

**NEW YORK STATE DEPARTMENT of HEALTH
STATE ENVIRONMENTAL QUALITY REVIEW
DRAFT SCOPING DOCUMENT**

for the

**Jewish Home Lifecare, Manhattan
*Replacement Nursing Facility Project***

Date: June 5, 2013

Lead Agency: New York State Department of Health
Corning Tower
Empire State Plaza
Albany, New York 12237

Applicant: Jewish Home Lifecare, Manhattan
120 West 106th Street
New York, New York 10025

This notice is issued pursuant to the *State Environmental Quality Review Act* (“*SEQRA*”), codified at Article 8 of the *Environmental Conservation Law* (“*ECL*”) of the State of New York, and its implementing regulations, promulgated at Part 617 of Title 6 and Part 97 of Title 10 of the *New York Code, Rules and Regulations* (“*N.Y.C.R.R.*”), which collectively contain the requirements for the *State Environmental Quality Review* (“*SEQR*”) process.

The New York State Department of Health (“NYSDOH”), as lead agency, has determined that the Proposed Action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement (“DEIS”) will be prepared.

Title of Action: Jewish Home Lifecare, Manhattan
Replacement Nursing Facility Project
Approval of Construction Application
(Certificate of Need Project #121075 C)

SEQR Status: Type I Action – 6 *N.Y.C.R.R.* 617.4(b)(6)(v) and
10 *N.Y.C.R.R.* Part 97.14(b)(1)(v)

Review Type: Coordinated Review

Proposed Project Description

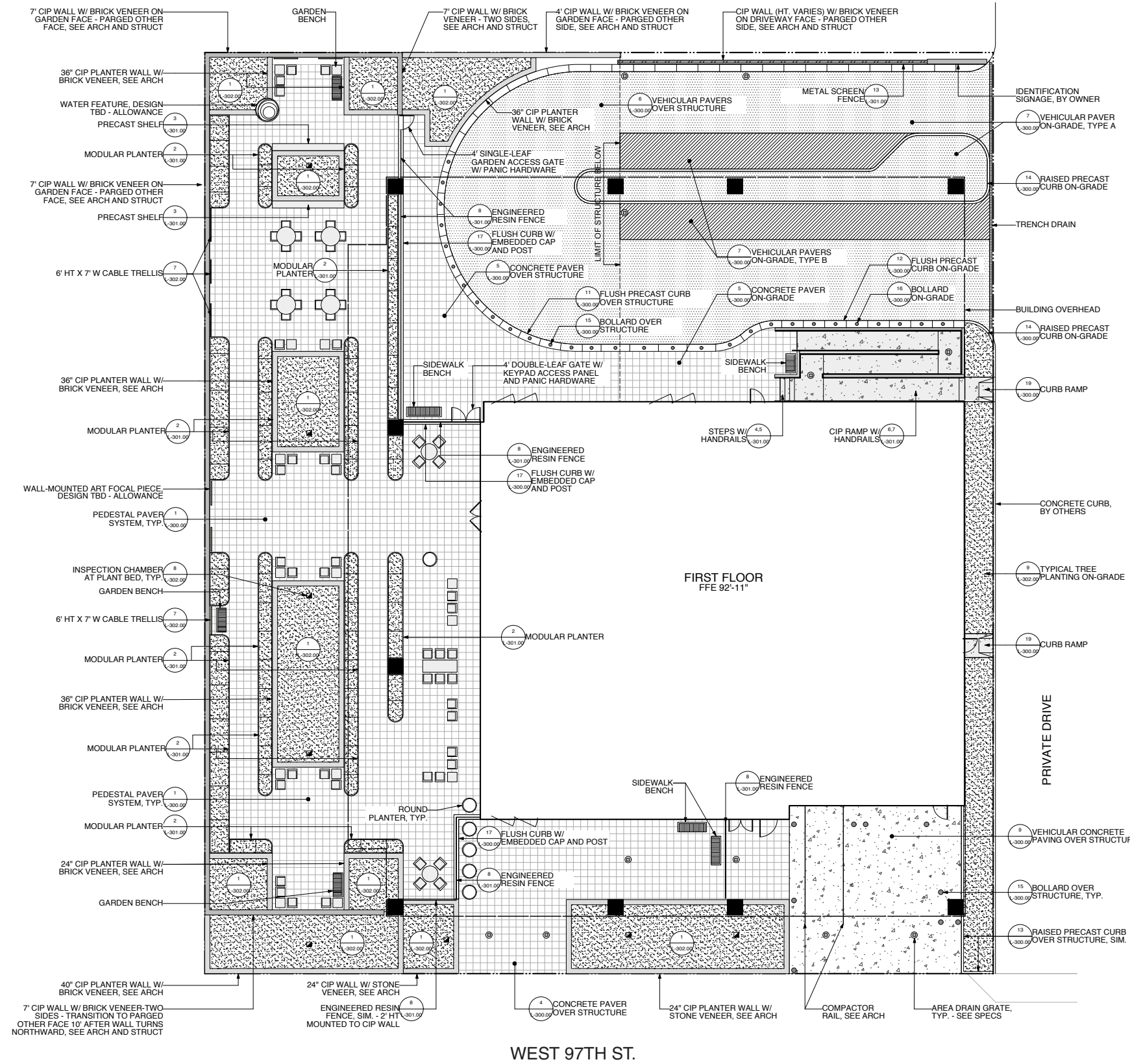
The New York State Department of Health (“NYSDOH”) has received a request from Jewish Home Lifecare, Manhattan (“JHL, Manhattan”), a member of the Jewish Home Lifecare System, to construct a replacement nursing facility (the “Proposed Project”). For purposes of *State Environmental Quality Review* (“SEQR”), the Proposed Action would consist of NYSDOH’s approval of a construction application filed pursuant to Section 2802 of the *Public Health Law* (“PHL”) that would consist of JHL, Manhattan’s plan to rebuild its Manhattan Division, which is currently located at 120 West 106th Street in the borough of Manhattan, New York County, New York, at a new location at 125 West 97th Street in Manhattan’s Upper West Side neighborhood (the “Project Site”). The Proposed Project would result in the construction of a replacement facility decertifying 100 beds for a new total reduced bed count of 414.

More specifically, the Proposed Project would replace the existing, approximately 31,804-square-foot (“sf”), 88-space, surface accessory parking lot on the Project Site with a new, 20-story (plus cellar floor), approximately 376,000-gross-square-foot (“gsf”) building on the Project Site. As shown in Figure 1, the proposed building would have three access areas: (1) a public pedestrian entrance on West 97th Street with access to the reception, main lobby, and resident and family areas, for residents, visitors, staff, and the general public; (2) a public vehicular entrance on the north side of the building to the same areas via a covered, semi-circular driveway for patient drop-off and pick-up, including ambulette and taxi access, utilizing the existing driveway along the eastern end of the Project Site for access from West 97th Street and West 100th Street; and (3) loading and service access on West 97th Street. The ground-floor level would include an approximately 8,700-gsf publicly-accessible open space along the west side of the Project Site, of which about 1,850 gsf would be covered by the building above.

The Proposed Project would include 414 beds, with 264 long-term-care beds located on the 9th floor through the 19th floor. Each floor would house 24 beds that include two “Green House” homes, complete with living and dining areas, a kitchen, private bedrooms and bathrooms with showers, and staff support areas. Another 150 subacute (short-term rehabilitation) beds would be located on the 4th floor through the 8th floor, along with community dining and decentralized therapy and activity space. The remaining floors would contain shared common areas, administrative offices, and service and support areas. The building would have one cellar level and one mechanical story, and would include an approximately 1,950-gsf rooftop garden for JHL, Manhattan residents and their visitors. The proposed building would be up to approximately 280 feet in height.

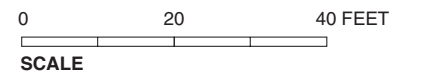
Construction of the Proposed Project is expected to begin in 2014 and would last approximately 31 months. It is expected that construction would be completed in a single phase, and that occupants would move into the new facility over the course of approximately 4 to 10 months. Therefore, for the purposes of this assessment, a 2018 analysis year is assumed.

NYSDOH, as the only state agency with a discretionary action, will serve as the lead agency for the environmental review. An Environmental Impact Statement (“EIS”) will be prepared for the Proposed Project, which is a Type I action under *SEQR* as specifically designated by 6 *N.Y.C.R.R.* Part 617.4(b)(6)(v) and 10 *N.Y.C.R.R.* Part 97.14(b)(1)(v), respectively.



SOURCE: Perkins Eastman

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



Proposed Site Plan
Figure 1

Project Site

The Proposed Project would be located on Block 1852, Lot 5 located at 125 West 97th Street in the borough of Manhattan, New York County, New York. The Project Site is located on the southern portion of the superblock bounded by West 100th Street to the north, West 97th Street to the south, Columbus Avenue to the east, and Amsterdam Avenue to the west (see Figure 2). The Project Site is currently occupied by an 88-space surface parking lot for Park West Village residents.

