

INTRODUCTION

This chapter provides responses to the substantive comments on the Draft EIS (DEIS) made either verbally at the Public Hearings on the DEIS held on March 9, 2022 and April 13, 2022, or provided to the City of Yonkers Planning Board (the “Planning Board”), as Lead Agency, from February 2, 2022 through April 27, 2022. A list of commenters is provided below. The full transcripts of the Public Hearings and the correspondence from which the comments are drawn are included in **Appendix A**. Comments having a similar subject or raising similar technical points are grouped together. In some cases, for ease of reading, an introduction to a group of similar comments is provided (see e.g., Comment Gen-5).

LIST OF COMMENTERS

The following individuals and/or organizations provided comments on the DEIS.

AGENCIES

1. Christine Carney, Senior Planner, City of Yonkers Department of Planning, oral testimony delivered May 5, 2022 (Carney_027)
2. Christopher DeSantis, Deputy Chief, Yonkers Fire Department, letter dated April 29, 2022 (Pagano et al_017)
3. Norma V. Drummond, Commissioner, Westchester County Planning Board, letter dated April 19, 2022 (Drummond_007)
4. Lee Ellman, Deputy Commissioner, City of Yonkers Department of Planning, oral testimony delivered May 5, 2022 (Ellman_025)
5. Mackenzie Forsberg, City of Yonkers Planning Board, oral testimony delivered May 5, 2022 (Forsberg_021)
6. Robyn M. Hollander, Deputy Director, Station Area Planning and Transit Oriented Development Metro-North Railroad, letter dated April 28, 2022 (Hollander_015)
7. Roman Kozicky, Chair, City of Yonkers Planning Board, oral testimony delivered May 5, 2022 (Kozicky_020)
8. Adelia Landi, City of Yonkers Planning Board, oral testimony delivered May 5, 2022 (Landi_022)
9. John Larkin, City of Yonkers Planning Board, oral testimony delivered May 5, 2022 (Larkin_023)
10. Sara McIlvor, Historic Preservation Technical Specialist, New York State Department of Parks, Recreation, and Historic Preservation, letter dated April 1, 2022 (McIlvor_005)
11. Dom Micka, Traffic Engineer, City of Yonkers Email May 18, 2022 (Micka_019)
12. Joseph Monaco, Acting Commissioner, City of Yonkers Police Department, letter dated May 26, 2022 (Monaco_030)

AMS Yonkers Downtown Development

13. Dider Monteiro, Planning Technician, City of Yonkers Department of Planning, oral testimony delivered May 5, 2022 (Monteiro_029)
14. Alain Natchev, Assistant Corporation Counsel, City of Yonkers Department of Planning, oral testimony delivered May 5, 2022 (Natchev_028)
15. Zachary Nersinger, Planning Director, City of Yonkers Department of Planning, oral testimony delivered May 5, 2022 (Nersinger_026)
16. Zachary J. Nersinger, Planning Director, City of Yonkers Department of Planning, letter dated June 1, 2022 (Nersinger_031)
17. Becky Nova, City of Yonkers Planning Board, oral testimony delivered May 5, 2022 (Nova_024)
18. Anthony Pagano, Commissioner, Yonkers Fire Department, letter dated April 29, 2022 (Pagano et al_017)
19. John Speight, Superintendent of Water, City of Yonkers Water Repair Shop, letter dated April 20, 2022 (Speight_012)

BUSINESSES AND ORGANIZATIONS

20. Sara Brody, Executive Director, The Downtown/Waterfront Business Improvement District Inc. of Yonkers, email dated March 22, 2022 (Brody_006)
21. Frank S. Fish, Principal, BFJ Planning, letter dated April 27, 2022 (Yackel et al_009)
22. Georges Jacquemart, Principal, BFJ Planning, letter dated April 27, 2022 (Yackel et al_009)
23. Louis Maggiotto, American Sugar Refining, oral testimony delivered April 13, 2022 (Maggiotto_033)
24. Louis J. Maggiotto, Jr., American Sugar Refining, letter dated April 28, 2022 (Maggiotto, Jr._014)
25. Jimmy R, Dolphin Restaurant Bar Lounge, email dated March 3, 2022 (R_001)
26. Sarah K. Yackel Principal, Director of Environmental Planning BFJ Planning, letter dated April 27, 2022 (Yackel et al_009)
27. Yonkers Committee for Smart Development, letter dated April 27, 2022 (YCSD_013)

