

**East River Waterfront Access: Peck Slip
Technical Memorandum
April 12, 2019**

A. INTRODUCTION

The New York City Department of Parks and Recreation (NYC Parks) has requested funds from the Lower Manhattan Development Corporation (LMDC) for a project involving the reconstruction of Peck Slip in Lower Manhattan (the Proposed Action). The project site runs along Peck Slip, a street running east-west between Water Street to the west and South Street to the east, with one through-street (Front Street) in between. The project site is owned by the City of New York and contains a paved median. The Proposed Action includes the improvement of the median as public plaza, which was analyzed in an Environmental Assessment (EA) issued by LMDC in 2008. At the time of the EA, the median was used as a parking lot; since that time, the New York City Department of Transportation (NYCDOT) has removed the parking lot and created a temporary plaza within the outline of the original paved median. However, NYCDOT did not close Front Street within the temporary Peck Slip median plaza, and it remains as a through-street.

Based on ongoing public dialogue, including meetings with Manhattan Community Board 1 (CB1) at the time of the original proposal and more recently for the revised design, as well as coordination with NYCDOT and the New York City Landmarks Preservation Commission (LPC), the design of the proposed Peck Slip plaza has been modified from what was analyzed in EA.

This Technical Memorandum assesses the potential environmental effects of the modified design for the Proposed Action, as well as changes to baseline conditions, consistent with the National Environmental Policy Act (NEPA), the State Environmental Quality Review Act (SEQRA), and City Environmental Quality Review (CEQR).

B. PROJECT DESCRIPTION

The Proposed Action would close Front Street within the Peck Slip median but would not modify Front Street beyond the Peck Slip median (i.e., vehicles would still be able to turn on and off Front Street onto Peck Slip and vice-versa, but would not be able to make through movements on Front Street across Peck Slip). The Proposed Action aims to provide pedestrian connections to the waterfront in order to enhance the quality of life in Lower Manhattan and contribute toward the restoration, stabilization and enhancement of the community. It would replace the temporary plaza with a much-needed open space for the burgeoning residential population of Lower Manhattan, and a nearby school. Not only would the Proposed Action provide for recreational space and amenities, it would improve the overall visual character of Peck Slip and would serve as a gateway to the East River Esplanade from interior blocks.

Under the 2008 design analyzed in the EA, the plaza included a number of organically shaped planting beds and benches, particularly in the western portion. The eastern portion of the plaza contained a large seating area defined by a paving pattern in the shape of an old ship, which was surrounded by a sculpture made of curved timber and steel vertical elements that evoked the

remnant framework of such a ship. Due to site restrictions, which include a New York City Department of Environmental Protection (DEP) utility corridor which runs through the median, the design has been revised to remove the ship sculpture, reconfigure the planting beds, and modify the paving materials (see **Figure 1**). The modified design includes a line of stepped granite slabs at the eastern end of the plaza, some with stainless steel and recycled plastic lumber bench units, to create a two-sided amphitheater for sitting. Both the 2008 design and the modified (2019) design close off Front Street to vehicular traffic through Peck Slip, allowing the park to be one cohesive space. As with the 2008 design, the perimeter of the plaza would include a row of large granite slab curbs, however, at the entrances to the plaza, nautical themed bollards would replace the granite slabs, providing a porous entrance for pedestrians (see **Figure 2**).

C. ENVIRONMENTAL ANALYSES

LAND USE, ZONING, AND PUBLIC POLICY

LAND USE

The project site is located in a primarily residential area: the blocks surrounding the project site generally contain historic 4- to 8-story buildings (part of the South Street Seaport Historic District) that have been converted to residential use, as well as several recently constructed apartment buildings. One of the recently constructed apartment buildings (24 Peck Slip) is adjacent to the project site, fronting on the west side of Peck Slip north of Front Street. The majority of the residential buildings contain retail uses on the ground floor, particularly restaurants. Other uses in the area of the project site include hotels (such as the Mr. C Seaport Hotel adjacent to the project site at 33 Peck Slip) and the Peck Slip School (PS 343—formerly a United States Post Office) at 1 Peck Slip. The area fronting on the east side of Peck Slip south of Front Street contains a large Consolidated Edison facility

The Proposed Action would not result in a change in land use on the project site, which is currently a temporary plaza. With the modified design, the Proposed Action would complete the improvement of the project site as public open space, and would provide for additional amenities such as seating and planted areas. The proposed project would compliment the existing residential, retail, and school uses in the nearby area by providing recreational space and improving the visual character of the project site. Therefore, the Proposed Action would not result in any significant adverse impacts to land use.

