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**The City of New York
Community Board 8 Manhattan**

**Testimony of Community Board 8 Manhattan Chair Alida Camp
Regarding Draft Scope of Work for a Draft Environmental Impact Statement for the New
York Blood Center—Center East CEQR No. 21DCP080M
Before the New York City Department of City Planning
December 31, 2020**

Thank you for hearing my testimony on behalf of Community Board 8. My name is Alida Camp. I serve as Chair of CB8.

Introduction

The purpose of a Draft Scope of Work is to outline the technical areas to be analyzed in the preparation of an Environmental Impact Statement. The applicant proposes to replace the existing New York Blood Center (NYBC) building and is requesting a rezoning and other discretionary actions from the City Planning Commission to facilitate that construction.

The Zoning and Development Committee of Community Board 8M held two meetings largely devoted to this proposal on November 17 and December 8, 2020. At the November meeting, the applicant, supported by its commercial partner, architects, and land use attorney, presented the project for the first time. They were invited to attend the December meeting as well, but declined the invitation.

Well over 200 community residents attended each meeting, and overwhelmingly expressed their objections to the project as presented. A resolution opposing the project was adopted (by a vote of 15 yes with 1 abstention) at the December meeting for presentation to the Community Board. At the regular December 16, 2020 Full Board meeting, the Resolution passed. (38 yes, 5 no, 2 abstentions, and 1 not voting for cause).

The applicant makes several interrelated and interdependent requests for changes to and waivers from the Zoning Resolution. In effect, the applicant asks for zoning changes that allow for commercial uses with bulk restrictions and then asks for waivers from virtually all the bulk and use restrictions they petition for.

Although the applicant identified potential significant environmental consequences that may arise from the construction and continuing use of this project, many questions remain. Aside from Waterfront Issues and Natural Resources (for obvious reasons), each of the tasks enumerated in the

CEQR Manual require extensive study of major negative environmental impact that will occur should the project be approved and built as presented. Many of the adverse effects of the construction of the proposed building cannot be mitigated nor can they be explained into insignificance. For example, imposing a 345 foot tall building on a low-rise residential neighborhood changes the character of that neighborhood forever. While the effects of exhausts from a medical laboratory might be “mitigated”, the dangers an accident would pose to the schools opposite the site of 67th Street and just off First Avenue on 66th Street are irredeemable.

Three overarching and interrelated issues dominate community opposition to the proposed project, and must be addressed in the scope of work for the environmental impact statement. First, the applicant proposes the violation of the R8B residential zoning to allow bulk and uses not normally associated with residential neighborhoods and further asks for relief from setback regulations associated with the new commercial zone. Second, the applicant proposes changing the zoning classification of the Second Avenue Block frontages apparently to mask the excessive modifications requested to the R8B zone of the current NYBC. Finally, the applicant presents a Reasonable Worst Case Scenario that satisfies the program needs of the NYBC (but does not allow for the income from commercial tenants that makes up the vast bulk of the proposed building).

What follows are comments upon the Draft Scope of Work (dated: 13 November 2020), and additional questions that we believe must be addressed in the Final Scope of Work and the EIS itself.

The Reasonable Worst Case Development Scenario

If no action taken:

If no action taken: Applicant would construct a new as-of-right structure in two (2) wings containing laboratory space as well as other UG-4 Community Facility uses. Below grade, it would cover the entire development site.

Six-story wings would rise on both street frontages. Approximately 229,092 sq ft split between 188,931 for Applicant operations and 40,161 of medical offices. Wings would rise to a maximum base height of 60 ft. and maximum roof height of approximately 75 feet. Thirty interior accessory parking spaces would be included.

Table 1 shows the Reasonable Worst Case Development Scenario (RWCDs) for Analysis and is reproduced below:

Table 1
Reasonable Worst Case Development Scenario for Analysis

Program	Existing Conditions	No Action Condition	With Action Condition	Increment
Community Facility (gsf)	159,347	229,092 (Applicant=188,931/Medical Office=40,161)	206,400 (Applicant)	(-) 22,692
Commercial (gsf)	-	-	389,800 (Commercial Labs)	(+) 389,800
Workers	230	670	2,630	(+) 1,960
Total	159,347 gsf 230 workers	229,092 gsf 670 workers	596,200 gsf 2,630 workers	367,108 gsf 1,960 workers

Source: RWCDs Memorandum and information provided by the Applicant.

Table 1 from DSOW. Highlighted numbers do not use reasonable worst case assumptions

The RWCDs for analysis uses assumptions that are not reasonable. The existing Blood Center shows 159,347 GSF and 230 workers or 692 SF per worker. The No Action condition increases development on the site by 44%, but increases the number of workers by 191%, reducing the worker per GSF from 692 SF to 342 SF. This is not a reasonable worst case assumption, especially considering that this alternative assumes 27% of the gross floor area is non-zoning floor area, which presumably is not highly utilized for workers. A reasonable worst case assumption would leave the number of workers per SF unchanged in existing conditions and no-action conditions. This would reduce the number of workers in no-action conditions to 331 and increase the increment studied from 1,960 to 2,299. Impacts that are based on the number of employees would have larger impacts. Following the CEQR standard of assuming reasonable worst case conditions, Table 1’s increment for workers should be changed to at least 2,299. All subject areas that use the number of workers to assess impacts should be altered to use this amount.

Perhaps more to the point, the NYBC could satisfy their functional program with a building that follows the guidelines of the RWCDs. They demonstrate the viability of this option by claiming less of the proposed building floor area for their operations than requested in the overall proposal.

- Should the neighborhood quality be degraded so that the NYBC can generate a profit from the leasing of nearly 400,000 SF of commercial labs?
- If existing zoning could produce a building satisfactory for the growth and current needs of the NYBC, why rezone the lot at all?
- Why does the RWCDs include 30 parking spaces, while the proposed project includes only 6?

Project Description

Laboratory space is currently described in drawings as “partner laboratories” and within the text as space occupied by the “Applicant’s partners.” These spaces should be described as tenant space, unless there is an actual business partnership beyond the tenant/landlord being proposed.

- The project description in the Final Scope of Work should accurately describe the

commercial laboratory space.

The project description states that Use Group 9 will occupy the site. UG 9 laboratories are described as: “Medical or dental, for research or testing or custom manufacturing of artificial teeth, dentures, or plates, with limitations on objectionable effects [PRC–B1].” Use Group 17 laboratories are for: “Research, experimental or testing.” Since the project proposes amendments to ZR 74-48, the project description should discuss the type of laboratories that will be located in the space.

- Since UG 17 labs are not allowed in C2 districts, the applicant should discuss how they will ensure that only labs that qualify for UG 9, and not UG 17, are tenanted.
- If UG 17 laboratories or scientific research and development facilities that conform with M1 performance standards will be allowed, the project description should discuss why these uses are appropriate in a largely residential/community facility midblock site.
- Also, to better disclose the reasonable worst case scenario, the project description should be amended to eliminate UG 9 laboratories and include UG17 laboratories and/or scientific research and development facilities if that is the intention with the amendment of 74-48.

1. Land Use, Zoning and Public Policy

The applicant makes several interrelated and interdependent requests for changes to and waivers from the Zoning Resolution. In effect, the applicant asks for zoning changes that allow for commercial uses with bulk restrictions and then asks for waivers from virtually all the bulk and use restrictions they petition for.

Zoning text amendment 74-48

It is not apparent how 74-48 will be altered, since it currently neither applies to this zoning district, nor the type of laboratories proposed. It currently applies to C6 Districts. A C6 district is not proposed, nor is a “scientific research and development facility,” which is a use that has no Use Group. The “scientific research and development facility” category is an un-numbered use that was specifically developed for this special permit. Since this type of laboratory must conform to M1 performance standards, it is considered industrial or semi-industrial. The project is for UG9 laboratories, not industrial laboratories.

- The final scope of work should provide more detail on the amendments proposed to ZR 74-48 and include a discussion about whether these amendments will impact projects and developments outside the Applicant’s project.
- If 74-48 will be amended to allow laboratories that conform to M1 performance standards in C2 districts that needs to be reflected in the project description.

Impact on the R8B district and consistency with midblock zoning

The proposed action rezones an R8B district. This will be the first time an R8B district has been rezoned on the Upper East Side since the district was first mapped in 1985. When the district was first mapped, the Department of City Planning (DCP) performed a compliance analysis that found

93% of the buildings conformed with the basic envelope, including the existing Blood Center. The R8B boundaries specifically omitted “blocks where the existing construction does not fit into the R8B character.”

- Since this is the first time an R8B district has been rezoned, the Final Scope of Work should study the potential of this rezoning to trigger other rezonings in the R8B district and how such rezonings could undermine the long-standing land use policy direction of New York City and its Zoning Resolution.
- The Scope of Work should instruct the applicant to prepare an analysis of how the proposed action might impact zoning in the surrounding area.
- The Scope of Work should instruct the DEIS to discuss how the proposed action is consistent with the long-standing City policy of keeping higher densities on the avenues, while keeping lower densities on the midblocks.

Land use map (Figure 7)

The land use map (figure 7) has errors. The buildings directly south across 66th Street from the current Blood Center are residential land use, not a community facility use. While these buildings are owned by a hospital and occupied by hospital staff, they are residences and therefore qualify as a residential land use.

- The map should be corrected and the Scope of Work should instruct that current land uses be collected through both the use of the City’s data and field surveys to confirm their accuracy.

Second Avenue Rezoning

Applicant proposes rezoning of Second Avenue between 67th Street and 66th Street from C1-9 to C2-8, and proposes rezoning of the Blood Center site just to the east from R8B to C2-7.

- The Draft Scope of Work should require an explanation for the difference in zoning districts
- The Draft Scope of Work should require an explanation for the Second Avenue Rezoning beyond the “neatness” argument offered in the EAS.
- What are the consequences of the additional uses permitted in a C2-8 zone?

This proposal violates the city’s established zoning. Not only does it require a special permit that will allow five (5) zoning waivers pertaining to use and bulk regulations for a structure that is out of scale with the existing neighborhood, but the building is a spec, commercial use building.

Residents moved into the community surrounding the Blood Center, the area that will feel the impact of the proposed building, because of its residential neighborhood character. Zoning is meant to provide predictability. To radically alter zoning and to alter a residential neighborhood to one with a mid block building of this size and bulk, and commercial for-profit use could not have been predictable. Do we know whether residents would have chosen to live in a neighborhood where this building would exist? Could they have known that such a building could be constructed?. Does public policy support such a departure from established zoning principles?

Granting this application would set a dangerous precedent for all R8B mid-block zonings.