GENERAL PUBLIC

28. Susy Gevar, email dated April 26, 2022 (Gevar_008)
29. Chris Guigon, oral testimony delivered March 9, 2022 (Guigon_003)
30. Charlie Hensley, letter dated April 27, 2022 (Hensley_016)
31. Mike Hertz, oral testimony delivered April 13, 2022 (Hertz_032)
32. Garry R. Klein, email dated March 12, 2022 (Klein_002)
33. Chris Morel, Email March 29, 2022 (Morel_004)

COMMENTS AND RESPONSES

GENERAL COMMENTS

PROCESS

Comment Gen-1: Once all comments from the public, interested and involved agencies are received, the Applicant will prepare the FEIS. The SEQR regulations

state that the FEIS must include the “lead agency's responses to all substantive comments” received on the DEIS and that the “lead agency is responsible for the adequacy and accuracy of the final EIS, regardless of who prepares it” (6NYCRR Part 617.9(b)(8)). While the Applicant will prepare the preliminary FEIS, the Planning Board, as Lead Agency is responsible for the accuracy and adequacy of the analysis and mitigation set forth in the document. (Yackel et al_009)

Response Gen-1:

Comment noted.

Comment Gen-2:

The Yonkers Committee for Smart Development (YCSO) Team has reviewed its notes submitted on December 14, 2020, for the Draft Scope on this project and finds that most of our concerns on the project raised then continue to be relevant. Our review of the current DEIS finds that many of the issues YCSO raised then have not been addressed in this DEIS. (YCSO_013)

Response Gen-2:

The Lead Agency notes that it received and considered the commenter’s comments on the draft DEIS Scope, which were considered in the preparation of the final DEIS Scope, as required by New York State Environmental Quality Review Act (SEQRA) regulations. The commenter’s specific comments on the DEIS are addressed elsewhere in this FEIS.

Comment Gen-3:

Why was there a change in commercial space proposed from the Scope to the DEIS? Changes in the project from 2020 to now should be summarized to understand how the scope of project has changed. (Forsberg_021)

Response Gen-3:

The conceptual site plan and program presented in the Scope and then in the DEIS were based on preliminary designs. The advancement of the engineering and architectural design, as well as changes in market conditions, resulted in slight modifications to the Project between the adoption of the Scope and the publication of the DEIS. Further refinements to the Project, particularly based on City and public comments, have been made since the DEIS and are described in FEIS Chapter 1 and reflected throughout this FEIS (see **Table 3-1**). The changes in the proposed program since the scope and/or DEIS include reductions in retail and office square footages and an increase in parking spaces (shown in red in the table) at the North Broadway Site and a decrease in parking spaces (shown in red in the table) at the Chicken Island Site.

Table 3-1
Project Comparison between Scope, DEIS, and FEIS

	Teutonia Project			Chicken Island Project			North Broadway Project		
	Scope	DEIS	FEIS	Scope	DEIS	FEIS	Scope	DEIS	FEIS
Units	906	906	906	2,000	2,000	2,000	650	650	650
Commercial/Retail (sf)	10,000	10,000	10,000	70,000	70,000	70,000	17,000	15,000	4,000
Commercial Office (sf)	0	0	0	17,000	17,000	17,000	21,000	13,000	13,000
Parking Spaces	956	956	956	2,200	2,180	2,180	750	768	768
Sources: Adopted DEIS Scope; Adopted DEIS; FEIS									

GENERAL OPINIONS

Comment Gen-4: We commend the Applicant for discussing universal design within the DEIS and encourage the City to continue to promote universal design standards that allow all residents and visitors to fully engage in our public spaces. (Drummond_007)

Response Gen-4: Comment noted.

Comment Gen-5: Comments were received expressing generalized support for the Proposed Action, or components thereof.