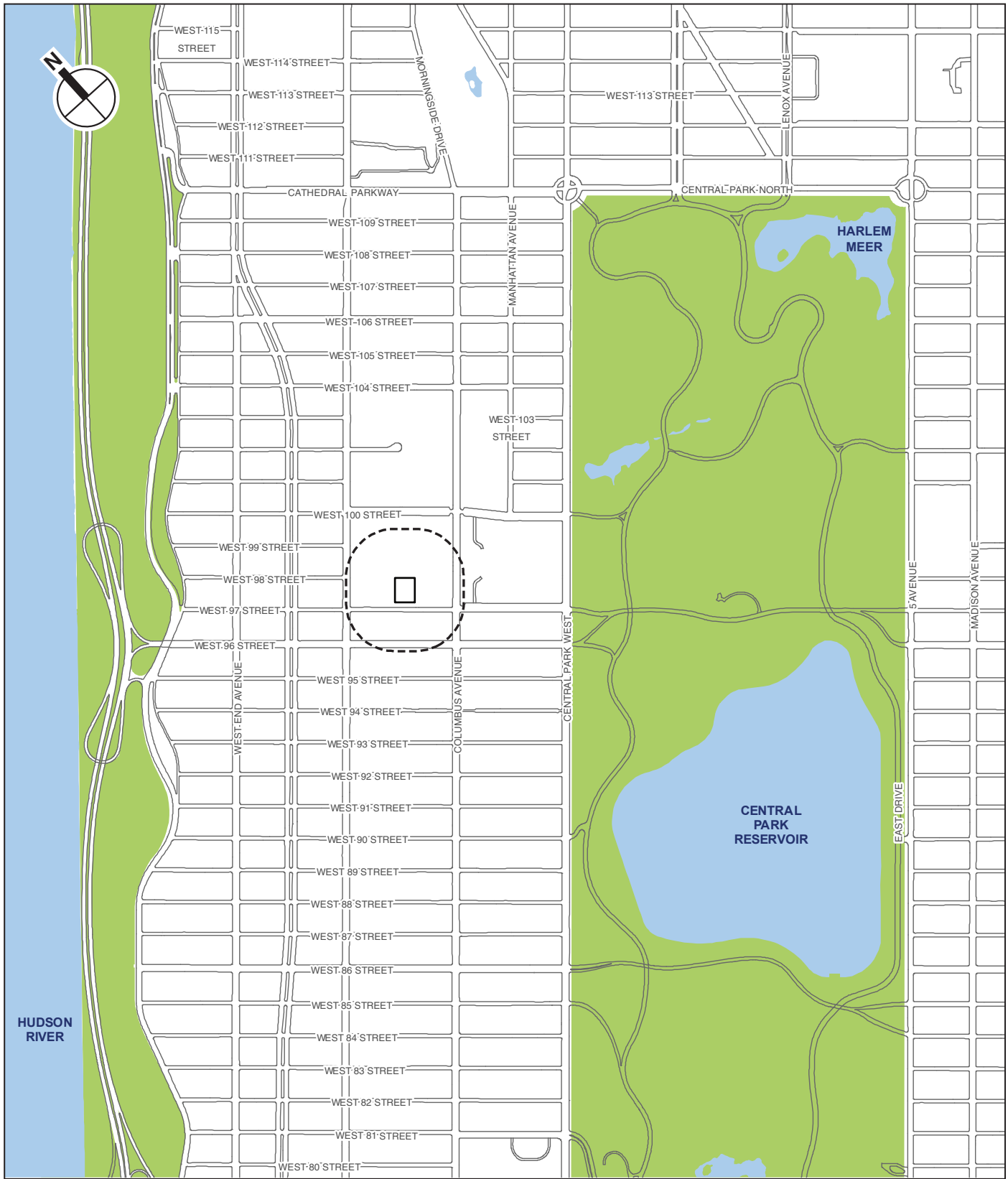
Proposed Action

The Proposed Project requires NYSDOH approval of a construction application filed pursuant to Section 2802 of the *Public Health Law* (“PHL”). This is a discretionary action that requires review under the *State Environmental Quality Review Act* (“SEQRA”). The environmental review will be undertaken pursuant to SEQRA, which is codified at Article 8 of the *Environmental Conservation Law* (“ECL”), and its implementing regulations, promulgated at Part 617 of Title 6 of the *N.Y.C.R.R.* In addition, NYSDOH has promulgated its own implementing regulations at 10 *N.Y.C.R.R.* Part 97. Collectively these provisions of law and regulation set forth the requirements for the SEQR process relevant to the Proposed Project. As set forth in a letter from NYSDOH to JHL, Manhattan dated May 6, 2013, the 2012 *City Environmental Quality Review* (“CEQR”) *Technical Manual* will generally serve as a guide with respect to environmental analysis methodologies and impact criteria for evaluating the effects of the Proposed Project, unless NYSDOH determines otherwise.¹ The Proposed Project will also be reviewed in conformance with the *New York State Historic Preservation Act of 1980* (“SHPA”), especially the implementing regulations of Section 14.09 of the *Parks, Recreation, and Historic Preservation Law* (“PRHPL”). Additionally, the Proposed Project will be reviewed in conformance with the *State Smart Growth Infrastructure Policy Act* (“SSGPIPA”) of 2010. The compatibility of the Proposed Project with the ten criteria of the SSGPIPA will be detailed.

Other Approvals

A New York City Planning Commission (“CPC”) certification pursuant to Section 22-42, “Certification of Certain Community Facility Uses,” of the *Zoning Resolution of the City of New York* was approved in March 26, 2012 (see Appendix A). Section 22-42 of the *Zoning Resolution* requires that, prior to any development, enlargement, extension or change in use involving a nursing home or health-related facility in a residence district, the CPC must certify to the New York City Department of Buildings (“NYCDOB”) that none of the findings set forth in Section 22-42 of the *Zoning Resolution* exist in the Community District within which such use is to be located. If any of the findings are found to exist, a special permit pursuant to Section 74-90 of the *Zoning Resolution* is required for the development, extension or enlargement or change of use. The findings that would trigger a special permit are:

¹ Correspondence from Karen Westervelt, New York State Department of Health to Thomas Gilmartin, JHL, Manhattan dated May 6, 2013.



- Project Site
- Study Area Boundary (400-Foot Perimeter)



1. That the ratio between the number of existing and approved beds for nursing homes compared to the population of the Community District is relatively high compared to other Community Districts.
2. There is a scarcity of land for general community purposes within the Community District.
3. The incidence of nursing home construction in the past three years warrants review.

The CPC determined that none of these findings exist in Community District 7 and issued the certification.

A foundation permit was obtained from NYCDOB.

No Action Scenario

Absent the Proposed Action, the Project Site would remain in its current state and continue to function as a parking area. JHL, Manhattan would maintain its existing 514 beds in three distinct buildings on the West 106th Street campus. The existing facilities would continue to operate inefficiently, housed in outdated buildings with a physical plant in need of major infrastructure replacement.

Purpose and Need

JHL, Manhattan is a member of Jewish Home Lifecare System (the “System”), which operates a geographically-diverse continuum of services for the elderly and disabled in the New York metropolitan area, covering the counties of Manhattan, the Bronx, and Westchester. The System serves nearly 11,000 individuals per year.

The existing nursing facility, located at 120 West 106th Street, is in outdated buildings constructed between 1898 and 1964 which are at the end of their useful lives and operate at 65 percent efficiency. The existing facility presents physical challenges that negatively impact residents’ quality of life, mobility, privacy, and independence; the buildings operate inefficiently, are antiquated and require major infrastructure replacement.

JHL, Manhattan’s Proposed Project would result in a vitally needed new nursing facility of 414 beds on the Project Site, and would permanently decertify 100 beds from the current complement of 514. This plan, which is a culmination of over eight years of collaboration with the NYSDOH, will enable JHL, Manhattan to continue serving the Manhattan market. The proposed facility would provide an innovative model of care (the “Green House model”) where elders could maintain a sense of home through a person-centered care model. The new facility would be groundbreaking as the first true urban Green House model to be developed in New York City and New York State and one of the first nationwide. The facility would also accommodate the significant shift that is occurring from long-term care to short-stay, post-acute rehabilitation needs, with 36 percent subacute (short-term rehabilitation) beds.

Scope of Work for the Draft Environmental Impact Statement

It is the intention of NYSDOH to serve as lead agency in the review of a Draft Environmental Impact Statement (“DEIS”) for the Proposed Project, a Type I action under *SEQR* as specifically designated by 6 *N.Y.C.R.R.* Part 617.4(b)(6)(v) and 10 *N.Y.C.R.R.* Part 97.14(b)(1)(v), respectively. The DEIS would assess the potential of the Proposed Project to result in significant adverse impacts to the following areas: Land Use, Zoning, and Public Policy, Shadows, Historic and Cultural Resources, Hazardous Materials, Water and Sewer Infrastructure, Transportation, Air Quality, Greenhouse Gas Emissions, Noise, Public Health, Neighborhood Character, Construction Impacts, Mitigation and Alternatives. The purpose of this Draft Scoping Document is to describe the scope of work of the DEIS and to solicit public comments on the key issues to be studied. The preparation of a final scope based on the public comments will ensure that the full environmental impacts of the Proposed Project are identified and studied consistent with environmental law and regulations.

A public scoping meeting has been scheduled to receive public comments on this Draft Scoping Document on June 27, 2013. The public meeting will commence at 6:30 p.m. and will be held at Public School (“P.S.”) 163 located at 163 West 97th Street, in Manhattan, New York. Written comments on the Draft Scoping Document will be accepted by NYSDOH until 5:00 p.m. on July 12, 2013.

Analysis Framework

The Proposed Action will be analyzed in the DEIS to assess the Proposed Action’s potential to generate significant adverse environmental impacts. As necessary, the DEIS will consider alternatives that would reduce or eliminate impacts identified in the technical analyses and propose mitigation for such impacts, to the extent that practicable mitigation exists.

The DEIS would contain:

- A description of the Proposed Project and its environmental setting;
- A statement of the environmental impacts of the Proposed Project, including its short-term, long-term and cumulative effects;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Project is implemented;
- A discussion of reasonable alternatives to the Proposed Project, including a No Action alternative;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the Proposed Project should it be implemented; and
- A description of mitigation proposed to minimize to the greatest extent practicable any significant adverse environmental impacts.

The DEIS will describe the existing conditions of the Project Site and the surrounding area and the conditions of the Project Site and surrounding area in 2018, the year in which the

Proposed Project is expected to become operational. The DEIS will also consider other future development projects and changes to the surrounding area that are anticipated to occur in the future with or without the Proposed Project (referred to as the “No Action” scenario). The potential impacts of the Proposed Project on the Project Site and the surrounding area will be determined through a comparison of conditions in the future without the Proposed Project to conditions in the future with the Proposed Project. Additionally, there is a driveway north of the existing, on-site, surface lot that extends from West 97th Street to West 100th Street. This “access road” currently has NYCDOB approval as a continuous one-way southbound connection between West 100th Street and West 97th Street. Therefore, this one-way southbound configuration is assumed as part of the No Action baseline condition. The owners of Park West Village are considering pursuing potential future changes to the approved condition, which could include a one-way northbound configuration or a two-way configuration (see Appendix B, “Travel Demand Factors Memorandum”). These potential changes, if approved, would occur independent of the Proposed Project. However, because they present the possibility of a different future baseline condition, this DEIS will consider the potential effects of the Project Proposed based on all three potential circulation options for the access road.

Based on the Proposed Project described above and thresholds presented in the *CEQR Technical Manual*, this scope assumes that the following technical areas do not require detailed analyses because the Proposed Project is not likely to result in any significant adverse impacts in these areas: Socioeconomic Conditions, Community Facilities and Services, Open Space, Urban Design and Visual Resources, Natural Resources, Solid Waste and Sanitation Services, and Energy. Screening level analyses for these technical areas were prepared as part of the Environmental Assessment Statement (“EAS”), dated June 5, 2013, completed for the Proposed Project. In addition, because the Project Site is not located within the state and city’s Coastal Zone, an assessment of the Proposed Project’s consistency with the Waterfront Revitalization Program (“WRP”) is not required.

Task 1. Project Description

The first chapter of the DEIS will introduce the reader to the Proposed Project and provide the description based upon which impacts will be assessed. The chapter will contain brief background information about JHL, Manhattan and the proposed facility; a description and illustrative drawings of the Proposed Project; a discussion of the approvals required and procedures to be followed; and the role of the DEIS in the process. The project description chapter will provide the public and decision-makers with basic information to evaluate the Proposed Project against No Build conditions.

Task 2. Land Use, Zoning, and Public Policy

This analysis will consider the Proposed Project’s effects in terms of land use compatibility and trends in zoning and public policy. In general, this chapter will provide a context for other analyses in the DEIS. It will:

- Describe predominant land use patterns in the study area, including recent development trends. The study area will include the portions of the blocks immediately surrounding the Project Site and land uses within approximately 400 feet.
- Provide a zoning map and discuss existing zoning and any recent zoning actions on the Project Site and in the study area.
- Summarize other public policies that may apply to the Project Site and study area.
- Describe conditions on the Project Site absent the Proposed Action.
- Include a list of other projects expected to be built in the study area that would be completed before or concurrently with the Proposed Project, and describe the effects of these projects on land use patterns and development trends.
- Describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements.
- Assess the Proposed Project’s compatibility with PlaNYC 2030. PlaNYC is the City of New York’s comprehensive development framework which establishes goals in a variety of policy areas, including land use, transportation, energy, and economic development.

As part of the public policy analysis, a NYSDOH Smart Growth Impact Statement Assessment Form (“SGISAF”) will also be completed for the Proposed Project. The SGISAF determines whether a project is consistent with the State of New York *State Smart Growth Public Infrastructure Policy Act* (“SSGPIA”), Article 6 of the New York *ECL*, for a variety of policy areas related to land use and sustainable development.

Task 3. Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if a project may reasonably be expected to create substantial socioeconomic changes within the area affected by the project that would not occur in the absence of the project. For purposes of SEQR, it should be noted that nursing home rooms do not constitute residential units.² Projects that would trigger a *CEQR/SEQR* analysis of socioeconomic conditions include projects which result in the following:

- Direct displacement of 500 or more residents or more than 100 employees.
- Direct displacement of a business that is uniquely significant because its products or services are dependent on its location; it is the subject of other regulations or publicly adopted plans aimed at its preservation because of its

² Pursuant to 6 *N.Y.C.R.R.* 617.2(ae): “Residential means any facility used for permanent or seasonal habitation, including but not limited to: realty subdivisions, apartments, mobile home parks, and campsites offering any utility hookups for recreational vehicles. It does not include such facilities as hotels, hospitals, nursing homes, dormitories or prisons.”

type or location; or it serves a population that is uniquely dependent on its services, in its particular location.

- The development of 200 residential units or more or 200,000 square feet (“sf”) or more of commercial use that is markedly different from existing uses, development, and activities in the neighborhood. This type of development may lead to indirect residential or business displacement, respectively.
- The development of 200,000 sf or more of retail on a single development site, creating the potential to draw a substantial amount of sales from existing businesses within the study area. This type of development may lead to indirect business displacement due to market saturation.
- Impacts on a specific industry; for example, if a substantial number of residents or workers depend on the goods or services provided by the specific affected business, or if it would result in the loss or diminution of a certain product or service that is important within the city.