Does current public policy support the decimation of “the balancing of high-density zoning on the avenues by low-scale development in the midblocks” which has remained a guiding principle in all of NYC’s rezonings to-date?

Does this application undermine the concept of zoning, by allowing any zoning to be altered despite the vast difference between the application and the applicable provisions of the Zoning Resolution?

Would public policy support granting the zoning changes and special permits requested given that the Applicant states in its application that it can build an as-of-right building that would allow it to accomplish its mission?

Does public policy support the decimation of the zoning provisions for a commercial for-profit building that can instead be built as-of-right to achieve the Applicant’s mission

Does public policy support decimating the zoning provisions where the City offered the Blood Center other land, in areas also close to hospitals.

Does public policy support the dangerous precedent that approval of the building would set?

Does the Applicant’s ability to build a modern as-of-right building that would enable it to fulfill its mission in the very location on which it seeks to build an out-of-scale and contextually inappropriate building undermine its argument that the rezoning is necessary?

Does public policy support decimating the Zoning Resolution for a for-profit building constructed and funded by a developer with an investment fund available to investors knowing that the Blood Center would occupy approximately one-third of the space with the remaining two-thirds leased to commercial labs?

Does public policy support a radical zoning transformation where a not-for-profit partners with a for-profit real estate developer/investor where financing of and investment in the for-profit project is undisclosed

Is undermining the Zoning Resolution appropriate where New York has many vacant offices that could be retrofitted to create labs?

Is transforming the Zoning Resolution appropriate where contractors and life sciences experts reported in a panel discussion as part of a webinar that New York’s loss of life sciences to Boston is not related to space and laboratory facilities, but to other causes that this building does not correct?

What impact will the size of the proposed sign, requiring a zoning change, have on the residents and businesses of the community?

What impact will the size of the proposed sign, requiring a zoning change, have on the residential character of the community?

Does public policy support disruption of the Zoning Resolution where building the facility in other areas of the City would provide financial benefits to those areas, at least one of which has been traditionally underserved?

What will happen if the Blood Center decides to sell the land after receiving the zoning change it seeks and a residential tower or mixed-use building is built. How would that type and size of building impact the neighborhood of small residential buildings in the midblocks?

Does public policy support the precedent that would be set by granting a radical zoning change premised on certain representations where the Applicant is not required to build the specific building alleged to support the rezoning.

2. Socioeconomic conditions

The bulk and height, along with the constant illumination, of the proposed building will impact the children across the many schools encompassed in JREC. Some of the children have severe learning disabilities and excessive noise above which they are accustomed can negatively impact their ability to learn. Likewise, many of the students come from disadvantaged communities and excess noise will add another challenge that may encumber their ability to achieve in and outside of the classroom.

What are the impacts on their classroom environment. Will permanent shadows and loss of sunlight inhibit their motivation to learn? Will required outdoor playtime be less pleasant when shadows cast over their playground and green space from the proposed project?

Educators and administrators from JREC spoke at the Zoning and Development Committee and the Full Board meetings. Concerned about the impact of the shadows on their student's ability to learn and play they uniformly spoke against the Application.

Studies on the impact of classrooms darkened by shadows on children who primarily are from disadvantaged, disenfranchised homes must be provided. Do these children deserve to be the subject of future research about the impact of this proposed building on their learning and well-being?

What is the impact on educators of such darkened classrooms? Quantify the ways in which the potential for a decrease in the quality of teaching will impact students.

Will increased employees in a residential neighborhood cause the nature of businesses to change from businesses serving residents to more fast food or delis? Will that have an impact on residents who may need to go further to find a shoe repair or a supermarket, for example?

To what extent will new businesses cater solely to employees housed in the NYBC building?

What kinds of compensation will the lab employees earn and what is the distribution of this income across all potential employees of the NYBC and of proposed tenant space?

Will the increase in higher incomes create rent gentrification of adjacent and nearby businesses such that corporate chains will replace independent businesses?

What impact does a commercial building, including scientist and administrator tenants, have on a residential neighborhood? What kinds of changes would it bring? How will that impact fixed-income residents as well as residents who have young children?

Will local pre-schools be required to serve employees? Will they exclude neighborhood children?

Will increased security needs have an impact on street life? How will it detract from the residential feel of the neighborhood?

3. Community facilities and services

Each of the concerns raised within other categories apply to the Julia Richman Education Complex (JREC) and St. Catherine's Park, two critical community facilities. JREC is a campus of multiple schools, some of which serve children with severe cognitive disabilities and a variety of students from disadvantaged communities. JREC's campuses sits across the street from the proposed building. There will be numerous impacts of the NYBC proposal associated with JREC and Saint Catherine's Park.

4. Open space

Open space is a critical neighborhood resource within the Upper East Side and even more so within the defined project area. Any potential negative impacts from the NYBC proposal to this widely utilized 1.38-acre park should be a high-importance consideration when planning for any potential increase in development footprint within the immediate area.

The park is a true neighborhood resource that caters equally to local children, students at nearby JREC, young adults, adults using its vast recreational opportunities, and seniors or disabled residents seeking to enjoy greenspace. It is the only greenspace within the immediate neighborhood and therefore warrants special attention with regard to external development threats.

The building's impact will not be able to mitigated with respect to the Park. Shadows can't be fixed, sunlight can't be brought back. Any impact on the Park must be scrutinized with particular care.

To what extent will the NYBC proposal impact critical light resources on the park?
How long will it take shadows to pass through St. Catherine's Park across each hour-block, month, and season?

What is the extent of impact that an illuminated building will have on the diversity of users of St. Catherine's Park?

To what extent will the loss of sunlight and increased air pollution impact the plantings and greenery at St. Catherine's Park as well as street plantings throughout the neighborhood?

How will the increase of several thousands of new employees impact the usage of St. Catherine's Park?

5. Shadows:

Under CEQR, a shadows assessment is required for proposed actions that would result in new structures greater than 50 feet in height, or of any height if the project site is adjacent to a sunlight-sensitive resource. According to the *CEQR Technical Manual*, sunlight-sensitive resources include publicly accessible parks and plazas, sunlight-dependent features of historic resources such as stained-glass windows, Greenstreets (planted areas in traffic islands), and natural resources such as water bodies and wetlands.

Applicant proposes a tiered analysis, at the conclusion of which they will "Assess the significance of any shadow impacts on sunlight-sensitive resources. If the results of the analysis identify a potential for significant adverse impacts, potential mitigation measures will be discussed."

- Final scope of work should require method for mitigation of daily shadows, which seems to involve changing the laws of physics as well as the Zoning Resolution.
- Final Scope of Work should require analysis of shadow effects on the architectural features of the JRC, an important neighborhood feature which will be in darkness throughout the day.
- While not part of a shadow study, the Scope of Work should require analysis of the neighborhood effects of reflections from the glass surface of the proposed building, especially as most neighborhood tall buildings are of primarily masonry construction.
- While not part of a shadow study, the Scope of Work should require analysis of the neighborhood effects of light trespass and light pollution from a tall facility operating 24/7/365.

The shadow study produced by Applicant is insufficient. The following questions will elicit more explicit information about the impact of the shadows.

While it does convey the degree of variation of shadows throughout the course of a year, it is insufficient in that it solely addresses impacts on the playground at St. Catherine's Park. It does not include the entirety of the park or incorporate JREC, streetscapes and nearby private

residences. The study presented affirms that shadows vary dramatically over the course of a year. Accordingly, a more comprehensive study is required to understand the extent of impact across these critical locations.

Please note the degree to which shadows can impact community members beyond children frequenting the school and park. Educators are likely to be impacted by loss of natural light in classrooms and elderly and disabled populations will also be impacted by loss of park sunlight. The loss of sunlight on public rights of way, streetscapes and in private residence will also impact a vast majority of the neighborhood. These potential impacts must be scrutinized hour by hour, month by month.

Please note that for each question, duration refers to hours/day for each calendar month, which must be examined.

What are the length and duration of the shadows on the entirety of St. Catherine's Park?

What are the length and duration of shadows on the playground at St. Catherine's Park?

What are the length and duration of shadows on the schools contained within the JREC Campus?

What are the length and duration of shadows on private residences?

What are the length and duration of shadows on businesses?

What are the length and duration of shadows on streets?

What impact will the shadows have on the greenery at St. Catherine's?

What impact will the shadows have on the trees along the curbs in the neighborhood?

What will the impact of the reflective glass be?

What will mitigate the impact of the reflective glass?

To what extent will the glass create a temperature effect on the surrounding streets and buildings?

What impact will reflective glass have on the interiors of residences, JREC and St. Catherine's?

How far north, east, and west will the shadows extend?

How broadly will the shadows be cast over the course of every day throughout the year?

What impact will the shadows have on the use of the sidewalks and streets?

Will the shadows cause greater icing, and longer-lasting snow during the winter on the sidewalks and in the streets?

How long will it take the shadows to pass through St. Catherine's Park and the impacted JREC classrooms?

6. Historic resources

The Upper East Side has been a residential community for decades. Developed in 1985 to match the scale of the mid-block tenements, the R8B zoning district is a preservation zoning district. Preservation zoning districts were designed to match the existing residential context, limiting height and bulk to preserve the scale of existing residential neighborhoods.

The historic nature of the Upper East Side as residences, first for working class and immigrant families, then as homes to economically diverse residents, will be adversely affected by the intrusion of the proposed building, which will be out-of-context in bulk and will introduce commercial uses into the midblock.

Residents move to the Upper East Side because it has been a residential community. Do they expect a commercial building, vastly out of scale and context to be built in the middle of a residential block? Is this a reasonable imposition for residential neighbors, schoolchildren, park users and others who expect a residential community based on the history of the neighborhood? No, because our zoning laws prohibit such intrusions on the historic character of the midblocks

7. Urban Design/Visual Resources

The Final Scope of Work should require that the DEIS include existing condition photographs and verifiable digital photosimulations of proposed conditions.

- Viewpoints should include, at minimum: from York Avenue, First Avenue, Second Avenue and Third Avenue, looking toward the project from both East 66th and 67th Streets.
- The viewpoint from St. Catherine's Park should also be studied in simulation.
- Longer range photographs and simulations should show the top of the proposed building so that the scale of the proposed building can be assessed in context with other midblock buildings, and so the simulations can be used to assess the impact on Neighborhood Character.

8. Neighborhood character

The Scope should instruct that Neighborhood Character be evaluated in the context of existing zoning where larger buildings are allowed on the avenues and smaller buildings in the midblock. As DCP wrote when recommending the R8B district, “[t]he midblocks on the Upper East Side have a strong and identifiable sense of enclosure, scale and coherence. They form enclaves within the larger community and offer a quiet refuge from the busier avenues.” (Upper East Side Midblock Study, Department of City Planning, February 1985.) This form is fundamental to the character of the area. The Scope should instruct that the DEIS disclose what the proposed project will do to the character of the midblock, “sense of enclosure, scale and coherence.”

