0%	24.0%	13.0%	24.0%	24.0%	20.0%	20.0%	20.0%	20.0%
Railroad	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Bus	6.0%	6.0%	6.0%	6.0%	3.0%	3.0%	3.0%	3.0%	8.4%	8.4%	8.4%	8.4%
Walk	83.0%	83.0%	83.0%	83.0%	46.0%	61.0%	46.0%	46.0%	47.8%	47.8%	47.8%	47.8%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Vehicle Occupancy	(2)				(2)				(6)			
	Weekday/Saturday				Weekday/Saturday				Weekday/Saturday			
Auto	1.65				1.40				2.20			
Taxi	1.40				1.80				2.30			
Daily Delivery Trip Generation Rate	(1)				(2)				(5)			
	Weekday		Saturday		Weekday		Saturday		Weekday		Saturday	
	0.35		0.04		0.06		0.01		0.01		0.01	
	Delivery Trips / KSF				Delivery Trips / Room				Delivery Trips / Person			
Delivery Temporal	AM	MD	PM	Saturday	AM	MD	PM	Saturday	AM	MD	PM	Saturday
	(1)				(2)				(5)			
	8%	11%	2%	11%	12.2%	8.7%	1.0%	9.0%	0.0%	6.0%	1.0%	0.0%
Delivery Direction	(1)				(2)				(5)			
	In	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Out	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Sources:	(1) 2014 <i>CEQR Technical Manual</i> (2) <i>Hudson Square Rezoning FEIS</i> (2013) (3) U.S. Census Bureau, ACS 2009-2013 Five-Year Estimates - Journey-to-Work (JTW) Data for Census Tracts 33, 37, 39, 47, 49, 67, and 69 (4) U.S. Census Bureau, ACS 2006-2010 Five-Year Estimates. Special Tabulation: Census Transportation Planning – Reverse-Journey-to-Work (RJTW) Data for Census Tracts 33, 37, 39, 47, 49, 67, and 69. (5) <i>Pier 57 Redevelopment FEIS</i> (2013) - PM assumed to be the same as Pier 57 Park Evening. (6) <i>Hudson Square Rezoning FEIS</i> (2013). Modal split and vehicle occupancy assumed the same as Catering Hall use. (7) Based on destination retail factors and adjusted for higher auto share based on the results of the East River Plaza travel demand survey conducted in 2010. (8) Based on NYCDOT surveys.											

EVENT SPACE

The daily person trip rate and temporal and directional distributions are from the 2013 *Pier 57 Redevelopment FEIS*. The modal split and vehicle occupancies are from the 2013 *Hudson Square Rezoning FEIS*. It was assumed that the event space's modal splits and vehicle occupancies would be the same as those for the catering hall use in the 2013 *Hudson Square Rezoning FEIS*. The daily delivery trip rate and temporal and directional distributions are from the 2013 *Pier 57 Redevelopment FEIS*.

C. CEQR SCREENING ASSESSMENTS

The 2014 *CEQR Technical Manual* identifies procedures for evaluating a proposed project's potential impacts on traffic, transit, pedestrian, and parking conditions. This methodology begins with the preparation of a trip generation analysis to determine the volume of person and vehicle trips associated with the proposed project. The results are then compared with the *CEQR Technical Manual*-specified thresholds (Level 1 screening analysis) to determine whether additional quantified analyses are warranted. If the proposed project would result in 50 or more peak hour vehicle trips, 200 or more peak hour transit

trips (200 or more peak hour transit riders at any given subway station or 50 or more peak hour bus trips on a particularly route in one direction), and/or 200 or more peak hour pedestrian trips, a Level 2 screening analysis (involving trip assignment) is undertaken. If the level 1 screening analysis does not indicate an exceedance of these thresholds, further analysis may not be required. However, the *CEQR Technical Manual* also indicates that the analysis should include intersections identified as problematic (in terms of operation and/or safety) or congested, even though the assigned trips may be less than the established thresholds.