I hope they get that built ASAP and continue the upgrading of downtown Yonkers! (R_001)

This is an opportunity for Yonkers to define its new identity/culture. (Nova_024)

I am very much in favor of the proposal put forth by AMS and their professional consultants. My colleagues at Houlihan Lawrence and I understand the value of the investment that needs to be made by the private sector and the involvement and stewardship of the public sector in the evolution of downtown. Yonkers is on its way to becoming a model city in terms of Planning, Zoning, Adaptive Reuse, Parks, Transportation and the like. (Klein_002)

The vision of developers such as AMS along with the support of the Mayor, Common Council, COY Planning and Administration and organizations like the Downtown BID, all add to shape the built environment and help move the city forward. (Klein_002)

The redevelopment of Downtown Yonkers into a vibrant mixed-use center has been a long-held City priority going back decades. The Proposed Action would revitalize a number of vacant and underutilized properties in the Downtown, including the long vacant and unproductive Chicken Island site. In doing so, the Proposed Action has the potential to foster a broader revitalization of Downtown Yonkers. (Yackel et al_009)

Response Gen-5: Comments noted.

Comment Gen-6: We want Yonkers to evolve downtown, and Getty Square is a beautiful square, and I think that having it evolve would be great, but let's evolve it properly and not just like jump to, like, crazy conclusions and high-rises and all of that stuff. (Guigon_003)

Response Gen-6: The Chicken Island Project would transform a large surface parking area in the City's downtown into residential, commercial, retail, and office uses. Transforming this large, underutilized parcel into an active mixed-use development has been a long-standing goal of the City, that is prioritized in the Getty Square Urban Renewal Plan and the 2010 Downtown Master Plan. The Modified Teutonia Project would transform a vacant lot into a mixed-use development that would complement the transit-oriented development goals of the City. The Modified North Broadway Project would advance the City's 2010 Downtown Master Plan goal of revitalizing downtown through increased development density and would further support the City's transit-oriented development goals. The Applicant is working closely with the City to evolve the area in a responsible manner and will incorporate mitigation for potential environmental impacts, as discussed in the DEIS and this FEIS.

Comment Gen-7: Despite some street-level townhouses and storefronts, the overall height and mass in these designs too far exceeds anything that currently exists and will strain every conceivable part of our public infrastructure. Sidewalks are too narrow, parkland and other amenities too few, public space insufficient. This is Jane Jacobs 101: the first floors need to be active, there can be no blank walls facing public streets, and six stories of public parking towering over a pedestrian environment is clearly unacceptable. These issues need to be approached directly in the FEIS. (Hensley_016)

Response Gen-7: The proposed changes to building heights support the City's overall goals to increase the density of mixed-use development proximate to the Yonkers Train Station and increase population in the downtown to further activate the streetscape. While the Proposed Zoning Amendments would allow taller buildings than permitted under current zoning, based on the analysis presented in the DEIS and the further refinements made to the project as outlined in Chapter 2 of this FEIS, the buildings reinforce the character of downtown as a major urban center and at the same time create vibrant places. The Revised Proposed Project includes approximately 95,000 square feet ("sf") of active street-level commercial uses (e.g., retail, restaurant, personal service). These uses are intended to activate the streetfront and support a vibrant downtown area. Pedestrian activity would be encouraged within the Modified Chicken Island Project through the installation of wide sidewalks (up to approximately 13 feet) with street trees, well-marked pedestrian crosswalks, and active

streetfronts including commercial uses and significant glazing of the first floor. Street trees and furniture would be installed along the Chicken Island Site street frontage on Palisade Avenue, where the sidewalk would also be widened to approximately 13 feet (see FEIS **Figure 3-1**). The Modified Teutonia Project would include the construction of a wider sidewalk along the west side of Buena Vista Avenue roughly from Prospect Street to Main Street (see FEIS **Figure 3-2**). Parking is placed underground where possible. Active storefronts are provided to shield parking at all locations where possible. Additionally, potential adverse impacts to the City's infrastructure have been evaluated in the DEIS and this FEIS and mitigation for those impacts has been identified.