The Scope of Work should also discuss the impact of the proposed sign, which would otherwise be illegal, on the character of the street.

Furthermore, the Scope of Work should evaluate the impact of the requested Second Avenue rezoning, and its different use group, on the residential character of the surrounding neighborhood. The Applicant seeks to rezone both the east and west sides of Second Avenue. Accordingly, the townhouses stretching to the west as well as Second Avenue residential buildings, must be included in the calculation of impact.

The area around the Application site is a residential community. Along with condos, co-ops, and rentals, there are schools, one park, and the businesses that support this community.

Hospitals and their related buildings are located east of First Avenue. Any comparison of the proposed building to the hospitals and related buildings is misplaced and must be discounted. The proposed building is located squarely on a residential street in a residential neighborhood.

The proposed building would severely disrupt the residential character of the neighborhood, both by expanded use associated with NYBC tenants and by bulk and height of the building. That the Zoning provision that applies to the site would be transformed demonstrates the extent to which the proposed use and scale differ from what is already in the neighborhood, and that which is expected to be in the neighborhood.

The character of the neighborhood is residential. The residential nature of the community does not support the extent of the proposed use as commercial space for labs and offices. Nor does it support the size, bulk, height, or the building’s emitted and reflective light which dramatically contrast the existing streetscape, architectural styles, and character.

The Applicant must address how the proposed building would disrupt the residential nature of the surrounding community. They must also address the impact of the shadows and the out-of-scale bulk associated with this building sited in a mid-block residential community.

The R8B zone does not permit this extent of mixed use on the mid-block and the intent of the 1985 DCP study suggests the intentional nature of this zoning to promote community character while

directing development of this proportion to the avenues.

What impact will an all-glass building have on the residential character of a neighborhood comprised of architecturally significant buildings reflecting different periods reflecting the residential history of the neighborhood?

What impact will reflective properties of glass have on the residential character of the neighborhood?

What impact will light emitted 24 hours/day, seven days/week from a 330-foot tall tower have on the residents and residential character of the community?

How far north, south, east and west will light emitted from the subject site and its tenants travel?

What are the long-range impacts of light associated with this project beyond the immediate neighborhood and into the broader community and neighboring community districts?

What impact will an illuminated building have on students and educators at JREC?

What impact will an illuminated building have on those who use the St. Catherine's Park?

What impact will the NYBC's proposal have on the local business community? To what degree will existing businesses be replaced as a result of the inflow of differing needs of the thousands of new employees of the NYBC and its tenants?

9. Natural resources

What impact would the proposed building have on residents' light and air, the community's natural resources?

What impact would the proposed building, through shadows, have on the greenery of St. Catherine's Park?

What impact would the proposed building have on JREC's light and air?

What impact would the proposed building have on water usage. With consistent water main breaks, would higher frequency water usage associated with the larger-scale and higher-intensity use building overwhelm the water mains?

Would the increased vehicular and pedestrian traffic caused by deliveries of equipment and materials, and additional employees have an impact on the quality of the air?

Would the building disrupt the calmer air flow by causing wind tunnels, or higher and more

unpredictable winds? What impact would this have on residents, users of the street, and birds?

10. Hazardous materials

The Draft Scope of Work states that a Phase I Environmental Site Assessment has been already prepared and will be used to describe the potential for hazardous materials at the site. Since a Phase II Subsurface Investigation is expected, the Final Scope of Work shall require Phase II Subsurface investigation to be a part of a completed DEIS.

- The ULURP application for the NYBC should not be certified as complete without the full environmental site assessments, including the Phase II investigation work.

The Draft Scope of Work states that a Phase I Environmental Site Assessment has been already prepared and will be used to describe the potential for hazardous materials at the site. Since a Phase II Subsurface Investigation is expected, the Final Scope of Work shall require Phase II Subsurface investigation to be a part of a completed DEIS. The ULURP application for the NYBC should not be certified as complete without the full environmental site assessments, including the Phase II investigation work.

What species of animals will be used in NYBC labs and tenant (“partner”) space?

How will these animals be transported to the facility and into the labs?

How will they be disposed of and what can be expected to happen to them while used in the facilities?

How will their waste be disposed of?

What types of hazardous materials will be used in the labs? What are the proposed manners of disposal?

Will hazardous materials used within the NYBC building and tenant spaces be released into the public airspace? What controls are in place to mitigate the impacts of these emissions? Are they compliant with State and Local standards and do they go beyond the minimum or maximum thresholds established at the State and Local levels?

Will air intake systems bring such emissions into other buildings or residences

Public disclosure of hazardous materials used, manners of disposal, and potential for negative impacts on the local environment must be disclosed.

What impact will emissions and air released by NYBC and tenants have on residents, schoolchildren, pedestrians and users of the Park.

How many in the community have health issues, such as pulmonary or heart disease, that particles of hazardous materials emitted may impact more seriously?

11. Infrastructure

The infrastructure of the Upper East Side is not set up to support a 330-foot tower on a residential mid block.

What impact will the increased daily users of the building (employees, vendors etc.) have on public transportation. Will public transportation support the increased usage?

What impact will the increased demand have on public utility services. Will the 24 hour/day, 7 days/week contribute to the possibility of brownouts and blackouts during heavy usage periods?

Will the need for public utilities put additional strain on these systems?

Will the need for artificial lighting in buildings impacted by shadows contribute to the possibility of brownouts and blackouts during heavy usage periods?

What impact will increased trucks for delivery, waste pick-up, other pick-ups by truck for equipment and lab supplies, and taxis, Ubers/Lyfts have on the roadbeds and the need for repaving? Will more frequent paving be required. Will this culminate in additional potholes?

Will a large building of labs with various types of equipment put increased strain on the fire department? Will specialized fire services be required to service the major increase in development footprint? Will specialized fire services be required to service the major increase in development footprint?

Will there be additional strain on water mains, sewage systems, and other public systems?

12. Solid waste and sanitation

Laboratory work produces waste. Lab workers and administrators produce waste. Animals, if used, produce waste. The Applicant must produce information to address the questions of the types of waste produced and the disposal methods.

An answer that the Applicant does not know to whom the space will be rented is tantamount to a failure to respond. Nearby residents, schoolchildren, small businesses, and park users must have more information about the waste products to be produced in a neighboring building, especially of this size and scale.

Furthermore, what will happen when labs close. How will residents and other community users know what type of lab is replacing them and if there are additional or future waste products, and sanitation issues that may cause concern

How will the building accommodate potential waste of all potential labs and related offices?

What if the labs use, or produce as by-products, hazardous chemicals? How will that waste be disposed of. There must be adequate methods to dispose of waste of all types of prospective tenants, including chemical, biological, medical and all other lab products, whether or not anticipated production of such waste is remote.

Current residents and those that moved to this community with the understanding that the R8B zoning code afforded protections to ensure the integrity of a residential neighborhood deserve to know what may chemicals, emissions and wastes may be produced as a result of the NYBC building and associated tenants.

The community is entitled to know the types and amount of waste produced and the methods of disposal.

The Applicant must also address the solid waste produced by the thousands of employees that they anticipate working in the building.

13. Energy

The Applicant proposes a 334-foot tall, 180 foot wide cube on top of a base that will be illuminated 24 hours/day, 7 days/week. The Applicant must quantify the amount of energy this building will consume.

Will the energy provider be able to absorb the additional energy usage without detriment to anyone else in the community, including the hospitals?

Will there be a generator? Where will it be placed? What kind of energy will the generator use to provide energy to the building? Will the generator produce waste?

Will additional heat or cooling be required to support the building's occupants and lab systems? What kind of energy will the labs require?

What happens if the lab use changes as occupants change. Will there be changes in energy demands by different occupants?

To what extent will solar power be used?

Will there be a green roof to cut down on energy usage?

How will the building mitigate additional energy usage?

Unlike offices, labs may need to be kept at constant temperatures 24 hours/day, 7 days/ week, even when not being used. How will this energy requirement affect the utility?

How will additional usage be mitigated to avoid impacting the community?

Will additional energy be required to support all of the building's functions, including waste disposal?

Buildings affected by shadows cast by the proposed building will need to use artificial lighting more frequently. How will that affect the utility?

Who will pay the costs of the additional energy usage required by residents and the JREC schools, and nearby businesses?

Will the building produce more ambient heat on the sidewalks, and on nearby buildings? How would any additional heat be mitigated? Will that additional heat have any impact on the greenery at St. Catherine's and on nearby trees on sidewalks, or in yards or open areas in buildings?

What is the net energy impact of the building's usage and anticipated increases in energy usage by residents and other businesses on overall energy consumption and how will that be mitigated?

14. Traffic and parking

Transportation Planning Assumptions in AKRF's memo

Transportation Planning Assumptions in AKRF's November 11, 2020 memo need to be altered. That memo says:

. . . the daily person trip rate, as well as the temporal and directional distributions for the biomedical laboratory component, are from the 2019 Bronx Psychiatric Center Land Use Improvement Project FEIS Bio- Tech/Research Use, which was based on the 2015 New York City Department of Sanitation Proposed Manhattan Districts 6/6A/8 Preliminary Transportation Demand Factors & Screening Assessment Memorandum Scientific Research Laboratory Use. This source is based on a survey of travel demand factors at the Alexandria Center for Life Science, which is a successful model for the biomedical laboratories proposed for the Proposed Project. These types of facilities have laboratory and collaborative research shared spaces spread over large square foot areas.

The base source is a "survey of travel demand factors at the Alexandria Center for Life Science." While the Alexandria Center for Life Science provides laboratory space for research and development, it is not a commercial laboratory. According to its certificate of occupancy, Alexandria houses research in Use Group 17, which is an industrial use group for heavy research, development and testing. The Blood Center is proposing commercial laboratories in Use Group 9. As an industrial

use, Alexandria requires “laboratory and collaborative research shared spaces spread over large square foot areas,” while the Blood Center laboratories are planned to be more concentrated. According to the RWCDs, the with-action scenario expects to have one worker per 227 SF, with the commercial lab portion having one worker for every 190 SF. This concentrated activity will produce vastly more trips than assumed in the AKRF memo.

