

DASNY
STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION
Notice of Determination of Nonsignificance

Date: May 1, 2017

Lead Agency: DASNY
(Dormitory Authority State of New York)
515 Broadway
Albany, New York 12207-2964

Applicant: United Cerebral Palsy Association of New York State, Inc.
Acquisitions and Renovation of Property
330 West 34th Street, 15th Floor
New York, New York 10001
(New York County)

This notice issued pursuant to the *State Environmental Quality Review Act* (“SEQRA”), codified at Article 8 of the New York *Environmental Conservation Law* (“ECL”), and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations* (“N.Y.C.R.R.”), which collectively contain the requirements for the *State Environmental Quality Review* (“SEQR”) process.

DASNY (“Dormitory Authority State of New York”), as lead agency, has determined that the proposed action described below, will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Title of Action: United Cerebral Palsy Association of New York State, Inc.
Acquisitions and Renovation of Property

SEQR Status: Unlisted Action – 6 N.Y.C.R.R. 617.2(ak)

Review Type: Coordinated Review

Description of Proposed Action and Proposed Project

DASNY (“Dormitory Authority State of New York”) has received a funding request from United Cerebral Palsy Association of New York State, Inc.’s (d/b/a Cerebral Palsy Associations of New York State) (“CP of NYS”) for the proposed *Acquisitions and Renovation of Property*. For purposes of the *State Environmental Quality Review Act* (“*SEQRA*”), the Proposed Action would involve DASNY’s authorization of the issuance of a not to exceed amount of \$37,000,000 in one or more series of taxable and/or tax-exempt, fixed- and/or variable- rate Series 2017 Bonds, with terms not to exceed 30 years on behalf of CP of NYS. The bond issue on behalf of CP of NYS would be pursuant to DASNY’s Other Independent Institutions.

The Proposed Project would include the acquisition and renovation of an approximately 31,000-gross-square-foot (“gsf”) condominium located on the 15th floor of 40 Rector Street in the borough of Manhattan. The condominium would be utilized by CP of NYS as its headquarters and administrative offices.

Additionally, the Proposed Project would include the acquisition of a four-story, approximately 9,600-gsf building located at 174 Java Street in Brooklyn. This property is currently being used as an Individualized Residential Alternative (“IRA”) and an Intermediate Care Facilities (“ICF”) for clients of Catholic Charities Neighborhood Services, Inc. The use and occupancy would not change once the building is acquired by CP of NYS. This property to be acquired is located within the borough of Brooklyn, Kings County, New York.

Location of Proposed Project

As noted above, there would be two properties acquired with the bond proceeds. The 15th floor condominium at 40 Rector Street (Block 55, Lot 2). This property is located within the borough of Manhattan, New York County, New York. The second property to be acquired is the building located on an approximately 0.11-acre lot at 174 Java Street (Block 2551, Lot 11) in Brooklyn, Kings County, New York. There would be no change in use or zoning upon acquisition of either property.

Description of the Institution

United Cerebral Palsy Associations of New York State, Inc. (d/b/a Cerebral Palsy Associations of New York State) (“CP of NYS”) was founded in 1946 to increase public awareness, sponsor parent and professional training, encourage research and engage in legislative advocacy to ensure the development of needed services for children with cerebral palsy and similar service needs. Over time, groups from several regions of New York State banded together for the common purpose of collective advocacy and best practices. CP of NYS and its 24 affiliates (collectively “UCP”) are each separately incorporated New York not-for-profit corporations. Each affiliate is a corporate member of CP of NYS, which status confers on the affiliate the right to vote at the annual meeting of CP of NYS and other membership meetings. The Board of Directors of CP of NYS is comprised of individuals nominated by the affiliates and the majority of the CP of NYS Board of Directors must be members of an

affiliate's board of directors. UCP employs 18,000 and provides services to over 100,000 people with disabilities and their families throughout New York State.

Reasons Supporting This Determination

Overview. DASNY conducted this environmental review in compliance with the *SEQRA*, codified at Article 8 of the New York *Environmental Conservation Law* (“*ECL*”), and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations* (“*N.Y.C.R.R.*”), which collectively contain the requirements for the *SEQR* process. DASNY, as a New York State public benefit corporation funding the Proposed Project, is also required to conduct a review in conformance with the *New York State Historic Preservation Act of 1980* (“*SHPA*”) and Part 428 of the implementing regulations of the *Parks, Recreation and Historic Preservation Law* (“*PRHPL*”), which governs state agency activities affecting historic or cultural properties, as well as with the requirements of the Memorandum of Understanding (dated March 18, 1998) between DASNY and the New York State Office of Parks, Recreation and Historic Preservation (“*OPRHP*”).

Representatives of DASNY reviewed the *Short Environmental Assessment Form-Part I* (“*SEAF-Part I*”), dated March 1, 2017 (attached), signed by the Executive Vice President of CP of NYS. The *Distribution List of Involved Agencies and Interested Parties* whom have been coordinated with is also included at the end of this determination. The *SEAF-Part I* analyzes potential environmental impacts associated with the proposed acquisition and renovation of condominium at 40 Rector Street and the acquisition of 174 Java Street.

The Proposed Project constitutes an Unlisted action pursuant to 6 *N.Y.C.R.R.* 617.2(ak) of the *SEQR* implementing regulations pertaining to Article 8 of the *ECL*. On March 9, 2017, DASNY circulated a lead agency request letter, including the *SEAF-Part I* and additional supplemental information to the involved agencies and interested parties. There being no objections, DASNY assumed *SEQR* lead agency status.

DASNY, as lead agency, conducted a coordinated *SEQR* of the Proposed Project. DASNY representatives discussed the Proposed Project's environmental effects with representatives and consultants of UCP of NYS. **Based on the above, and the additional information set forth below, DASNY as lead agency has analyzed the relevant areas of environmental concern and determined that the Proposed Project will not have a significant adverse effect on the environment.**

General Findings. CP of NYS would be the only UCP affiliate to participate in the issuance of the Series 2017 Bonds. In addition to functioning as the statewide coordinator of the 24 UCP affiliates, CP of NYS also operates an extensive array of programs and services to individuals with developmental disabilities and their families through its Metropolitan Services division.