Comment Gen-8: The AMS Yonkers Downtown Development offers some bold and beautiful ideas for our city's future. I invite them to work more closely with the creative, experienced planning professionals who work with you in order to reach a more successful, human-based design in the next phase. We can never forget that any activity of this kind, and especially of this scale, must accrue to the public benefit, with "public" defined as all who live and work in Yonkers and not just those who own or manage real estate. (Hensley_016)

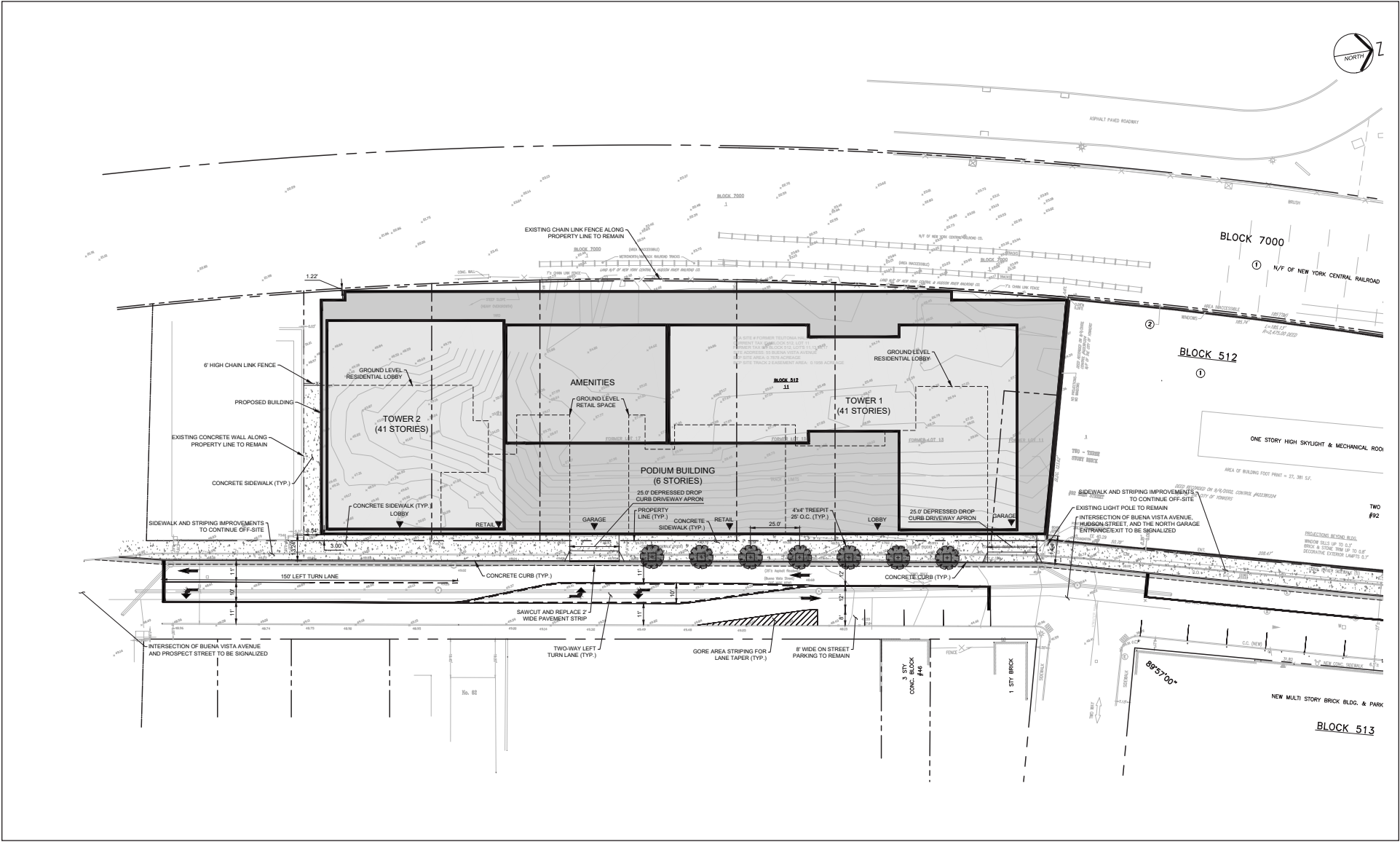
Response Gen-8: The Applicant has worked, and will continue to work, with the City's professional staff to evolve the development of these three important sites in downtown in a responsible manner. As described in the DEIS and this FEIS, the Revised Proposed Project includes numerous public benefits—including streetscape improvements, pedestrian plazas, affordable housing units, water and sewer infrastructure improvements, and the revitalization of Chicken Island and its incorporation as a part of the City's urban fabric.

