

NEW YORK UNIVERSITY

A private university in the public service

Office of the President

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John Sexton

President

April 11, 2012

The Honorable Scott Stringer
Manhattan Borough President
One Centre Street, 19th Floor
New York, NY 10007

Dear Borough President Stringer:

We today reach an important milestone in the ULURP process that reflects the hard work and committed engagement of you and your staff. Your efforts culminate five years of sustained attention by the Office of the Manhattan Borough President to our plan and our mutual desire to find a pathway for NYU to have the facilities it needs to continue its upward academic trajectory while being sensitive to the needs and concerns of our surrounding community.

Under your leadership, starting in late 2006, scores of community-focused organizations came together to give input to NYU's overall approach to growth that was to be city-wide in scope. Indeed, the University is currently undertaking new campus facilities in two "remote" locations: downtown Brooklyn and Manhattan's First Avenue "Health Corridor."

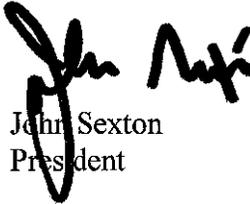
The plan before you, for the expansion of academic and university-related facilities in the Core, seeks to concentrate our growth on our existing footprint as opposed to spreading out to nearby neighborhoods. The plan hews to a few important principles: established by the Community Taskforce on NYU Development to build on our own property; to avoid use of eminent domain; to avoid any displacement of existing residential tenants; to protect and enhance open space and make it more accessible for public enjoyment.

Through careful planning and diligent mitigation measures, we will seek to minimize disruption to the residents on or near the superblocks.

Finally, as a result of this project, thousands of jobs will be created both during construction and afterward. In a city still suffering the lingering effects of the economic downturn, such a stimulus is highly beneficial.

Throughout the multi-year process during which NYU has shaped and put forth its plan, we have made several significant changes to it as we listened to community input and responded to concerns. In that same spirit, as part of the ongoing dialogue with you and your office, I would like to reiterate our commitments with regard to certain aspects of the projects.

Sincerely,



John Sexton
President

NYU agrees to reduce the NYU Core Proposed Project and make further modifications as outlined below.

1. Reduce the total floor area of the project as follows:
 - (a) **Eliminate approximately 25% of the below grade space on the northern block.** The University has committed to reduce the below-grade Washington Square Village density by approximately 185,000 square feet as follows:
 - (i) **Mercer Strip.** NYU will eliminate approximately 80,000 square feet of City owned space below the DOT mapped street (the “Mercer Strip”) along the eastern edge of the northern superblock. This land will become mapped parkland as part of the NYU Core application.
 - (ii) **LaGuardia Strip.** NYU will eliminate approximately 105,000 square feet of City owned space below the DOT mapped street (the “LaGuardia Strip”) along the eastern edge of the northern superblock. This land will become mapped parkland as part of the NYU Core application.
 - (b) **Eliminate 85,000 gross square feet from the Mercer and LaGuardia buildings.** The University agrees to lower the height of the Mercer building, not to exceed 162 feet. NYU has agreed to work with the City Planning

Commission and the City Council to review the design of the Mercer Building and LaGuardia Building.

