

DECAMPO, DIAMOND & ASH

THOMAS M. ASH III

WILLIAM H. DIAMOND

FRANCIS R. ANGELINO
OF COUNSEL

RECEIVED

OCT - 7 2013

BY COMMUNITY BOARD 8

747 Third Avenue, 33A
New York, New York 10017
Telephone (212)758-3500
Facsimile (212)758-1728

September 25, 2013

Chair Nicholas D. Viest
Manhattan Community Board 8
505 Park Avenue, 602
New York, NY 10022
Attn. Latha Thompson,
District Manager

Re: 1629 First Avenue, New York, NY, Block 1547, Lot23
(the "Subject Premises");
BSA Cal. No. 27613-BZ

Dear Chair Viest:

Please be advised that we have today filed an Application with the Board of Standards and Appeals (the "Board") for a special permit, pursuant to Section 73-36 of the Zoning Resolution, for a new health club for children's basketball, which will be known as Fastbreak at the Subject Premises, which is in a C1-9 zoning district.

In accordance with the rules of the Board, we are sending you copies of the following documents:

1. BZ Application;
2. Department of Building Objection;
3. Statement of Facts and Findings,
4. Architectural Plans, with BSA zoning calculations, drawings BSA1-5, dated 03-07-12; and colored Radius Diagram;

5. Color photographs of site;
6. Letter to Borough Superintendent;
8. List of Affected Property Owners and Tenants;
9. Affidavit of Ownership;
10. Environmental Assessment Statement and attachments.
11. BSA Zoning Analysis and Sign Analysis Forms.
12. Physical Culture Establishment and Principal Forms, signed and notarized.

Please let me know when your Board will schedule this application for its review.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Francis R. Angelino", written in a cursive style with a large loop at the end.

Francis R. Angelino

FRA:ag
Enclosures

cc: Board of Standards and Appeals
City Planning Commission (2 copies)
Manhattan Borough President Stringer
Council Member Lappin



250 Broadway, 29th Floor
New York, NY 10007
212-386-0009 - Phone
646-500-6271 - Fax
www.nyc.gov/bsa

RECEIVED
OCT - 7 2013
BY COMMUNITY BOARD

ZONING (BZ) CALENDAR
Application Form

BSA APPLICATION NO. 276-13-BZ

CEQR NO. 14-BSA-0474

Section A

Applicant/
Owner

Francis R. Angelino, Esq.

NAME OF APPLICANT

747 Third Avenue, s. 33A

ADDRESS

New York NY 10017

CITY STATE ZIP

212 7581690

AREA CODE TELEPHONE

212 7581728

AREA CODE FAX

fangelino@ddanyc.com

EMAIL

Adams Tower Limited partnership

OWNER OF RECORD

341 East 84th Street

ADDRESS

New York NY 10028

CITY STATE ZIP

Fastbreak

LESSEE / CONTRACT VENDEE

1629 First Avenue

ADDRESS

NY NY 10028

CITY STATE ZIP

Section B

Site
Data

1629 First Avenue, a/k/a 1617 First Avenue & 341 E. 84th Street

10028

STREET ADDRESS (INCLUDE ANY A/K/A)

ZIP CODE

W./S First Avenue between E. 84th & E 85th Streets

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

1547 23 Manhattan 8, M none

BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT LANDMARK/HISTORIC DISTRICT

Lappin C1-9 9a

CITY COUNCIL MEMBER ZONING DISTRICT ZONING MAP NUMBER

(include special district, if any)

Section C

Dept of Building
Decision

BSA AUTHORIZING SECTION(S) 73-36 for ☐ VARIANCE ☒ SPECIAL PERMIT (Including 11-41)

Section(s) of the Zoning Resolution to be varied 32-10

DOB Decision (Objection/ Denial) date: August 28, 2013 Acting on Application No: 121332851

Section D

Description

(LEGALIZATION ☐ YES ☒ NO ☐ IN PART)

Application per 73-36 ZR for a PCE on ground floor, cellar & sub-cellar at 1629 First Avenue.

Section E

BSA History
and
Related Actions

If "YES" to any of the below questions, please explain in the STATEMENT OF FACTS

YES NO

1. Has the premises been the subject of any previous BSA application(s)? ☐ YES ☒ NO

PRIOR BSA APPLICATION NO(S):

2. Are there any applications concerning the premises pending before any other government agency? ☐ YES ☒ NO

3. Is the property the subject of any court action? ☐ YES ☒ NO

Section F

Signature

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.

Francis R. Angelino
Signature of Applicant, Corporate Officer or Other Authorized Representative

SWORN TO ME THIS 24th DAY OF SEP 20 13

Francis R. Angelino, Esq. Attorney

Print Name

Title

NORMA SILFEN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02516189317

NOTARY PUBLIC IN WESTCHESTER COUNTY
COMMISSION EXPIRES JUNE 23, 20 16

Mark



NYC Development Hub
Department of Buildings
80 Centre Street
Third Floor
New York, New York 10013
nycdevelopmenthub@buildings.nyc.gov

Notice of Comments

Owner: KIBEL COMPANIES

Date: August 28th, 2013

Job Application #: 121332851

Applicant: FRANK DENNER ARCHITECT

Application type: Alt-1

Premises Address: 1617 First Ave, Manhattan

Zoning District: C1-9

Block: 1547 Lot: 23 Doc(s): 01

Lead Plan Examiner at NYC Development Hub: Marguerite Baril, R.A.

Examiner's Signature:

Obj. #	Doc #	Section of Code	Comments	Date Resolved	Comments
1.		ZR 12-10 32-10	The proposed Physical Culture Establishment is not permitted as of right; contrary to ZR 32-10		

REVIEWED BY
Jed Weiss
Executive Zoning Specialist

DENIED
For Appeal to Board of
Standards and Appeals

Date/Time: Aug 28, 2013 - 5:38 PM



Board of Standards
and Appeals

250 Broadway, 29th Floor
New York, NY 10007
212-386-0009 - Phone
646-500-6271 - Fax
www.nyc.gov/bsa

AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

Affidavit of Ownership

PETER LEVENSON, being duly sworn, deposes and says that (s)he resides at 351 E 84th ST, in the City of NEW YORK, in the County of NEW YORK, in the State of NEW YORK; that ADAMS TOWER LIMITED PARTNERSHIP PETER LEVENSON PARTNER is the owner in fee of all that certain lot, piece or parcel of land located in the Borough of MANHATTAN, in the City of New York and known and designated as Block 1547, Lot(s) 23, Street and House Number 1617 FIRST AVE; and that the statement of facts in the annexed application are true, upon information and belief.

Check one of the following conditions:

- ☒ Sole property owner of zoning lot
☐ Cooperative Building
☐ Condominium Building
☐ Zoning lot contains more than one tax lot and property owner

Owner's Authorization

The owner identified above hereby authorizes FRANCIS R. ANGELINO, ESQ. to make the annexed application in her/his behalf.

Signature of Owner

Print Name

Print Title

Sworn to before me this 23rd day

Of Sept 2013

Sherie B. Illfelder

[Signature]
PETER LEVENSON
PARTNER
ADAMS TOWER LIMITED PARTNERSHIP

SHEREE B. ILLFELDER
Notary Public, State of New York
No. 011L4660331
Qualified in Bronx County
Commission Expires April 30, 2015



Board of Standards
and Appeals

250 Broadway, 29th Floor
New York, NY 10007
212-386-0009 - Phone
646-500-6271 - Fax
www.nyc.gov/bsa

AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

Affidavit of Ownership

Jack Trushaluni, being duly sworn, deposes and says that (s)he resides
at 305 E 85th St in the City of NYC, in the County of Manhattan, in the
State of N.Y.; that FASBREAK 62173, LLC ^{TENANT} is the ~~owner in fee~~ owner of all that certain
lot, piece or parcel of land located in the Borough of MANHATTAN, in the City of New York
and known and designated as Block 1547, Lot(s) 23, Street and House Number
1629 FIRST AVE; and that the statement of facts in the annexed application are true.

Check one of the following conditions:

- ☐ Sole property owner of zoning lot
- ☐ Cooperative Building
- ☐ Condominium Building
- ☐ Zoning lot contains more than one tax lot and property owner

Owner's Authorization

The owner identified above hereby authorizes FRANCIS R. ANGELINO, ESQ
to make the annexed application in her/his behalf.