Comment Gen-9: There is a general concern for the proposed building height and density at the complex Teutonia site for a 41-story building with two-towers rising from the base. The DEIS claims the proposed heights are compatible with the overall character of the city. From an overall view of the Downtown, the recently constructed RXR Sawyer Place building is approximately 25-stories in height, and the recently approved 44 Hudson Street apartment building will be 25-stories at 276 feet in height. As noted in the DEIS, Teutonia was previously approved for a 26-story tall structure. Some more background as to why a 41-story building (435 feet in height) is necessary for the project site needs to be discussed by the Applicant. Currently this section of the DEIS only supports this claiming the high cost of construction and the anticipated foundation work. (Nersinger_031)

Source: S9 ARCHITECTURE



- LEGEND**
- NEW/EXPANDED PUBLIC SIDEWALKS
 - PUBLICLY ACCESSIBLE OPEN SPACE



Buena Vista Roadway and Sidewalk Plan
Figure 3-2

Response Gen-9: As stated in the DEIS, the proposed increase in building height and corresponding increased residential density is necessary to offset high costs to construct the complex and expensive foundations for the Teutonia Project. Amortizing the large, fixed, cost of the foundation over additional units is necessary to make the project financially viable. The DEIS and this FEIS analyze the potential environmental impacts of the increase in height and overall amount of development that would be permitted at the Teutonia Site, as well as the Chicken Island and North Broadway Sites, under the revised Proposed Zoning Amendments. Visual impact studies—including photo-simulations, renderings, and shadow studies—have been provided, as have studies on the potential traffic, infrastructure, and community service impacts.

REPORT FORMATTING

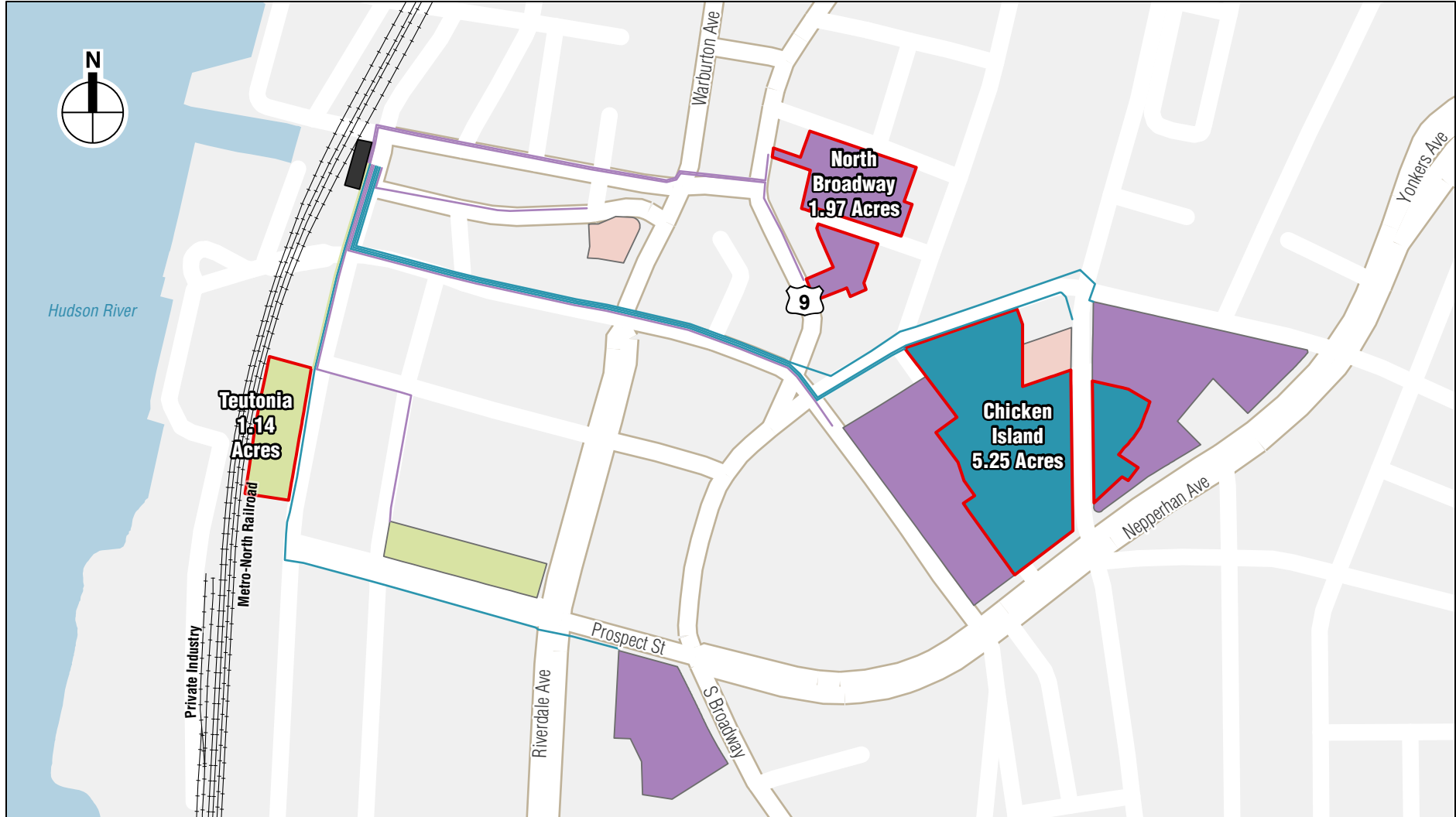
Comment Gen-10: Fig 1-74 Show distance in feet/fractions of mile in addition to colored lines. Fire House site is a separate site from the remainder of Chicken Island separated by a city street – show walking distance from entry to train station. What is site on corner on Prospect and S. Broadway and what relation does it have to the proposed action? (Nersinger_031)