For the Level 2 screening analysis, project-generated trips would be assigned to specific intersections, transit routes, and pedestrian elements. If the results of this analysis show that the proposed project would generate 50 or more peak hour vehicle trips through an intersection, 50 or more peak hour bus riders on a bus route in a single direction, 200 or more peak hour subway passengers at any given station, or 200 or more peak hour pedestrian trips per pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant adverse traffic, transit, pedestrian, and parking impacts. As stated above, problematic or congested locations that are expected to incur fewer trips than these established thresholds may also be subject to further detailed analyses of potential impacts.

TRIP GENERATION SUMMARY

As summarized in **Table 3**, in the Future Without the Proposed Project, the No-Action development is estimated to generate 2,149, 5,361, 5,674, and 4,410 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Approximately 282, 407, 590, and 344 vehicle trips would be generated during the same respective peak hours.

Table 3
Trip Generation Summary: Future Without the Proposed Project (No-Action Condition)

Peak Hour	In/Out	Person Trip						Vehicle Trip			
		Auto	Taxi	Subway	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	158	57	729	126	393	1,463	127	47	14	188
	Out	54	53	169	43	367	686	33	47	14	94
	Total	212	110	898	169	760	2,149	160	94	28	282
Midday	In	145	131	329	177	1,990	2,772	85	109	15	209
	Out	125	118	289	164	1,893	2,589	74	109	15	198
	Total	270	249	618	341	3,883	5,361	159	218	30	407
PM	In	293	174	587	193	1,452	2,699	148	117	2	267
	Out	302	128	1,109	241	1,195	2,975	204	117	2	323
	Total	595	302	1,696	434	2,647	5,674	352	234	4	590
Saturday	In	157	114	369	159	1,501	2,300	86	89	1	176
	Out	143	101	333	147	1,386	2,110	78	89	1	168
	Total	300	215	702	306	2,887	4,410	164	178	2	344

As summarized in **Table 4**, in the Future With the Proposed Project, the With-Action development under the Without Big Box scenario would generate 2,009, 3,053, 4,338, and 3,436 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Approximately 334, 314, 503, and 379 vehicle trips would be generated during the same respective peak hours.

As summarized in **Table 5**, in the Future With the Proposed Project, the With-Action development under the With Big Box scenario would generate 2,231, 3,722, 5,006, and 4,403 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Approximately 416, 550, 739, and 695 vehicle trips would be generated during the same respective peak hours.

Table 4

Trip Generation Summary: Proposed Project Without Big Box (With-Action Scenario 1)

Peak Hour	In/Out	Person Trip						Vehicle Trip			
		Auto	Taxi	Subway	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	39	43	177	22	246	527	27	96	10	133
	Out	117	125	684	33	523	1,482	95	96	10	201
	Total	156	168	861	55	769	2,009	122	192	20	334
Midday	In	100	99	336	81	973	1,589	66	86	8	160
	Out	89	90	314	72	899	1,464	60	86	8	154
	Total	189	189	650	153	1,872	3,053	126	172	16	314
PM	In	286	205	902	135	1,228	2,756	173	121	1	295
	Out	141	105	469	85	782	1,582	86	121	1	208
	Total	427	310	1,371	220	2,010	4,338	259	242	2	503
Saturday	In	130	115	525	83	908	1,761	88	103	1	192
	Out	122	107	507	78	861	1,675	83	103	1	187
	Total	252	222	1,032	161	1,769	3,436	171	206	2	379

Table 5

Trip Generation Summary: Proposed Project With Big Box (With-Action Scenario 2)

Peak Hour	In/Out	Person Trip						Vehicle Trip			
		Auto	Taxi	Subway	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	81	48	209	31	269	638	59	104	11	174
	Out	159	130	716	42	546	1,593	127	104	11	242
	Total	240	178	925	73	815	2,231	186	208	22	416
Midday	In	238	118	410	110	1,081	1,957	173	105	10	288
	Out	202	105	374	97	987	1,765	147	105	10	262
	Total	440	223	784	207	2,068	3,722	320	210	20	550
PM	In	404	221	992	160	1,293	3,070	264	142	1	407
	Out	275	124	569	113	855	1,936	189	142	1	332
	Total	679	345	1,561	273	2,148	5,006	453	284	2	739
Saturday	In	319	141	626	123	1,054	2,263	224	130	1	355
	Out	297	131	600	115	997	2,140	209	130	1	340
	Total	616	272	1,226	238	2,051	4,403	433	260	2	695