The Metropolitan Services division provides homes to 425 adults and children in approximately 80 residences, ranging from small apartments, cooperative apartments and condominiums to 14-bed homes for medically frail individuals requiring 24-hour nursing care. Health and clinical services are provided through several Diagnostic and Treatment Centers, which include a full range of medical, therapeutic and clinical services, including primary medical care, dental, optometry, podiatry, psychiatry and traumatic brain injury services. Mental health services include psychiatric evaluations, medication management, psychological testing, psychosocial assessment, developmental and behavioral evaluations, individual and group counseling, family therapy, marriage counseling, and counseling of eating disorders. Rehabilitation services include occupational therapy, speech and language therapy, augmentative communication, ergonomic assessments, health and fitness training, physical therapy, adaptive equipment, rehabilitation counseling, aquatic therapy and therapeutic recreation.

CP of NYS's programs are funded through the New York State Office for People with Developmental Disabilities ("OPWDD") payments for services (94 percent), Supplemental Security Income reimbursement (4 percent), and other public funding (2 percent). CP of NYS is in the process of taking over a portfolio of 23 facilities and programs from Catholic Charities Neighborhood Services, Inc. ("Catholic Charities"). The programs are located throughout Brooklyn and Queens and include IRA and Day Habilitation facilities. With the addition of these 23 programs by CP of NYS, its pro-forma operating revenue totals approximately \$165 million.

Land Use and Zoning. The proposed use for the condominium is permissible within this area of the borough of Manhattan. According to the *Zoning Resolution of the City of New York*, 40 Rector Street is located in a C6-9 General Central Commercial District which allows for the use of commercial and office buildings. The proposed use of the 15th floor condominium is in keeping with this zoning definition.

The proposed use for the building to be acquired at 174 Java Street in the borough of Brooklyn would remain the same after the building's acquisition. The building resides within a R6B General Residence District, and is an acceptable use within that district.

There would be no land use, subdivision, or zoning impacts on either Proposed Project site associated with the acquisition and renovation activities. Since the Proposed Project sites are an acceptable use, and would not include any expansion of the facility or increase in staff or employees, the Proposed Project would create little change in the general land use or zoning within the surrounding area of the community. Based on the foregoing, the Proposed Project would not have an adverse impact on the land use or zoning in the respective portions of the City of New York.

New York State Public Policy. The Proposed Project was reviewed by DASNY's Smart Growth Advisory Committee to determine whether the project would be consistent with New York's *State Smart Growth Public Infrastructure Policy Act* ("*SSGPIPA*"), Article 6 of the State *ECL*. Since the Proposed Action would include DASNY bond financing, a *Smart Growth Impact Statement Assessment Form* ("*SGISAF*") for the Proposed Project was prepared pursuant

to the State of New York's *SSGPIPA* procedures and the *SGISAF* is attached to this determination. DASNY's Smart Growth Advisory Committee reviewed the *SGISAF* and attested that the Proposed Project, to the extent practicable, would meet the smart growth criteria established by the legislation. The compatibility of the Proposed Project with the ten criteria of the *SSGPIPA* is detailed below.

To advance projects for the use, maintenance or improvement of existing infrastructure. The various elements of the Proposed Project would receive water, sewer, gas and electric utilities from the existing infrastructure currently serving the existing buildings. The Proposed Project would occupy and renovate an existing building thereby minimizing new construction and municipal growth. Therefore, the Proposed Project would be generally supportive of this criterion.

To advance projects located in municipal centers. The Proposed Project would consist of the acquisition of existing buildings within the New York City boroughs of Manhattan and Brooklyn. The Proposed Project would be supportive of this criterion.

To advance projects in developed areas or areas designated for concentrated infill development in a municipally-approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan. The Proposed Project components are located within the New York City boroughs of Manhattan and Brooklyn, two municipal centers of the city and are appropriately zoned. Since the buildings to be acquired are existing and are located within developed areas of the city, the Proposed Project would be supportive of this criterion.

To protect, preserve, and enhance the state's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources. The condominium to be acquired is located within a building determined as eligible for listing on the State and National Registers of Historic Places. The building to be acquired in Brooklyn is not considered historic.

As noted below in ***Historic Resources and Archeological Resources*** discussion, consultation was initiated with OPRHP regarding the Proposed Project, and it was agreed that the submission of the projects should be entered into the Cultural Resources Information System ("CRIS") separately for clarity purposes. Both Projects were submitted to CRIS on April 3, 2017. The 174 Java Street acquisition was reviewed by OPRHP (OPRHP Project №. 17PR02192) and in its letter of April 4th, 2017 (attached), OPRHP determined "...*that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.*" Likewise, OPRHP (OPRHP Project №. 17PR02790), in its letter of April 26, 2017, opined on the 40 Rector Street condominium acquisition and renovation, and determined that the Proposed Project "...*will have No Adverse Impact on the building, which has previously been determined to be eligible for inclusion in the State and National Registers of Historic Places.*" It is the opinion of DASNY that the both project components would have no impact on historical or cultural resources in or eligible for inclusion in the National and/or State Registers of Historic Places. The Proposed

Project would not affect visual resources within this portion of New York City. Therefore the Proposed Project would be supportive of this criterion.

The Proposed Project would have no impact on agricultural land, forests, and would not impact open space, nor do they lie within a designated floodplain. The Proposed Project would not affect visual resources in this portion of the City. The Project Site is not within the viewshed of any State and/or National Registered structure. Therefore, the Proposed Project is generally supportive of this criterion.

To foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development, and the integration of all income and age groups. The Proposed Project would consist of the acquisition and renovation of an existing buildings within the established municipality. The Proposed Project would acquire and occupy a currently vacant condominium in an existing building and acquire an existing, occupied building. The Proposed Project would foster compact development by utilizing existing space within the city. Therefore, the Proposed Project is generally supportive of this criterion.

To provide mobility through transportation choices including improved public transportation and reduced automobile dependency. The Proposed Project would be developed within the boroughs of Manhattan and Brooklyn in New York City which has established one of the most utilized public transportation systems in the world. The existing facilities to be acquired would be near these facilities, allowing clients, visitors, and staff members the option of mass transit. Therefore, the Proposed Project would be supportive of this criterion.

To coordinate between state and local government and intermunicipal and regional planning. DASNY, acting as lead agency, is conducting a coordinated review of the Proposed Project in accordance with *SEQRA*. Other involved and interested agencies include, but are not limited to: the New York State Department of Environmental Conservation (“NYSDEC”), New York State Department of Transportation (“NYSDOT”), the New York State Office of Parks, Recreation, and Historic Preservation (“OPRHP”), the Manhattan and Brooklyn Borough President’s Offices, New York City Council, the respective borough Community Boards, and various City of New York departments. The *SEQR* lead agency establishment regulations set a 30-day time period for each involved agency or interested party to review the documents and provide any comments, concerns or the nature of their approval. Therefore, the Proposed Project would be supportive of this criterion.

To participate in community-based planning and collaboration. The Proposed Project components would be located within facilities currently developed. CP of NYS doesn’t typically involve the community in renovation and maintenance projects. Community based planning is not required or relevant for acquisition activities.

To ensure predictability in building and land use codes. The Proposed Project renovation component would conform to the New York State Uniform Fire Prevention and

Building Code. The Proposed Project would be consistent with neighboring land use. Land use pattern would not be affected. The proposed acquisition would not alter the overall development pattern of this area of New York City. Further, the Proposed Project would not be expected to affect land use patterns broadly. Therefore, the Proposed Project would be generally supportive of this criterion.

To promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad-based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation. The condominium renovation component of the Proposed Project would incorporate appropriate sustainability measures that would promote this criterion. It is expected that the proposed renovation work would seek sustainable opportunities. The acquisition of property limits the ability of meeting sustainable goals. Therefore, the Proposed Project would be supportive of this criterion.

As previously noted, DASNY, acting as lead agency, is conducting a coordinated review of the Proposed Project in accordance with *SEQRA*. Other involved and interested agencies include, but are not limited to: NYSDEC, NYSDOT, OPRHP, the Manhattan and Brooklyn Borough President's Offices, New York City Council, the respective borough Community Boards, and various City of New York departments. Hence, the Proposed Project would be generally supportive of this criterion.

Community Character. Community character is considered to be a cumulative assessment of the various elements that define a community's distinct personality. These elements include land use, design and visual resources, socioeconomics, traffic, air quality, and noise. These factors are collectively considered to determine how a proposed action may affect the character or "personality" of a neighborhood or community.

The Proposed Project would not require the relocation of any residences; nor would it moderately or substantially affect the elements that compose neighborhood character. Furthermore, the Proposed Project would not cause any communities to be divided or altered, nor would it adversely affect the cohesion of the communities in the respective parts of the boroughs of Manhattan and Brooklyn. No significant adverse impacts to neighborhood character would occur as a result of the Proposed Project.

Community Facilities. Community facilities are public or publicly funded facilities such as fire protection, police protection, schools, hospitals and other health care facilities, libraries, and day-care centers. A direct effect is when there is a physical alteration or displacement of a community facility. An indirect effect would occur when an increase in population would have a demand for services and potential "indirect" effects on service delivery. No impacts on public or publicly funded schools, libraries, or day-care centers are expected.

The Proposed Project and Project Site uses would not displace or otherwise alter community facilities in the surrounding area. There would be no significant increase in

employees that would be likely to generate a significant demand for police and fire protection services. All community-provided services have adequate capacity to handle projected demands, and no adverse impact would occur due to the Proposed Project. Therefore, significant adverse impacts to community facilities would not occur as a result of the Proposed Project.

Utility and Energy Requirements. Energy demand for the Proposed Project would consist of the building loads for heating, ventilation, and air conditioning (“HVAC”) systems, and for lighting and other electrical power. Electric and natural gas utility service would continue to be purchased from the existing supplier. No increase in utility and energy use are anticipated at the sites due, in part, to the fact the no expansion is planned. Renovation activities at the 40 Rector Street condominium would include energy conservation measures as well as energy efficient equipment, thus maintaining the existing levels of consumption and potentially lowering demand for these resources. Hence, the Proposed Project would not have an adverse impact on the utility system serving these portions of the city.

Ecological Resources. There are no surface water bodies located on the Project Site. The Project Site has been previously developed which resulted in the majority of the site being disturbed. Undeveloped green space consists of regularly maintained lawn and planting areas.

There would be no disturbance of water bodies as a result of the Proposed Project, and no navigable waterways are present on the Project Site. The Project Site is not located in a designated New York State Coastal Zone Management area. Based on the foregoing, the Proposed Project would not have an adverse impact upon ecological resources of New York City.

No known threatened or endangered plant or animal species inhabit the Proposed Project site. The area in and around both the 40 Rector Street and the Java Street properties have been developed for years and would continue their established uses. Based on this information, the Proposed Project would have no impact on threatened or endangered plant or animal species.

Water Supply and Sewage Disposal. The Proposed Project would not result in any significant impact on domestic water usage, and would not impact the existing sanitary sewer service in the area. The proposed acquisition and renovation activities of the established facilities would not result in a significant increase of water consumption and sewage generation.

The municipality would continue to provide water and sewer services to the site. The city water distribution system currently includes these facilities and the occupancy of the buildings would continue the historic water consumption and sewage generation levels. The facilities would comply with all applicable regulations restricting the substances and rate of flow that can be discharged into public sewers. The Proposed Project would not result in any significant impact on domestic water or sanitary sewer service in the area.