Signature of Owner

Print Name

Print Title

[Signature]
Jack Trushaluni
Managing Member

Sworn to before me this 26th day

Of SEPTEMBER 2013

[Signature]
Francis R. Angelino
Notary Public, State of New York
No. 31-02AN4713885
Qualified in New York County
Commission Expires 7/31/2014
Revised March 2012

DECAMPO, DIAMOND & ASH

THOMAS M. ASH III

WILLIAM H. DIAMOND

FRANCIS R. ANGELINO
Joseph A. DeCampo
OF COUNSEL

747 Third Avenue
New York, New York 10017
Telephone (212)758-3500
Facsimile (212)758-1728
Email: Fangelino@ddanyc.com

Statement of Facts **Re: 1629 First Avenue,** **New York, NY (the "Subject Premises")**

This is an application (the "Application") to the New York City Board of Standards and Appeals (the "BSA"), pursuant to Section 73-36 of the Zoning Resolution (the "ZR"), for a special permit for a health club at the Subject Premises. The Physical Culture Establishment ("PCE"), or health club, is on the ground floor, sub-cellar and cellar of an existing 32-story, sub-cellar and cellar commercial and residential building, within a C1-9 zoning district (the "Proposed PCE").

Fastbreak's First Avenue location on the west side of First Avenue adjacent to a public plaza that runs between East 84th Street and East 85th Street. The addresses on the several commercial stores fronting the plaza run from 1617 through 1631 First Avenue. Immediately adjacent to Fastbreak to the north is a Starbuck's coffee shop; immediately to the south is a hardware and home appliances store.

The Subject Premises will accommodate a new PCE called Fastbreak ("Fastbreak") with a total floor area of approximately 1,098 square feet ("SF") on the ground floor, 1,632 SF in the cellar, and 4,161 SF in the sub-cellar for a total of 6,891 SF for the PCE.

As its name implies, Fastbreak will center on its sub-cellar basketball court where boys and girls will have the opportunity to learn about basketball.

In the Proposed PCE at the Subject Premises, Fastbreak will have a ground floor entrance with a communicating stair leading to the cellar and sub-cellar. The PCE will have a ground floor, juice bar and party room, the cellar will have a

lounge and ADA accessible men's and women's locker rooms, the sub-cellar will have basketball courts, an equipment storage room, and a party room.

As indicated in the Operations Plan, submitted herewith, the Proposed PCE is expected to have a maximum number of employees of 15, of whom 7 will be on the premises at any one time. Under section 36-21 of the ZR, there is not any required number of parking spaces for PRC-B, General or retail uses, in a C6-2A district for this PCE.

The entire 6,891 SF PCE space is handicapped accessible. Notes on the Architectural Plans, submitted with this Application, indicate all of the required PCE notes: That there will be a fire alarm system installed in the entire PCE space which will include the following: (1) Area smoke detectors, (2) Manual pull stations at each required exit; (3) local audible and visible alarms; and (4) connection of the interior fire alarm to an FDNY-approved central station; and, (5) that Local Law 58/87 shall be complied with as approved by the Department of Buildings ("DOB").

The principal activities of Fastbreak will take place in the sub-cellar which is located completely under the plaza area, the Starbucks coffee store and the ground floor building's superintendent's office, which all form a barrier between the basketball court and the residential apartments starting on the second floor. In addition, Fastbreak will be installing sound proofing materials on the basketball court's ceiling as well as on the ceiling of the cellar floor.

Fastbreak will be open every day from 8 AM to 9 PM. Fastbreak's basketball court's location on the sub-cellar beneath other commercial uses and below sound attenuation measures are designed to isolate it from its upstairs neighbors. The space was previously used for over 30 years as a commercial movie theater.

There will be no massage offered at Fastbreak.

The Board has jurisdiction pursuant to Section 73-36 ZR because the Subject Premises is situated in a C1-9 zoning district, which is one of the districts that permits a health club special permit application. Fastbreak will be accessed from its own entrance off the sidewalk through the public plaza on the ground floor of the Subject Premises.

The DOB has raised the following objection to the enlargement of the PCE:

"The proposed Physical Culture Establishment is not permitted as of right; contrary to ZR 32-10." And was stamped denied for appeal to the Board

of Standards and Appeals for approval pursuant to ZR 73-36.

This objection arises because a PCE (a/k/a health club) is not an as-of-right use pursuant to the Zoning Resolution. The special permit application can be made to the BSA pursuant to 73-36 ZR for the proposed health club because it is located in a C1-9 zoning district.

The proposed health club meets all of the findings required in Section 73-36(a) as follows:

"(1) that such use is so located as not to impair the essential character or the future use or development of the surrounding area..."

Fastbreak's use as a basketball court for kids on the sub-cellar of its building, below existing commercial uses and below sound attenuation measures are designed to isolate it from its upstairs neighbors. The C1-9 zoning district was added by the City Planning Commission to the list of commercial areas where PCE would be allowed by Special Permit of the BSA. Fastbreak will have interior use and occupancy only and, as such, will not impair in any way the future use and development of the area.

"(2) That such use contains:

* * *

(iii) facilities for classes, instruction and programs for physical improvement, body building, weight reduction, aerobics or martial arts; or

(iv) facilities for the practice of massage by New York State-licensed masseurs or masseuses..."

Fastbreak will provide "...facilities for classes, instruction and programs for physical improvement," for kids. No massage will be offered at Fastbreak.

Findings pursuant to Section 73-03 ZR:

73-03

General Findings Required for All Special Permit Uses and Modifications.

The Board of Standards and Appeals shall have the power, as authorized by Section 73-01, paragraph (a) or (b), and subject to such appropriate conditions and safeguards as the Board shall prescribe, to grant special permit #uses# or

modifications of #use#, parking, or #bulk# regulations as specifically provided in this Chapter, provided in each case:

(a) The Board shall make all of the findings required in the applicable sections of this Chapter with respect to each such special permit #use# or modification of #use#, parking or #bulk# regulations and shall find that, under the conditions and safeguards imposed, the hazards or disadvantages to the community at large of such special permit #use# or modification of #use#, parking or #bulk# regulations at the particular site are outweighed by the advantages to be derived by the community by the grant of such special permit. In each case the Board shall determine that the adverse effect, if any, on the privacy, quiet, light and air in the neighborhood of such special permit #use# or modification of #use#, parking or #bulk# regulations will be minimized by appropriate conditions governing location of the site, design and method of operation.

Fastbreak's use as a basketball court for kids on the sub-cellar of its building and sound attenuation measures are all in place to isolate it from its upstairs neighbors. The C1-9 zoning district was added by the City Planning Commission to the list of commercial areas where PCE would be allowed by Special Permit of the BSA. Fastbreak will have interior use and occupancy only and, as such, will not impair in any way the future use and development of the area.

The Proposed PCE is expected to draw almost all of its patrons from within the immediate neighborhood. Thus, the advantages it provides to the community outweigh any disadvantages.

(b) In all cases the Board shall deny a special permit whenever such proposed special permit #use# or modification of #use#, parking or #bulk# regulations will interfere with any public improvement project (including housing, highways, public buildings or facilities, redevelopment or renewal projects, or right-of-way for sewers, transit or other public facilities) which is approved by or pending before the Board of Estimate, Site Selection Board or the City Planning Commission as determined from the calendars of each such agency issued prior to the date of the public hearings before the Board of Standards and Appeals.

The Proposed PCE special permit use will not interfere with any public improvement project approved or pending by the Site Selection Board or the City Planning Commission.

(c) When under the applicable findings the Board is required to determine whether the special permit #use# or modification of #use#, parking or #bulk#

regulations is appropriately located in relation to the #street# system, the Board shall in its discretion make such determination on the basis of the Master Plan of Arterial Highways and Major Streets on the official City Map. Whenever the Board is required to make a finding on the location of a proposed special permit #use# or modification of #use#, parking or #bulk# regulations in relation to secondary or local #streets# and such classification of #streets# is not shown on the Master Plan, the Board in its discretion shall request the City Planning Commission to establish a report on the appropriate classification of such #street#.

Not Applicable, since the BSA is not required to determine that the special permit use is appropriately located in relation to the street system.

(d) For applications relating to Sections 73-243, 73-48 and 73-49, the Board in its discretion shall request from the Department of Transportation a report with respect to the anticipated traffic congestion resulting from such special permit #use# or modification of #use#, parking or #bulk# regulations in the proposed location. If such a report is requested, the Board shall in its decision or determination give due consideration to such report and further shall have the power to substantiate the appropriate finding solely on the basis of the report of the Department of Transportation with respect to the issue referred.

Not applicable, since this Application is not a 73-243, 73-48 or 73-49 ZR application.