ZONING

The project site is located within a commercial zoning district (C6-2A), however, the portion of the project site south of Front Street is designated as park area on the zoning map. As the project site is limited to the mapped right-of-way and park area, zoning regulations are not applicable. The Proposed Action would not affect zoning regulations applicable to any other site. Therefore, the Proposed Action would not result in any significant adverse impacts to zoning.

PUBLIC POLICY

The project site is located within the boundaries of New York City's Coastal Zone. Therefore, the Proposed Action is subject to a consistency review under the City's Waterfront Revitalization Program (WRP). The WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. A local WRP, such

as New York City's, is subject to approval by the New York State Department of State (NYS DOS) with the concurrence of the United States Department of Commerce pursuant to applicable State and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Federal Coastal Zone Management Act. The WRP was originally adopted by the City of New York in 1982, revised in 2002, and revised again in 2013. The most recent revisions were approved by the City Council in 2013 and adopted by NYSDOS (with the concurrence of the U.S. Department of Commerce) in 2016.

The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The Proposed Action would be consistent with and supportive of the applicable WRP policies. In particular, the Proposed Action would enhance public open space and pedestrian access in the waterfront area (Policy 8) and improve the visual character associated with the urban context of the waterfront (Policy 9). Concerning flood resiliency (Policy 6), the project incorporates materials that are durable and resistant to storm tide inundation. In particular, the primary paving and building material (granite block, planks and slabs, set on concrete bases) will be heavy, durable, strongly secured and salt-water resilient. Bench units will utilize materials (stainless steel and recycled plastic lumber) that will also be durable and strongly secured, as well as corrosion proof and rot resistant. The planting materials were selected for adaptation to harsh shoreline conditions, including wind resistance, salt tolerance, and ability to survive a severe storm tide inundation. Therefore, with the modified design, the open space amenities would be able to withstand a flood condition with no damage or displacement.

Overall, the Proposed Action would not affect any public policy applicable to the project site and is consistent with initiatives to improve the quality of life in Lower Manhattan and the waterfront area. Therefore, the Proposed Action would not result in any significant adverse impacts to public policy.

HISTORIC AND CULTURAL RESOURCES

The 2008 EA considered historic and archaeological resources in detail. The project was not expected to have adverse physical, visual or contextual effects on architectural resources. On January 22, 2019, the New York City Landmarks Preservation (LPC) voted to approve the Proposed Action stipulating ongoing consultation with the staff regarding the number and species of the trees and the requirement of a Commission Binding Report prior to the commencement of construction.

The Phase IA Archaeological Documentary Study of Peck Slip between Pearl and South Streets; Water Street between Beekman and Dover Streets; and Front Street between Peck Slip and Dover Street prepared by AKRF, Inc. in 2007 concluded that the project site had low potential for the recovery of pre-contact archaeological resources, but it also identified several types of historic archaeological resources that might be disturbed depending on the depth of excavation and construction. Testing was recommended in areas where construction could reach potentially sensitive levels of the project site in order to avoid impacts to historic architectural resources.

A Programmatic Agreement (PA) dated September 15, 2009 regarding the East River Waterfront Access Project at Peck Slip (Proposed Action) and the Peck Slip Reconstruction Project (NYCDOT project) was signed by the Federal Highway Administration (FHWA), the New York State Historic Preservation Office (SHPO), LMDC, the New York State Department of Transportation (NYSDOT), and the New York City Department of Design and Construction

(DDC). The PA states that the projects will not have any adverse impact on historic architectural properties. However, it also states that the Phase IA studies for the projects indicate the areas of construction for both projects may be sensitive for historic archaeological resources at certain depths. In order to avoid adverse impacts to such resources or to minimize or mitigate such impacts, an archaeological monitoring plan and unanticipated discoveries plan to be reviewed and approved by SHPO was required for the Peck Slip Project.

The *Archaeological Monitoring Protocol and Unanticipated Discoveries Plan for the Reconstruction of Peck Slip* prepared by AKRF, Inc. for LMDC for the Proposed Action was reviewed by SHPO and LPC and revised and approved in September 2018 (see **Appendix A**). It includes a summary of previous archaeological investigations, descriptions of the types of potential archaeological resources on the site, a scope of work for monitoring, a description of laboratory processing and artifact analysis, and a description of the reporting process. It also includes an unanticipated discoveries plan and a human remains discovery protocol. Archaeological monitoring areas and depths are identified in Figure 4 of the Plan.