That memo states that biomedical laboratories have 6.98 trips per 1000 SF. This compares to 76 trips per 1000 SF for the medical office also in the building. For the laboratory, this translates to just 1.34 trips per worker, which is, of course, impossible. Each worker must generate at least 2 trips (arriving and departing), and likely many more. Further, that same memo assumes deliveries of just 0.32 per 1,000 SF for the laboratory, or just 124 per day, which is just 1 delivery for every 17 workers in the commercial lab. This is not reasonable for a commercial laboratory, which will be taking in perishable samples, conducting tests, and sending out results, likely by the thousands every day. And that’s not even including lunch deliveries for the 2050 people who will work there.

The transportation planning assumptions may be reasonable for a lab doing pure research and testing, but that does not reflect the proposed action. Consequently, the transportation planning assumptions in the Draft Scope of Work are wholly inadequate as they describe a completely different type of facility. The Transportation Planning Assumptions in the Final Scope of Work need to use a commercial laboratory that reflects the use proposed.

Each of the questions must also be answered with respect to the proposed rezoning of Second Avenue and the new use groups that would be allowed.

The increase in number of cars, deliveries, pick-ups, and employee foot traffic walking to the building raises serious concerns about the impact on streets. These side streets are designed to be residential streets, and are additionally used as a hospital corridor, serving ambulances en route to nearby hospitals.

There are two lines of analysis of transportation questions. One pertains to the construction period; the other to the completed and operational lifecycle of the building. The construction concerns are raised in the Construction portion of this document.

What impact will additional congestion have on ambulances rushing to and from the hospitals, and other emergency vehicles.

What impact will additional congestion have on buses, including time waiting for buses as a result of increased daily commuter traffic to and from the NYBC? What impact will this have on elderly waiting to take buses.

What impact will additional congestion have on vehicles emitting pollutants? Will slower-moving traffic add to pollution, will idling engines increase pollutants?

Will more and slower trucks impact sound quality in the neighborhood?

What impact will increased congestion and slower-moving vehicles have on school buses picking up and dropping off children at JREC and other nearby schools?

How many additional trucks are likely? Additional cars? Additional taxis?

What impact will additional vehicles have on the ability of neighborhood residents to travel freely, enter and leave their buildings without traffic delays?

What impact will lack of parking have on the streets and on the ability of residents to park? Will parking regulations need to be changed to reflect the commercial use of the building? How would a change in parking regulations affect residents who require cars?

What will happen at the intersection of increased parking demands by the proposed building's employees and congestion pricing? The Blood Center is close to the edge of the congestion pricing zone? Will the often-anticipated rush of drivers to find parking close to the zone exacerbate the parking difficulties in the area caused by commercial parking or employees wanting to park cars?

Would an increased amount of, and more frequent buses to accommodate greater numbers of employees have an impact on traffic? Could the MTA afford to increase bus service as required to meet demand?

Would schedules of school buses conflict with schedules of deliveries and pick-ups and other related traffic. How will school buses be accommodated?

How will the building schedule deliveries and pick-ups to minimize additional congestion? Where will trucks park during deliveries.

Will there be nighttime deliveries to accommodate nighttime laboratory functions? How will that impact residents?

How will transportation on Second Avenue be affected. Second Avenue already is highly congested because 66th - 67th Streets are close to the Queensboro Bridge?

15. Transit and pedestrians

The Final Scope of Work should study the potential for conflict between school buses serving young children and children of all ages with significant cognitive impairments attending the JREC campus

located directly across the street. These buses require access at both morning drop-off and afternoon pick-up times. School bus access will likely cause conflicts in 67th Street between Second and First Avenues, and not in intersections where these conflicts most often occur.

If the study shows the potential for conflicts, the Scope of Work should require a mitigation plan to mitigate those impacts to the extent practicable.

Further, because of the number of child trips generated by JREC and St. Catherine's Park across the street, the Scope of Work should require a vehicular and pedestrian safety assessment at any intersection in the transportation study area that can be classified as high vehicle crash or high pedestrian/bicycle crash locations.

The use of the street by ambulances rushing to the hospitals must also be considered, assess if the increased vehicular and pedestrian traffic associated with the proposal will inhibit local hospital operations.

Many critical public transportation routes exist near the site of the proposed building.

The subway stops at 68 Street and Lexington, making it a cross street to the hospitals that lie on First and east of First. The Q train stops at 72 and Second, making it convenient for at least some of the thousands of employees going to and from the proposed building. Buses travel east and west on 68 and 67 Streets, respectively.

These public transportation means are already crowded. Passengers on the Lexington Line, including the 6 train that stops at 68 street, often wait for 2 or 3 trains, before they are able to board the train. Bus service on the 68 and 67 street lines has been cut by the MTA. To what extent will the increase of thousands of employees working at the NYBC building overwhelm the already-burdened neighborhood public transportation?

As a residential neighborhood, residents and those connected with residents, such as caregivers, use the streets at all hours of the day and night. A tall, bulky, inappropriately sized building that is illuminated 24 hours/day, 7 days/week, will have an impact on those using the street.

Children take school buses to JREC. What impact will increased vehicular and pedestrian traffic have on their crossing the street?

What impact will an inflow of thousands of additional employees have on street congestion? The Upper East Side has many elderly residents. How will street usage by new employees, vendors, suppliers, affect their mobility and ability to use the sidewalks and navigate their neighborhood freely and unencumbered?

16. Air quality:

The Proposed Project is anticipated to include laboratories with fume hoods. Therefore, an analysis will be performed to examine the expected use of potentially hazardous materials in the proposed laboratories, and the procedures and systems that would be employed in the proposed

laboratories to ensure the safety of staff and the surrounding community in the event of a chemical spill in one of the proposed laboratories.

- Final scope of work should require analysis not only of effects of chemical spills, but of biological material released into the atmosphere through the building mechanical system.

17. Noise

The final Scope of Work should recognize that temporary changes in assessing existing noise due to the Covid-19 pandemic will soon no longer be necessary. The final Scope of Work should instruct the applicant to wait after Covid-19 restrictions have been lifted in order to determine existing noise levels from noise receptors that make sense for this project. The use of noise receptors identified in 2001 as a part of the Memorial Sloan Kettering Cancer Center is no longer necessary or wise.

How will additional slow-moving trucks impact the sound quality in the neighborhood?

What measurable noise level increase will the multi-year construction phase have on neighborhood residents? Will the increased noise level differ during each of the proposed phases of construction?

What impact will construction noise have on the JREC students?

What impact will construction noise have on the users of the park, including school children, the elderly and disabled, young adults using ball courts and adults seeking to use the park?

Will a 330-foot tall all-glass building have an impact on sound quality. Will neighborhood and traffic sounds bounce off the glass? What impact will this have on residents, on schoolchildren and educators at JREC, and on users of the playground and St. Catherine's Park?

For all of these questions, please supply analyses for the proposed Second Avenue rezoning that would allow additional, larger uses.

18. Construction impacts

The proposed 52 months estimated to construct the building will be a time of chaos for the neighborhood. These questions are necessary during any construction phase of a building of the height and bulk contemplated on a narrow residential street.

Will there be a crane? What steps will be taken to prevent accidents in a dense residential neighborhood with schools and a park across the street?

Where would the crane park. What impact would the closing of a street for a crane have on ambulances going to the hospitals and on emergency vehicles serving the neighborhood? On school children? On use of the park? On residential vehicular and pedestrian traffic coming and going from their apartments?

How long would streets need to be closed for a crane?

What impact will use of the street for construction have on the neighborhood and street uses? As streets are used for staging areas, and 67 and 66 Streets are narrower than avenues, where would construction equipment be located?

Does the Applicant intend to ask for after-hours variances for construction? Any AHV's will exacerbate the negative construction impacts of noise, debris, trucks on neighborhood residents, school children and educators, and Park users.

How will construction impact ambulance routes, and if ambulance routes are altered what impact would those changes have on traffic patterns?

How would the frequent ingress and egress of certain construction vehicles affect ambulances and buses?

How would construction safety be implemented to ensure that construction vehicles and construction workers moving equipment and materials do not harm pedestrians and school children?

What impact would transporting construction equipment moving back and forth from the site have on other users of the street, including buses and school buses?

What impact will construction (other than crane use) have on emergency vehicles needing to respond to residents, school children or users of the Park?

What impact will construction traffic have on users of the Park?

Where will construction vehicles park while waiting to remove debris?

What impact will construction vehicles have on neighborhood residents, schoolchildren and traffic during the time of specialized construction work, such as pouring concrete?

What impact will construction have on children going to and from school and to and from the Park? What impact will it have on buses and other forms of transportation?

What hazardous materials are likely to be found in the current building's debris? How will their presence be mitigated?

Where will the Blood Center locate during construction? How will this affect its work?

The developer has not, as far as can be gleaned from the website, constructed buildings of this size previously? How will construction progress with an inexperienced builder?

19. Public Health

The Application must be examined from a public health perspective. It is clear that public health will be affected during both the construction and operating phases of a building of this size and use relative to the scale and character of the existing built environment. All sections of the Part II Technical Analysis component of the EAS have implications on the public health of the community. These applications to public health must be examined from a comprehensive standpoint that addresses the questions and concerns previously raised in the preceding and forthcoming sections.

What kinds of waste will be produced and how will they be disposed of?

How will the increase in harmful chemicals vented into the air impact air quality within the neighborhood?

What impact will the use of hazardous materials have on residents, school children and users of the Park and streets?

How will increased congestion impact pedestrians and schoolchildren, including those with learning disabilities?

How will increased congestion impact those with asthma and other pulmonary conditions?

A 24 hour/day light-emitting building is likely to affect residents in nearby buildings. Will sleep cycles and circadian rhythms be affected? The Applicant must produce peer-reviewed studies on the impact of 24 hour/day light emitted by a building that will be four times the height of adjacent and mid-block buildings.

Altering the character of a residential neighborhood will have psychological impacts. The Applicant must produce studies on a dramatic, out-of-context change of this nature, given that a residential mid-block will serve a commercial building that will tower over adjacent residences, schools and St. Catherine's Park.

20. Alternatives

The Scope of Work should include alternatives examining alternative siting. Specifically, the Scope should instruct the applicant to investigate one or more of the sites identified in the Applied Life Sciences Hub, which identified three City-owned sites that could house the exact use proposed by the Blood Center.

