



Melanie E. La Rocca
Commissioner

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April 20, 2021

Honorable Carolyn Maloney
US Representative, 12th District

Honorable Brad Hoylman
NYS Senator, 27th District

Honorable Harvey Epstein
NYS Assembly Member, 74th District

Honorable Keith Powers
Council Member, 4th District

Re: Proposed Combined Heat and Power Plants in Stuyvesant Town

Dear Representative Maloney, Senator Hoylman, Assembly Member Epstein, Council Member Powers:

Thank you for your letter to the Department of Buildings ("Department") dated January 19, 2021, regarding applications submitted to the Department for combined heat and power ("CHP") plants at Stuyvesant Town, which claim to provide steam and electricity to buildings within and / or beyond Stuyvesant Town and Peter Cooper Village ("STPCV"), Manhattan.

A CHP plant (at 251 Avenue C) and 12 ancillary jobs, all located within block 972, lot 1 were filed on behalf of BPP ST Owner LLC, as an accessory use to the residential buildings on the zoning lot. These jobs are currently under Department audit with a Letter of Intent to Revoke Approvals and Permits served. The second CHP plant referenced in your letter, proposed to be located at East 20th Street, has not been filed with the Department to date.

A standalone CHP plant is considered zoning use group 17C [electric utility substation with no limitation as to size per section 42-14 of New York City Zoning Resolution ("ZR")], and is not permitted at STPCV, which is located in an R7-2 District with C1-5 District overlay. In order to demonstrate that the proposed CHP plant is "accessory" to the residential buildings on the subject zoning lot (block 972 lot 1), as defined in the ZR 12-10 accessory use definition, the Applicant must respond to the Letter of Intent to Revoke by demonstrating that the electricity and heat generated by the CHP plant is distributed to the users within the same zoning lot.

In relation to emissions, the Department will review the application(s) for proposed CHP plant to determine compliance with New York City Construction Codes. Please note, the New York State Department of Environmental Conservation ("DEC") is a state entity which operates outside of this New York City agency. As it pertains to the air emissions permitting process, the Department of Buildings does not have the authority to issue or approve such permit. Therefore, it is recommended the applicant contact DEC separately as it relates to this permit.



I trust that this information has been helpful. Should you have any additional questions, please do not hesitate to reach out to me or Joshua Adams, East Manhattan Community Engagement, at Joadams@buildings.nyc.gov or at (212)393-2053.

Sincerely,

A handwritten signature in black ink, appearing to read "Melanie E. La Rocca". The signature is fluid and cursive, with the first name being the most prominent.

Melanie E. La Rocca
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