Storm Water Runoff. The Proposed Project site would consist of the acquisition of a condominium and building in different boroughs of New York City. The only alteration to either building are the interior renovations to the condominium to be acquired. The current patterns of

storm water runoff would be left intact at both sites. No site development or building expansion is contemplated under the Proposed Project. The Proposed Project would not create any increase in storm water runoff other than what currently exists.

Solid Waste. It is anticipated that existing waste generation amounts and patterns would remain constant upon the acquisition of the properties. It is expected that the existing levels of occupancy at the site would remain constant. The renovation work associated with the condominium would result in a slight increase in levels of generated waste, but any increase would be minor and temporary in nature. As a result, the waste stream from these facilities would remain consistent with the historic patterns of generation, and therefore, would not have a significant adverse impact upon the waste disposal stream or facilities overseen by the New York City Department of Sanitation.

Air Quality. The Proposed Project would not engender any adverse mobile source or on-site stationary source air quality impacts. The existing condominiums heat and ventilation systems may be upgraded to meet the demand of the renovated and/or reconfigured spaces. All new equipment purchased and installed would meet higher efficiency requirement than older outdated equipment.

Renovation operations at the site would result in a slight, temporary increase in pollutant emissions from the various pieces of construction equipment and automobile traffic traveling to and from the Project Site. The principal air quality impact associated with construction and renovation activities is the generation of fugitive dust. Fugitive dust emissions can be mitigated by watering affected areas, the use of dust palliatives, and the use of dust covers for construction vehicles. The Proposed Project would not significantly impact air quality in the surrounding community.

Noise Quality. The Proposed Project would not generate substantial amounts of additional traffic. Since the Proposed Project consists of the acquisition of the properties with no change in use, the Proposed Project would not generate significant noise impacts from mobile sources above those historically produced. Stationary noise sources would remain at current operation levels. With the exception of temporary noise due to renovation activities, the Proposed Project is not expected to significantly affect the existing noise levels at the Project Sites. Based on this information, the Proposed Project would not have an adverse impact upon the surrounding community's existing ambient noise levels.

Open Space and Recreational Resources. The Project Site does not contain any designated publicly accessible open space or recreation resources. The Proposed Project would not significantly increase demand for public open space and recreation resources because there would be no new or increased residential component due to the Proposed Project. Since no increase in community population is anticipated, the Proposed Project would not have a significant adverse impact on open space resources.

Traffic and Transportation. According to the *City Environmental Quality Review* ("CEQR") *Technical Manual*, analysis of potential transportation impacts is warranted if a

project would generate 50 incremental vehicle trips and/or 200 incremental transit or pedestrian trips. The Proposed Project would result in any significant changes to the population of the project site, compared to existing conditions and would, therefore, not generate any incremental trips. Therefore, no further analyses of transportation conditions are warranted and the Proposed Project would not result in any significant adverse transportation impacts.

Historic Resources and Archeological Resources. As previously stated, DASNY, as a New York State public benefit corporation funding the Proposed Project, is required to conduct a review in conformance with *SHPA* and Part 428 of the implementing regulations of *PRHPL*, which governs state agency activities affecting historic or cultural properties, as well as with the requirements of the Memorandum of Understanding (dated March 18, 1998) between DASNY and OPRHP. Consultation was initiated with OPRHP regarding the Proposed Project, and it was agreed that the submission of the projects should be entered into the Cultural Resources Information System (“CRIS”) separately for clarity purposes. Both Projects were submitted to CRIS on April 3, 2017. The 174 Java Street acquisition was reviewed by OPRHP (OPRHP Project №. 17PR02192) and in its letter of April 4th, 2017 (attached), OPRHP determined “...that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.” Likewise, OPRHP (OPRHP Project №. 17PR02790), in its letter of April 26, 2017, opined on the 40 Rector Street condominium acquisition and renovation, and determined that the Proposed Project “...will have No Adverse Impact on the building, which has previously been determined to be eligible for inclusion in the State and National Registers of Historic Places.” It is the opinion of DASNY that the both project components would have no impact on historical or cultural resources in or eligible for inclusion in the National and/or State Registers of Historic Places.

For Further Information:

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Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
United Cerebral Palsy Association of New York State, Inc.			
Name of Action or Project: Acquisition and Renovation of the 15th Floor Condominium at 40 Rector Street and the Acquisition of 174 Java Street			
Project Location (describe, and attach a location map): 15th Floor, 40 Rector Street, Borough of Manhattan, New York County, and 174 Java Street, Borough of Brooklyn, Kings County, New York			
Brief Description of Proposed Action: Acquisition and renovation of an approximately 31,000 gross square foot ("gsf") condominium located on the 15th floor of 40 Rector Street (Block: 55 Lot: 2). The condominium would be utilized by United Cerebral Palsy Association of New York State, Inc. ("UC of NYS") as its headquarters and administrative offices. Additionally, the proposed project will include the acquisition of an approximately four-story, 9,600 gsf building located at 174 Java Street (Block: 2551 Lot: 11). The proposed site is approximately 0.11-acres in size. This property is currently being used as an Individualized Residential Alternative ("IRA") and an Intermediate Care Facilities ("ICF") for clients of Catholic Charities Neighborhood Services, Inc. The use and occupancy would not change once the building is acquired by CP of NYS.			
Name of Applicant or Sponsor: Thomas Mandelkow, United Cerebral Palsy Association of New York State, Inc.		Telephone: (212) 356 1316	
		E-Mail: tmandelkow@cpofnys.org	
Address: 330 West 34th Street, Floor 15			
City/PO: New York City, Borough of Manhattan		State: New York	Zip Code: 10001-2406
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: DASNY ("Dormitory Authority State of New York") - Funding			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input checked="" type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: Mr. Thomas Mandelkow, Executive Vice President</p>	<p>Date: March 1, 2017</p>	
<p>Signature: <i>Thomas Mandelkow</i></p>	<p><i>MARCH 6, 2017</i></p>	