The Proposed Project would not directly displace any residential populations, businesses, or employees. The Proposed Project would not introduce any residential units, commercial or retail use. Therefore, the Proposed Action does not meet the threshold for further analysis and would not result in any significant adverse impacts on socioeconomic conditions. The DEIS would not include a socioeconomic analysis.

Task 4. Community Facilities and Services

The *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility or if it would have an indirect effect by introducing new populations that would overburden existing facilities.

The Proposed Project would not displace any community facilities; instead, it would introduce a nursing home facility to the Project Site. In addition, the Proposed Project would not result in any of the following significant indirect effects on community facilities and services that are specified in the *CEQR Technical Manual*:

- ***Schools.*** The introduction of more than 50 elementary and/or intermediate school students or 150 or more high school students who are expected to attend public schools. The Proposed Project would not generate any residents with school-aged children and; therefore, no further analysis is necessary.
- ***Libraries.*** An increase of more than five percent in the catchment area populations of libraries in the study area. While the Proposed Project would result in 414 beds, the facility’s residents would be served by the Proposed Project’s on-site library, and would therefore not contribute substantially to the demand on libraries in the area. Therefore, it is expected that there would be no significant adverse impacts to libraries in the study area, and no further analysis is warranted.

- **Health Care Facilities.** The introduction of a significant number of new residents, workers, or visitors. The Proposed Project would introduce residents whose health care would be provided for on site. Therefore, the Proposed Project would not result in significant adverse impacts to health care facilities, and no further analysis is necessary.
- **Child-Care Facilities.** The introduction of 20 or more children under the age of 6, eligible for publicly-funded, group-child-care and Head Start centers based on residence in low/moderate-income residential units. The Proposed Project would not generate any residential units with children under the age of 6, and therefore no further analysis is necessary.
- **Police and Fire Protection.** The introduction of a significant number of new residents, workers, or visitors. Because the Proposed Project would not result in the introduction of a sizable new neighborhood, nor would it directly displace a police or fire station, the Proposed Project would not result in significant adverse impacts to police and fire protection in the study area. No further analysis is necessary.

Therefore, the Proposed Project would not result in any significant adverse impacts to community facilities and services and no further analysis is necessary. The DEIS would not include a community facilities analysis.

Task 5. Open Space

Open space is defined as publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play or sport, or set aside for the protection and/or enhancement of the natural environment. The *CEQR Technical Manual* recommends conducting an open space assessment for projects that would result in the physical loss of, or limit access to, an open space, change the use of an open space so that it no longer serves the same user population, or affect the usefulness of public open space due to pollution or shadows. An open space assessment may also be necessary for projects that would generate enough new residents or workers to noticeably diminish the capacity of an area's open spaces to serve the future population.

The Project Site is located in an area that is classified as well-served by open space. For such locations, the threshold given in the *CEQR Technical Manual* for an open space assessment is a population increase of more than 350 residents or 750 workers. The facility's residents introduced by the Proposed Project would be served by an approximately 1,950-gsf rooftop garden. In addition, the Proposed Project would add about 8,700 gsf of public open space. The Proposed Project would not result in 750 or more workers. The Proposed Project would not exceed the *CEQR* guidance thresholds requiring open space assessment and would not result in significant adverse impacts to open space. Therefore, no further analysis is necessary, and the DEIS would not include an open space analysis.

Task 6. Shadows

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

The Proposed Action would result in a new structure taller than 50 feet. In addition, the Project Site is located adjacent to Public School 163 and the associated Happy Warrior Playground, a publicly-accessible open space. Therefore, a shadows assessment is required to determine how the project-generated shadow might affect this open space, and whether it would reach other nearby sunlight-sensitive resources such as Frederick Douglass Playground at West 100th Street and Amsterdam Avenue.

The shadows assessment will follow the methodology described in the *CEQR Technical Manual*. It would include the following tasks:

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

Task 7. Historic and Cultural Resources

Historic and cultural resources include both architectural and archaeological resources. As described above, the Project Site is currently a parking lot, and the Proposed Action would

result in the construction of a new facility on the Project Site. In accordance with *SEQRA* and *SHPA*, especially the implementing regulations of Section 14.09 of *PRHPL*, consultation with the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) is required. A historic and archaeological resource analysis would be prepared that includes the following tasks.

Architectural Resources.

- ***State Historic Preservation Office (“SHPO”) Project Review Cover Form.*** Prepare a SHPO Project Review Cover Form as part of the consultation process with OPRHP to obtain a preliminary determination of the proposed Project Site’s potential for archaeological sensitivity.
- Map and briefly describe any designated architectural resources on the Project Site and within a 400-foot study area. These comprise properties listed on or determined eligible for listing on the State and National Registers of Historic Places (“S/NR”, “S/NR eligible”), New York City Landmarks (“NYCLs”), properties listed within New York City Historic Districts (“NYCHDs”), and properties pending or eligible for NYCL and NYCHD designation.
- Field survey the study area to determine whether there are any potential architectural resources that could be impacted by the Proposed Action. Potential architectural resources comprise properties that may be eligible for listing on the S/NR and/or designation as a NYCL.
- Seek determinations of eligibility from OPRHP for any potential architectural resources. Map and describe any identified architectural resources.
- Based on other planned development projects, qualitatively discuss any impacts on architectural and archaeological resources that are expected in the future without the Proposed Action.
- Assess any direct physical impacts of the Proposed Project on architectural resources and archaeological resource. Assess the Proposed Project’s potential to result in any visual and contextual impacts on architectural resources. Consultation will be undertaken with NYSDOH and OPRHP as appropriate.

Archaeological Resources. If OPRHP requests that an archaeological study be performed, a Phase 1A Archaeological Assessment would be prepared. The Phase 1A would provide a prehistoric and historical contextual overview in which to assess archaeological resources, a development history of the Proposed Project area, an in-depth assessment of past disturbance, and the identification of any potential resource types and their potential significance that may be present in the Proposed Project area.

Task 8. Urban Design and Visual Resources

Urban design is defined as the totality of components that may affect a pedestrian’s experience of public space. These components include streets, buildings, visual resources, open

spaces, natural resources, and wind. According to the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed “as of right” or in the future without the Proposed Project. The Proposed Project would be allowable under existing zoning, and would therefore not result in significant adverse impacts to urban design and visual resources. Therefore no further analysis is warranted, and the DEIS would not include an urban design and visual resources analysis.

Task 9. Natural Resources

A natural resources assessment is conducted when a natural resource is present on or near a development site and the Proposed Project may involve the direct or indirect disturbance of that resource. The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetlands, including freshwater and tidal wetlands; terrestrial resources, such as grasslands and thickets; shoreline resources, such as beaches, dunes, and bluffs; gardens and other ornamental landscaping; and natural resources that may be associated with built resources, such as old piers and other waterfront structures. The project site is developed with a paved parking lot. As such, natural resources within the Project Site are limited to the few urban-adapted species of wildlife that would utilize building exteriors as habitat and are ubiquitous throughout the city. Specifically, these include house sparrows (*Passer domesticus*), rock pigeons (*Columba livia*), European starlings (*Sturnus vulgaris*), and Norway rats (*Rattus norvegicus*). The Proposed Project would not have the potential to result in significant adverse impacts to the urban tolerant wildlife species using the Project Site. While individual wildlife may be affected should suitable habitat not be available nearby, the loss of some individuals would not adversely affect populations of these widespread urban-tolerant species within the metropolitan region.

The Proposed Project would not result in any significant adverse impacts to natural resources within or near the Project Site, and no further analysis is required. The DEIS would not include a natural resources analysis.

Task 10. Hazardous Materials

The DEIS would consider the potential presence of hazardous materials on the Project Site. The hazardous materials analysis would then determine whether any resulting additional testing, remediation, mitigation or other measures should be required prior to or during construction to ensure there would be no potential for significant adverse impacts associated with any such hazardous materials. This analysis would include a summary of a Phase I Environmental Site Assessment (“ESA”) that would be prepared for the Proposed Project. The Phase I ESA would include:

- A land use history of the project area from historical maps, atlases, aerials, and other records.

- A review of databases maintained by the United States Environmental Protection Agency (“USEPA”) and the New York State Department of Environmental Conservation (“NYSDEC”) and online records of various New York City agencies relating to identified problem sites or activities on or adjacent to the project area, including registered underground storage tanks, hazardous waste disposal sites, hazardous waste generators or treatment facilities, and hazardous substance releases. The database search areas would be at least as extensive as those recommended in the American Society for Testing and Materials (“ASTM”) Standard E1527-05.
- Available information on subsurface conditions (geology and hydrogeology).
- A visual inspection of the project area for any evidence of potential site contamination, including the presence of drums or other containers of hazardous materials, and a preliminary asbestos survey for the presence of any suspect asbestos-containing material. Where there are records of the presence of underground tanks, their location would be confirmed, if possible. The Project Site would be inspected for evidence of undocumented tanks, such as fill caps and vent pipes. The Project Site inspection would also include a visual inspection of neighboring properties, either from the property boundary or accessible rights of way.
- Interviews of past and current owners, operators, and occupants of the Project Site would be conducted to obtain information about the Project Site conditions. Interviews will also be conducted, if possible, with at least one staff member of the local fire department, state or local health department, or agencies responsible for jurisdiction over hazardous waste disposal, issuance of building permits, or groundwater use permits.
- According to ASTM 1527-05, the client is required to complete due diligence searches and provide information to the environmental professional. These tasks include a search for any environmental liens against the property, disclosure of any specialized knowledge the client may have about the property, or an adjoining property and any disparity between the purchase price and the true value of the property.
- A written report would be prepared that would contain a summary of the activities performed, information gained, observations made during the study, data gaps that affect the ability to identify environmental conditions (and the sources of information that were consulted to address the data gaps), and a professional opinion as to the impact on the Project Site of conditions identified in the report.
- The DEIS will include a summary of the Phase I ESA and any other prior hazardous materials studies relevant to the Proposed Project. The need for any Phase II testing at the Project Site and remediation measures will also be discussed in the DEIS.

Task 11. Water and Sewer Infrastructure

The *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and storm water. For the Proposed Project, an analysis of the water supply is not warranted since the Proposed Project would not result in a demand of more than 1 million gallons per day ("gpd") and is not located in an area that experiences low water pressure such as the Rockaway Peninsula or Coney Island. An analysis of the Proposed Project's effects on wastewater and storm water infrastructure is warranted because the Proposed Project is located in a combined sewer area and would exceed 250,000 gsf of community facility space in Manhattan. This preliminary analysis would include, among other elements, the following: description of the existing wastewater and storm water conveyance systems and the affected wastewater treatment plant ("WWTP") in the study area; determination of the existing sanitary flows, Future No Action sanitary flows, and With Action sanitary flows; consideration and analysis of incremental flows from the Proposed Project on the capacity of the affected WWTP; description of existing surface types, Future No Action surface types and With Action surface types; determination of the volume and peak discharge rates of storm water expected from the Project Site under existing, Future No Action and With Action conditions; and completion of the New York City Department of Environmental Protection ("NYCDEP") flow calculations matrix. Based on the results of the preliminary analysis, a detailed assessment may be warranted and/or mitigation may be required if significant impacts are identified. A description and assessment of potential mitigation strategies would be included in this section of the DEIS.

Task 12. Solid Waste and Sanitation Services

A solid waste assessment determines whether a project has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the city's Solid Waste Management Plan ("SWMP" or "Plan") or with the state policy related to the city's integrated solid waste management system. The city's solid waste system includes waste minimization at the point of generation, collection, treatment, recycling, composting, transfer, processing, energy recovery, and disposal. The *CEQR Technical Manual* states that few projects generate substantial amounts of solid waste (50 tons a week or more) that would result in a significant adverse impact. The Proposed Project is not expected to generate an amount of solid waste that the *CEQR Technical Manual* defines as affecting the city's capacity to handle solid waste. In addition, JHL, Manhattan would use private carters. Therefore, the Proposed Project would not result in any significant adverse impacts to solid waste and sanitation services, and no further analysis is required. The DEIS would not include a solid waste and sanitation services analysis.