(e) If a term of years is specified in the applicable section, the Board shall establish a term of years not to exceed such maximum. For those special permit #uses# or modification of #use# parking or #bulk# regulations for which a maximum term has not been specified, the Board may fix an appropriate term for any such special permit #use# or modification of #use# parking or #bulk# regulations.

Term of years: It is respectfully requested that the BSA grant the maximum term of years possible.

(f) On application for renewal of any such special permit authorized in this Chapter, the Board shall determine whether the circumstances warranting the original grant still obtain. In addition, the Board shall ascertain whether the applicant has complied with the conditions and safeguards theretofore described by the Board during the prior term. In the event that the Board shall find the applicant has been in substantial violation thereof, it shall deny the application for renewal.

Not applicable, this Application is not a renewal application.

(g) The Board may permit the #enlargement# or #extension# of any existing #use#, which, if new, would be permitted by special permit in the specified districts under the provisions of Section 73-01 and other applicable provisions of this Chapter, provided that before granting any such permit for #enlargement# or #extension# within the permitted districts, the Board shall make all of the required findings applicable to the special permit #use#, except that:
(1) in the case of colleges or universities in R1 or R2 Districts, the Board may waive all such required findings set forth in Section 73-121 (Colleges and universities); and
(2) in the case of public utility #uses#, the Board may waive all such required findings set forth in Sections 73-14 (Public Service Establishments) or 73-16 (Public Transit, Railroad or Electric Utility Substations).
No such #enlargement# or #extension# shall create a new #noncompliance# or increase the existing degree of #non-compliance# with the applicable #bulk# regulations, except as may be permitted in accordance with the provisions of Sections 73-62 to 73-68, inclusive, relating to Modification of Bulk Regulations.

Not applicable, this Application is not an enlargement.

Also enclosed are the requisite photographs, Architectural Plan, radius diagram and authorization letters required for the Application.

Very truly yours,



Francis R. Angelino

September 20, 2013,

Enclosures

cc: The Honorable Council Member Lappin (w/ Encls.)
Chair, Community Board No. 8, Manhattan (w/ Encls.)
Manhattan Borough President Stringer
City Planning Commission (2 copies)

FRA/ag

DEPARTMENT OF BUILDINGS

BOROUGH OF

MANHATTAN

, THE CITY OF NEW YORK

Date **July 24, 1970**No. **69296**

CERTIFICATE OF OCCUPANCY

NO CHANGES OF USE OR OCCUPANCY NOT CONSISTENT WITH THIS CERTIFICATE SHALL BE MADE UNLESS FIRST APPROVED BY THE BOROUGH SUPERINTENDENT

This certificate ~~amends~~ C. O. No. **68612**

(354 East 85th St.)

THIS CERTIFIES that the ~~new~~ altered ~~building~~ building—premises located at**161 1st Avenue - 351 East 84th St.** Block **1547** Lot **22,122,**That the zoning lot and premises above referred to are situated, bounded and described as follows: **25,30**

BEGINNING at a point on the

west side of **First Avenue**
distant **0** feet west from the corner formed by the intersection of
and **East 84th Street**

running thence **East 120'** feet; thence **North 102'-2"** feet;
thence **East 45'** feet; thence **North 102'-2"** feet;
running thence **East 75'** feet; thence **South 204'-4"** feet;
to the point or place of beginning, conforms substantially to the approved plans and specifications, and to the requirements of the Building Code, the Zoning Resolution and all other laws and ordinances, and of the rules of the Board of Standards and Appeals, applicable to a building of its class and kind at the time the permit was issued; and

CERTIFIES FURTHER that, any provisions of Section 646F of the New York Charter have been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent.

New or Alt. No.— **376-1970**

Construction classification—

**Class 1
Fireproof**Occupancy classification— **Hereafter Erected** Height: **32**stories, **296'-11 1/2"** feet.Date of completion— **July 13, 1970** Located in **0 1-9**

This certificate is issued subject to the limitations hereinafter specified and to the following resolutions of the Board of Standards and Appeals: **77-67 BZ**
and The City Planning Commission: **273-68 A**

(Calendar numbers to be inserted here)

PERMISSIBLE USE AND OCCUPANCY

Off-Street Parking Spaces

Off-Street Loading Berths

STORY	LIVE LOADS Lbs. per Sq. Ft.	PERSONS ACCOMMODATED	USE
Sub-bas.	On Ground	299	Theatre, Use Group 8, accessory parking for fifty-two (52) cars.
Bas.	75 & 120		Accessory parking for forty (40) cars, storage, projection room.
1st	100	350 (less than 75 people in any store)	Lobby, theatre lobby, stores, Use group 6.
2nd	40		Three (3) apartments, laundry, mechanical equipment.
3rd to 31st	40 each		Six (6) apartments on each floor.
32nd	40		Four (4) apartments.
Roof	100	74	Pool.
NOTE:			This is an AMENDED Certificate of Occupancy for increase of accessory parking from seventy-two (72) to ninety-two (92) cars.
NOTE:			Accessory parking for building 72 cars, accessory parking for theatre and stores 20 cars. Garage shall be fully attended by paid attendants at all times when spaces are in use.
-OVER-			

THIS CERTIFICATE OF OCCUPANCY MUST BE POSTED
WITHIN THE BUILDING IN A CONSPICUOUS PLACE

OFFICE COPY—DEPARTMENT OF BUILDINGS

Borough Superintendent

PERMISSIBLE USE AND OCCUPANCY (continued)

STORY	LIVE LOADS Lbs. per Sq. Ft.	PERSONS ACCOMMODATED	USE
		<p>NOTE:</p>	<p>Parking is primarily for residents and may include parking for non-residents. For non-residents the time is limited to not less than one week and not more than one month. Residents may recapture any of the non-resident parking spaces upon 30 day written notice to the owner.</p> <p><u>FIRE DEPARTMENT APPROVALS:</u> Standpipe System-February 2, 1970. Sprinkler System-February 17, 1970. Owner's Registration # 138968.</p>
<p align="center">THIS CERTIFICATE SHALL ALSO BE CONSIDERED A CERTIFICATION OF COMPLIANCE OR OCCUPANCY UNDER SECTION 301 OF THE MULTIFAMILY DWELLING LAW.</p>			

Borough Superintendent

BSA CALENDAR NO.

-13-BZ

BLOCK 1547

LOT 23

SUBJECT SITE ADDRESS

1617 First Avenue, Manhattan

APPLICANT

Francis R. Angelino, Esq.

ZONING DISTRICT C1-9

PRIOR BSA # ----

COMPLIANT: "Y"

SPECIAL/HISTORIC DISTRICT ----

COMMUNITY BOARD 8, Man.

IF NOT: "N" and
INDICATE AMT
OVER/UNDER

LOT AREA

N/A

19,992SF

same

Y

LOT WIDTH

"

Y

USE GROUP (S)

32-10

1-9, 14

PCE

Y

FA RESIDENTIAL

N/A

Y

FA COMMUNITY FACILITY

"

Y

FA COMMERCIAL/INDUST.

"

Y

FLOOR AREA TOTAL

32-122

261,100 SF

6,891SF*

Y

FAR RESIDENTIAL

N/A

Y

FAR COMMUNITY FACILITY

"

Y

FAR COMMERCIAL/INDUST.

"

Y

FAR TOTAL

33-122

10.0+

.02%

Y

OPEN SPACE

N/A

Y

OPEN SPACE RATIO

"

Y

LOT COVERAGE (%)

"

Y

NO. DWELLING UNITS

"

Y

WALL HEIGHT

"

Y

TOTAL HEIGHT

1-story

Y

NUMBER OF STORIES

1-story

PCE 1&C

Y

FRONT YARD

N/A

Y

SIDE YARD

"

Y

SIDE YARD

"

Y

REAR YARD

"

Y

SETBACK (S)

"

Y

SKY EXP. PLANE (SLOPE)

"

Y

NO. PARKING SPACES

36-21

"

Y

LOADING BERTH (S)

N/A

Y

OTHER: PCE

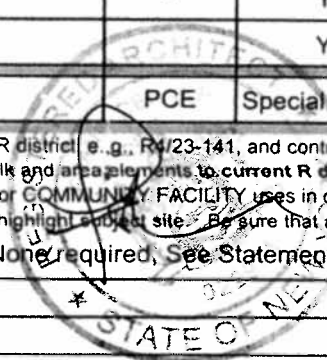
PCE

Special Permit

* In Applicable ZR Section column: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R4/23-141, and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area elements to current R district requirements, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in districts where not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Be sure that all items noted in the DOB Denial/Objection are included.