As summarized in **Table 1** above, each of the development programs would provide on-site parking—176 spaces under the No-Action condition, 886 spaces under the With-Action without Big Box scenario, and 412 spaces under the With-Action with Big Box scenario. These parking spaces would be used primarily for the project site's residents, employees, and visitors. But when there is excess capacity, the parking spaces would be available for use by the general public. To determine the potential trip-making associated with off-site generated trips resulting from an excess availability in on-site parking supply, parking demand estimates were developed for each of the three development programs. As presented in **Table 6**, excess parking capacity would be expected only under the With-Action without Big Box scenario.

Parking data on the adjacent 1,909-space Pier 40 parking facility were obtained from the Hudson River Park Trust to estimate the amount of additional traffic expected to be generated by the excess parking capacity forecasted for the proposed project under the With-Action without Big Box scenario. In addition, based on current development trends in the area, it is assumed that the forecasted excess parking capacity would attract other off-site residential parking demand to the proposed garage resulting in an additional overnight parking demand of approximately 296 vehicles. As shown in **Tables 7A and 7B**, the additional trip-making would amount to 120, 59, 108, and 91 vehicle trips during the weekday AM, weekday midday, weekday PM, and Saturday peak hours, respectively. Adding these vehicle trips to those summarized in **Table 4** would yield 454, 373, 611, and 470 vehicle trips during the same corresponding peak hours.

Table 6
Development Program Parking Demand Summary

Hour	No-Action		Proposed Project Without Big Box		Proposed Project With Big Box	
	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday
12 AM - 01 AM	28	28	552	552	552	552
01 AM - 02 AM	29	29	553	553	553	553
02 AM - 03 AM	29	29	553	553	553	553
03 AM - 04 AM	29	29	553	553	553	553
04 AM - 05 AM	29	29	553	553	553	553
05 AM - 06 AM	29	29	553	553	553	553
06 AM - 07 AM	29	29	553	548	553	548
07 AM - 08 AM	37	34	524	531	524	543
08 AM - 09 AM	131	44	456	513	456	547
09 AM - 10 AM	210	53	421	490	440	544
10 AM - 11 AM	213	75	402	468	445	551
11 AM - 12 PM	217	116	396	453	457	622
12 PM - 01 PM	228	126	402	421	483	604
01 PM - 02 PM	233	134	400	426	489	619
02 PM - 03 PM	230	134	396	437	476	639
03 PM - 04 PM	237	126	396	445	491	653
04 PM - 05 PM	225	117	444	457	530	658
05 PM - 06 PM	169	124	531	480	605	681
06 PM - 07 PM	118	147	539	526	598	705
07 PM - 08 PM	100	171	559	592	618	707
08 PM - 09 PM	43	123	525	594	574	651
09 PM - 10 PM	24	75	527	591	527	591
10 PM - 11 PM	26	25	540	549	540	549
11 PM - 12 AM	27	27	551	551	551	551

Note: Parking demand estimates developed based on travel demand assumptions presented in **Table 2**.