Response Gen-10: DEIS Figure 1-74 has been revised as FEIS **Figure 3-3**. It is noted that this figure was intended to illustrate the geographic applicability of the revised Proposed Zoning Amendments and visually demonstrate how the revised Proposed Zoning Amendments would apply only to the Project Sites. It was not meant to illustrate other potential development sites not owned by the Applicant nor to illustrate absolute distances from a Project Site to the train station. The Site noted in purple on Figure 3-3 at the corner of Prospect and S. Broadway is made up of two, separately-owned, tax parcels that are each within the maximum height district.

Comment Gen-11: FEIS recommendation – Include a copy of the Figures referenced in-line with the body of the text for the readers review. In printed form, jumping between separate binder volumes to review the figures is not efficient. (Nersinger_031)

Response Gen-11: Comment noted.

Comment Gen-12: Figure 1-15 – The vehicular traffic direction arrows are very faint on streets outside the study area of Centre Street and John Street, both in print and electronic PDF. Please revise the Figure. Map Legend color conflict: the same color is used to identify Residential Tower and Daylighting phases. Also, update aerial base map layer as it does not



Size and Distance to Train Station For Parcels Zoned in the Maximum Height District

show the Yonkers Fire Department Station on New School Street. (Nersinger_031)

Response Gen-12: DEIS Figure 1-15 has been updated and reprinted as FEIS **Figure 3-4**.

Comment Gen-13: Fig. 1-16 Rendering does not show what community would see. It appears that the rendering is taken from a 30 story height. (Nersinger_031)

Response Gen-13: The commenter is correct in that the rendering is from an aerial, rather than street-level, vantage point. The DEIS also includes numerous street-level renderings and photo-simulations, including DEIS Figures 1-13, 1-14, 1-22 through 1-25, 1-43, 1-51, 1-56, 1-57, 1-62, 1-66, and 1-69 through 1-72.

Comment Gen-14: Figure 1-17 – Update aerial base map to more current imagery. (Nersinger_031)

Response Gen-14: DEIS Figure 1-17 has been updated and reprinted as FEIS **Figure 3-5**.

Comment Gen-15: Please apply the same updated aerial base map to all applicable figures with an aerial base map. Review all maps for readable street name labels. (Nersinger_031)

Response Gen-15: Comment noted. Figures the City Planning Department specifically required to be updated are revised in this FEIS, including DEIS Figure 1-74 (FEIS **Figure 3-3**), DEIS Figure 1-15 (FEIS **Figure 3-4**), and DEIS Figure 1-17 (FEIS **Figure 3-5**).