NOTES: *5,793 SF, Cellar & Sub Cellar

**None required, See Statement



BSA SIGN ANALYSIS - COMMERCIAL DISTRICTS

REVISED JANUARY 2004

BSA CALENDAR NO: -13-BZ

LOCATION: 1617 First Avenue

BOROUGH Manhattan

BLOCK 1547

APPLICANT: Francis R. Angelino, Esq.

LOT 23

ZONING DISTRICT: C1-9

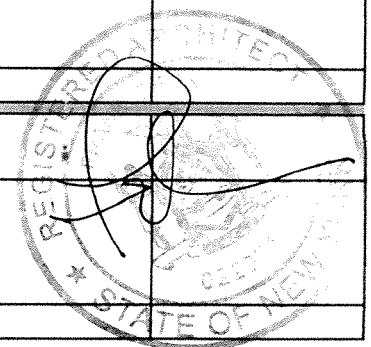
SPECIAL DISTRICT

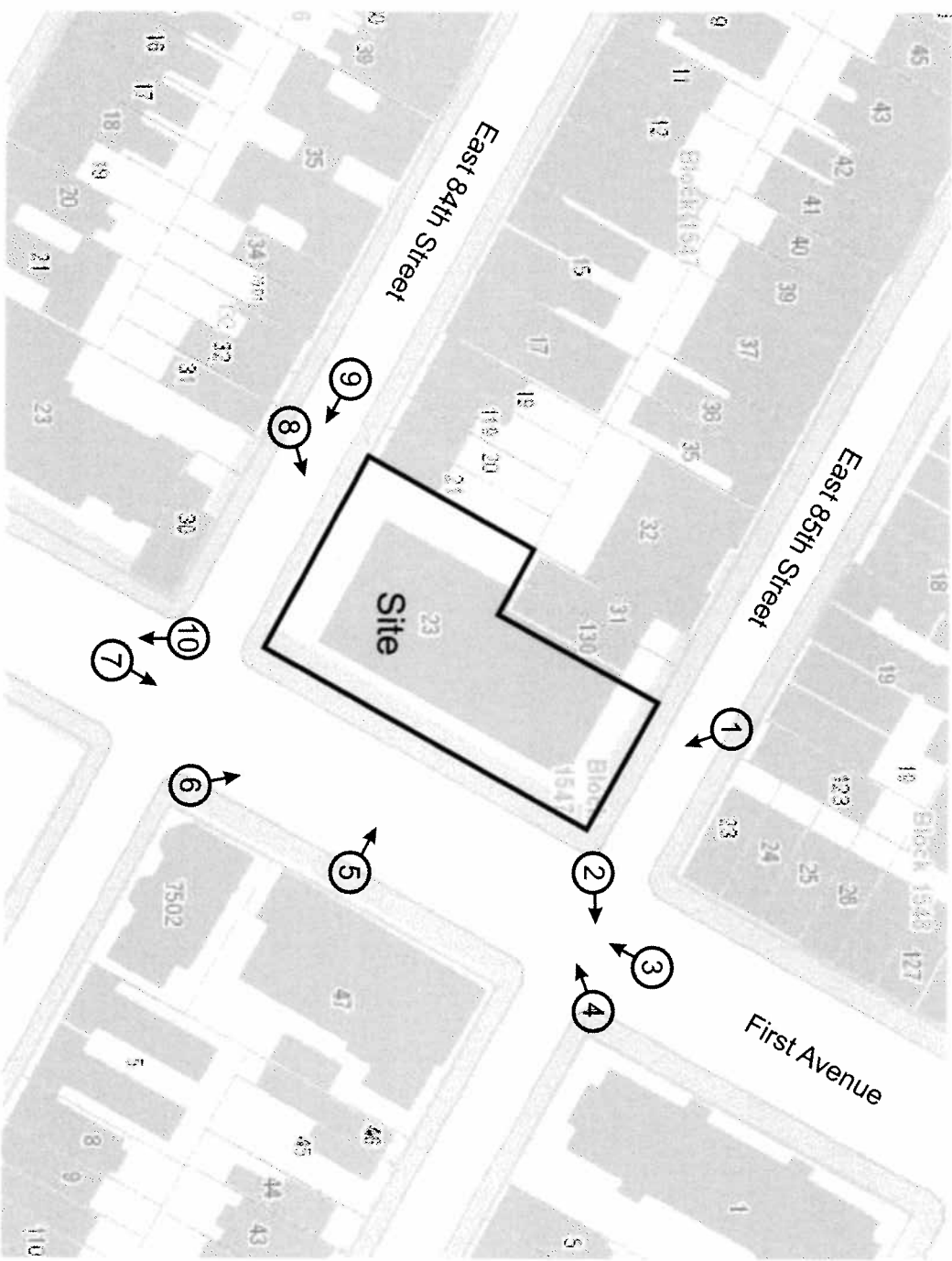
LOT AREA: 19,992 SF

EQUIVALENT C DISTRICT

C1-9

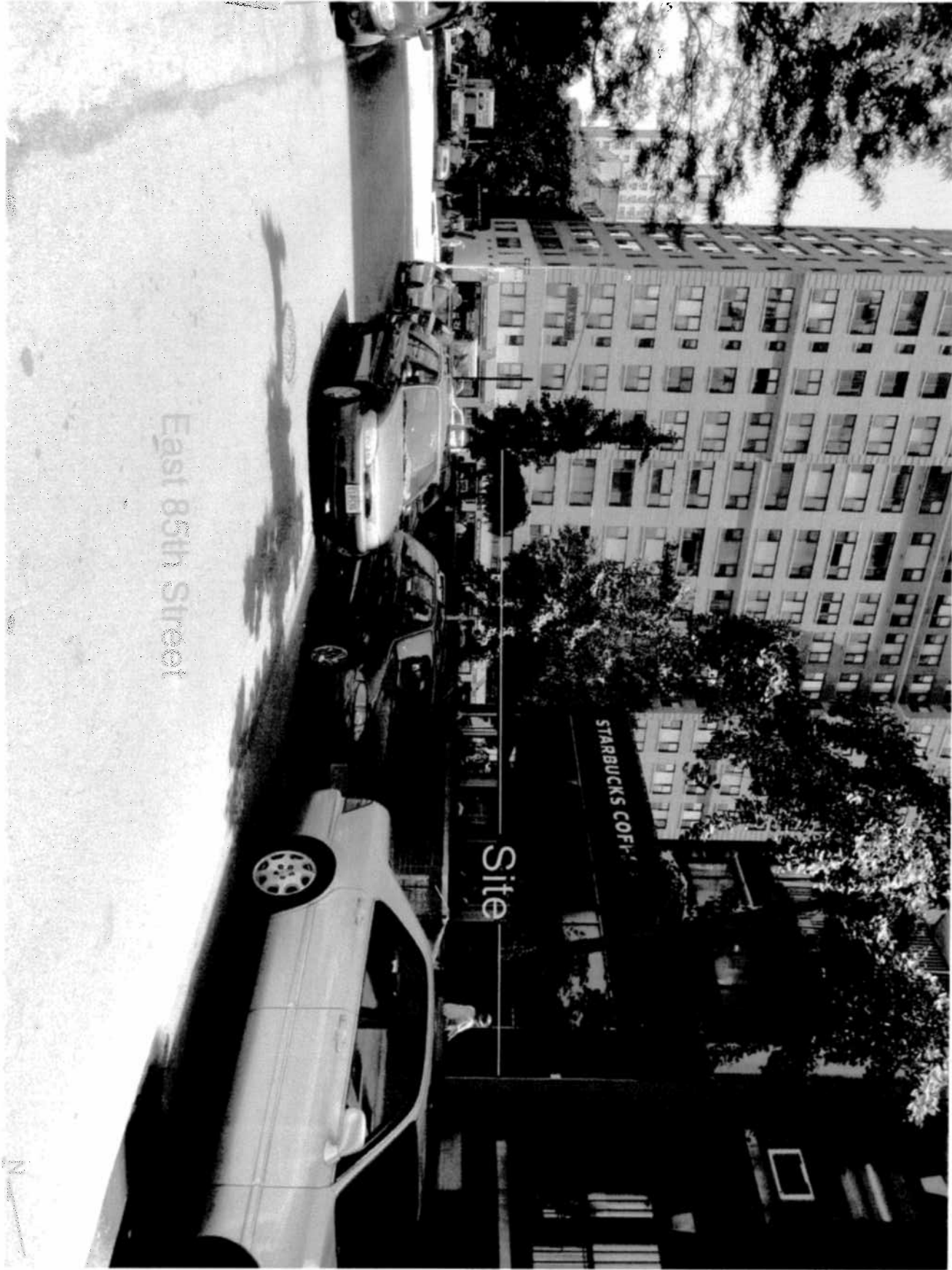
	SECTION	PERMITTED	PROPOSED	COMPLIANCE
ACCESSORY BUSINESS SIGNS	32-62	PERMITTED IN ALL COMMERCIAL DISTRICTS		
ADVERTISING SIGNS	32-63	C6-5, C6-7, C7, C8 DISTRICTS		
TOTAL SURFACE AREA - ALL SIGNS C1 - C8	32-641	SEE TABLE SECT. 32-642 FOR SURFACE AREA PERMITTED =		
NON-ILLUMINATED SIGNS C1 - C8	32-642	SEE TABLE THIS SECTION FOR SURFACE AREA PERMITTED = 150 x 2	150 x 1	Y
ILLUMINATED NON-FLASHING C1, C2	32-643	SEE TABLE THIS SECTION FOR SURFACE AREA PERMITTED =		
ILLUMINATED OR FLASHING C4, C5-4, C6, C7 (NO FLASHING SIGNS IN C6-1A)	32-644	SEE TABLE THIS SECTION FOR SURFACE AREA PERMITTED =		
ILLUMINATED OR FLASHING SIGNS IN C8 DISTRICTS - BUSINESS OR ADVERTISING	32-645	TOTAL SURFACE AREA OF ALL SUCH SIGNS < 5X STREET FRONTAGE OF ZONING LOT; EACH SIGN < 500 SF		
PERMITTED PROJECTION C6-5, C6-7, C7 SEE SECTION 32-653 FOR ADD'L REGS	32-651	NO PERMITTED SIGN TO PROJECT ACROSS STREET LINE BY MORE THAN 8'		
PERMITTED PROJECTION FOR ALL REMAINING COMMERCIAL DISTRICTS	32-652	NO PERMITTED SIGN TO PROJECT ACROSS STREET LINE BY MORE THAN 18" FOR DOUBLE OR MULTI-FACETED SIGNS OR 12" FOR ALL OTHERS		