2. **Provide 100,000 gross square feet for a public school.** NYU has agreed to donate space on the corner of Bleecker Street and LaGuardia Place for the City to construct a 100,000 square foot K-8 public school. NYU has drafted and will continue to refine and then make public a Letter of Intent between the University and the City, which memorializes the agreement including the changes recommended to modify the building by the Borough President.
3. **Eliminate the approximately 55,000 square feet of dormitory space on top of the public school.** In addition, the University commits to remove one level of the basement below the school to equal approximately 10,000 square feet.
4. **Eliminate the Proposed Temporary Gym on the Superblocks.** In response to the advocacy of Councilmember Margaret Chin and the Borough President, the University will withdraw the application for a temporary gym and seek an alternate solution.
5. **Delay the construction of the Mercer Building.** NYU has agreed to re-phase the construction sequencing of the northern block to build the Mercer Building after the LaGuardia Building. Together with the elimination of the construction of below-grade space under the Mercer Strip described in item 1(a) the impacts of noise and traffic disruption along Mercer Street should be reduced.
6. **Preserve the Washington Square Village (WSV) Playground (currently known as the “Key Park”) until construction commences on the Mercer Building.** NYU has agreed (subject to a scoping and environmental determination) to preserve the WSV Playground on the site until it is necessary for commencement of construction on the Mercer Building.
7. **Maintain equal or more playground space throughout the development period.** Throughout the development period NYU has agreed that it will provide the same amount of playground area within the two superblock area. NYU has further agreed to work with the local community and the District Council Member to assure that the design and the functionality of the interim and permanent playgrounds meet the standard of this commitment. The WSV Playground will be maintained until the Mercer Building construction commences.
8. **Eliminate approximately 15,000 square feet from the Northeast section of the Zipper Building along the Mercer Street frontage.** NYU has agreed to redesign the northernmost frontage of the Zipper building (along Mercer Street) in order to increase the sidewalk width for an additional 15 linear feet (the proposed sidewalk width is already 15 feet).

9. **Support Adrienne's Garden.** The University has agreed to support community efforts to keep the name Adrienne's Garden associated with the future garden/playground locations along LaGuardia Place.
10. **Preserve the Mercer Plaza above the Cogeneration Plant as a Public Open Space.** NYU has agreed not to build on the Mercer Plaza above the cogeneration plant in order to preserve it as public open space subject to repair, maintenance and replacement needs of the facility.
11. **Mitigate Construction Impacts.** The University has agreed to mitigation at the source for affected apartments with single-pane windows within the project affected area mostly in Washington Square Village and Silver Towers. Mitigation measures will be provided to both NYU affiliates and non-affiliates.
 - (a) In-Home Mitigation. The University has committed to:
 - (i) Installing interior sound attenuating windows at Washington Square Village and Silver Towers for units most affected by the construction, as per the Final Environmental Impact Statement (FEIS).
 - (ii) Installing new high quality air conditioning units and / or operable covers to mitigate for sound and noise into Washington Square Village apartments, which are determined to be affected by the construction in the FEIS
 - (iii) Installing new PTAC units with higher level of noise baffling in the Silver Towers units, which are determined to be affected by the construction in the FEIS
 - (iv) For buildings that are in the immediate area but not owned by NYU and have single-pane windows, NYU will offer to provide storm windows and air conditioning units.
 - (b) Worksite Control and Operations. The University has committed to:
 - (i) Delay construction start time and limit weekend and evening activity. General Construction hours will be Monday – Friday, 8:00 a.m. – 4:30 p.m.
 - (ii) Utilize environmentally sound equipment.
 - (iii) Noise reduction measures including noise absorbing barriers.
 - (iv) Air emission control measures including the use of clean fuel, diesel equipment reduction, and idling limits.
 - (v) Dust control measures including water spraying and truck washing, covered soil and trucks, regular road cleanings for surrounding area, the use of wet blades and chutes into covered bins, and 5 mph speed limit for construction vehicles.
 - (c) Site Monitoring.

- (i) The University has already implemented a full construction website as an outcome of the work of the Community Taskforce, the website will feature all project updates.
 - (ii) The University will provide a hotline to address issues related to construction on the superblocks.
 - (iii) The University commits to regular tenant meetings with the project managers.
 - (iv) The University has agreed to provide funding for an **Independent Monitor** to be on the site during construction, who will report to the NYC Department of City Planning on construction progress and compliance.
- (d) Preserve and Restore the LaGuardia Statue. NYU has agreed to work with Friends of LaGuardia to decide on the best course of action to assure that the LaGuardia statue is preserved and restored after construction.
12. **Commercial Overlay-** NYU agrees to not include “eating and drinking establishments” where 80% of their projected revenue is derived from alcoholic beverages in the commercial overlay area. NYU additionally agrees to continue to work through the ULURP process to find appropriate controls on destination retail.