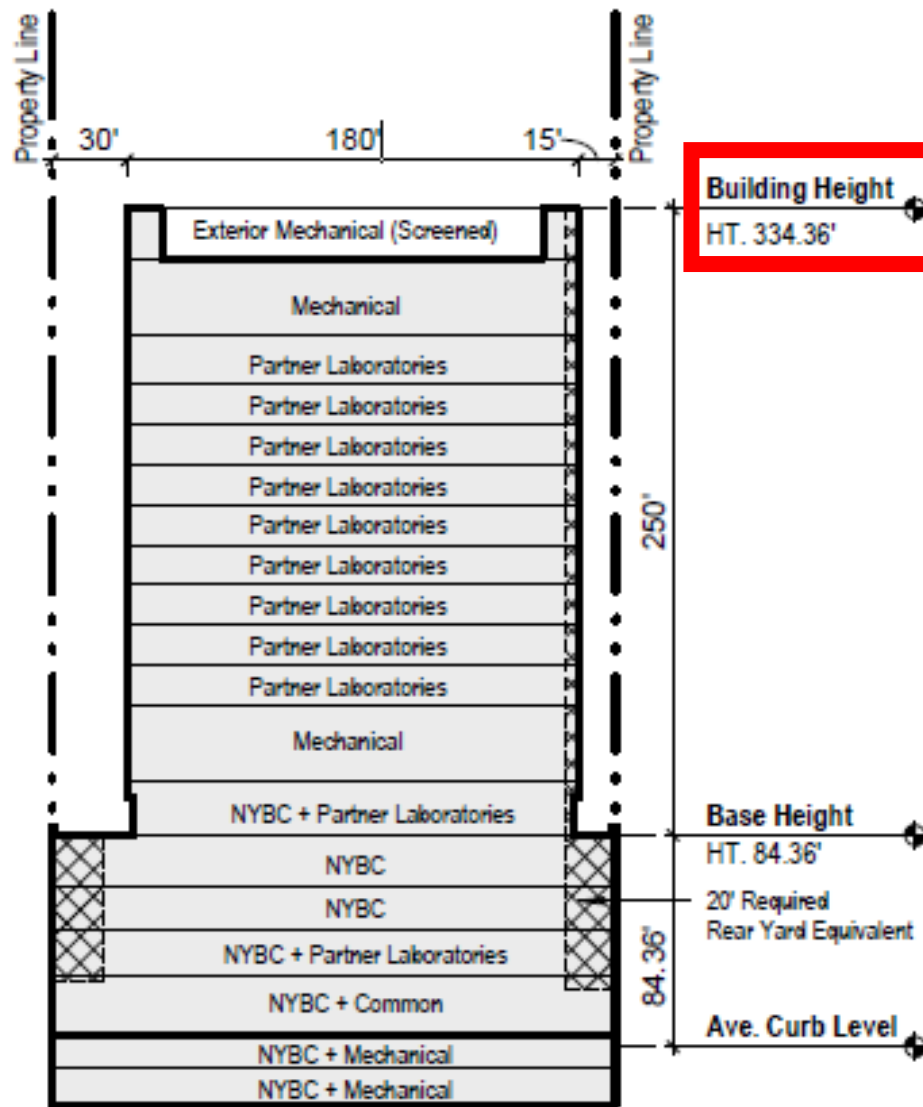
The Scope of Work should also include an as-of-right building which the Applicant identifies as sufficient to enable it to accomplish its mission.

Sincerely,

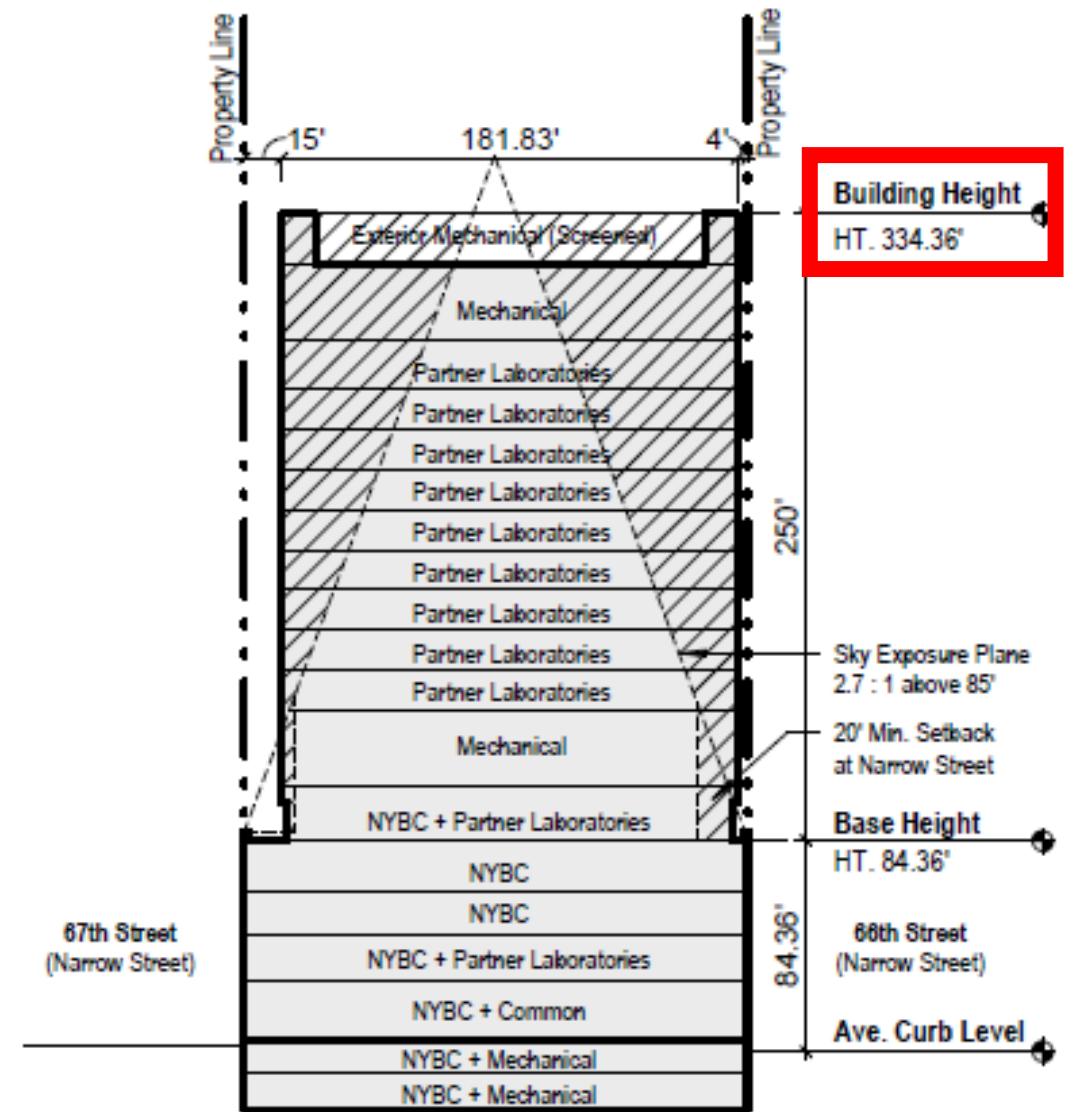
A handwritten signature in black ink that reads "Alida Camp". The signature is written in a cursive, flowing style.

Alida Camp, Chair

The Blood Center wants to redevelop their property with a very large building (~600,000 SF), and allow commercial uses