REGULATIONS FOR PROJECTING BUSINESS SIGNS: AWNINGS, CANOPIES, SIGNS ON MARQUEES C1 - C8	32-653	- AWNING OR CANOPY: NON-ILLUM. < 12SF, LETTERS < 12", FOR IDENTIFICATION ONLY; - SIGN ON MARQUEE: MUST PROJECT < 48" ABOVE, > 12" BELOW, EXCEPT C6-5, C6-7, C7		
MAXIMUM HEIGHT OF SIGNS C8	32-654	< 40' ABOVE CURB LEVEL; < 58' FOR NON-ILLUM. OR INDIRECT SIGNS		
MAXIMUM HEIGHT OF SIGNS C1 - C7	32-655	SEE TABLE: 25'-40' RANGE PER DISTRICT; C6-5, C6-7, C7: NO RESTRICTION	25'	Y
MAXIMUM HEIGHT ABOVE ROOF C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9	32-656	ONLY VERTICAL SIGNS < 28" WIDE MAY EXTEND UP TO 15' ABOVE ROOF LEVEL		
ROOF SIGNS C1 - C5, C6-1 to 4, C6-6, C6-8, C6-9	32-657	NONE PERMITTED		
ADDITIONAL REGULATIONS FOR SIGNS OTHER THAN ADVERTISING SIGNS IN C6-5, C6-7, C7, C8	32-661	IF WITHIN 200' OF ARTERIAL HIGHWAY OR PARK SIGN SHALL NOT EXCEED 500sf SURFACE AREA IF WITHIN VIEW. SEE EXCEPTIONS		
ADDITIONAL REGULATIONS FOR ADVERTISING SIGNS IN C6-5, C6-7, C7, C8	32-662	NONE PERMITTED WITHIN 200' OF ARTERIAL HIGHWAY OR PARK, IF WITHIN VIEW		
WATERWAY ADVERTISING SIGNS	32-663	NOT PERMITTED ADJACENT TO C DISTRICTS		
PROVISION FOR DIST. BOUNDARIES C2 - C8	32-67	IF WITHIN 100' OF RESIDENCE DISTRICT OR ADJ. TO PARK AND SIGN < 165 DEG., SEE C1 REGS.		
RESIDENTIAL OR MIXED BUILDINGS C1 - C6	32-68	FOR UG 1, 2 or RESIDENTIAL USES, SEE RESIDENTIAL REGULATIONS. FOR NON - RESIDENTIAL USE ON 2 FLOORS - NON-ILLUM. SIGNS ONLY AND BELOW 3RD STORY		
ADULT ESTABLISHMENTS	32-69	SEE SECTION		





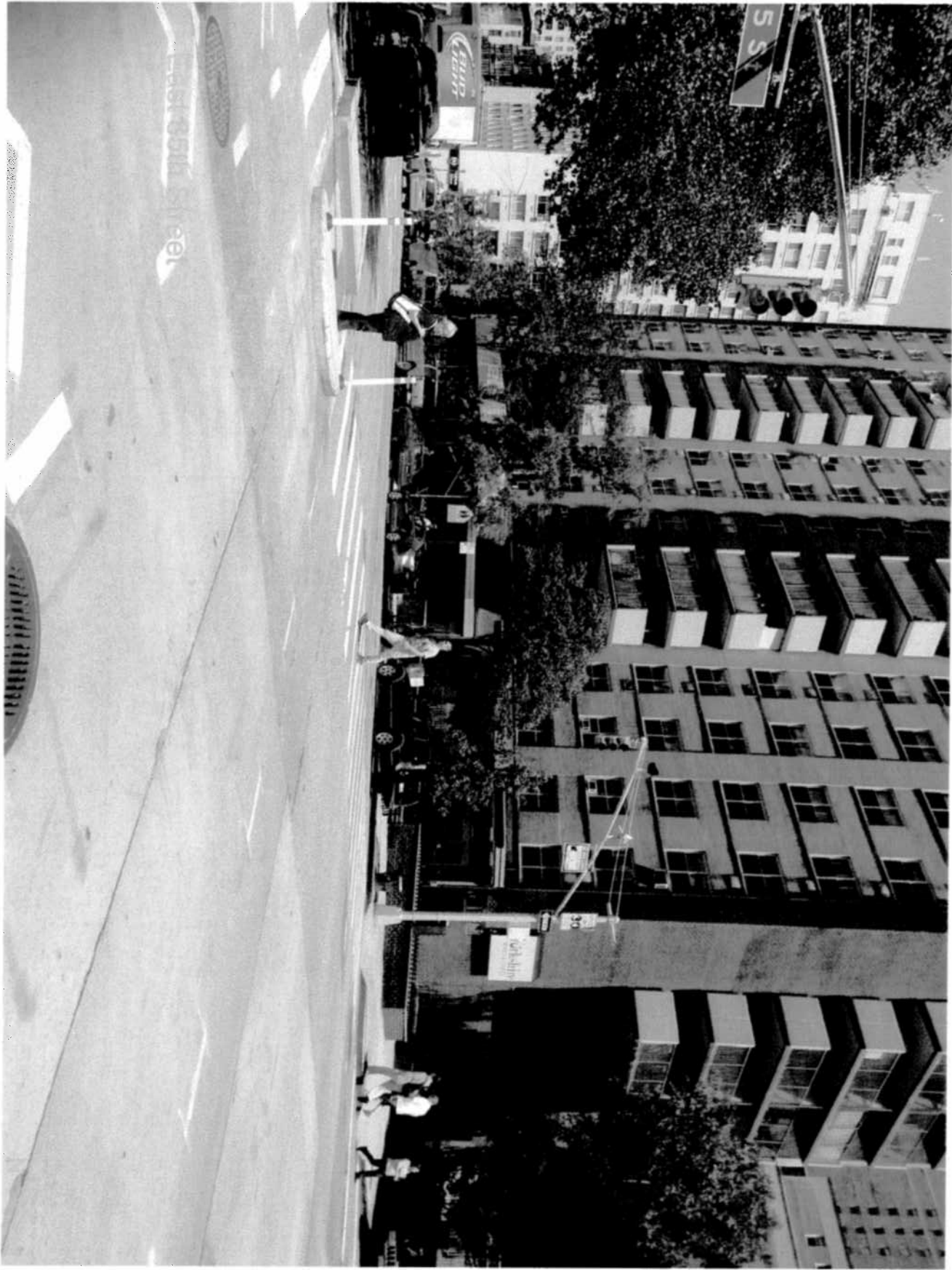
1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #1