Comment Gen-16: It is Locust Hill Avenue not Locust Avenue. (Nersinger_031)

Response Gen-16: Comment noted and street reference have been corrected accordingly in this FEIS, as necessary.

CHAPTER 1: PROJECT DESCRIPTION

GENERAL

Comment 1-1: Table S-7 – Approvals should be revised to include the “Light and Air Easement” that is required of the developer to obtain from the Metropolitan Transportation Authority (MTA) for the Teutonia Hall site. (Hollander_015)

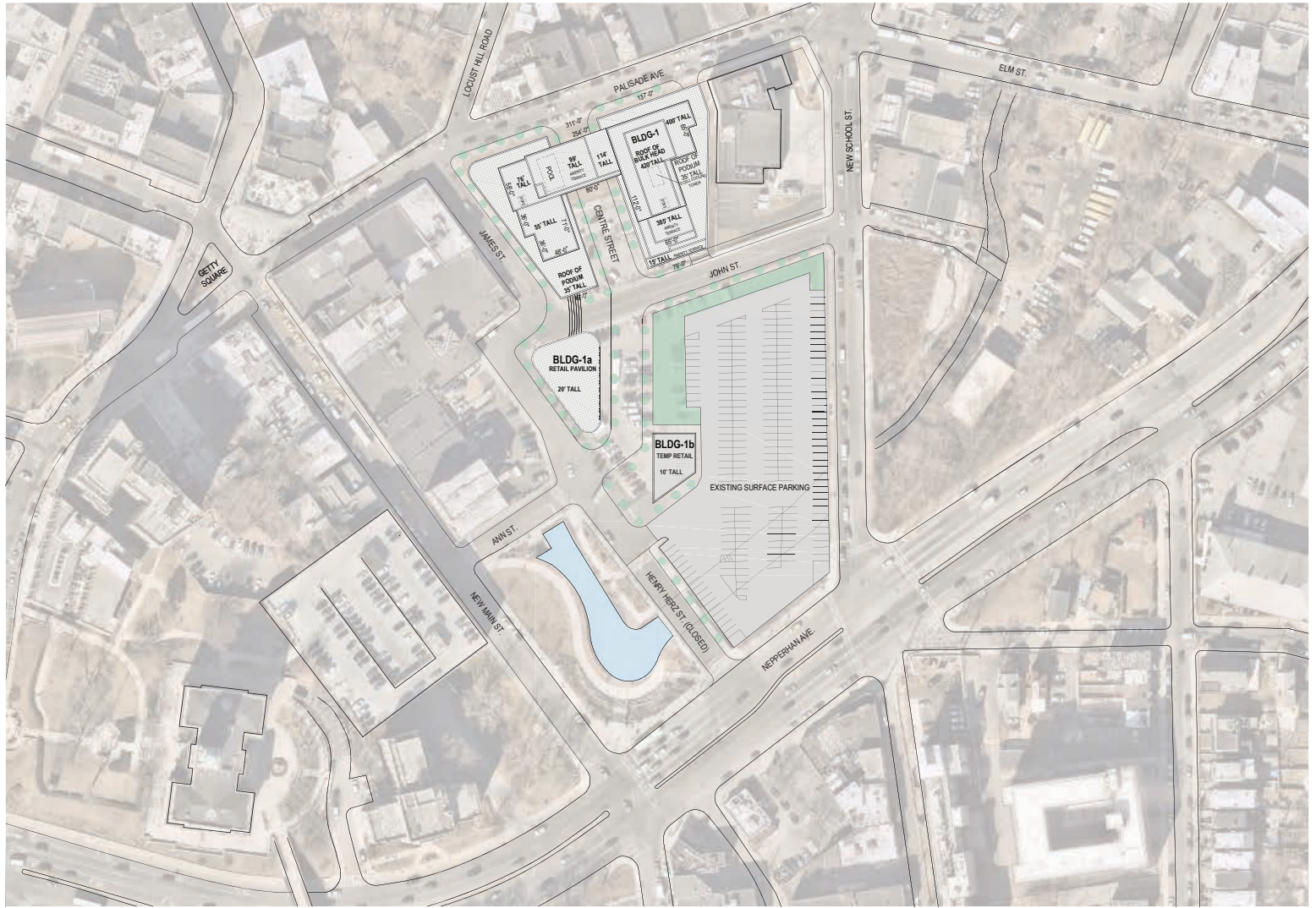
Response 1-1: The table of required approvals, presented in Chapter 1 of this FEIS, has been updated to include the “Light and Air Easement” required from the MTA for the Teutonia Site.