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

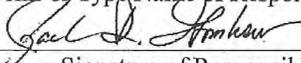
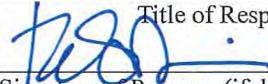
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?		
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:	
Date:	

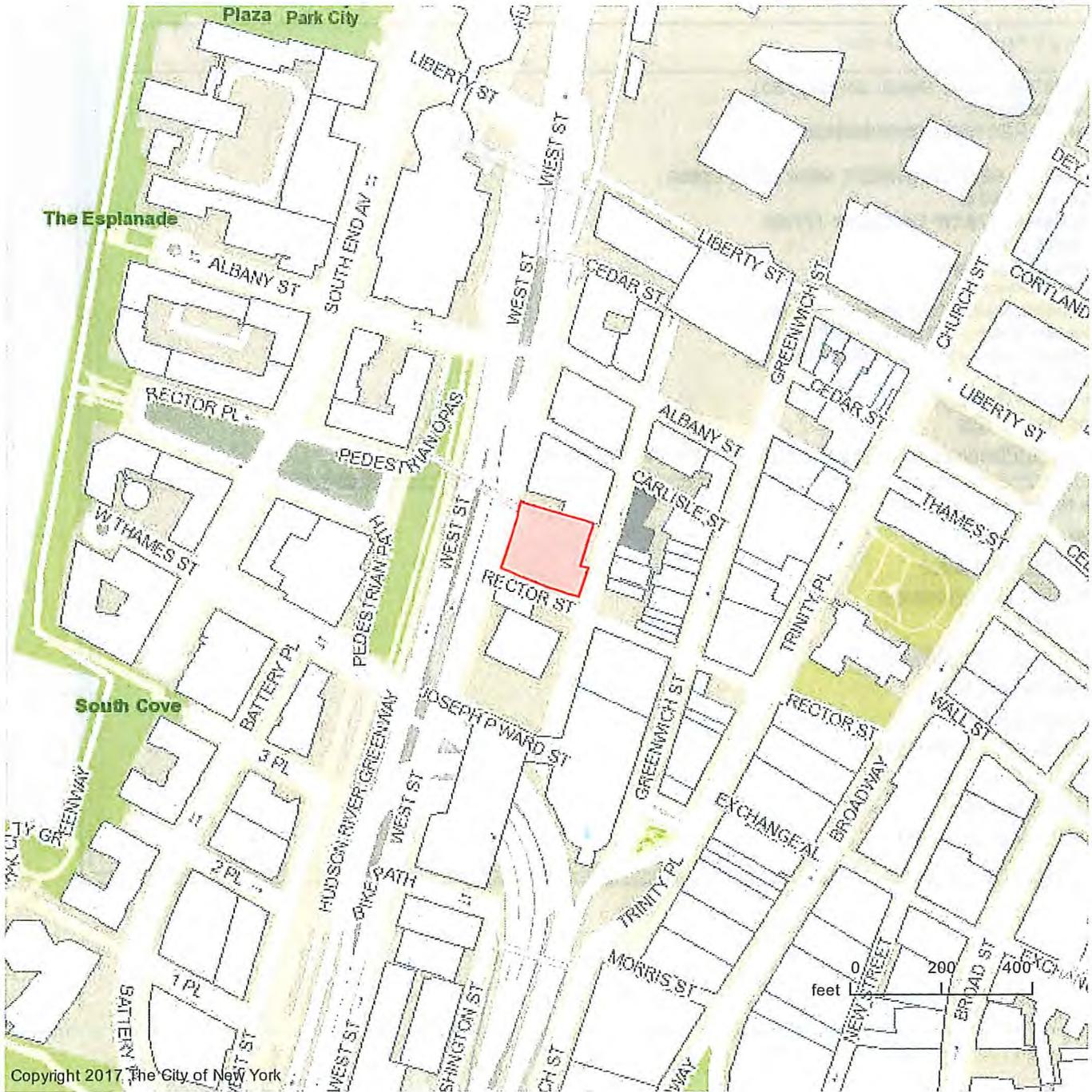
**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Please see the attached *State Environmental Quality Review ("SEQR") Negative Declaration - Notice of Determination On Nonsignificance.*

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
DASNY (Dormitory Authority State of New York)	May 1, 2017
Name of Lead Agency	Date
Jack D. Homkow	Director, Office of Environmental Affairs
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



40 RECTOR STREET, NEW YORK 10006

- Building & Property Information

Borough: Manhattan **Block:** 55 **Lot:** 7501

Police Precinct: 1

Owner: 40 RECTOR CONDOMINIUM

Address: 40 RECTOR STREET, NEW YORK 10006

Lot Area: 30080 sf

Lot Frontage: 176.08' **Lot Depth:** 177.33

Year Built: 1921

Number of Buildings: 1

Number of Floors: 18

Gross Floor Area: 400,490 sf (estimated)

Residential Units: 0 **Total # of Units:** 22

Land Use: Commercial and Office Buildings

Zoning: C6-9

Commercial Overlay:

Zoning Map #: 12B

Dept. of City Planning, PLUTO 16v2 © 2016 and other city agency sources

Links to More Information

[Address Translator](#)

[Building ECB Violations](#)

[Building Elevator Information](#)

[Building Profile](#)

[Building Registration/Violation](#)

[DCP Zoning Map 12B](#)

[DOF Digital Tax Map](#)

[DOHMH Rat Information Portal](#)

[Poll Site Locator](#)

[School & Zone Finder](#)

[Tax and Property Records](#)