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #2



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #3



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #4



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #5



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #6



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #7



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #8

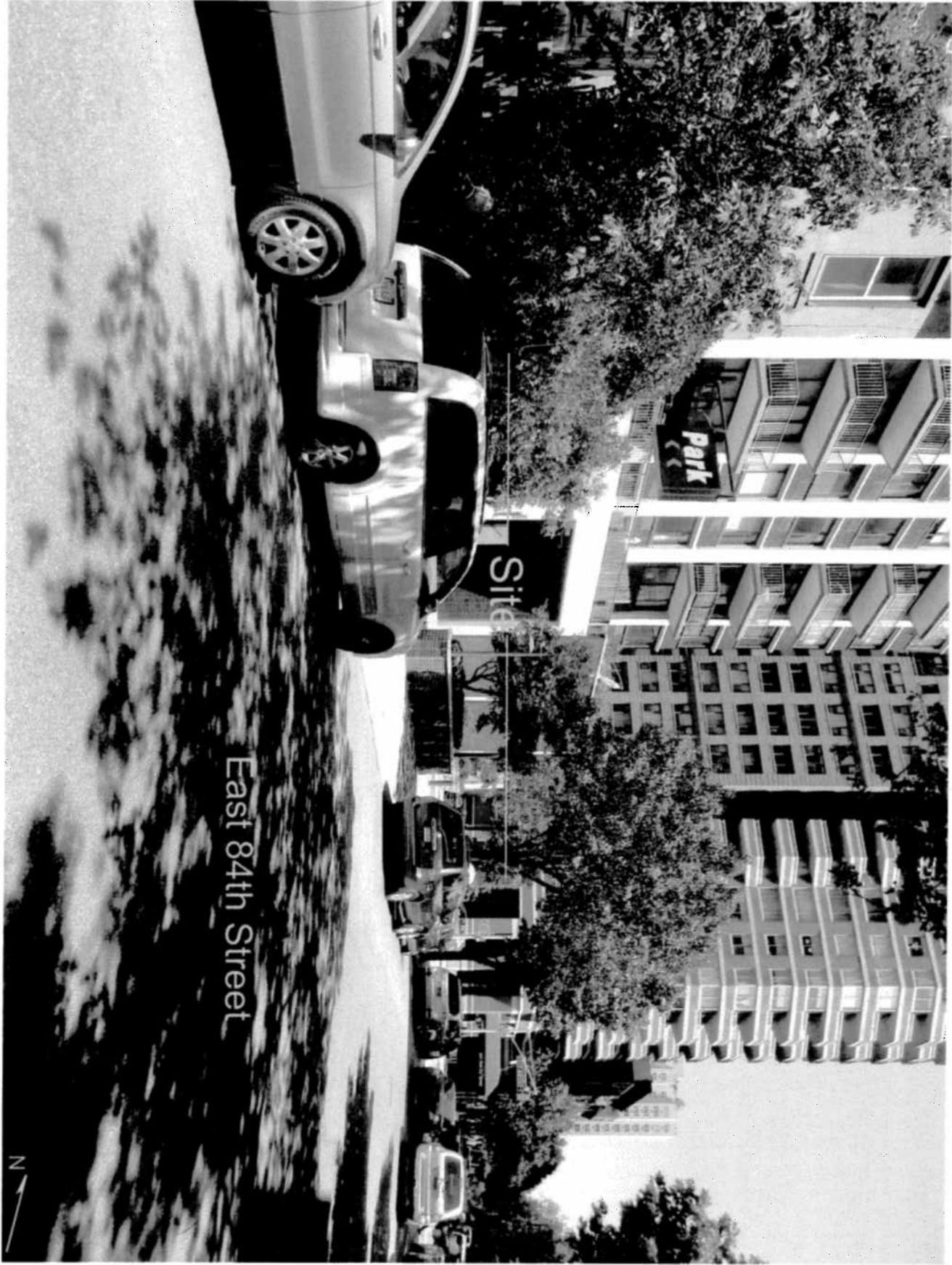
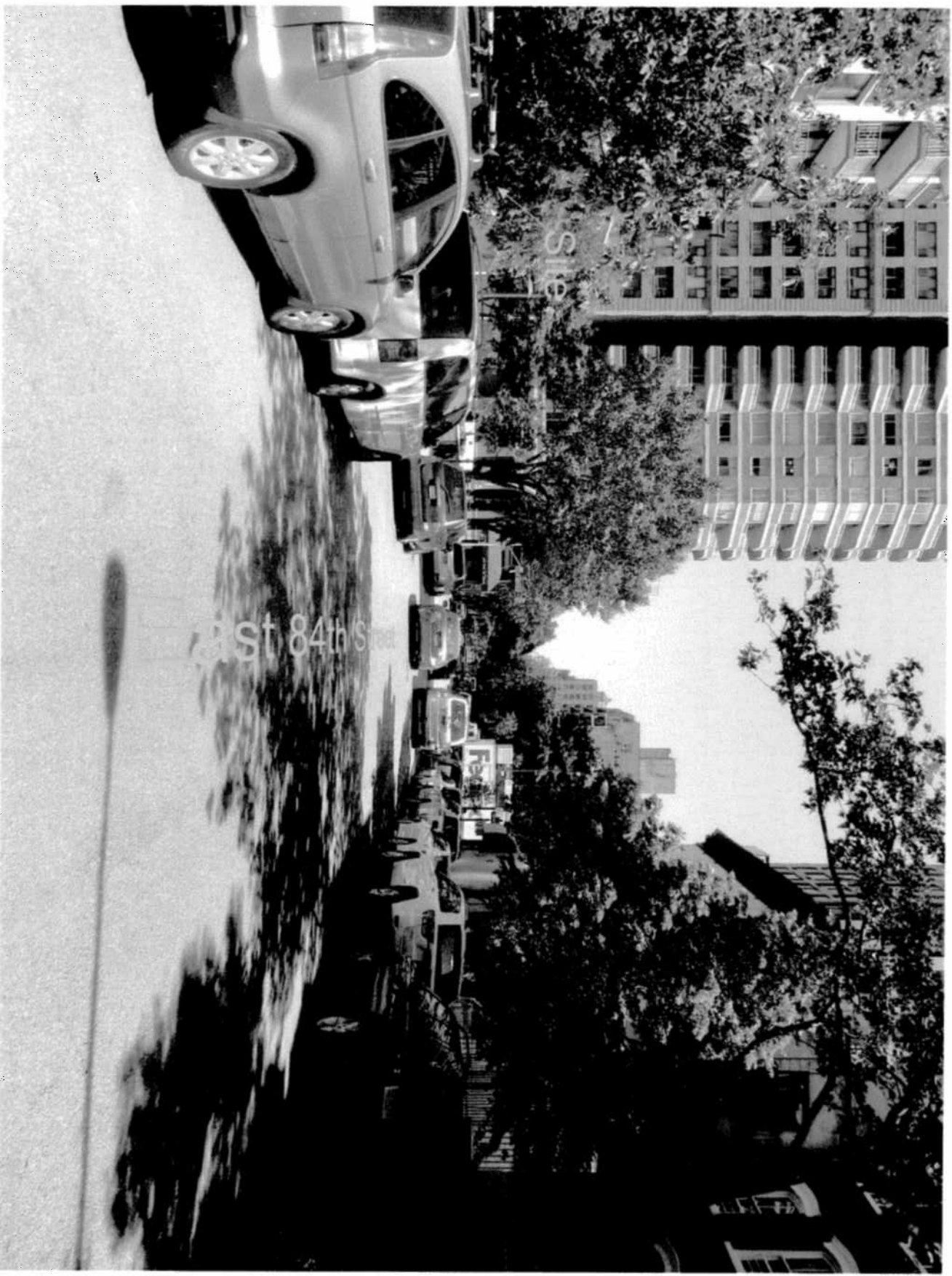


Photo #9



1617 First Avenue, Manhattan
Block 1547, Lot 23

Photo #10





City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT SHORT FORM • FOR UNLISTED ACTIONS ONLY

Please fill out, print and submit to the appropriate agency (see instructions)

PART I: GENERAL INFORMATION

1. Does Action Exceed Any Type I Threshold In 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?

If yes, **STOP**, and complete the FULL EAS

☐ Yes

☒ No

2. Project Name Fastbreak

3. Reference Numbers

CEQR REFERENCE NUMBER (To Be Assigned by Lead Agency)

BSA REFERENCE NUMBER (If Applicable)

-13-BZ

ULURP REFERENCE NUMBER (If Applicable))
N/A

OTHER REFERENCE NUMBER(S) (If Applicable)
(e.g. Legislative Intro, CAPA, etc)

4a. Lead Agency Information

NAME OF LEAD AGENCY

Board of Standards and Appeals

4b. Applicant Information

NAME OF APPLICANT

Fastbreak

NAME OF LEAD AGENCY CONTACT PERSON

Rory Levy

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

Francis R. Angelino, Esq.