Task 13. Energy

As described in the *CEQR Technical Manual*, all new structures requiring heating and cooling are subject to the 2010 New York City Energy Conservation Code. Therefore, the need for a detailed assessment of energy impacts would be limited to projects that may significantly

affect the transmission or generation of energy. According to the *CEQR Technical Manual*, a detailed assessment of energy impacts is only required for projects that would significantly affect the transmission or generation of energy or that would result in substantial consumption of energy. The Proposed Project would not affect the transmission or generation of energy. It is expected that the Proposed Project, when in operation, would consume approximately 94,263 million British Thermal Units (“BTUs”) per year.³ This would not be considered a significant demand for energy. Therefore, the Proposed Project would not result in significant adverse impacts to energy supply or consumption, and no further analysis is warranted. The DEIS would not include an energy analysis.

Task 14. Transportation

Based on the *CEQR Technical Manual* guidance, detailed transportation analyses may be warranted if a Proposed Project is anticipated to result in an increase of 50 or more peak-hour vehicles trips, 200 or more peak-hour subway or bus trips, or 200 or more peak-hour pedestrian trips. Should these thresholds be exceeded, a trip assignment screening would be performed to determine if the Proposed Project would result in individual intersections with more than 50 vehicle trips, pedestrian elements with more than 200 pedestrian trips, 50 bus trips in a single direction on a single route, or 200 passengers at a subway station or subway line during any analysis peak hours, in which case detailed transportation analyses may be warranted. As shown in Appendix B, “Travel Demand Factors Memorandum,” the Proposed Project would not result in 200 or more peak-hour subway or bus trips or 200 or more peak-hour pedestrian trips. Based on a trip assignment screening, no individual intersections would have an increase of 50 vehicle trips. The DEIS will include a discussion of the transportation screening, as well as, a description of site access/egress and circulation.

Task 15. Air Quality

Pollutant emissions from stationary sources (e.g. building stacks) and mobile sources (e.g. vehicles) can affect air quality and need to be evaluated under *CEQR Technical Manual* guidance. The Proposed Project is not expected to exceed the 170-vehicle-trip screening threshold, above which a quantified analysis of impacts of carbon monoxide (“CO”) emissions from mobile sources is required. The Proposed Project is also not expected to exceed the particulate matter (“PM”) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the 2012 *CEQR Technical Manual*. Therefore, an analysis of emissions from mobile sources is not required.

Following the *CEQR Technical Manual* methodology, a screening analysis of the potential impacts from the Proposed Project’s fossil fuel-fired heating, ventilation and air conditioning (“HVAC”) system would be conducted. A screening analysis would be performed to determine whether emissions from any on-site, fuel-fired, HVAC system equipment (e.g.,

³ A British Thermal Unit (“BTU”) is the amount of heat energy needed to raise the temperature of one pound of water by one degree Fahrenheit. This is the standard measurement used to state the amount of energy that a fuel has as well as the amount of output of any heat generating device.

boilers/hot water heaters) are significant. The screening analysis would use the procedures outlined in the *CEQR Technical Manual*, which consider the distance of the HVAC system exhaust to the nearest building of equal or greater height, the building size (floor area), the building use, the height of the exhaust, and the type of fuel used.

If the HVAC system for the Proposed Project fails the screening analysis, a detailed stationary source analysis will be performed using USEPA's AERMOD dispersion model. Five years of meteorological data (2007-2011) with surface data from LaGuardia Airport and concurrent upper air data from Brookhaven, New York, will be used for the modeling study. Concentrations of PM, nitrogen dioxide ("NO₂") (and sulfur dioxide ["SO₂"] if burning fuel oil) will be determined and the predicted values will be compared with National Ambient Air Quality Standards ("NAAQS"), New York State Ambient Air Quality Standards ("NYSAAQS") and other relevant criteria. In the event that a violation of the standards is predicted, design measures will be examined to reduce potential concentrations of applicable pollutants to acceptable levels.

Task 16. Greenhouse Gas Emissions

According to the *CEQR Technical Manual*, a greenhouse gas (GHG) consistency assessment is appropriate for projects in New York City being reviewed in an EIS that would result in development of 350,000 square feet or greater. Therefore, GHG emissions from the Proposed Project will be quantified and an assessment of consistency with the city's GHG reduction goal will be performed. Project GHG emissions will be estimated for one worst-case development plan and one analysis year and reported as carbon-dioxide-equivalent ("CO_{2e}") metric tons per year. The quantified assessment will include operational emissions (emissions from the operation of the buildings in the Proposed Project, including direct and indirect emissions), and mobile source emissions. The construction phase or the extraction or production of materials or fuels needed to construct the Proposed Project is not likely to be a significant part of total project emissions. Therefore, emissions resulting from construction activity and construction materials will be assessed qualitatively. The Proposed Project would not fundamentally change the city's solid waste management system. Therefore a quantified assessment of emissions due to solid waste management is not warranted. Features of the Proposed Project that demonstrate consistency with the city's GHG reduction goal will be described. The GHG analysis will rely on significant input from the applicant and project architect and would consist of the following subtasks:

- Direct and Indirect Operational Emissions — emissions from on-site boilers used for heat and hot water would be quantified, as well as emissions from purchased electricity generated off site and consumed on site. Emissions would be based on the carbon intensity factors specified in the *CEQR Technical Manual* or project specific information on energy use.
- Indirect Mobile Source Emissions — emissions from vehicle trips to or from the Proposed Project will be quantified using trip distances and emission factors provided in the *CEQR Technical Manual*.

- Emissions from construction and emissions associated with the extraction or production of construction materials will be qualitatively discussed. Opportunities for reducing GHG emissions associated with construction will be considered.
- Features of the Proposed Project that reduce energy use and GHG emissions will be discussed and quantified to the extent that information from the project team is available.
- Consistency with the city's GHG reduction goal will be assessed. While the city's overall goal is to reduce GHG emissions by 30 percent below 2005 level by 2030, individual project consistency is evaluated based on proximity to transit, building energy efficiency, efforts to reduce carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the Proposed Project's carbon footprint.

Task 17. Noise

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

The Proposed Project will generate vehicular trips and; therefore, a mobile-source noise screening analysis will be performed. Given the background conditions and the anticipated project-generated traffic, it is not expected that project-generated traffic would be likely to result in significant noise impacts. It is assumed that outdoor mechanical equipment would be designed to meet applicable regulations and that no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed. Consequently, the noise analysis will examine the level of building attenuation necessary to meet *CEQR* guidance interior noise level requirements. The building attenuation study will be an assessment of noise levels in the surrounding area associated primarily with traffic and nearby uses and their potential effect on the Proposed Project.

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

- Select appropriate noise descriptors. Appropriate noise descriptors to describe the existing noise environment will be selected. The L_{eq} and L_{10} levels will be the primary noise descriptors used for the EIS analysis. Other noise descriptors including the L_1 , L_{10} , L_{50} , L_{90} , L_{min} , and L_{max} levels will be examined when appropriate.
- Based on the traffic studies, perform a screening analysis to determine whether there are any locations where there is the potential for the Proposed Project to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project generated traffic.

- Select receptor locations for building attenuation analysis purposes. A maximum of four receptor locations will be selected. Receptor locations will include locations adjacent to the site of the Proposed Project.
- Perform 20-minute measurements at each receptor location during typical weekday a.m., midday, and p.m. peak periods. L_1 , L_{10} , L_{50} , L_{90} , L_{min} , and L_{max} values will be recorded. Where site access and security permits, a 24-hour continuous measurement may be performed in lieu of a 20-minute measurement.
- Data analysis and reduction. The results of the noise measurement program will be analyzed and tabulated.
- Determine the level of attenuation necessary to satisfy *CEQR Technical Manual* criteria. The level of building attenuation necessary to satisfy *CEQR* guidance requirements is a function of exterior noise levels and will be determined. Measured values will be compared to appropriate standards and guideline levels. As necessary, recommendations regarding general noise attenuation measures needed for the Proposed Project to achieve compliance with standards and guideline levels will be made. Due to the relatively high ambient noise levels adjacent to the project area, any development in the area would be expected to require acoustically rated windows together with the provision for some kind of alternate ventilation — that does not degrade the acoustical performance of the façade — to achieve acceptable interior noise levels.

Task 18. Public Health

According to the *CEQR Technical Manual*, a public health analysis is not warranted if a project does not result in a significant unmitigated adverse impact in other *CEQR* analysis areas, such as air quality, water quality, hazardous materials, or noise. However, the lead agency may require a public health analysis if an unmitigated significant adverse impact is identified in the EIS. For the purposes of this scope of work, it has been assumed that the Proposed Project would not result in any unmitigated significant adverse impacts, and the Proposed Project will be examined under a screening level of assessment in conformance with the *CEQR Technical Manual*. If required, a detailed public health assessment will be performed.

Task 19. Neighborhood Character

Neighborhood character is determined by a number of factors, such as land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise. Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character. Work items for this task are as follows:

- Based on other technical analyses, describe the predominant factors that contribute to defining the character of the neighborhood surrounding the Project Site.

- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the area in the future without the Proposed Action.
- Assess and summarize the Proposed Action’s effects on neighborhood character using the analysis of impacts as presented in other pertinent analyses (particularly urban design and visual resources, historic resources, socioeconomic conditions, traffic, and noise).

Task 20. Construction Impacts

Construction activities, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, community noise patterns, and air quality conditions. This task will describe the construction schedule and logistics, discuss anticipated on-site activities, and provide estimates of construction workers and truck deliveries. It is assumed that the project team will provide the necessary construction phasing information and logistics documentation, as well as equipment, materials, and personnel projections for the construction of the proposed facility. Based on the projected construction activities and equipment in the context of duration, location relative to nearby sensitive locations, and the implementation of construction mitigation measures, appropriate level of assessment will be determined to assess the potential for construction impacts.

Technical areas to be analyzed include:

- ***Transportation Systems.*** The traffic study area will include key intersections along the travel corridors that provide access to and egress from the Project Site for construction workers and deliveries. Because the time periods during which trip-making is expected to be the greatest for the Proposed Project’s construction would be on weekdays in the hour before construction workers arrive and the hour after they depart, the analysis of the area’s traffic conditions will focus on the weekday 6:00-7:00 a.m. and 3:00-4:00 p.m. construction peak hours. Based on the detailed vehicle-trip assignments for these time periods, intersections will be selected for quantitative traffic analyses where the construction trip increment would exceed 50 passenger car equivalents (“PCEs”). Where appropriate, the relevant mitigation measures will be discussed. Parking for construction workers is anticipated to be accommodated with off-site parking within one-quarter mile of the Project Site and will be evaluated during the weekday mid-morning and mid-afternoon periods.
- ***Air Quality.*** The construction air quality impact section will contain a qualitative discussion of both mobile-source emissions from construction equipment and worker and delivery vehicles, and fugitive dust emissions. It will discuss measures to reduce impacts and may include components such as: diesel equipment reduction; clean fuel; best available tailpipe reduction technologies; utilization of equipment that meets specified emission standards;

and fugitive dust control measures, among others. The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations. If determined to be warranted, a quantitative (i.e., model-predicted concentrations) air quality analysis will be conducted to determine the potential for air quality impacts during on-site construction activities and construction-generated traffic on local roadways. Air pollutant sources would include combustion exhaust associated with nonroad engines (i.e., cranes, excavators), on-road engines, and on-site activities that generate fugitive dust. During the most representative worst-case time period(s), concentration levels for each pollutant of concern (carbon monoxide, particulate matter, and nitrogen dioxide) due to construction activities at each sensitive receptor will be predicted. The potential for significant impacts will be determined by a comparison of model predicted total concentrations to the NAAQS and NYSAAQS, and by comparison of the predicted increase in concentrations to applicable interim guidance thresholds.

- **Noise.** The construction noise impact section will contain a qualitative discussion of noise from each phase of construction activity. Appropriate recommendations will be made to comply with NYCDEP “Rules for Citywide Construction Noise Mitigation” and the *New York City Noise Control Code*. The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations. If determined to be warranted, a quantified analysis will be prepared that will examine potential noise impacts due to construction-related stationary and mobile sources. Existing noise levels will be determined by noise measurements performed at at-grade receptor locations, and by use of a combination of measurements and mathematical models for elevated receptor locations. During the most representative worst-case time period(s), noise levels due to construction activities at each sensitive receptor will be predicted. Based on the criteria contained in the *CEQR Technical Manual*, a change of 3.0 dBA⁴ or more for two or more consecutive years will be considered a significant noise impact. Based on the results of the construction noise analysis, if necessary, the feasibility, practicability, and effectiveness of implementing measures to mitigate significant construction noise impacts will be examined.
- **Other Technical Areas.** As appropriate, discuss other areas of environmental assessment for potential construction-related impacts.