Table 7A
Proposed Project Without Big Box Parking Demand Analysis - Weekday

Hour	Proposed Project ⁽¹⁾				Area Residential ⁽²⁾⁽³⁾				Transient Parkers ⁽⁴⁾⁽⁵⁾				Total			
	In	Out	Total	Parking Demand	In	Out	Total	Parking Demand	In	Out	Total	Parking Demand	In	Out	Total	Parking Demand
12 AM - 01 AM	8	7	15	552	5	5	10	296	5	9	14	-4	18	21	39	844
01 AM - 02 AM	4	3	7	553	2	2	4	296	2	4	6	-6	8	9	17	843
02 AM - 03 AM	2	2	4	553	1	1	2	296	1	3	4	-8	4	6	10	841
03 AM - 04 AM	2	2	4	553	1	1	2	296	1	1	2	-8	4	4	8	841
04 AM - 05 AM	2	2	4	553	1	1	2	296	7	1	8	-2	10	4	14	847
05 AM - 06 AM	2	2	4	553	1	1	2	296	5	1	6	2	8	4	12	851
06 AM - 07 AM	3	3	6	553	2	2	4	296	15	2	17	15	20	7	27	864
07 AM - 08 AM	6	35	41	524	2	22	24	276	38	5	43	48	46	62	108	848
08 AM - 09 AM	27	95	122	456	9	53	62	232	41	17	58	72	77	165	242	760
09 AM - 10 AM	21	56	77	421	8	33	41	207	47	14	61	105	76	103	179	733
10 AM - 11 AM	24	43	67	402	8	23	31	192	19	15	34	109	51	81	132	703
11 AM - 12 PM	33	39	72	396	11	16	27	187	15	12	27	112	59	67	126	695
12 PM - 01 PM	66	60	126	402	16	16	32	187	13	14	27	111	95	90	185	700
01 PM - 02 PM	63	65	128	400	14	14	28	187	14	16	30	109	91	95	186	696
02 PM - 03 PM	47	51	98	396	13	13	26	187	15	20	35	104	75	84	159	687
03 PM - 04 PM	50	50	100	396	17	16	33	188	16	23	39	97	83	89	172	681
04 PM - 05 PM	108	60	168	444	27	18	45	197	19	27	46	89	154	105	259	730
05 PM - 06 PM	173	86	259	531	48	20	68	225	17	23	40	83	238	129	367	839
06 PM - 07 PM	102	94	196	539	41	17	58	249	14	30	44	67	157	141	298	855
07 PM - 08 PM	92	72	164	559	36	15	51	270	11	21	32	57	139	108	247	886
08 PM - 09 PM	39	73	112	525	16	7	23	279	8	29	37	36	63	109	172	840
09 PM - 10 PM	27	25	52	527	13	5	18	287	6	31	37	11	46	61	107	825
10 PM - 11 PM	20	7	27	540	10	5	15	292	6	13	19	4	36	25	61	836
11 PM - 12 AM	17	6	23	551	9	5	14	296	6	10	16	0	32	21	53	847

Notes:

- (1) Proposed project parking demand estimates developed based on travel demand assumptions presented in **Table 2**.
- (2) Off-site residential generated parking demand estimates based on the proposed project residential travel demand assumptions and parking demand profiles.
- (3) Average vehicle occupancy of 1.14 based on U.S. Census ACS 2009-2013 JTW statistics.
- (4) Travel demand assumptions for the transient parkers were based on detailed 24 hour ins and outs profiles developed from the Hudson River Park Trust Pier 40 parking facility data.
- (5) Average vehicle occupancy of 1.13 based on U.S. Census ACS 2006-2010 RJTW statistics.