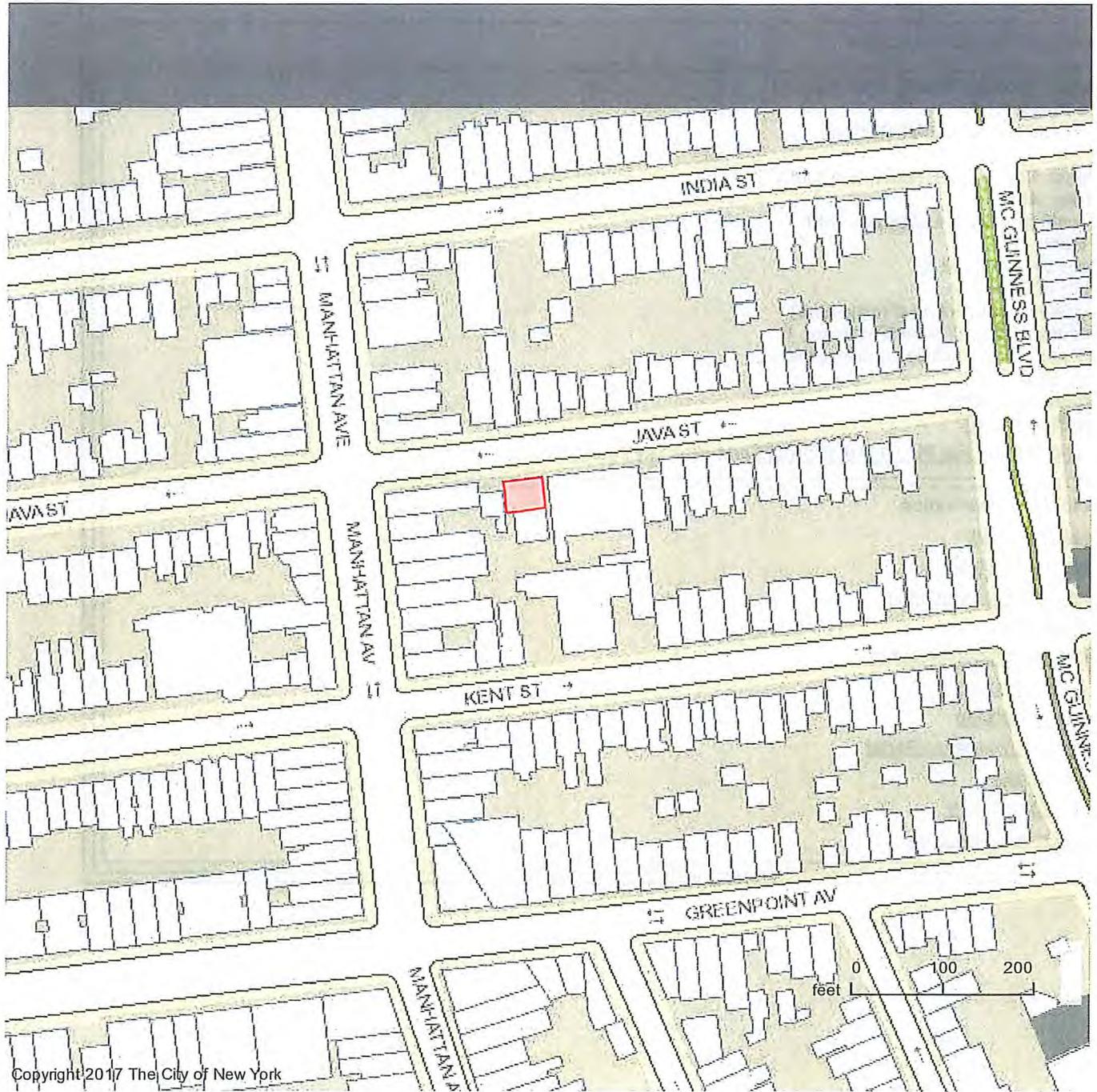


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174 JAVA STREET, BROOKLYN 11222

- Building & Property Information

Borough: Brooklyn **Block:** 2551 **Lot:** 11
Police Precinct: 94
Owner: CATHOLIC CHARITIES NE

Address: 174 JAVA STREET, BROOKLYN 11222

Lot Area: 4958 sf

Lot Frontage: 49.25' **Lot Depth:** 100

Year Built: 1931

Number of Buildings: 2

Number of Floors: 4

Gross Floor Area: 9,600 sf (estimated)

Residential Units: 0 **Total # of Units:** 1

Land Use: Public Facilities and Institutions

Zoning: R6B

Commercial Overlay:

Zoning Map #: 13A

Dept. of City Planning, PLUTO 16v2 © 2016 and other city agency sources

Links to More Information

[Address Translator](#)

[Building ECB Violations](#)

[Building Elevator Information](#)

[Building Profile](#)

[Building Registration/Violation](#)

[DCP Zoning Map 13A](#)

[DOF Digital Tax Map](#)

[DOHMH Rat Information Portal](#)

[Poll Site Locator](#)

[School & Zone Finder](#)

[Tax and Property Records](#)

Google Maps

174
169 Java St



Image capture: Jan 2013 © 2017 Google

New York

Street View - Jan 2013

DASNY
(Dormitory Authority State of New York)

SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM

Date: May 1, 2017
Project Name: United Cerebral Palsy Association of New York State, Inc.
Acquisitions and Renovation of Property
Project Number: N/A
Completed by: Robert S. Derico, R. A.
Senior Environmental Manager
Office of Environmental Affairs

This Smart Growth Impact Statement Assessment Form (“SGISAF”) is a tool to assist the client/applicant and the Dormitory Authority State of New York (“DASNY”) Smart Growth Advisory Committee in deliberations to determine whether a project is consistent with the State of New York State Smart Growth Public Infrastructure Policy Act (“SSGPIPA”), article 6 of the New York Environmental Conservation Law (“ECL”). Not all questions/answers may be relevant to all projects.