⁴ In order to establish a uniform noise measurement that simulates people’s perceptions of loudness and annoyance, the decibel measurement is weighted to account for how those frequencies are heard in the human ear. This is known as the A-weighted sound level, or “dBA,” and is the descriptor of noise levels most often used for community noise.

Task 21. Mitigation

If significant Proposed Project impacts are identified in the analyses discussed above, measures to mitigate those impacts will be identified and evaluated, and summarized in this chapter of the DEIS. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Task 22. Alternatives

The purpose of an alternatives chapter is to examine reasonable and practicable options that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the Proposed Project. The specific alternatives to be analyzed are typically finalized with the lead agency as project-related impacts become clarified. It is assumed that two alternatives to the Proposed Project would be discussed in this chapter of the DEIS — a No Action alternative and an alternative that avoids or minimizes any potential significant adverse impacts that may be identified as a result from the operation of the Proposed Project. If other alternatives are developed, e.g., with respect to construction means and methods or other aspects of the Proposed Project that may result in significant adverse impacts, they would be analyzed and presented in this chapter as well.

Task 23. Other Assessments

Other assessments for the DEIS may include the following (as appropriate):

- Unavoidable significant adverse impacts (i.e., those that cannot be mitigated);
- Growth-inducing aspects of the Proposed Project; and
- Irreversible and irretrievable commitment of resources.

**NEW YORK STATE DEPARTMENT OF HEALTH
STATE ENVIRONMENTAL QUALITY REVIEW**

**APPENDIX A TO THE
DRAFT SCOPING DOCUMENT**

for the

**Jewish Home Lifecare, Manhattan
*Replacement Nursing Facility Project***

CITY PLANNING COMMISSION

March 26, 2012/Calendar No. 1

N120043ZCM

IN THE MATTER OF an application, dated August 18, 2011 and revised January 12, 2012, for a certification pursuant to Section 22-42 of the New York City Zoning Resolution with respect to a skilled nursing facility to be located on West 97th Street between Columbus and Amsterdam Avenues (Block 1852, Lot 5), within Community Board 7, Manhattan .

WHEREAS, Jewish Home Lifecare seeks a certification by the City Planning Commission to the Department of Buildings pursuant to Section 22-42 of the Zoning Resolution of the City of New York that none of the findings which would require a special permit pursuant to Section 74-90 of the Z.R. apply in Community District 7 in the Borough of Manhattan, in connection with the development of a skilled nursing facility to be located on a site on the north side of West 97th Street between Columbus and Amsterdam Avenues (Block 1852, lot 5) (the “Site”) ; and

WHEREAS, Section 22-42 of the Z.R. was enacted in 1973 in order to address a “ massive expansion” in the construction of nursing homes and other residential health care facilities in certain neighborhoods, with overconcentration of such facilities having the potential to create problems of parking and traffic congestion, a heavy demand for services and facilities such as medical and hospital care, a scarcity of available land for general community purposes, and a disruption of the land use balance in the affected communities (See CP-22490, dated December 3, 1973); and

WHEREAS, in response to the potential problems caused by the proliferation of nursing homes at that time, Section 22-42 was enacted to provide that, for any nursing home or health-related facility located within a residence district or any enlargement, extension, or change in use thereof, the City Planning Commission must certify that none of the following conditions exists: (a) the ratio between the number of beds for such uses in existence, under construction or approved toward construction by the appropriate Federal or State governmental agency, to the population of the Community District compared to such ratio for other Community Districts shows a relative concentration of facilities covered in this Section in the affected district; or (b) a scarcity of land for general community purposes exists; or (c) the incidence of construction of facilities for the last three years warrants review over these facilities because they threaten to disrupt the land use balance in the community, and, if one of these conditions exists, to provide further that a Special Permit is required for the nursing home facility pursuant to Section 74-90 of the Z.R.; and

WHEREAS, the Site is located in a Residence District (R7-2) and development of a new skilled nursing facility at this location is subject to review under Section 22-42; and

WHEREAS, Jewish Home Lifecare currently operates a 514-bed skilled nursing facility at a location on West 106th Street between Columbus and Amsterdam Avenues and seeks to relocate its

operations to the Site in a new, state-of-the-art facility with up to 414 beds (the “ New Building”) , with operations at the current location to cease upon completion of the New Building, such that there will be no increase in the number of nursing homes in Community Board 7, Manhattan; and

WHEREAS, in addition to the current Jewish Home Lifecare facility on West 106th Street, there is only one other nursing home facility in Community Board 7, the Kateri Residence at 150 Riverside Drive; and

WHEREAS, for purposes of finding (a), the absence of a relative concentration of residential health care facilities in Community Board 7 resulting from these two existing facilities is evidenced by data maintained by the Department of City Planning which demonstrates: (a) that Community District 7 contains 1,034 beds in nursing homes and residential care facilities to serve a population of 207,700, resulting in a ratio of 5.0 beds per 1,000 residents, which is below the city-wide average of 5.7 beds per 1,000 residents, and (b) that since the new facility will contain approximately 100 fewer beds than the existing campus, the ratio of beds per 1,000 residents in Community Board 7 will as a result of the decommissioning of the current facility be reduced to approximately 4.5, further below the citywide average; and

WHEREAS, other than the instant application, there have been no applications submitted to the Commission pursuant to Section 22-42 for facilities in Community Board 7, Manhattan, since January, 2002 and no new nursing homes or residential health care facilities have been constructed in Community Board 7 during the past three years ; and

WHEREAS, for purposes of finding (c), there is therefore no incidence of construction of residential health care facilities which warrants review pursuant to special permit because they threaten to disrupt the land use balance in the community; and

WHEREAS, in its application, Jewish Home Lifecare states that the conditions under Finding (b) of Section 22-42 (“... a scarcity of land for general community purposes exists...”) do not exist on the basis that, in the absence of a competition for land between nursing homes and other community uses within Community Board 7, the underlying premise for this finding is not present; and

WHEREAS, Jewish Home Lifecare further states in its application that there is no general scarcity of land available for community purposes in Community Board 7 since, for purposes of Section 22-42, land available for community purposes may consist of a new building on a vacant site or an underdeveloped parcel, as well as the purchase or lease of existing buildings or portions of existing buildings, and , with respect to vacant parcels, cites to data showing that as of June, 2011, Community District 7 contained 1.5 million square feet of vacant land (a significant portion of which it acknowledges is associated with open space and streets in the Riverside South/Center Large Scale Development) , and with respect to underdeveloped parcels cites to data showing that as of such date Community District 7 had 524,000 sf of parking facilities; and

WHEREAS, Community Board 7, by Resolution dated February 7, 2012, stated that in its view the conditions set forth in Findings (a) and (c) of Section 22-42 do not currently exist in

Community District 7, Manhattan, but that there exists a “scarcity of land in this District for general community purposes”, such that a special permit is required for the New Building; and

WHEREAS, by letter, dated February 17, 2012, Community Board 7 highlighted, in respect of its February 7, 2012 Resolution, that of the 1.5 million sf of vacant land in the Community District, 1.25 million sf is located in Riverside South, with 1.170 million sf of this amount attributable to open space and streets, and that only 80,000 sf is available for other uses, and that the applicant’s consequent “reliance on ‘underdeveloped’ parcels whose current structures use less than the total permissible floor area as potential sites [for residential care facilities] further confirms the existence of a scarcity of land” and reflects an admission that “such uses must be shoe-horned into other structures since there is no other place for them to go in our District.”; and

WHEREAS, by letter dated February 28, 2012, Jewish Home Lifecare responded to the February 17, 2012 Community Board 7 letter, reiterating its view that “land for general community purposes” includes “both vacant land and underdeveloped parcels, such as a one story building, or parking lot or garage” and noting that “many community facilities seek to locate within an existing building, since they do not have the ability to obtain financing for new construction, and may have immediate space needs that cannot await the completion of a new building”; and

WHEREAS, by letter dated March 1, 2012, Community Board 7 responded to certain points in Jewish Home Lifecare’s February 28 letter, reiterating its view that streets, parks and sites already slated for development should not be counted towards available vacant land in order to evaluate finding (b) and that JHL had not offered any additional evidence for the absence of a scarcity of land “other than the potential for community groups to share unspecified space, [thereby] reaffirming rather than dispelling the existence of scarcity...”; and

WHEREAS, the Commission has considered the application, the Community Board Resolution, the several letters described above, as well as analysis and data presented to it by Department staff, at the Review Session held on March 26, 2012; and

WHEREAS, the Commission notes that the legislative purpose of Section 22-42, as stated in the Commission’s 1973 Report, was “to regulate the trends toward overconcentration in various areas of the City” (CP-22490, P.2), and that, in view of the absence of any current or anticipated trend of proliferation of nursing homes in Community District 7, Manhattan, as well as the fact that the instant application will not result in an increase in the number of nursing homes in the area, there would appear to be no underlying predicate for a finding there is a scarcity of land in the Community District which warrants special permit review of the New Building; and

WHEREAS, the Commission further believes that in predominantly built-up areas of the City such as Community District 7, the number of vacant sites does not constitute the sole measure of whether there is a scarcity of land for purposes of finding (b) and that doing so would provide an inaccurate assessment of the actual opportunities for community facilities to grow and expand within the area, in that that sole reliance upon the amount of vacant land would almost inevitably lead to a finding of scarcity where none may be found based on a more realistic assessment of such opportunities; and

WHEREAS, the Commission notes that, while the Far Rockaway and other neighborhoods in Queens which experienced the significant increase in the number of nursing homes and other facilities in the 1970's which precipitated the adoption of Section 22-42 had tracts of vacant land at the time, Section 22-42 does not by its terms limit the Commission's consideration to land which is vacant; and

WHEREAS, the Commission therefore believes it appropriate to consider the amount and number of underdeveloped parcels in Community District 7, as well as the number and size of existing buildings which currently house or could house community or public facilities; and

WHEREAS, the Commission also believes that , in determining whether a scarcity exists, it may be useful to assess whether new community facilities have been newly constructed on underdeveloped parcels and have newly occupied space within existing buildings or have expanded within existing buildings in recent years, thereby providing a further indication whether opportunities for the growth and expansion of community facilities exist; and

WHEREAS, the Commission has been advised by Department staff of each of the following with respect to Community Board 7, Manhattan:

a. Vacant Sites: There are 24 vacant lots in Community District 7 with 1.7 acres of lot area. This figure excludes City-owned sites as the Riverside South and Riverside Center developments ;

b. Riverside Center/Riverside South: The unbuilt sites at Riverside South and Riverside Center are approved for 332,000 sf of community facility floor area, of which approximately 110,000 sf will be dedicated for a new school;

c. Parking Facilities: There are 24 lots in Community District 7 with a total of 3.9 acres of lot area classified as in use for parking facilities. This calculation also excludes City-owned sites;

d. Other Soft Sites: There are 64 lots in private ownership in Community District 7 not located in historic districts, and also excluding individual landmarks and houses of worship, that meet the Department's criteria for qualifying as 'soft sites'; that is, sites of at least 5,000 sf built to less than half the FAR allowed pursuant to the underlying Zoning District. The soft sites exclude the parking facilities and vacant sites described in a. and c. above;

e. Existing Buildings: The Department's PLUTO records [11v2] indicate that there are 234 privately owned existing buildings within Community District 7, having floor area of approximately 6,328,599 sf that currently house or could house community or public facilities (based on the following Building Class Codes: Hospitals and Health; Theaters; Store Buildings; Houses of Worship; Asylums & Homes; Office Buildings; Places of Public Assembly; and Education);

f. Existing Public Facilities: The Department's PLUTO records [11v2] indicate that there are 25

publicly owned existing buildings within Community District 7, having floor area of approximately 4,062,813 sf that currently house or could house community or public facilities (based on the following Building Class Codes: Hospitals and Health; Theaters; Store Buildings; Houses of Worship; Asylums & Homes; Office Buildings; Places of Public Assembly; and Education);

g. Existing Campuses: The campuses of Fordham Law School and Lincoln center also provide a significant supply of facility space. The 11 tax lots comprising these campuses provide over 1.5 million sf of facility space today according to PLUTO [11v2];

h. Major Alterations: Since 2000, there have been 13 Major Alteration (Alt 1) permits issued or construction completed under previously issued permits for the purpose of conversion of existing space to community facility use or enlargements of existing buildings for expanded community facility use, for the purpose of schools, community centers, daycare facilities, and medical facilities . In some cases, the alteration or enlargement represents a significant amount of community facility space, such as in the case of the Jewish Community Center on Amsterdam Avenue at W. 76th St; and

i. New Buildings: Since 2000, there have been 3 New Building (NB) permits issued for new community facilities in Community District 7. This figure does not include new construction within institutional campuses, such as recent construction on the Lincoln Center and Fordham University campuses; and

WHEREAS, the Commission believes that the above data and information demonstrates that, in addition to vacant land, there exists underdeveloped property and existing buildings within Community District 7 that is available for the development of new community facilities and the expansion of existing facilities, such that there is no scarcity of land available for such purpose;

NOW THEREFORE, the Commission adopts the following Resolution:

RESOLVED, by the City Planning Commission that, based on the considerations described in this report, as of the date hereof, none of the conditions set forth in Findings (a), (b) or (c) of Section 22-42 of the Zoning Resolution exist in Community Board 7 , Manhattan; and be it further

RESOLVED, that Application N120043ZCM , for a certification pursuant to Section 22-42 of the Zoning Resolution is hereby APPROVED.