Table 7B
Proposed Project Without Big Box Parking Demand Analysis - Saturday

Hour	Proposed Project ⁽¹⁾				Area Residential ⁽²⁾⁽³⁾				Transient Parkers ⁽⁴⁾⁽⁵⁾				Total			
	In	Out	Total	Parking Demand	In	Out	Total	Parking Demand	In	Out	Total	Parking Demand	In	Out	Total	Parking Demand
12 AM - 01 AM	4	3	7	552	2	2	4	296	5	8	13	-3	11	13	24	845
01 AM - 02 AM	4	3	7	553	2	2	4	296	3	9	12	-9	9	14	23	840
02 AM - 03 AM	0	0	0	553	0	0	0	296	1	7	8	-15	1	7	8	834
03 AM - 04 AM	0	0	0	553	0	0	0	296	1	3	4	-17	1	3	4	832
04 AM - 05 AM	0	0	0	553	0	0	0	296	1	1	2	-17	1	1	2	832
05 AM - 06 AM	5	5	10	553	4	4	8	296	0	1	1	-18	9	10	19	831
06 AM - 07 AM	3	8	11	548	2	6	8	292	2	3	5	-19	7	17	24	821
07 AM - 08 AM	12	29	41	531	6	18	24	280	3	6	9	-22	21	53	74	789
08 AM - 09 AM	22	40	62	513	7	22	29	265	6	11	17	-27	35	73	108	751
09 AM - 10 AM	25	48	73	490	9	28	37	246	6	17	23	-38	40	93	133	698
10 AM - 11 AM	36	58	94	468	11	33	44	224	6	17	23	-49	53	108	161	643
11 AM - 12 PM	62	77	139	453	12	36	48	200	18	19	37	-50	92	132	224	603
12 PM - 01 PM	54	86	140	421	13	39	52	174	24	14	38	-40	91	139	230	555
01 PM - 02 PM	88	83	171	426	30	30	60	174	17	14	31	-37	135	127	262	563
02 PM - 03 PM	79	68	147	437	31	22	53	183	11	12	23	-38	121	102	223	582
03 PM - 04 PM	79	71	150	445	31	21	52	193	11	10	21	-37	121	102	223	601
04 PM - 05 PM	70	58	128	457	30	21	51	202	17	16	33	-36	117	95	212	623
05 PM - 06 PM	89	66	155	480	31	21	52	212	19	36	55	-53	139	123	262	639
06 PM - 07 PM	118	72	190	526	34	18	52	228	21	17	38	-49	173	107	280	705
07 PM - 08 PM	146	80	226	592	39	13	52	254	21	9	30	-37	206	102	308	809
08 PM - 09 PM	85	83	168	594	33	11	44	276	22	10	32	-25	140	104	244	845
09 PM - 10 PM	61	64	125	591	28	9	37	295	24	5	29	-6	113	78	191	880
10 PM - 11 PM	20	62	82	549	12	11	23	296	16	5	21	5	48	78	126	850
11 PM - 12 AM	7	5	12	551	4	4	8	296	13	18	31	0	24	27	51	847

Notes:(1) Proposed project parking demand estimates developed based on travel demand assumptions presented in **Table 2**.

(2) Off-site residential generated parking demand estimates based on the proposed project residential travel demand assumptions and parking demand profiles.

(3) Average vehicle occupancy of 1.14 based on U.S. Census ACS 2009-2013 JTW statistics.

(4) Travel demand assumptions for the transient parkers were based on detailed 24 hour ins and outs profiles developed from the Hudson River Park Trust Pier 40 parking facility data.

(5) Average vehicle occupancy of 1.13 based on U.S. Census ACS 2006-2010 RJTW statistics.

LEVEL 1 SCREENING

The net incremental trips generated in the Future Without and With the Proposed Project under the Without Big Box and With Big Box development scenarios are shown in **Tables 8 and 9**, respectively.

Table 8
Trip Generation Summary: Net Incremental Trips (Without Big Box Scenario)

Peak Hour	In/Out	Person Trip						Vehicle Trip			
		Auto	Taxi	Subway	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	-40	-14	-552	-104	-147	-857	-50	49	-4	-5
	Out	119	72	515	-10	156	852	132	49	-4	177
	Total	79	58	-37	-114	9	-5	82	98	-8	172
Midday	In	-11	-32	7	-96	-1,017	-1,149	10	-23	-7	-20
	Out	-3	-28	25	-92	-994	-1,092	16	-23	-7	-14
	Total	-14	-60	32	-188	-2,011	-2,241	26	-46	-14	-34
PM	In	42	31	315	-58	-224	106	90	4	-1	93
	Out	-87	-23	-640	-156	-413	-1,319	-75	4	-1	-72
	Total	-45	8	-325	-214	-637	-1,213	15	8	-2	21
Saturday	In	23	1	156	-76	-593	-489	49	14	0	63
	Out	32	6	174	-69	-525	-382	49	14	0	63
	Total	55	7	330	-145	-1,118	-871	98	28	0	126

Table 9

Trip Generation Summary: Net Incremental Trips (With Big Box Scenario)

Peak Hour	In/Out	Person Trip						Vehicle Trip			
		Auto	Taxi	Subway	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	-77	-9	-520	-95	-124	-825	-68	57	-3	-14
	Out	105	77	547	-1	179	907	94	57	-3	148
	Total	28	68	27	-96	55	82	26	114	-6	134
Midday	In	93	-13	81	-67	-909	-815	88	-4	-5	79
	Out	77	-13	85	-67	-906	-824	73	-4	-5	64
	Total	170	-26	166	-134	-1,815	-1,639	161	-8	-10	143
PM	In	111	47	405	-33	-159	371	116	25	-1	140
	Out	-27	-4	-540	-128	-340	-1,039	-15	25	-1	9
	Total	84	43	-135	-161	-499	-668	101	50	-2	149
Saturday	In	162	27	257	-36	-447	-37	138	41	0	179
	Out	154	30	267	-32	-389	30	131	41	0	172
	Total	316	57	524	-68	-836	-7	269	82	0	351