Description of Proposed Action and Proposed Project: DASNY (“Dormitory Authority State of New York”) has received a funding request from United Cerebral Palsy Association of New York State, Inc.’s (d/b/a Cerebral Palsy Associations of New York State) (“CP of NYS”) for the proposed Acquisitions and Renovation of Property. For purposes of the State Environmental Quality Review Act (“SEQRA”), the Proposed Action would involve DASNY’s authorization of the issuance of a not to exceed amount of \$37,000,000 in one or more series of taxable and/or tax-exempt, fixed- and/or variable-rate Series 2017 Bonds, with terms not to exceed 30 years on behalf of CP of NYS. The bond issue on behalf of CP of NYS would be pursuant to DASNY’s Other Independent Institutions.

The Proposed Project would include the acquisition and renovation of an approximately 31,000-gross-square-foot (“gsf”) condominium located on the 15th floor of 40 Rector Street in the borough of Manhattan. The condominium would be utilized by CP of NYS as its headquarters and administrative offices.

Additionally, the Proposed Project would include the acquisition of a four-story, approximately 9,600-gsf building located at 174 Java Street in Brooklyn. This property is currently being used as an Individualized Residential Alternative (“IRA”) and an Intermediate Care Facilities (“ICF”) for clients of Catholic Charities Neighborhood Services, Inc. The use and occupancy would not change once the building is acquired by CP of NYS. This property to be acquired is located within the borough of Brooklyn, Kings County, New York.

As noted above, there would be two properties acquired with the bond proceeds. The 15th floor condominium at 40 Rector Street (Block 55, Lot 2). This property is located within the borough of Manhattan, New York County, New York. The second property to be acquired is the building located on an approximately 0.11-acre lot at 174 Java Street (Block 2551, Lot 11) in Brooklyn,

Kings County, New York. There would be no change in use or zoning upon acquisition of either property.

Smart Growth Impact Assessment: Have any other entities issued a Smart Growth Impact Statement (“SGIS”) with regard to this project? (If so, attach same).

Yes No

1. Does the project advance or otherwise involve the use of, maintain, or improve existing infrastructure? Check one and describe:

Yes No Not Relevant

The Proposed Project consists of the acquisition of existing property currently receiving its water, sewer, gas and electric utilities from the existing municipal infrastructure currently serving the buildings.

2. Is the project located wholly or partially in a **municipal center**, characterized by any of the following: Check all that apply and explain briefly:

- A city or a village
- Within the interior of the boundaries of a generally-recognized college, university, hospital, or nursing home campus
- Area of concentrated and mixed land use that serves as a center for various activities including, but not limited to:
- Central business districts (such as the commercial and often geographic heart of a city, “downtown”, “city center”)
- Main streets (such as the primary retail street of a village, town, or small city. It is usually a focal point for shops and retailers in the [central business district](#), and is most often used in reference to retailing and socializing)
- Downtown areas (such as a city's core (or center) or central business district, usually in a geographical, commercial, and community sense).
- Brownfield Opportunity Areas
(http://nyswaterfronts.com/BOA_projects.asp)
- Downtown areas of Local Waterfront Revitalization Plan areas
(http://nyswaterfronts.com/maps_regions.asp)
- Locations of transit-oriented development (such as projects serving areas that have access to mass or public transit for residents)
- Environmental Justice areas (<http://www.dec.ny.gov/public/899.html>)
- Hardship areas

The Proposed Project consists of the acquisition and renovation of existing building with the boroughs of Manhattan and Brooklyn. As existing, developed buildings, the Proposed Project would be supportive of this criterion.

3. Is the project located adjacent to municipal centers (please see characteristics in question 2, above) with clearly defined borders, in an area designated for concentrated development in the future by a municipal or regional comprehensive plan that exhibits

strong land use, transportation, infrastructure and economic connections to an existing municipal center? Check one and describe:

Yes No Not Relevant

The Proposed Project would be located within the boundaries of New York City, specifically in the boroughs of Manhattan and Brooklyn.

4. Is the project located in an area designated by a municipal or comprehensive plan, and appropriately zoned, as a future municipal center? Check one and describe:

Yes No Not Relevant

The Proposed Project components are located within the New York City boroughs of Manhattan and Brooklyn, two municipal centers of the city and are appropriately zoned. Since the buildings to be acquired are existing and are located within developed areas of the city, the Proposed Project would be supportive of this criterion.

5. Is the project located wholly or partially in a developed area or an area designated for concentrated infill development in accordance with a municipally-approved comprehensive land use plan, a local waterfront revitalization plan, brownfield opportunity area plan or other development plan? Check one and describe:

Yes No Not Relevant

There are no specific municipal plans or policies that would directly or indirectly affect the Proposed Project sites. The property to be acquired are on developed lots and currently occupied. Therefore, the Proposed Project would be neutral with respect to these policies.

6. Does the project preserve and enhance the state's resources, including agricultural lands, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and/or significant historic and archeological resources? Check one and describe:

Yes No Not Relevant

The condominium to be acquired is located within a building determined as eligible for listing on the State and National Registers of Historic Places. The building to be acquired in Brooklyn is not considered historic.

Consultation was initiated with OPRHP regarding the Proposed Project, and it was agreed that the submission of the projects should be entered into the Cultural Resources Information System ("CRIS") separately for clarity purposes. Both Projects were submitted to CRIS on April 3, 2017. The 174 Java Street acquisition was reviewed by OPRHP (OPRHP Project №. 17PR02192) and in its letter of April 4th, 2017 (attached), OPRHP determined "...that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State

and National Registers of Historic Places.” Likewise, OPRHP (OPRHP Project №. 17PR02790), in its letter of April 26, 2017, opined on the 40 Rector Street condominium acquisition and renovation, and determined that the Proposed Project “...will have No Adverse Impact on the building, which has previously been determined to be eligible for inclusion in the State and National Registers of Historic Places.” It is the opinion of DASNY that the both project components would have no impact on historical or cultural resources in or eligible for inclusion in the National and/or State Registers of Historic Places. The Proposed Project would not affect visual resources within this portion of New York City. Therefore, the Proposed Project would be supportive of this criterion.