AMANDA M. BURDEN, FAICP, Chair

**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, MARIA M. DEL TORO, RICHARD W. EADDY,
ORLANDO MARIN, SHIRLEY A. MCRAE, Commissioners**

ANNA HAYES LEVIN, Commissioner, Abstained

RESOLUTION

Date: February 7, 2012

Committees of Origin: Steering, Land Use and Health & Human Services

Re: 125 West 97th Street, Jewish Home Lifecare (Columbus-Amsterdam Avenues.)

Application by Jewish Home Lifecare ("JHL") for a certification by the Department of City Planning pursuant to section 22-42 of the Zoning Resolution concerning 125 West 97th Street, Block 1852, Lot 5, Application No. 120043 ZCM.

Full Board Vote: 37 In favor 0 Against 4 Abstentions 0 Present

This resolution is based on the following facts:

Section 22-42 of the Zoning Resolution provides as follows:

*22-42 Certification of Certain Community Facility Uses
R1 R2 R3 R4 R5 R6 R7 R8 R9 R10*

In all #Residence Districts#, for any nursing homes and health-related facilities or #enlargement#, #extension# or change in #use# thereof, the City Planning Commission shall certify to the Department of Buildings, prior to the filing of any plans by the applicant for a building permit for such #use#, that none of the following conditions applies to the Community District within which such #use# or #enlargement#, #extension# or change in such #use# is to be located:

- (a) the ratio between the number of beds for such #uses# in existence, under construction or approved toward construction by the appropriate Federal or State governmental agency, to the population of the Community District compared to such ratio for other Community Districts shows a relative concentration of facilities covered in this Section in the affected district; or*
- (b) a scarcity of land for general community purposes exists; or*
- (c) the incidence of construction of facilities for the last three years warrants review over these facilities because they threaten to disrupt the land use balance in the community.*

If the Commission finds that one or more of the conditions set forth in this Section applies to the Community District within which such #use# or #enlargement#, #extension# or change in #use# is to be located, a special permit pursuant to Section 74-90 shall be required.

The Department of City Planning referred JHL's application under section 22-42 to Community Board 7/Manhattan for comment.

CB7 held a public hearing on this application on January 17, 2012, in the auditorium of PS 163, which is adjacent to the site which is the subject of JHL's application.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan finds that:

(1) To the best of CB7's knowledge and understanding, the condition identified in subsection (a) of section 22-42 of the Zoning Resolution does not currently exist in Community District 7/Manhattan [*Vote of Combined Committee Members: 19-6-0-0; Vote of Non-Committee Board Members: 1-1-1-0*]; and

(2) The condition identified in subsection (b) of section 22-42 of the Zoning Resolution does exist in Community District 7/Manhattan, in that there is a scarcity of land in this District for general community purposes [*Vote of Combined Committee Members: 15-6-5-0; Vote of Non-Committee Board Members: 4-0-1-0*]; and

(3) To the best of CB7's knowledge and understanding, the condition identified in subsection (c) of section 22-42 of the Zoning Resolution does not currently exist in Community District 7/Manhattan [*Vote of Combined Committee Members: 25-0-1-0; Vote of Non-Committee Board Members: 4-0-1-0*]; and

(4) Therefore a special permit under section 74-90 of the Zoning Resolution is required in connection with this application and project.

**NEW YORK STATE DEPARTMENT OF HEALTH
STATE ENVIRONMENTAL QUALITY REVIEW**

**APPENDIX B TO THE
DRAFT SCOPING DOCUMENT**

for the

**Jewish Home Lifecare, Manhattan
*Replacement Nursing Facility Project***



Technical Memorandum

To: Rachel Fredman, JHL, Manhattan
From: Jeff Smithline, P.E., PTOE
Tom Pagano, P.E.
Date: June 5, 2013
Re: Proposed Jewish Home Lifecare, Manhattan
Travel Demand Factors Memorandum

Sam Schwartz Engineering (SSE) has prepared a preliminary transportation screening for the proposed Jewish Home Lifecare, Manhattan (JHL, Manhattan) facility to be located on the north side of West 97th Street, between Amsterdam Avenue and Columbus Avenue in Manhattan (the "Proposed Project"). As advised by the *2012 City Environmental Quality Review (CEQR) Technical Manual*, a trip-generation and travel-demand-factors (TDF) memorandum is required to disclose the projected trips generated by the proposed development through the two-tiered screening process. A Level 1 project-trip-generation screening process is performed to determine if the Proposed Project would generate a total of more than 50 vehicles trips, 200 peak-hour subway/rail riders, 200 bus transit riders, or 200 peak-hour pedestrian trips. If Level 1 thresholds are exceeded, a Level 2 trip-assignment screening assessment is performed to determine if the Proposed Project would result in individual intersections with more than 50 vehicle trips, pedestrian elements with more than 200 pedestrian trips, 50 bus trips in a single direction on a single route, or 200 passengers at a subway station or subway line during any analysis peak hours, which would typically require a detailed analysis.

Proposed Project

The Proposed Project is a relocation of the existing JHL, Manhattan facility from West 106th Street to the proposed Project Site at West 97th Street with a reduced program. Table 1 compares the program of the existing and proposed facilities:

Table 1.
Existing and Proposed JHL, Manhattan Facility Characteristics

	Existing	Proposed
Gross Square Feet	349,780	376,000
Number of Beds	514	414
Employees (Full-Time Equivalents or FTEs)	760.26	625

Furthermore, the existing, 88-space, on-site, surface parking lot would be eliminated.

Travel-Demand Factors

A trip-generation analysis was conducted for the proposed JHL, Manhattan facility on West 97th Street for the weekday morning (AM), midday (MD), and evening (PM) peak hours. Based on conversations with the management of JHL in its current location, staff, visitors, and residents in the form of admissions/discharges and off-site appointments were identified as the generators of trips for the proposed JHL, Manhattan facility. Trucks trips are also anticipated to be generated by this development. Trip generation was calculated separately for each of these groups as described below.

Staff. Staff trip generation was developed based on a punch-in/punch-out schedule provided by JHL, Manhattan for a typical weekday for the current JHL facility. This data provided the arrival time and departure time of all employees on Monday, May 23, 2011 (a typically staffed weekday). As the current JHL facility has 760.26 full-time-equivalent (“FTE”) employees and the proposed facility would have no more than 625 FTE employees, the total number of trips were reduced by a ratio of proposed FTE employees to proposed full-time employees (0.82). This data was used to determine a total number of staff trips, the temporal distribution of trips, and directional distribution (in vs. out) throughout the day. The modal split and auto occupancies for the staff were determined using the 2000 Census Reverse Journey to Work data for the five closest census tracts to the Project Site. A taxi occupancy of 1.00 was conservatively assumed for staff.

Visitors. JHL, Manhattan provided the visitor arrival log for the current JHL facility for Tuesday, July 2, 2011. This log included the time of visitor arrival/sign in. It was apparent from a review of this data that only one person from a group of visitors would sign in. To adjust this information to a total number of visitors, it was assumed that the auto occupancy would represent a typical group size, and therefore each signed-in visitor was assumed to represent 1.6 arriving trips (based on the *Hospital for Special Surgery Expansion FEIS* [2008]). As the number of New York State Department of Health (“NYSDOH”)-certified beds at the proposed facility would decrease from 514 at the current facility to 414, visitor trips were reduced by a ratio of 0.81 (414/514). All visitors were assumed to stay for one hour. From this data, temporal and directional distributions were developed. The modal split and vehicle occupancies for the visitors were determined using the *Hospital for Special Surgery Expansion FEIS* (2008).

Nursing Home Residents. There are two types of patient trips to and from the Project Site:

- Admissions/discharges
- Traveling to/from off-site appointments

Current JHL, Manhattan management provided the following characteristics for trips associated with admissions and discharges for the current facility:

- Approximately 8 admissions occur per day between 4:00 PM and 6:30 PM.
- Approximately 7 discharges occur per day between 11:00 AM and 12:00 PM.
- Nearly all of these trips are made via ambulance/ambulette

To develop a temporal distribution, admissions and departures were assumed to be evenly distributed throughout the period identified. Each vehicle was assumed to dwell for one hour. Therefore, for each admission and each discharge, both an inbound trip and an outbound trip were assumed, with the outbound trip occurring one hour after the inbound trip.

Conservatively, no reduction in trips was assumed relating to the decrease in beds at the proposed facility. All trips were assumed to be made by ambulettes or private vehicles.

Off-site appointments refer to trips associated with residents of the facility needing to travel to another medical facility for a short-term appointment/treatment. JHL provided off-site appointment activity for the entire month of May 2011 for the current West 106th Street JHL facility. Based on a review of this data, five off-site appointments occurred on the 85th-percentile day. Therefore, five off-site appointments were assumed to occur on a typical day for the purposes of this analysis. Conservatively, no reduction was assumed despite the smaller size (i.e., lower bed count) of the proposed facility. These appointments were assumed to occur uniformly throughout the day.

Each off-site appointment produces four vehicle trips. An ambulette arrives to pick up the patient, departs with the patient, returns later to drop off the patient, and then departs. Each ambulette was assumed to dwell for 10-15 minutes while picking up or dropping off, and each appointment was assumed to last for three hours.

Trucks. JHL staff provided a schedule of deliveries for the current JHL facility, including approximate arrival time and duration of delivery. Out of 14 trucks anticipated to arrive daily, five trucks do not follow a specific schedule and were therefore distributed evenly throughout the day.

Parking Elimination. An 88-space, surface parking lot exists at the Project Site of the proposed JHL, Manhattan facility, which would be eliminated by the Proposed Project. To determine trips associated with this lot, the existing parking lot driveway was counted on Wednesday, May 25, 2011, between 7:30 AM and 8:00 PM. The results of this count are shown in Table 2.

The counts show that the trips associated with the existing surface lot during the weekday morning, midday, and evening peak hours (highlighted in the table) are as follows:

- Weekday AM peak hour (8:30 AM to 9:30 AM): 20 trips (10 in, 10 out)
- Weekday MD peak hour (2:15 PM to 3:15 PM): 17 trips (8 in, 9 out)
- Weekday PM peak hour (6:00 PM to 7:00 PM): 21 trips (8 in, 13 out)

Vehicles that currently park in these spaces would be relocated to the underground parking facility at 808 Columbus Avenue or somewhere else within the Park West Village development. If relocated to 808 Columbus Avenue, vehicles entering and exiting the parking would still travel through the West 97th Street intersections with Columbus Avenue and Amsterdam Avenue and would not add to the project increment. However, if the parking is relocated elsewhere within the Park West Village development, travel patterns may change; therefore, this condition was further studied in the Level 2 Screening later in this memorandum.