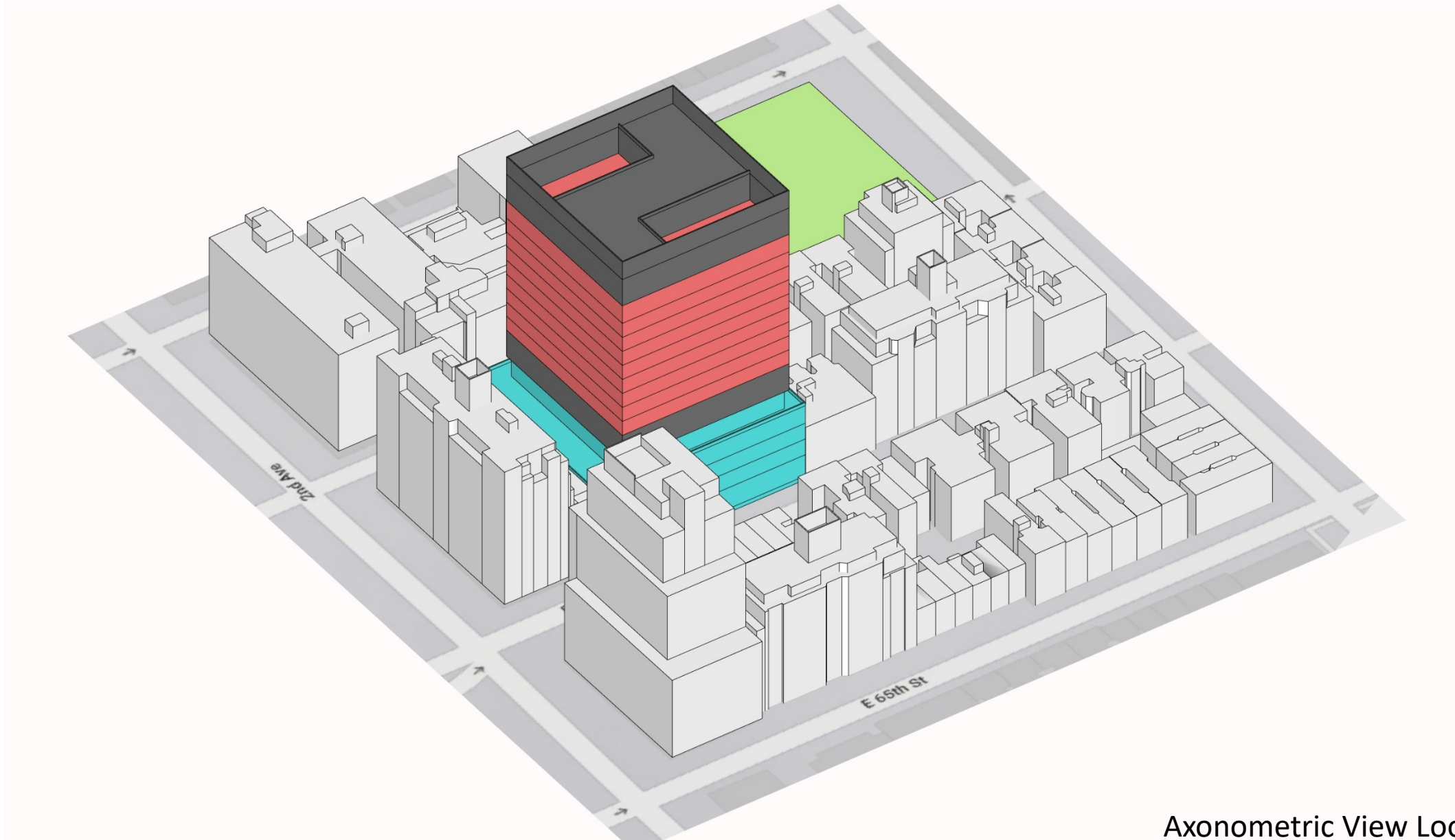


EAST-WEST SECTION



NORTH-SOUTH SECTION

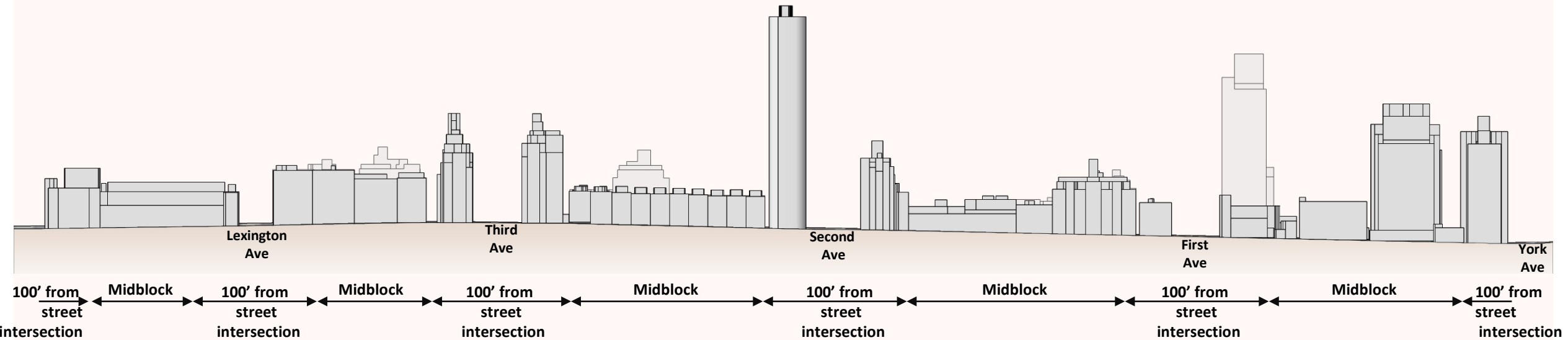
Current zoning limits height to 75 feet, with allowances for mechanicals up to 100 feet. The current proposal is for 334 feet to its highest point



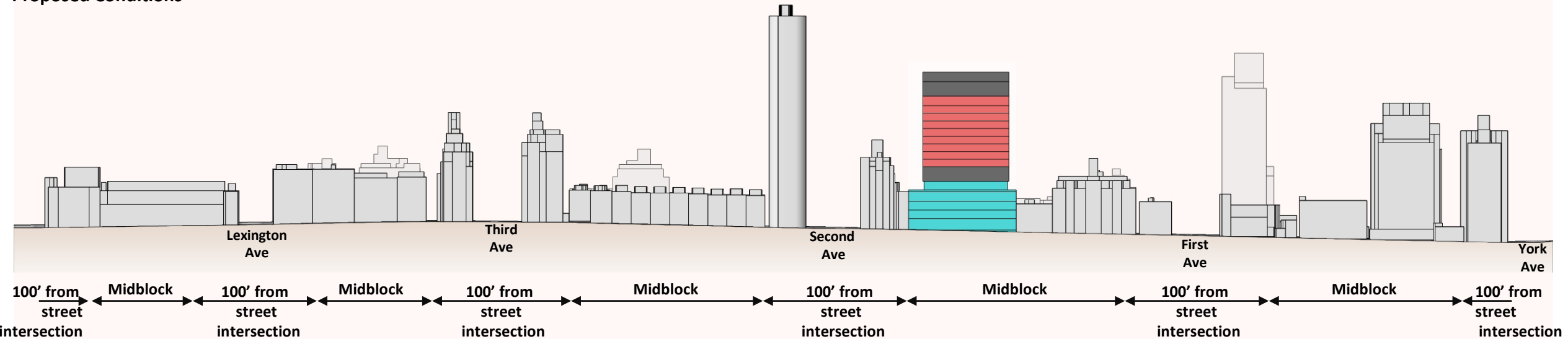
Axonometric View Looking North

Street elevations – 66th Street North Elevation

Existing Conditions

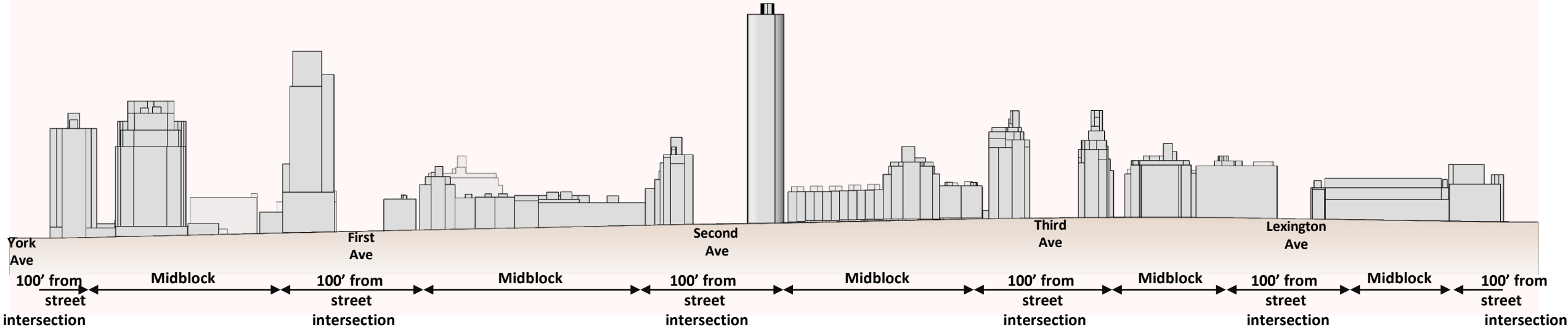


Proposed Conditions

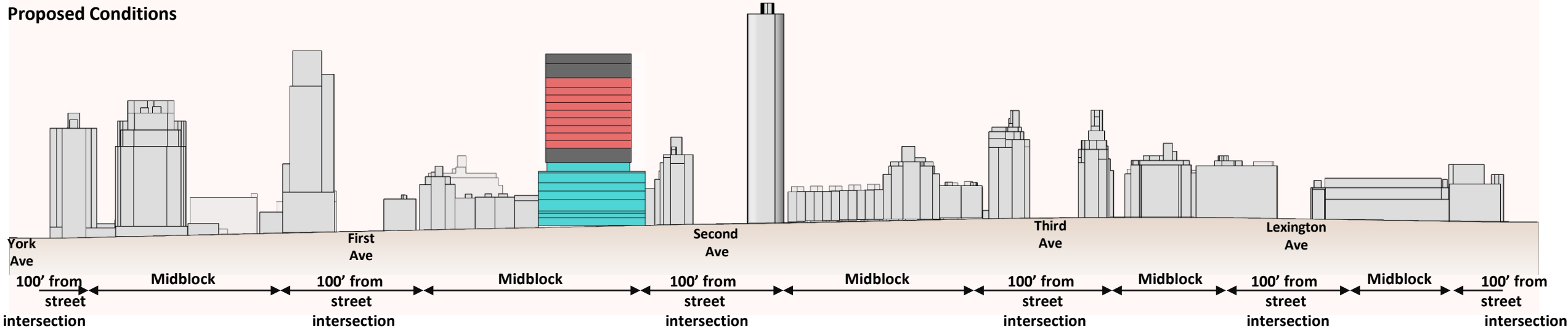


Street elevations – 67th Street South Elevation

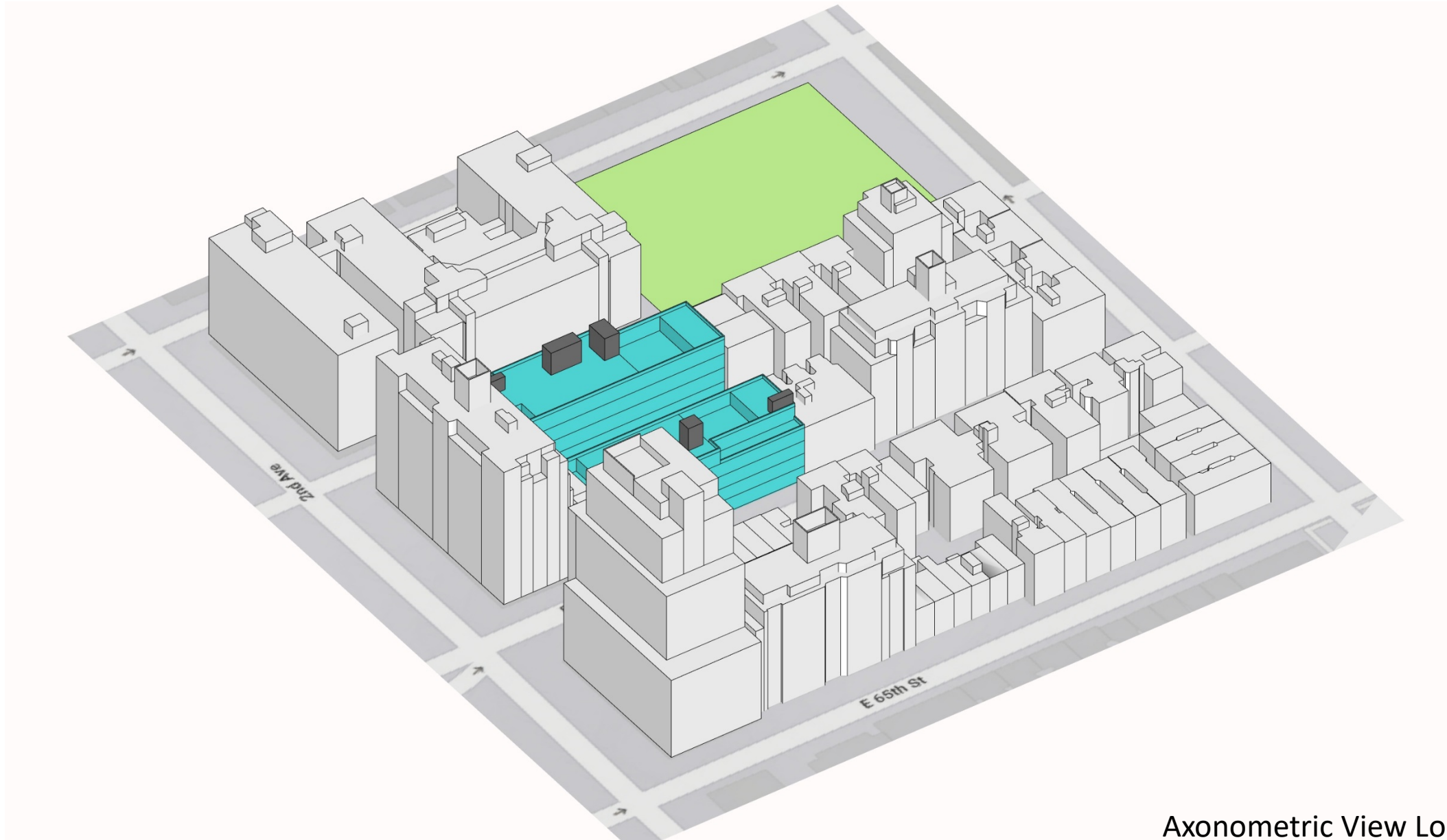
Existing Conditions



Proposed Conditions



New development under the existing R8B zoning would be allowed, but it would be much smaller