TRAFFIC

As shown in **Table 8**, the net incremental trips generated by the Proposed Project Without Big Box would be 172, -34, 21, and 126 vehicle trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. For the Proposed Project With Big Box scenario, the net incremental trips, as shown in **Table 9**, would be 134, 143, 149, and 351 vehicle trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. In consultation with NYCDOT and NYCDOT, a study area comprising primarily intersections along the West Houston Street, Washington Street, West Street, and Canal Street corridors will be included for a detailed analysis of potential traffic impacts. These intersections could include:

- West Street at Clarkson Street;
- West Street at West Houston Street;
- West Street at Spring Street;
- West Street at Canal Street North;
- West Street at Canal Street South;
- Washington Street at Clarkson Street;
- Washington Street at West Houston Street;
- Washington Street at Spring Street;
- Greenwich Street at West Houston Street;
- Greenwich Street at Canal Street;
- Hudson Street at West Houston Street;
- Hudson Street at Canal Street;
- Varick Street at West Houston Street;
- Varick Street at Spring Street;
- Varick Street at Canal Street; and
- Avenue of the Americas at West Houston Street.

This list of study area intersections is preliminary and is subject to change based on findings made from the travel demand estimates, traffic distribution, and assignment patterns.

PARKING

Based on the traffic screening assessment and preliminary parking demand estimates presented above, a parking analysis will be warranted to inventory existing parking levels within ¼-mile of the project site, project future No-Action parking utilization, and assess the proposed project's potential for a parking shortfall or any significant adverse parking impacts.

TRANSIT

As shown in **Table 8**, the net incremental transit trips generated by the Proposed Project Without Big Box were projected to be -37, 32, -325, and 330 person trips by subway and -114, -188, -214, and -145 person trips by bus during the weekday AM, midday, PM, and Saturday peak hours, respectively. For the Proposed Project With Big Box scenario, the net incremental transit trips, as shown in **Table 9**, would be 27, 166, -135, and 524 person trips by subway and -96, -134, -161, and -68 person trips by bus during the weekday AM, midday, PM, and Saturday peak hours, respectively. The incremental subway trips under both development scenarios would be below the *CEQR Technical Manual* analysis threshold of 200 transit trips during the weekday AM and PM peak hours. Similarly, the incremental bus trips under both development scenarios would be below the *CEQR Technical Manual* analysis threshold of 50 peak hour bus trips on a particular route in one direction. However, an assignment of the projected subway trips will be undertaken to determine if the varying directionality of the projected subway trips and/or the varying distribution patterns associated with the No-Action and With-Action land uses would result in the need to prepare a detailed analysis of subway station elements and line-haul conditions. Where warranted, the associated analyses would be presented in the EIS to assess the potential for any significant adverse subway impacts.

PEDESTRIAN

Other than the person trips by autos that are made directly to/from the on-site parking, all person trips generated by the Proposed Project and those generated by off-site generated uses would traverse the pedestrian elements surrounding the project site. As shown in **Table 8**, the net incremental person trips generated by the Proposed Project Without Big Box would be -5, -2,241, -1,213, and -871 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. For the Proposed Project With Big Box scenario, the net incremental person trips, as shown in **Table 9**, would be 82, -1,639, -668, and -7 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. The incremental person trips under both development scenarios would be below the *CEQR Technical Manual* analysis threshold of 200 peak hour person trips. However, an assignment of the projected pedestrian trips will be undertaken to determine if the varying directionality of the projected pedestrian trips and/or the varying distribution patterns associated with the No-Action and With-Action land uses would result in the need to prepare a detailed analysis of area sidewalks, corner reservoirs, and crosswalks. Where warranted, the associated analyses would be presented in the EIS to assess the potential for any significant adverse pedestrian impacts. *