Table 2.
Surface Lot Vehicle Count

Time	In	Out	Total
7:15 AM - 7:30 AM	1	0	1
7:30 AM - 7:45 AM	2	2	4
7:45 AM - 8:00 AM	4	4	8
8:00 AM - 8:15 AM	0	0	0
8:15 AM - 8:30 AM	0	0	0
8:30 AM - 8:45 AM	4	0	4
8:45 AM - 9:00 AM	2	4	6
9:00 AM - 9:15 AM	3	2	5
9:15 AM - 9:30 AM	1	4	5
9:30 AM - 9:45 AM	1	1	2
9:45 AM - 10:00 AM	0	0	0
10:00 AM - 10:15 AM	2	1	3
10:15 AM - 10:30 AM	0	3	3
10:30 AM - 10:45 AM	1	1	2
10:45 AM - 11:00 AM	0	0	0
11:00 AM - 11:15 AM	1	1	2
11:15 AM - 11:30 AM	0	0	0
11:30 AM - 11:45 AM	2	2	4
11:45 AM - 12:00 PM	1	3	4
12:00 PM - 12:15 PM	1	2	3
12:15 PM - 12:30 PM	3	0	3
12:30 PM - 12:45 PM	3	2	5
12:45 PM - 1:00 PM	2	2	4
1:00 PM - 1:15 PM	0	0	0
1:15 PM - 1:30 PM	2	1	3
1:30 PM - 1:45 PM	3	0	3
1:45 PM - 2:00 PM	2	5	7
2:00 PM - 2:15 PM	0	0	0
2:15 PM - 2:30 PM	1	2	3
2:30 PM - 2:45 PM	1	2	3
2:45 PM - 3:00 PM	5	3	8
3:00 PM - 3:15 PM	1	2	3
3:15 PM - 3:30 PM	1	1	2
3:30 PM - 3:45 PM	0	0	0
3:45 PM - 4:00 PM	1	1	2
4:00 PM - 4:15 PM	1	1	2
4:15 PM - 4:30 PM	0	2	2
4:30 PM - 4:45 PM	2	2	4
4:45 PM - 5:00 PM	2	1	3
5:00 PM - 5:15 PM	2	1	3
5:15 PM - 5:30 PM	1	2	3
5:30 PM - 5:45 PM	4	1	5
5:45 PM - 6:00 PM	2	2	4
6:00 PM - 6:15 PM	1	5	6
6:15 PM - 6:30 PM	2	1	3
6:30 PM - 6:45 PM	1	4	5
6:45 PM - 7:00 PM	4	3	7
7:00 PM - 7:15 PM	1	0	1
7:15 PM - 7:30 PM	4	2	6
7:30 PM - 7:45 PM	1	0	1
7:45 PM - 8:00 PM	0	2	2

Summary. Table 3 summarizes the trip-generation assumptions for the future conditions with the proposed JHL, Manhattan facility. Appendix Table A-1 shows person trips in 15-minute increments for staff and visitor as calculated for the proposed JHL facility for an entire day. Appendix Table A-2 shows vehicle trips for all components of JHL in 15-minute increments from 7:00 AM to 7:00 PM.

**Table 3.
 JHL, Manhattan Trip-Generation Assumptions**

Project Component		Staff	Visitor	Admissions / Discharges	Off-site Appointments	Truck Deliveries
Trip Rate		Staff, visitor, admissions / discharges, off-site appointment, and truck trips provided by JHL				
Scaling Factor		0.82 (ratio of full-time employees between new and old facilities)	0.81 (ratio of number of beds between new and old facilities)	1.0 (same as existing JHL Manhattan)	1.0 (same as existing JHL Manhattan)	1.0 (same as existing JHL Manhattan)
Mode Split		(1)	(2)	Assumed to be all private autos or ambulettes based on information provided by JHL		n/a
	Auto	28.81%	32.0%			
	Taxi	1.51%	11.0%			
	Transit / Walk / Other	69.68%	57.0%			
Vehicle Occupancy		(1,3)	(2)	Vehicle occupancies are all 1 patient per vehicle		n/a
	Auto	1.13	1.6			
	Taxi	1.00	1.4			
Temporal Split	AM	Arrival patterns for staff, visitor, admissions / discharges, and off-site appointment trips provided by JHL				Provided by JHL except where noted in the text.
	MD					
	PM					
In/Out Vehicle Percentage	AM	Arrival patterns for staff, visitor, admissions / discharges, and off-site appointment trips provided by JHL				Provided by JHL except where noted in the text.
	MD					
	PM					

Notes

1. Reverse Journey-to-Work data
2. Hospital for Special Surgery Expansion FEIS (2008)
3. Taxis for staff were conservatively assumed to have a vehicle occupancy of one person per vehicle.

Trip-Generation Results

The results of the trip-generation estimates for the proposed JHL, Manhattan facility are summarized in Tables 4 (vehicles) and Table 5 (transit and pedestrians).

As shown in Table 4, the trip generation in passenger car equivalents (“PCEs”) for the proposed JHL, Manhattan facility would be as follows:

- Weekday AM peak hour (7:15-8:15 AM): 62 trips
- Weekday MD peak hour (1:30-2:30 PM): 36 trips
- Weekday PM peak hour (4:30-5:30 PM): 59 trips

Since the trip generation for the Proposed Project would exceed more than 50 new trips during the morning (63 trips) and evening (59 trips) peak hours, a Level 2 screening for vehicle trips would be required as described in the 2012 *CEQR Technical Manual* for the morning and evening peak hours.

**Table 4.
 Total Vehicle Trips**

	Staff		Visitor		Residents		Trucks		Total		Total
	In	Out	In	Out	In	Out	In	Out	In	Out	
Weekday AM											
Auto / Ambulette	34	11	0	0	1	0	0	0	35	11	46
Taxi	3	3	0	0	0	0	0	0	3	3	5
Truck (PCEs)	0	0	0	0	0	0	6	4	6	4	10
TOTAL	37	14	0	0	1	0	6	4	44	18	62
Weekday MD											
Auto / Ambulette	1	2	3	6	1	1	0	0	5	10	15
Taxi	0	0	6	6	0	0	0	0	6	6	12
Truck (PCEs)	0	0	0	0	0	0	4	6	4	6	10
TOTAL	1	2	9	12	1	1	4	6	15	22	36
Weekday PM											
Auto / Ambulette	1	26	4	5	8	0	0	0	13	30	43
Taxi	2	2	6	6	0	0	0	0	8	8	16
Truck (PCEs)	0	0	0	0	0	0	0	0	0	0	0
TOTAL	3	27	10	11	8	0	0	0	21	38	59

Note: "Residents" includes both admission/discharge activity and off-site appointment activity
 "PCEs" refers to Passenger Car Equivalents and was assumed to be 2.0 PCEs per truck as JHL anticipates to continue to use short trucks for deliveries and roll-off trucks only (not longer than 30 feet each)
 Numbers may not add up exactly due to rounding.

As shown in Table 5, the trip generation for the proposed JHL, Manhattan facility would not exceed more than 200 transit riders or 200 walk trips in any peak hour. Therefore, based on the Level 1 screening criteria, the proposed JHL, Manhattan facility would not exceed the thresholds described in the 2012 CEQR Technical Manual for pedestrians or transit and further analysis of these areas is not warranted.

**Table 5.
 Total Walk Trips (Walk Only + Transit)**

	Staff		Visitor		Residents		Total		Total
	In	Out	In	Out	In	Out	In	Out	
Weekday AM									
Transit	73	24	0	0	0	0	73	24	97
Walk Only	20	7	0	0	0	0	20	7	27
TOTAL	93	30	0	0	0	0	93	30	124
Weekday MD									
Transit	6	0	8	5	0	0	14	5	20
Walk Only	2	0	4	3	0	0	6	3	9
TOTAL	8	1	12	7	0	0	21	8	28
Weekday PM									
Transit	2	55	9	10	0	0	11	64	75
Walk Only	1	15	5	5	0	0	5	20	26
TOTAL	3	70	13	15	0	0	16	85	101

Note: "Residents" includes both admission/discharge activity and off-site appointment activity
 Numbers may not add up exactly due to rounding.

The relocation of the existing, 88-space, on-site, surface lot to elsewhere within the Park West Village development could add to the project-generated trip increment, as these parking lot trips might follow different traffic patterns than the existing condition. The potential for the parking relocation to create additional project-generated trips is based on the assignment of trips to the surrounding roadway network and is described in the next section.

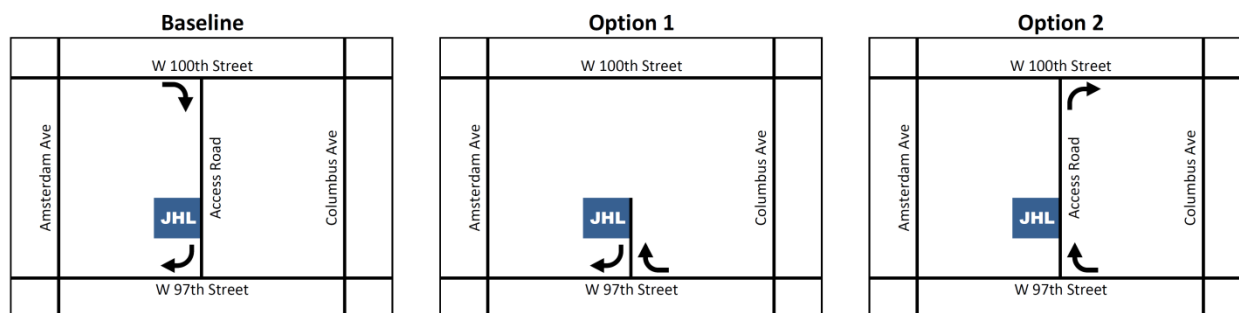
Level 2 Screening (Vehicles)

As shown in Table 4, the Proposed Project would generate more than 50 new vehicle trips during the weekday AM and PM peak hours. Therefore, a Level 2 screening assessment was performed to determine whether the proposed project would result in more than 50 new vehicle trips at any one intersection. A Level 2 screening looks at how trips would be distributed throughout the surrounding roadway network to determine if any one intersection would experience 50 or more new trips as a result of the proposed action.

Site Access. There is a driveway north of the existing, on-site, surface lot that extends from West 97th Street to West 100th Street. This "access road" currently has New York City Department of Buildings ("NYCDOB") approval as a continuous one-way southbound connection between West 100th Street and West 97th Street. Therefore, this one-way southbound configuration is the Baseline condition and would be considered part of the No-Action condition. The owners of Park West Village are considering pursuing potential future changes to the approved condition, which could include a one-way northbound configuration (Option 1) or a two-way configuration (Option 2). These potential changes, if approved, would occur independent of and are not correlated with the Proposed Project. However, because they present the possibility of a different future baseline condition, this memo considers the potential effects of the Proposed Project based on all three potential circulation options for the access road.

Therefore, access to the proposed JHL, Manhattan facility could be provided via one of the following three options:

- **Baseline.** The existing access road would be continuous through the Park West Village development and would permit one-way southbound travel between West 100th Street and West 97th Street. Under this condition, traffic would enter on West 100th Street and exit onto West 97th Street. This is the baseline condition that currently has NYCDOB approval.
- **Option 1.** Vehicles would enter and exit via the existing driveway on West 97th Street (two-way access road).
- **Option 2.** The existing access road would be made continuous through the Park West Village development and would permit one-way northbound travel between West 97th Street and West 100th Street. Under this condition, traffic would enter on West 97th Street and exit onto West 100th Street.



The proposed JHL, Manhattan facility would be located on West 97th Street, which is a one-way, westbound block between Columbus Avenue to the east and Amsterdam Avenue to the west. For the purposes of this screening, it was assumed that all JHL, Manhattan vehicle trips would either be destined to or from the Project Site itself (a pick-up, drop-off, or a truck using the loading dock) or destined to or from one of the three parking facilities located on the same block as the Project Site. Each potential access option was analyzed.