Axonometric View Looking North

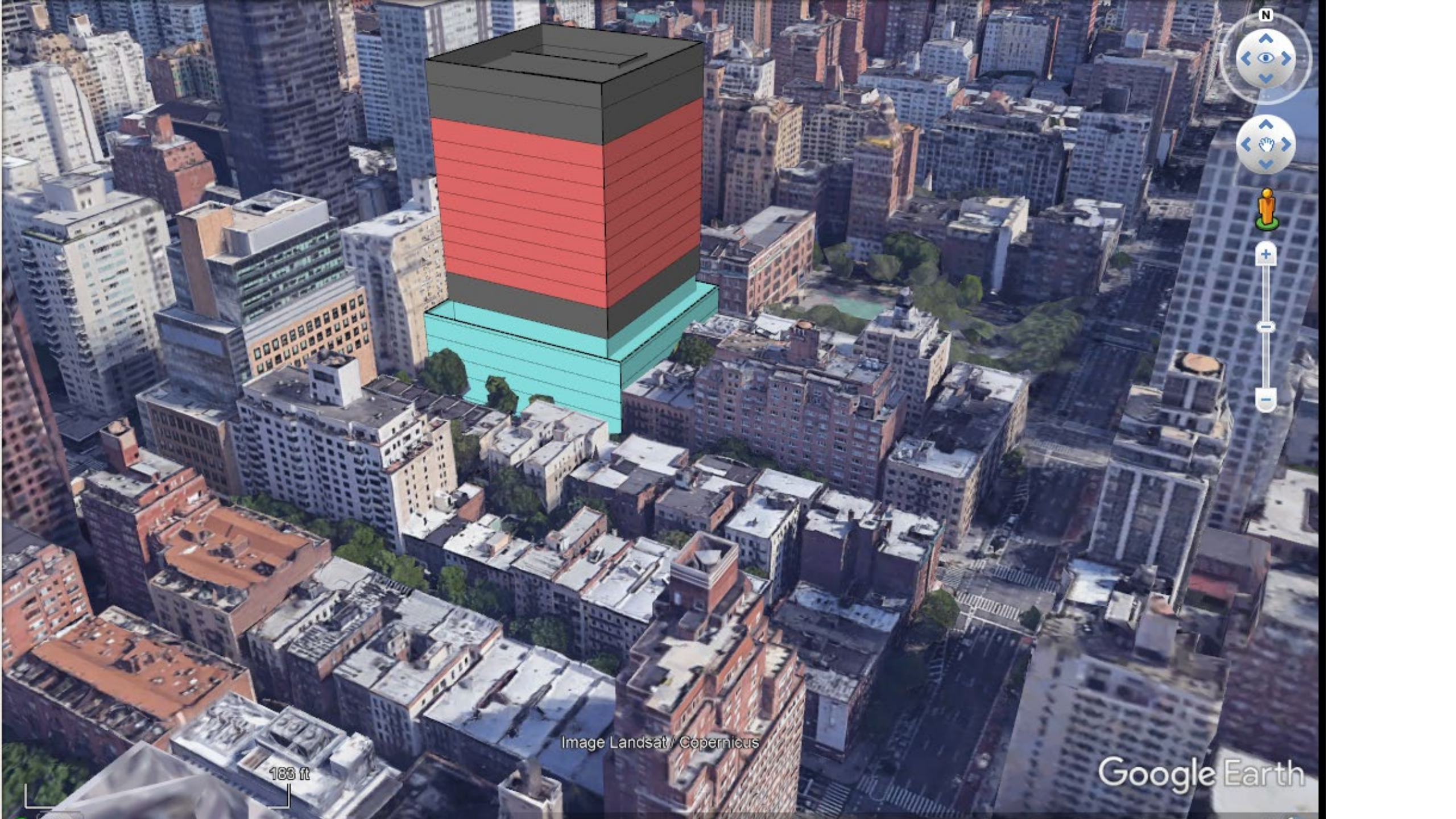


Image Landsat / Copernicus

188 ft

Google Earth

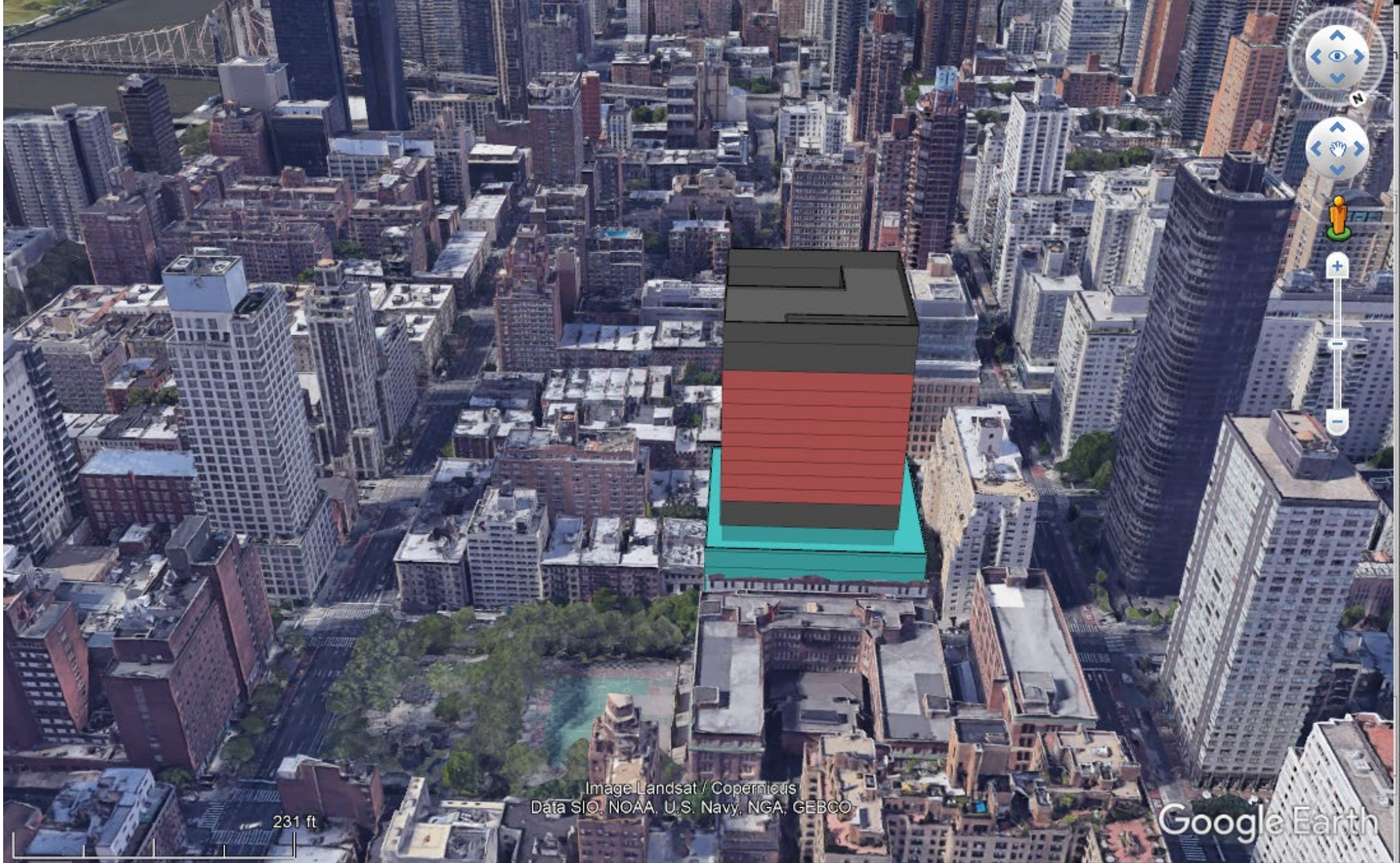
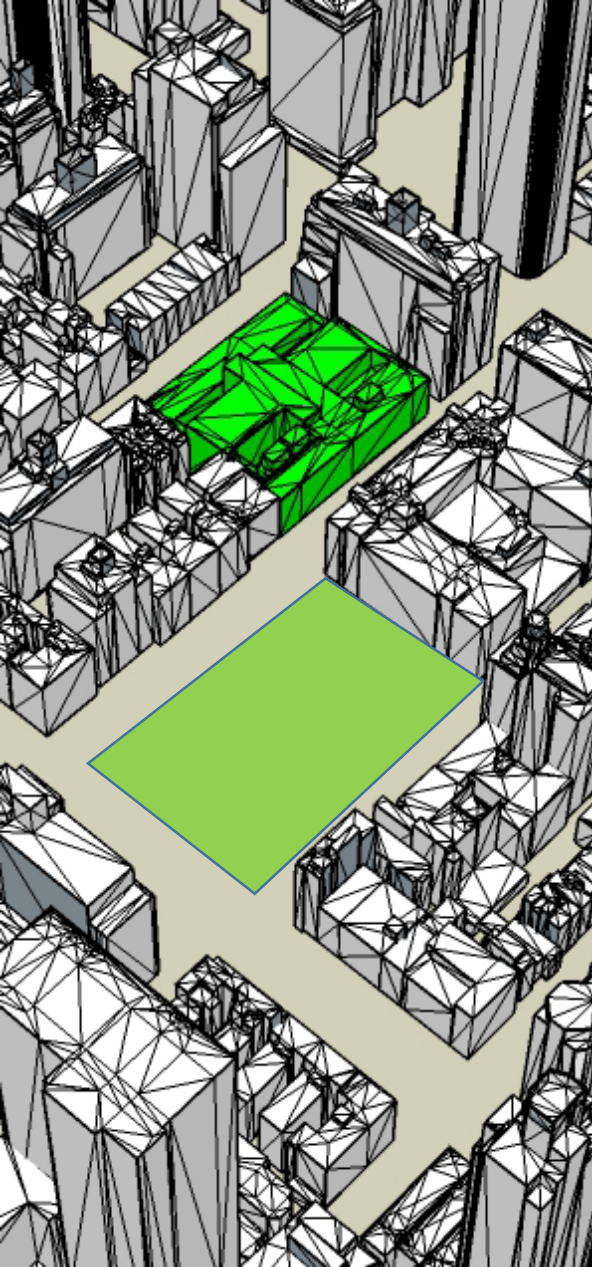


