E-312

CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

May 6, 2013

NEGATIVE DECLARATION

Project Identification
CEQR No. 12DCP157M
ULURP No. M 120183ZSM
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Two Bridges (HealthCare Chaplaincy)
The applicant, HealthCare Chaplaincy, Inc., proposes a minor modification to CP-21885, the Two Bridges Large Scale Residential Development Plan (LSRDP), to allow an increase in community facility floor area, an increase in the community facility and total lot area coverage, the relocation of existing parking spaces and the addition of accessory parking spaces, and the correction of minor errors in dimensions shown in the existing documentation. The proposed project also requires a license from the New York State Department of Health (DOH) and approval from New York City Department of Housing Preservation to release the land on which the new building would be built from the requirements of Article 5 of the Private Housing Finance Law. The proposed project is located in a C6-4 district on the western side of South Street between Rutger Slip and Jefferson Street (Block 247, Lot 2) in the Two Bridges neighborhood of Manhattan, Community District 3.

The minor modification would permit a maximum of 183,700 zoning square feet of community facility uses (Use Group 4a), an increase of community facility lot coverage by 16,972 square feet, and increase in the floor area ratio by 1.23, from 4.47 to 5.7. The modification would permit the relocation of the 103 existing parking spaces, and the addition of 45 new accessory parking spaces for a total of 148 parking spaces. 31 parking spaces would be located at-grade on the western portion of the Two Bridges site and would be accessed through two existing curb cuts, one on Cherry Street and one on South Street, while 117 parking spaces would be located within an attended, automated parking garage within the proposed building and accessed through the existing South Street curb cut on southeastern portion of the project site. The overall maximum dimensions of the proposed new

Amanda M. Burden, FAICP, *Chair*
22 Reade Street, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
http://www.nyc.gov/planning

building are set forth on the application drawings that would become part of the LSRDP upon approval. The underlying C6-4 district, which permits a wide-range of higher-density commercial, residential, community facility uses at a maximum FAR of 10.0, would regulate the building envelope and configuration through the sky exposure plane and other controls.

The new building would be constructed on a 31,341 SF portion of Parcel 5 encompassing the existing parking lot on South Street between Rutgers Slip and the paved service drive that follows the former location of Jefferson Street (demapped). This area has been severed from the remainder of Parcel 5 (Block 247 Lot 1) to create a new tax lot (Block 247 Lot 2). Parcel 5 would remain a single zoning lot of 145,031 SF. Parcel 5 was developed in 1979 pursuant to the LSRD plan with two 26-story residential buildings at 265 and 275 Cherry Street containing 490 rental apartments for low-income households, 2,200 ZSF of commercial space, a paved on-grade parking lot on South Street, a paved on-grade area west of the 265 Cherry Street Building, and a courtyard containing two private playgrounds and landscaped seating areas between the two buildings..

The modification of the LSRDP would facilitate a proposal by the applicant to develop a 17-story, 195,000 gross square foot community facility building containing 120 assisted living residential units, and auxiliary space for supportive services. The applicant proposes to develop the building on the current parking lot, which contains 103 accessory at-grade parking spaces. With the proposed addition of 45 new parking spaces, a total of 148 parking spaces would be provided as accessory to the new community facility use and the existing residential uses both at-grade and in an attended, automated garage within the proposed building.

Absent the proposed action, the applicant has stated that the subject site would not be redeveloped. The project is expected to be completed by 2015.

The proposed action includes an (E) designation on the project site (Block 274, Lot 2) in order to preclude future air quality, noise and hazardous materials impacts, which could occur as a result of the proposed action. The (E) designation number is E-312.

The (E) designations text related to air quality is as follows:

> **To ensure that the proposed building's heat and hot water systems would not have a significant adverse impact on air quality, the (E) designation that would apply to the site would require that the proposed building must use natural gas as the only fossil fuel for any on-site heating and hot water systems and must be located on the tallest portion of the proposed building. Further, the proposed building's on-site heating and hot water systems would be designed to ensure that maximum concentrations of nitrogen dioxide do not exceed the National Ambient Air Quality Standard on a 1-hour average basis. To attain this standard, the proposed building's boilers used for space heating would have low-NOx (< 16 ppm) burners and the boilers used for hot water would utilize low-NOx (<20 ppm) burners, and the boilers would have a stack placement of a minimum of 260 feet from the**

lot line facing Cherry Street or a minimum of 236 feet from the lot line facing Rutgers Slip. The maximum capacity of equipment used for space heating and hot water would be 6 MMBTU/hr.

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

To ensure an acceptable interior noise environment, future community facility uses must provide up to 38 dBA of window/wall attenuation to achieve interior noise levels of 45 dBA. Design requirements to attain this attenuation may include a closed window condition with alternate means of ventilation. Alternate means of ventilation include, but are not limited to central air conditioning. In addition, special design features may be necessary (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.) to provide additional building attenuation. The specific attenuation requirements to be implemented throughout the project building facades are provided in the National Center for Palliative Care Innovation at HealthCare Chaplaincy EAS, Table G-6 (CEQR No. 12DCP157M, May 2, 2013).

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

<u>Task 1-Sampling Protocol</u>
The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

<u>Task 2-Remediation Determination and Protocol</u>
A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation

as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. For all projected and potential development sites where no E-designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

With the placement of the (E) designation on the projected development site, no significant air quality, noise or hazardous materials impacts would be expected as the result of the proposed action.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated May 2, 2013, prepared in connection with the ULURP Application (Nos. M 120183ZSM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for hazardous materials would ensure that the proposed action would not result in significant adverse impacts.

2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Jonathan Keller at (212) 720-3419.

Celeste Evans

Date: May 3, 2013

Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: May 6, 2013

Amanda M. Burden, FAICP, Chair
City Planning Commission