Baseline: One-Way, Southbound Access Road. For the Baseline condition, which represents the configuration currently approved by DOB (i.e., one-way, southbound access road through the development), all traffic traveling to the JHL, Manhattan frontage would enter at West 100th Street and exit at West 97th Street. This traffic was assumed to include all pick-up and drop-off activity (taxis and ambulettes). Pick-up/drop-off traffic would add 4 and 16 trips (inbound) to Amsterdam Avenue and West 100th Street and add 3 and 8 trips (outbound) to Amsterdam Avenue and West 97th Street during the AM and PM peak hours, respectively. Staff and visitors would be driving to off-site parking and would be distributed throughout the street network; however, to be conservative, it was assumed that all parking would occur on West 97th Street on the same block as the site. This traffic would add 40 and 5 trips (inbound) to Columbus Avenue and West 97th Street and add 15 and 31 trips to Amsterdam Avenue and West 97th Street during the AM and PM peak hours, respectively.

If the parking is relocated to another location within the Park West Village development, then these vehicles would enter via the Amsterdam Avenue and West 100th Street intersection and exit via the Amsterdam Avenue and West 97th Street intersection. This would add 10 and 8 new trips to the Amsterdam Avenue and West 100th Street intersection during the AM and PM

peak hours, respectively. The relocated parking would also result in 10 and 8 *fewer* trips at the Columbus Avenue and West 97th Street intersection during the AM and PM peak hours, respectively.

In summary, the highest total trip increment for each intersection under the Baseline Condition would be as follows:

- Columbus Avenue and West 97th Street: 30 trips in AM peak, -3 trips in PM peak
- Amsterdam Avenue and West 97th Street: 18 trips in AM peak, 39 trips in PM peak
- Amsterdam Avenue and West 100th Street: 14 trips in AM peak, 24 trips in PM peak

Therefore, under the Baseline Condition, no intersections would experience an increase of 50 or more new trips during any one peak hour.

Option 1: Two-Way Access on West 97th Street. For Option 1, it was conservatively assumed that all of the vehicle trips would be concentrated on one block of West 97th Street. As such, all of the inbound vehicle trips would pass through the intersection of Columbus Avenue and West 97th Street, and this intersection would experience a total of 44 inbound project-generated trips in the morning peak hour and 21 inbound project-generated trips in the evening peak hour. The outbound trips would travel through the intersection of Amsterdam Avenue and West 97th Street, and this intersection would experience a total of 18 outbound project-generated trips in the morning peak hour and 38 outbound project-generated trips in the evening peak hour.

If the parking is relocated to within the Park West Village development and would need to be accessed via West 100th Street, then 10 and 8 new trips (inbound) would be added to the Amsterdam Avenue and West 100th Street intersection and 10 and 13 new trips (outbound) would be added to the Columbus Avenue and West 100th Street intersection during the AM and PM peak hours, respectively. The relocated parking would also result in 10 and 8 *fewer* trips at the Columbus Avenue and West 97th Street intersection and 10 and 13 *fewer* trips at the Amsterdam Avenue and West 97th Street intersection during the AM and PM peak hours, respectively.

In summary, the highest total trip increment for each intersection under Option 1 would be as follows:

- Columbus Avenue and West 97th Street: 34 trips in AM peak, 13 trips in PM peak
- Amsterdam Avenue and West 97th Street: 8 trips in AM peak, 25 trips in PM peak
- Columbus Avenue and West 100th Street: 10 trips in AM peak, 13 trips in PM peak
- Amsterdam Avenue and West 100th Street: 10 trips in AM peak, 8 trips in PM peak

Therefore, under Option 1, no intersections would experience an increase of 50 or more new trips during any one peak hour.

Option 2: One-way, Northbound Access Road. For Option 2, with a one-way, northbound access road through the development, all traffic traveling to the JHL, Manhattan frontage would enter at West 97th Street and exit at West 100th Street. This traffic was assumed to include all pick-up and drop-off activity (taxis and ambulettes). Pick-up/drop-off traffic would add 4 and 16 trips (inbound) to Columbus Avenue and West 97th Street and add 3 and 8 trips (outbound) to Columbus Avenue and West 100th Street during the AM and PM peak hours, respectively. Staff and visitors would be driving to off-site parking and would be distributed throughout the street network; however, to be conservative, it was assumed that all parking

would occur on West 97th Street on the same block as the site. This traffic would add 40 and 5 trips (inbound) to Columbus Avenue and West 97th Street and add 15 and 31 trips to Amsterdam Avenue and West 97th Street during the AM and PM peak hours, respectively.

If the parking is relocated to another location within the Park West Village development, then these vehicles would egress via the Columbus and West 100th Street intersection. This would add 10 and 13 new trips to this intersection during the AM and PM peak hours, respectively. The relocated parking would also result in 10 and 13 *fewer* trips at the Amsterdam Avenue and West 97th Street intersection during the AM and PM peak hours, respectively.

In summary, the highest total trip increment for each intersection under Option 2 would be as follows:

- Columbus Avenue and West 97th Street: 44 trips in AM peak, 21 trips in PM peak
- Amsterdam Avenue and West 97th Street: 5 trips in AM peak, 18 trips in PM peak
- Columbus Avenue and West 100th Street: 13 trips in AM peak, 21 trips in PM peak

Therefore, under Option 2, no intersections would experience an increase of 50 or more new trips during any one peak hour.

Conclusion. Based on the Level 2 screening analysis, which incorporates several conservative assumptions, the proposed JHL, Manhattan would not exceed the thresholds described in the *CEQR Technical Manual* for a traffic analysis to be warranted.

Per the 2012 *CEQR Technical Manual*, a parking analysis is only required if a quantitative traffic analysis is required. Since the distributed project-generated trips are below the threshold for a detailed traffic analysis, a parking analysis is not required and no parking impacts are projected.

**Appendix Table A-1.
 Proposed JHL, Manhattan Person Trips for Staff and Visitors**

Time	Staff			Visitor			Time	Staff			Visitor		
	15-Minute			15-Minute				15-Minute			15-Minute		
	In	Out	Total	In	Out	Total		In	Out	Total	In	Out	Total
12:00 AM - 12:15 AM	1	2	3	0	0	0	12:00 PM - 12:15 PM	1	1	2	4	5	9
12:15 AM - 12:30 AM	0	2	2	0	0	0	12:15 PM - 12:30 PM	7	0	7	4	3	6
12:30 AM - 12:45 AM	1	0	1	0	0	0	12:30 PM - 12:45 PM	2	0	2	8	4	12
12:45 AM - 1:00 AM	0	0	0	0	0	0	12:45 PM - 1:00 PM	2	0	2	6	1	8
1:00 AM - 1:15 AM	0	0	0	0	0	0	1:00 PM - 1:15 PM	1	1	2	9	4	13
1:15 AM - 1:30 AM	0	0	0	0	0	0	1:15 PM - 1:30 PM	2	0	2	4	4	8
1:30 AM - 1:45 AM	0	0	0	0	0	0	1:30 PM - 1:45 PM	2	1	2	4	8	12
1:45 AM - 2:00 AM	0	0	0	0	0	0	1:45 PM - 2:00 PM	1	4	5	4	6	10
2:00 AM - 2:15 AM	0	0	0	0	0	0	2:00 PM - 2:15 PM	0	2	2	5	9	14
2:15 AM - 2:30 AM	0	0	0	0	0	0	2:15 PM - 2:30 PM	0	2	2	3	4	6
2:30 AM - 2:45 AM	0	0	0	0	0	0	2:30 PM - 2:45 PM	1	1	2	6	4	10
2:45 AM - 3:00 AM	0	0	0	0	0	0	2:45 PM - 3:00 PM	3	10	13	3	4	6
3:00 AM - 3:15 AM	0	0	0	0	0	0	3:00 PM - 3:15 PM	3	12	16	1	5	6
3:15 AM - 3:30 AM	0	0	0	0	0	0	3:15 PM - 3:30 PM	29	8	37	6	3	9
3:30 AM - 3:45 AM	0	0	0	0	0	0	3:30 PM - 3:45 PM	16	44	60	9	6	15
3:45 AM - 4:00 AM	1	0	1	0	0	0	3:45 PM - 4:00 PM	4	13	17	5	3	8
4:00 AM - 4:15 AM	0	0	0	0	0	0	4:00 PM - 4:15 PM	1	30	30	9	1	10
4:15 AM - 4:30 AM	0	0	0	0	0	0	4:15 PM - 4:30 PM	3	14	17	3	6	9
4:30 AM - 4:45 AM	0	0	0	0	0	0	4:30 PM - 4:45 PM	0	25	25	8	9	17
4:45 AM - 5:00 AM	0	0	0	0	0	0	4:45 PM - 5:00 PM	2	19	21	5	5	10
5:00 AM - 5:15 AM	0	0	0	0	0	0	5:00 PM - 5:15 PM	2	37	39	1	9	10
5:15 AM - 5:30 AM	0	0	0	0	0	0	5:15 PM - 5:30 PM	0	20	20	9	3	12
5:30 AM - 5:45 AM	0	0	0	0	0	0	5:30 PM - 5:45 PM	0	13	13	5	8	13
5:45 AM - 6:00 AM	3	0	3	0	0	0	5:45 PM - 6:00 PM	0	12	12	12	5	17
6:00 AM - 6:15 AM	3	1	4	0	0	0	6:00 PM - 6:15 PM	0	10	10	4	1	5
6:15 AM - 6:30 AM	2	0	2	0	0	0	6:15 PM - 6:30 PM	0	7	7	5	9	14
6:30 AM - 6:45 AM	1	0	1	0	0	0	6:30 PM - 6:45 PM	1	3	4	4	5	9
6:45 AM - 7:00 AM	21	1	22	0	0	0	6:45 PM - 7:00 PM	2	7	9	4	12	15
7:00 AM - 7:15 AM	15	1	16	0	0	0	7:00 PM - 7:15 PM	0	4	5	3	4	6
7:15 AM - 7:30 AM	46	3	49	0	0	0	7:15 PM - 7:30 PM	0	6	6	5	5	10
7:30 AM - 7:45 AM	26	29	55	0	0	0	7:30 PM - 7:45 PM	0	3	3	3	4	6
7:45 AM - 8:00 AM	29	7	35	0	0	0	7:45 PM - 8:00 PM	0	4	4	4	4	8
8:00 AM - 8:15 AM	33	5	38	0	0	0	8:00 PM - 8:15 PM	0	5	5	0	3	3
8:15 AM - 8:30 AM	25	2	27	3	0	3	8:15 PM - 8:30 PM	1	9	9	1	5	6
8:30 AM - 8:45 AM	17	0	17	3	0	3	8:30 PM - 8:45 PM	9	2	2	1	3	4
8:45 AM - 9:00 AM	28	0	28	4	0	4	8:45 PM - 9:00 PM	10	6	6	1	4	5
9:00 AM - 9:15 AM	28	1	29	1	0	1	9:00 PM - 9:15 PM	11	5	5	0	0	0
9:15 AM - 9:30 AM	15	0	15	0	3	3	9:15 PM - 9:30 PM	11	5	5	1	1	3
9:30 AM - 9:45 AM	9	0	9	1	3	4	9:30 PM - 9:45 PM	4	1	1	3	1	4
9:45 AM - 10:00 AM	5	0	5	5	4	9	9:45 PM - 10:00 PM	2	0	0	0	1	1
10:00 AM - 10:15 AM	8	0	8	3	1	4	10:00 PM - 10:15 PM	1	0	0	0	0	0
10:15 AM - 10:30 AM	2	0	2	4	0	4	10:15 PM - 10:30 PM	0	2	2	0	1	1
10:30 AM - 10:45 AM	2	0	2	4	1	5	10:30 PM - 10:45 PM	0	0	0	0	3	3
10:45 AM - 11:00 AM	4	2	7	1	5	6	10:45 PM - 11:00 PM	0	1	2	1	0	1
11:00 AM - 11:15 AM	0	2	2	5	3	8	11:00 PM - 11:15 PM	0	3	4	0	0	0
11:15 AM - 11:30 AM	2	0	2	3	4	6	11:15 PM - 11:30 PM	0	21	40	0	0	0
11:30 AM - 11:45 AM	2	0	2	4	4	8	11:30 PM - 11:45 PM	0	19	32	0	0	0
11:45 AM - 12:00 PM	3	0	3	1	1	3	11:45 PM - 12:00 PM	1	7	12	0	1	1
							Daily Total	468	456	913	214	214	428

Note: In + Out may not equal total due to rounding.