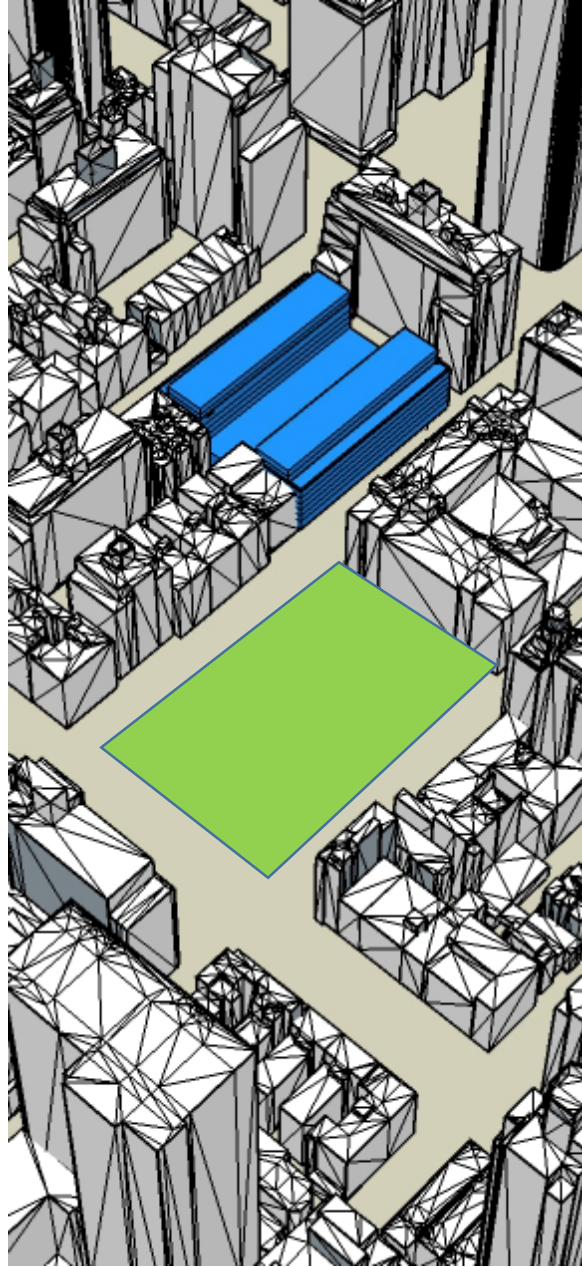
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Data SIO, NOAA, U.S. Navy, NGA, GEBCO

231 ft

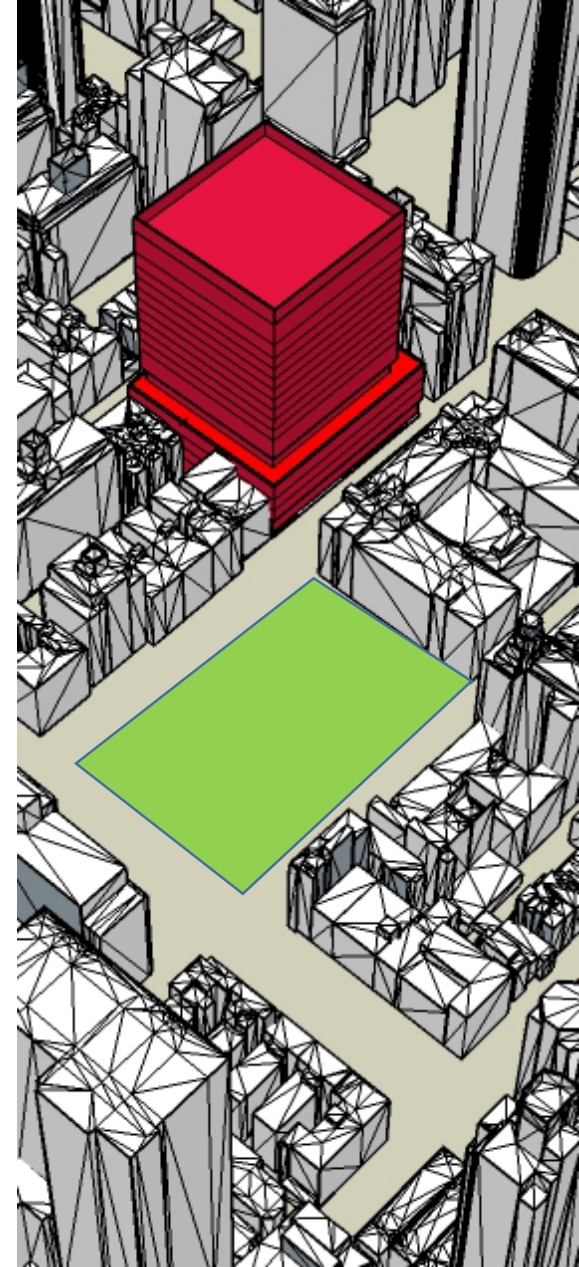
Google Earth



Existing Building



As-of-Right Building



Proposed Building

Alida Camp
Chair

Will Brightbill
District Manager



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**The City of New York
Community Board 8 Manhattan**

December 18, 2020

Marisa Lago, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

RE: New York Blood Center Rezoning

Dear Chair Lago,

At the Full Board meeting of Community Board 8 Manhattan held on December 16, 2020, the board approved the following resolution by a vote of 38 in favor, 5 opposed, 2 abstentions and 1 not voting for cause:

WHEREAS the New York Blood Center has partnered with Longfellow Real Estate Partners and is proposing to construct a 334’-tall building on the site of the existing NYBC (Block 1441, Lot 40) which will provide, above the 5th floor, space for commercial tenants to use as research labs and medical offices, and

WHEREAS the Blood Center is requesting 5 zoning changes:

1. Rezone site from R8B district to a C2-7 district which allows a commercial laboratory use (USE GROUP 9) and to develop the site to 10 FAR (453,000 zoning square feet) with no height limit.
2. Rezone Second Avenue block frontages between 66-67 St. to a depth of 100’ from C1-9 to a C2-8 to “legalize” an existing movie theater and to allow several other large-scale functions under USE GROUP 9 (Catering Hall, Wedding chapel, TV Studio, Gymnasium);
3. Zoning text amendment to Section 74-48 to allow, by special permit, an increase in commercial FAR in C2-7 districts for medical laboratories and associated offices, and modifications to the applicable supplementary use, bulk, and signage regulations.
4. Special permit pursuant to Section 74-48, as amended, to permit:
 - a. commercial laboratory and associated office space to be included in the project at more than the 2 FAR permitted in C2-7 districts pursuant to Section 33-122;
 - b. the commercial space to be located above the second floor of the building, which is not permitted by Zoning Resolution Section 32-421;
 - c. the commercial space to be located above the lesser of 30 feet or two stories, which is not permitted by Zoning Resolution Section 33-432;
5. Special permit pursuant to Section 74-48, as amended, to permit:

- a. modifications of the height and setback regulations of Section 33-432, which will allow the building to encroach on the initial setback distance and the sky exposure plane, which is necessary to accommodate the large floorplates required for modern, efficient laboratory uses;
- b. modifications of the rear yard equivalent regulations of Section 33-383, which will allow the Proposed Development to occupy the same footprint as the existing building on its lower floors, and will allow the upper portion of the building to be shifted away from the park and away from the neighboring building; and
- c. a sign to be located at the top of the building's base, in excess of the surface area permitted for illuminated signs pursuant to Section 32-642, the total surface area permitted for all signs pursuant to Section 32-641 and 32-643, and the maximum height of signs allowed by Section 32-655, and

WHEREAS the mid-blocks in Community District 8 are predominately and appropriately zoned R8B, and

WHEREAS R8B zoning protects the scale and character of the mid-blocks, and

WHEREAS R8B zoning permits residential and community facility uses only with height limit of 75', and

WHEREAS the livability of the community and the quality of life of the residents depend upon the R8B height and use regulations, and

WHEREAS the Blood Center has acknowledged that it can satisfy its mission and space needs within the R8B zoning (five floors and 75' high), and

WHEREAS the proposal may result in significant adverse impacts related to land use, zoning, socioeconomic conditions, open space, transportation, shadows, hazardous materials, water and sewer infrastructure, air quality, greenhouse gas emissions and climate change, noise, public health, neighborhood character:

1. The proposal amounts to "spot zoning."
2. The commercial laboratory component is inappropriate for the residential area.
3. The proposed building would have a negative impact on the students attending Julia Richman Education Complex (JREC),
4. The proposed building would create overwhelming demands upon local services
5. Traffic in the area is already seriously congested and will likely be exacerbated
6. The 334-foot commercial tower would generate a large amount of pedestrian traffic in the already overcrowded local sidewalks.
7. The proposed building would cast extensive shadows over Saint Catherine's Park and neighboring buildings.
8. The commercial entity and the research labs and associated office space will have significant adverse effect on the environmental air quality.

WHEREAS the proposed zoning changes, if approved, would set a dangerous precedent, putting all the Upper East Side mid-blocks at risk, and

WHEREAS Community Board 8 has approved and is working with DCP towards limiting building height on First, Second, Third, and York Avenues to 210', and this proposal significantly exceeds that on a mid-block lot, and

WHEREAS the representative of the Julia Richman Education Complex shared the institution's alarm and opposition to the proposal, and

WHEREAS the shadows on the complex would put the building in darkness and have a negative impact on student learning, and

WHEREAS there is widespread fear and opposition in the community, as evidenced by the hundreds of residents attending the committee meetings to voice their concerns, and

WHEREAS Community Board 8 has disapproved similar zoning change requests from Northwell/Lenox Hill Hospital,

THEREFORE, BE IT RESOLVED that Community Board 8 Manhattan opposes the request for all of the zoning changes as outlined in our resolution and as set forth by the New York Blood Center.

Please advise us of any action taken on this matter.

Sincerely,

Alida Camp

Alida Camp
Chair

Elizabeth Ashby and Elaine Walsh

Elizabeth Ashby and Elaine Walsh
Co-Chairs, Zoning & Development

cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Carolyn Maloney, 12th Congressional District Representative
Honorable Gale Brewer, Manhattan Borough President
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable Jose M. Serrano, NYS Senator, 29th Senatorial District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Robert Rodriguez, NYS Assembly Member, 68th Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Keith Powers, NYC Council Member, 4th Council District