With the implementation of monitoring and analysis as outlined in the Plan, and as stated in the EA, the Proposed Action is not expected to have significant adverse impacts on archaeological resources.

URBAN DESIGN AND VISUAL RESOURCES

As noted above and as shown in **Figure 1**, the modifications to the design of the Peck Slip plaza include the removal of a ship sculpture which defined the seating area on the eastern portion of the plaza. With the modified design, the eastern end of the plaza features a line of stepped granite slabs at the eastern end of the plaza, some with stainless steel and recycled plastic lumber bench units, to create a two-sided amphitheater for sitting, as well as one of the plaza's three triangular shaped planters. As with the 2008 design, the western end of the plaza features the other two planters, however the planters have been reconfigured to create a clearly defined path through the plaza, and to open up the views of the eastern portion of the plaza, the Brooklyn Bridge, and the East River. Whereas the 2008 design included a line of trees along the southern side of the plaza, under the modified design the trees have been relocated to the northern side of the plaza in order to avoid impacts on the DEP utility corridor. The modifications also include placing nautical themed bollards at the entrances to the plaza rather than granite slabs, thereby providing a porous entrance for pedestrians.

Overall, the modifications are intended to create a more elegant, cohesive, and simple composition for the plaza. As with the 2008 design, the modified design would improve a publicly accessible open space with landscaping and seating that would enhance physical and visual access to the East River waterfront and the surrounding South Street Seaport. While the Proposed Actions would close the short segment of Front Street that extends through the project site, this alteration to the street pattern is limited and would maintain views to and through the project site, which would not be considered adverse. Therefore, the Proposed Action is not expected to adversely affect urban design or visual resources.

TRANSPORTATION

As previously stated, following completion of the EA, NYCDOT removed on-street parking within the Peck Slip median to build a temporary plaza, but did not close Front Street within the temporary Peck Slip median plaza, and it remains as a through-street. In terms of traffic operations, since the temporary plaza boundary and original on-street parking area boundary

matches the proposed permanent plaza boundary, there would be no measurable change in traffic capacity. In the conversion of the median to a temporary plaza, there was a slight reduction in traffic volumes at nearby intersections associated with the removal of on-street parking within the Peck Slip median.

To implement the closure of Front Street within the Peck Slip median and improve overall traffic patterns in the study area, NYCDOT had planned, and the EA evaluated certain traffic improvement measures. Since the EA, NYCDOT has implemented some but not all of the planned improvements. NYCDOT changed the street direction of Peck Slip between Pearl and Water Streets from two-way to one-way westbound, but did not change the direction of Beekman Street between South and Pearl Streets from one-way westbound to one-way eastbound. As described in a letter dated January 30, 2019 from NYCDOT to LMDC (see **Appendix B**), NYCDOT recently evaluated the original improvement measures against changes in traffic patterns and volumes in the area, and determined that no additional improvement measures are necessary to implement the closure of Front Street within the Peck Slip median plaza. According to the letter, NYCDOT does not anticipate any significant adverse traffic impacts associated with the Proposed Action. In addition to the NYCDOT evaluation, the weekday AM and PM peak hour trips that would be diverted because of the closure of Front Street within the Peck Slip median were assessed, according to the EA. Assuming the original street configuration and using the projected 2010 volumes without the Proposed Action, there would be fewer than 50 vehicle trips per hour diverted to other intersections upon the closure of Front Street within the Peck Slip median. This falls below the minimum threshold recommended in the *CEQR Technical Manual* for further study since the manual states that further quantified analysis would typically not be needed.

OTHER TECHNICAL AREAS

The Proposed Action is limited to the improvement of the Peck Slip median as a publicly accessible plaza. As discussed in the EA, in accordance with the guidelines of the *CEQR Technical Manual*, the Proposed Action does not warrant a detailed analysis in the following technical areas: socioeconomic conditions, community facilities and services, open space, shadows, natural resources, hazardous materials, water and sewer infrastructure, solid waste and sanitation services, energy, air quality, noise, greenhouse gas emissions and climate change, public health, neighborhood character, and construction. There have been no changes in baseline conditions in these technical areas that would trigger the need for further analysis. The proposed modifications to the Proposed Action would only affect the design of the plaza and would not alter its use or operations. Therefore, the proposed modifications would not alter the conclusions of the EA, and the Proposed Action would not result in any significant adverse impacts in these technical areas.