ADDRESS 250 Broadway

ADDRESS 747 Third Avenue, s. 33A

CITY NY

STATE NY

ZIP 10013

CITY NY

STATE NY

ZIP 10017

TELEPHONE 2123680082

FAX 2127888769

TELEPHONE 2127581690

FAX 2127581728

EMAIL ADDRESS RoryLevy@bsa.nyc.gov

EMAIL ADDRESS fangelino@ddanyc.com

5. Project Description:

Special Permit application per Sec. 73-36 ZR for a 1,098 (+1,632 feet in the cellar & 4.161 feet in the sub-cellar) SF new PCE.

6a. Project Location: Single Site (for a project at a single site, complete all the information below)

ADDRESS 1629 First Avenue

NEIGHBORHOOD NAME Yorkville

TAX BLOCK AND LOT B: 1547; L: 23

BOROUGH Manhattan

COMMUNITY DISTRICT 8, M

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

W/S First Avenue between E 84th & E 85th Streets

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY:

C1-9

ZONING SECTIONAL MAP NO 9a

6b. Project Location: Multiple Sites (Provide a description of the size of the project area in both City Blocks and Lots. If the project would apply to the entire city or to areas that are so extensive that a site-specific description is not appropriate or practicable, describe the area of the project, including bounding streets, etc.)

N/A

7. REQUIRED ACTIONS OR APPROVALS (check all that apply)

City Planning Commission: YES ☐ NO ☒

☐ CITY MAP AMENDMENT

☐ ZONING CERTIFICATION

☐ ZONING MAP AMENDMENT

☐ ZONING AUTHORIZATION

☐ ZONING TEXT AMENDMENT

☐ HOUSING PLAN & PROJECT

☐ UNIFORM LAND USE REVIEW
PROCEDURE (ULURP)

☐ SITE SELECTION — PUBLIC FACILITY

☐ CONCESSION

☐ FRANCHISE

☐ UDAAP

☐ DISPOSITION — REAL PROPERTY

☐ REVOCABLE CONSENT

Board of Standards and Appeals: YES ☒ NO ☐

☒ SPECIAL PERMIT

EXPIRATION DATE MONTH DAY YEAR

☐ VARIANCE (USE)

☐ VARIANCE (BULK)

ZONING SPECIAL PERMIT, SPECIFY TYPE:

☐ MODIFICATION OF

☐ RENEWAL OF

☒ OTHER

SPECIFY AFFECTED SECTION(S) OF THE ZONING RESOLUTION

73-36 ZR for a new PCE

Department of Environmental Protection: YES ☐ NO ☒ IF YES, IDENTIFY:

Other City Approvals: YES ☒ NO ☐

- ☐ LEGISLATION
 ☐ RULEMAKING
☐ FUNDING OF CONSTRUCTION, SPECIFY:
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ POLICY OR PLAN, SPECIFY:
☐ FUNDING OF PROGRAMS, SPECIFY:
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL (*not subject to CEQR*) ☒ PERMITS, SPECIFY: DOB
☐ 384(b)(4) APPROVAL ☐ OTHER, EXPLAIN
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) (*not subject to CEQR*)

State or Federal Actions/Approvals/Funding: YES ☐ NO ☒ IF "YES," IDENTIFY:

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

GRAPHICS The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11x17 inches in size and must be folded to 8.5 x 11 inches for submission

- ☒ Site location map
 ☒ Zoning map
 ☒ Photographs of the project site taken within 6 months of EAS submission and keyed to the site location map
☒ Sanborn or other land use map
 ☐ Tax map
 ☐ For large areas or multiple sites, a GIS shape file that defines the project sites

PHYSICAL SETTING (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 1,098 SF above grade	Type of Waterbody and surface area (sq. ft.): none	Roads, building and other paved surfaces (sq. ft.): none
---	---	---

Other, describe (sq. ft.): none

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

Size of project to be developed: 6,891 SF (gross sq. ft.)

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

If "Yes," identify the total square feet owned or controlled by the applicant:

Total square feet of non-applicant owned development:

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

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

Area: sq. ft. (width x length) Volume: cubic feet (width x length x depth)

DESCRIPTION OF PROPOSED USES (please complete the following information as appropriate)

	Residential	Commercial	Community Facility	Industrial/Manufacturing
Size (in gross sq. ft.)	None	approx. 6,891 SF	None	None
Type (e.g. retail, office, school)	units	PCE		

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

Provide a brief explanation of how these numbers were determined:

approx 15 total employees, 7 maximum at any time

Does the project create new open space? YES ☐ NO ☒ if Yes (sq. ft.)

Using Table 14-1, estimate the project's projected operational solid waste generation, if applicable:

(pounds per week)

Using energy modeling or Table 15-1, estimate the project's projected energy use:

(annual BTUs)

Has a No-Action scenario been defined for this project that differs from the existing condition? YES ☐ NO ☒ If "Yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

10. Analysis Year *CEQR Technical Manual Chapter 2*

ANTICIPATED BUILD YEAR (DATE THE PROJECT WOULD BE COMPLETED AND OPERATIONAL): 2013-14

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS:
3-4 monthsWOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES ☒ NO ☐ IF MULTIPLE PHASES, HOW MANY PHASES:

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

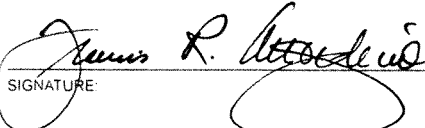
11. What is the Predominant Land Use in Vicinity of Project? (Check all that apply)☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER. Describe:**PART II: TECHNICAL ANALYSES****INSTRUCTIONS:** The questions in the following table refer to the thresholds for each analysis area in the respective chapter of the CEQR Technical Manual.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the 'NO' box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the 'YES' box.
- Often, a 'Yes' answer will result in a preliminary analysis to determine whether further analysis is needed. For each 'Yes' response, consult the relevant chapter of the CEQR Technical Manual for guidance on providing additional analyses (and attach supporting information, if needed) to determine whether detailed analysis is needed. Please note that a 'Yes' answer does not mean that an EIS must be prepared—it often only means that more information is required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant either to provide additional information to support this Short EAS Form or complete a Full EAS Form. For example, if a question is answered 'No,' an agency may request a short explanation for this response. In addition, if a large number of the questions are marked 'Yes,' the lead agency may determine that it is appropriate to require completion of the Full EAS Form.

	YES	NO
1. LAND USE, ZONING AND PUBLIC POLICY: <i>CEQR Technical Manual Chapter 4</i>		
(a) Would the proposed project result in a change in land use or zoning that is different from surrounding land uses and/or zoning? Is there the potential to affect an applicable public policy? If "Yes", complete a preliminary assessment and attach.		✓
(b) Is the project a large, publicly sponsored project? If "Yes", complete a PlaNYC assessment and attach.		✓
(c) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? If "Yes", complete the <u>Consistency Assessment Form</u> .		✓
2. SOCIOECONOMIC CONDITIONS: <i>CEQR Technical Manual Chapter 5</i>		
(a) Would the proposed project:		
• Generate a net increase of 200 or more residential units?		✓
• Generate a net increase of 200,000 or more square feet of commercial space?		✓
• Directly displace more than 500 residents?		✓
• Directly displace more than 100 employees?		✓
• Affect conditions in a specific industry?		✓
3. COMMUNITY FACILITIES: <i>CEQR Technical Manual Chapter 6</i>		
(a) Does the proposed project exceed any of the thresholds outlined in <u>Table 6-1 of Chapter 6</u> ?		✓
4. OPEN SPACE: <i>CEQR Technical Manual Chapter 7</i>		
(a) Would the proposed project change or eliminate existing open space?		✓
(b) Is the proposed project within an underserved area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?		✓
If "Yes," would the proposed project generate 50 or more additional residents?		✓
If "Yes," would the proposed project generate 125 or more additional employees?		✓
(c) Is the proposed project in a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?		
If "Yes," would the proposed project generate 300 or more additional residents?		✓
If "Yes," would the proposed project generate 750 or more additional employees?		✓
(d) If the proposed project is not located in an underserved or well-served area, would the proposed project generate:		
200 or more additional residents?		✓
500 additional employees?		✓