7. Does the project foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and/or the integration of all income and age groups? Check one and describe:

Yes No Not Relevant

The Proposed Project would consist of the acquisition and renovation of an existing buildings within the established municipality. The Proposed Project would acquire and occupy a currently vacant condominium in an existing building and acquire an existing, occupied building. The Proposed Project would foster compact development by utilizing existing space within the city. Therefore, the Proposed Project is generally supportive of this criterion.

8. Does the project provide mobility through transportation choices, including improved public transportation and reduced automobile dependency? Check one and describe:

Yes No Not Relevant

The Proposed Project would be developed within the boroughs of Manhattan and Brooklyn in New York City which has established one of the most utilized public transportation systems in the world. The existing facilities to be acquired would be near these facilities, allowing clients, visitors, and staff members the option of mass transit. Therefore, the Proposed Project would be supportive of this criterion.

9. Does the project demonstrate coordination among state, regional, and local planning and governmental officials? (Demonstration may include *State Environmental Quality Review* (“SEQR”) coordination with involved and interested agencies, district formation, agreements between involved parties, letters of support, State Pollutant Discharge Elimination System (“SPDES”) permit issuance/revision notices, etc.). Check one and describe:

Yes No Not Relevant

DASNY, acting as lead agency, is conducting a coordinated review of the Proposed Project in accordance with New York's *State Environmental Quality Review Act* ("SEQRA"). Other involved and interested agencies include, but are not limited to: the New York State Department of Environmental Conservation ("NYSDEC"), New York State Department of Transportation ("NYSDOT"), the New York State Office of Parks, Recreation, and Historic Preservation ("OPRHP"), the Manhattan and Brooklyn Borough President's Offices, New York City Council, the respective borough Community Boards, and various City of New York departments. The *SEQR* lead agency establishment regulations set a 30-day time period for each involved agency or interested party to review the documents and provide any comments, concerns or the nature of their approval. Therefore, the Proposed Project would be supportive of this criterion.

10. Does the project involve community-based planning and collaboration? Check one and describe:

Yes No Not Relevant

The Proposed Project components would be located within facilities currently developed. CP of NYS doesn't typically involve the community in renovation and maintenance projects. Community based planning is not required or relevant for acquisition activities.

11. Is the project consistent with local building and land use codes? Check one and describe:

Yes No Not Relevant

The Proposed Project renovation component would conform to the New York State *Uniform Fire Prevention and Building Code*. The Proposed Project is consistent with neighboring land use. Land use pattern would not be affected. The proposed acquisition would not alter the overall development pattern of this area of New York City. Further, the Proposed Project would not be expected to affect land use patterns broadly. Therefore, the Proposed Project would be generally supportive of this criterion.

12. Does the project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations?

Yes No Not Relevant

The condominium renovation component of the Proposed Project would incorporate appropriate sustainability measures that would promote this criterion. It is expected that the proposed renovation work would seek sustainable opportunities. The acquisition of property limits the ability of meeting sustainable goals. Therefore, the Proposed Project would be supportive of this criterion.

13. During the development of the project, was there broad-based public involvement? (Documentation may include *SEQR* coordination with involved and interested agencies, SPDES permit issuance/revision notice, approval of Bond Resolution, formation of district, evidence of public hearings, *Environmental Notice Bulletin* (“ENB”) or other published notices, letters of support, etc.). Check one and describe:

Yes No Not Relevant

As previously noted, DASNY, acting as lead agency, is conducting a coordinated review of the Proposed Project in accordance with *SEORA*. Other involved and interested agencies include, but are not limited to: NYSDEC, NYSDOT, OPRHP, the Manhattan and Brooklyn Borough President’s Offices, New York City Council, the respective borough Community Boards, and various City of New York departments. Hence, the Proposed Project would be generally supportive of this criterion.

14. Does the Recipient have an ongoing governance structure to sustain the implementation of community planning? Check one and describe:

Yes No Not Relevant

The Recipient of the funding, CP of NYS, is not a municipal entity with an existing governmental structure capable of sustaining the implementation of planning. However, CP of NYC, as an entity in New York City, does comply with the governance structure of the city. Therefore, the Recipient would be supportive of this criterion.

DASNY has reviewed the available information regarding this project and finds:

The project was developed in general consistency with the relevant Smart Growth Criteria.

The project was not developed in general consistency with the relevant Smart Growth Criteria.

It was impracticable to develop this project in a manner consistent with the relevant Smart Growth Criteria for the following reasons:

ATTESTATION

I, President of DASNY/designee of the President of DASNY, hereby attest that the Proposed Project, to the extent practicable, meets the relevant criteria set forth above and that to the extent that it is not practical to meet any relevant criterion, for the reasons given above.



Signature

Jack D. Homkow, Director, Office of Environmental Affairs
Print Name and Title

May 1, 2017
Date



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

April 04, 2017

Mr. Robert Derico
Senior Environmental Manager
Dormitory Authority State of New York
Broadway
Albany, NY 12207-2964

Re: DASNY
United Cerebral Palsy Association of New York State - Acquisition of 174 Java Street
174 Java Street, Brooklyn, NY
17PR02192

Dear Mr. Derico:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA
Director, Division for Historic Preservation



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

April 26, 2017

Mr. Robert Derico
Senior Environmental Manager
Dormitory Authority State of New York
515 Broadway
Albany, NY 12207-2964
(via email)

Re: DASNY
United Cerebral Palsy Association of New York State - Condominium Acquisition
40 Rector Street, Manhattan, New York County
17PR02790

Dear Mr. Derico:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

Based on our review, the acquisition of a condominium on the 15th floor of this building will have No Adverse Impact on the building, which has previously been determined to be eligible for inclusion in the State and National Registers of Historic Places.

If I can be of any further assistance I can be reached at john.bonafide@parks.ny.gov or (518) 268-2166.

Sincerely,

John A. Bonafide
Director,
Technical Preservation Services Bureau
Agency Preservation Officer

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com