	YES	NO
5. SHADOWS: <i>CEQR Technical Manual Chapter 8</i>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?		✓
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?		✓
6. HISTORIC AND CULTURAL RESOURCES: <i>CEQR Technical Manual Chapter 9</i>		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for, or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; is listed or eligible for listing on the New York State or National Register of Historic Places; or is within a designated or eligible New York City, New York State, or National Register Historic District?		✓
If "Yes," list the resources and attach supporting information on whether the project would affect any of these resources.		✓
7. URBAN DESIGN: <i>CEQR Technical Manual Chapter 10</i>		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?		✓
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources that is not currently allowed by existing zoning?		✓
8. NATURAL RESOURCES: <i>CEQR Technical Manual Chapter 11</i>		
(a) Is any part of the directly affected area within the Jamaica Bay Watershed? If "Yes," complete the Jamaica Bay Watershed Form.		✓
(b) Does the proposed project site or a site adjacent to the project contain natural resources as defined in section 100 of Chapter 11? If "Yes," list the resources and attach supporting information on whether the project would affect any of these resources.		✓
9. HAZARDOUS MATERIALS: <i>CEQR Technical Manual Chapter 12</i>		
(a) Would the project allow commercial or residential use in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?		✓
(b) Does the project site have existing institutional controls (e.g. (E) designations or a Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?		✓
(c) Would the project require soil disturbance in a manufacturing zone or any development on or near a manufacturing zone or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?		✓
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?		✓
(e) Would the project result in development where underground and/or aboveground storage tanks (e.g. gas stations) are or were on or near the site?		✓
(f) Would the project result in renovation of interior existing space on a site with potential compromised air quality, vapor intrusion from on-site or off-site sources, asbestos, PCBs or lead-based paint?		✓
(g) Would the project result in development on or near a government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, municipal incinerators, coal gasification or gas storage sites, or railroad tracks and rights-of-way?		✓
(h) Has a Phase I Environmental Site Assessment been performed for the site? If "Yes," were RECs identified? Briefly identify:		✓
10. INFRASTRUCTURE: <i>CEQR Technical Manual Chapter 13</i>		
(a) Would the proposed project result in water demand of more than one million gallons per day?		✓
(b) Is the proposed project located in a combined sewer area and result in at least 1,000 residential units or 250,000 SF or more of commercial space in Manhattan or at least 400 residential units or 150,000 SF or more of commercial space in the Bronx, Brooklyn, Staten Island or Queens?		✓
(c) Is the proposed project located in a <u>separately sewer area</u> and result in the same or greater development than that listed in Table 13-1 of Chapter 13?		✓
(d) Would the project involve development on a site five acres or larger where the amount of impervious surface would increase?		✓
(e) Would the project involve development on a site one acre or larger where the amount of impervious surface would increase and is located within the <u>Jamaica Bay Watershed</u> or in certain <u>specific drainage areas</u> including: Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek?		✓
(f) Is the project located in an area that is partially sewer or currently unsewered?		✓
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a WWTP and/or generate contaminated stormwater in a separate storm sewer system?		✓
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?		✓
11. SOLID WASTE AND SANITATION SERVICES: <i>CEQR Technical Manual Chapter 14</i>		
(a) Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?		✓
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?		✓

	YES	NO
12. ENERGY: <u>CEQR Technical Manual Chapter 15</u>		
(a) Would the proposed project affect the transmission or generation of energy?		✓
13. TRANSPORTATION: <u>CEQR Technical Manual Chapter 16</u>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 of Chapter 16?		✓
(b) If "Yes," conduct the screening analyses, attach appropriate back up data as needed for each stage, and answer the following questions:		
(1) Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? If "Yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16, "Transportation," for information.</i>		
(2) Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour? If "Yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?		
(3) Would the proposed project result in more than 200 pedestrian trips per project peak hour? If "Yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?		
14. AIR QUALITY: <u>CEQR Technical Manual Chapter 17</u>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 of Chapter 17?		✓
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 of Chapter 17? If "Yes," would the proposed project exceed the thresholds in the Figure 17-3, <u>Stationary Source Screen Graph</u> ? (attach graph as needed)		✓
(c) Does the proposed project involve multiple buildings on the project site?		✓
(d) Does the proposed project require Federal approvals, support, licensing, or permits subject to conformity requirements?		✓
(e) Does the proposed project site have existing institutional controls (e.g. E-designations or a Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?		✓
15. GREENHOUSE GAS EMISSIONS: <u>CEQR Technical Manual Chapter 18</u>		
(a) Is the proposed project a city capital project, a power plant, or would fundamentally change the City's solid waste management system?		✓
(b) If "Yes," would the proposed project require a GHG emissions assessment based on the guidance in Chapter 18?		
16. NOISE: <u>CEQR Technical Manual Chapter 19</u>		
(a) Would the proposed project generate or reroute vehicular traffic?		✓
(b) Would the proposed project introduce new or additional receptors (see Section 124 of Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?		✓
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?		✓
(d) Does the proposed project site have existing institutional controls (e.g. E-designations or a Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?		✓
17. PUBLIC HEALTH: <u>CEQR Technical Manual Chapter 20</u>		
(a) Would the proposed project warrant a public health assessment based upon the guidance in Chapter 20?		✓
18. NEIGHBORHOOD CHARACTER: <u>CEQR Technical Manual Chapter 21</u>		
(a) Based upon the analyses conducted for the following technical areas, check yes if any of the following technical areas required a detailed analysis: Land Use, Zoning, and Public Policy, Socioeconomic Conditions, Open Space, Historic and Cultural Resources, Urban Design and Visual Resources, Shadows, Transportation, Noise If "Yes," explain here why or why not an assessment of neighborhood character is warranted based on the guidance of in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		✓

		YES	NO
19.	CONSTRUCTION IMPACTS: <i>CEQR Technical Manual Chapter 22</i> Would the project's construction activities involve (check all that apply):		
	• Construction activities lasting longer than two years;		✓
	• Construction activities within a Central Business District or along an arterial or major thoroughfare;		✓
	• Require closing, narrowing, or otherwise impeding traffic, transit or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc);		✓
	• Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out;		✓
	• The operation of several pieces of diesel equipment in a single location at peak construction;		✓
	• Closure of community facilities or disruption in its service;		✓
	• Activities within 400 feet of a historic or cultural resource; or		✓
	• Disturbance of a site containing natural resources.		✓
<p>If any boxes are checked, explain why or why not a preliminary construction assessment is warranted based on the guidance of in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.</p>			
20.	APPLICANT'S CERTIFICATION		
<p>I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.</p> <p>Still under oath, I further swear or affirm that I make this statement in my capacity as the</p> <p>Applicant _____ of Fastbreak _____</p> <p>APPLICANT/SPONSOR NAME THE ENTITY OR OWNER</p> <p>the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.</p> <p>Check if prepared by: <input checked="" type="checkbox"/> APPLICANT/REPRESENTATIVE OR <input type="checkbox"/> LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)</p> <p>Francis R. Angelino, Esq.</p> <p>APPLICANT/SPONSOR NAME LEAD AGENCY REPRESENTATIVE NAME</p> <p> 9.24.13</p> <p>SIGNATURE DATE</p>			
<p>PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.</p>			

PART III: DETERMINATION OF SIGNIFICANCE (To Be Completed By Lead Agency)**INSTRUCTIONS:**

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

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

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

2. Are there any aspects of the project relevant to the determination whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the project may have a significant impact on the environment.

3. LEAD AGENCY CERTIFICATION

TITLE

LEAD AGENCY

NAME

SIGNATURE

☐ Check this box if the lead agency has identified one or more potentially significant adverse impacts that MAY occur.

☐ Issue **Conditional Negative Declaration**

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

☐ Issue **Positive Declaration** and proceed to a draft scope of work for the Environmental Impact Statement.

If the lead agency has determined that the project may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency issues a **Positive Declaration**.

NEGATIVE DECLARATION (To Be Completed By Lead Agency)

Statement of No Significant Effect

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

Reasons Supporting this Determination

The above determination is based on information contained in this EAS that finds, because the proposed project:

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

TITLE

LEAD AGENCY

NAME

SIGNATURE