Source: S9 Architecture

- Project Site
- Residential Tower
- Podium
- Sidewalk

*Numbers indicate the building height
 *The following concept drawings are for planning purposes only



NOTE: THE FOLLOWING CONCEPTUAL DRAWINGS ARE FOR PLANNING PURPOSES ONLY. THE CONCEPTUAL BUILDING DESIGN COMPLIES WITH THE PROPOSED ZONING PETITION AND MUST BE REVERIFIED ONCE A FORMAL REZONING IS ADOPTED. STRUCTURE, MEP AND LANDSCAPE SHOWN FOR CONCEPT AND MUST BE VERIFIED AND COORDINATED WITH THE BUILDING CODE DURING THE SITE PLAN APPROVAL PROCESS. LOCATIONS OF MECHANICAL SHAFTS ARE TO BE DETERMINED. STAIRS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND TO BE REVISED TO MEET EGRESS REQUIREMENTS.

Source: S9 Architecture

Chicken Island Stage 1 Site Plan
Figure 3-5

Comment 1-2: The Interested/Involved Agencies should also include the Yonkers Fire Department and the Yonkers Parks and Recreation Department. (Forsberg_021)

Response 1-2: The table of Involved and Interested Agencies presented in Chapter 1 of this FEIS has been updated to include those City departments as Interested Agencies.

Comment 1-3: Table 1-7 of the DEIS is supposed to be a comprehensive examination of all issues associated with the proposed action. What “(other plan changes TBD)” are expected by the Yonkers City Council? (Nersinger_031)

Response 1-3: No other policy or plan documents require amendment. This table has been updated and included in the FEIS as **Table 1-7**.

Comment 1-4: Two of the three sites will heavily rely on the use of private automobiles to access the sites for the proposed mix of uses, largely residential however. Based on the current industry standards of TOD explain the typical thresholds for a project to be considered a successful transit-oriented development. (Nersinger_031)

Response 1-4: According to the Federal Transit Administration, “Successful TOD depends on access and density around the transit station. Convenient access to transit fosters development, while density encourages people to use the transit system. Focusing growth around transit stations capitalizes on public investments in transit and provides many benefits.”¹ In the Hudson Valley region, TODs are most often associated with Metro-North Railroad stations serving New York City. They range in size from small single-family neighborhoods to the downtowns of large cities. The existing developed character of downtown Yonkers is, in many respects, a TOD centered on the Yonkers Train Station and the multiple bus lines at Getty Square.

As noted by the commenter, the majority of the Revised Proposed Project is comprised of residential uses. Given that the Project Sites are within one half-mile of the train station, it is anticipated that a large portion of residents would utilize the train (or bus) to get to and from work and other destinations on a regular basis. This assumption is supported by data, presented in the Traffic Impact Study, from similar projects throughout the region and country.

The Revised Proposed Project includes a significant amount of street-level commercial/retail uses to activate the public realm. While not

¹ <https://www.transit.dot.gov/TOD>. Accessed August 20, 2022.

required for a TOD, a mix of uses can help strengthen the vitality of a TOD and a mix of uses support downtown, walkable areas.

Comment 1-5:

Comments were received requesting information on the pedestrian improvements that may be required to support the Revised Proposed Project. Improvements adjacent to the Project Sites as well as within downtown more broadly, and on the way to the train station specifically, were mentioned.

What pedestrian improvements are proposed to support TOD not only at the select project sites, but what is needed immediately, area wide to increase safe modes of pedestrian and bicycle travel in the downtown that will encourage residents and visitors to rely less on passenger vehicles? (Nersinger_031)

The proposed increases to residential tower building footprint within certain radii of a train stations allows for greater use of the project site. The references to pedestrian travel distances to train stations should also take into consideration the street scape - specifically the need to review minimum zoning requirements for sidewalk widths, and building setbacks in order to provide an appropriate pedestrian scale design. (Nersinger_031)

Response 1-5:

The Revised Proposed Project includes the creation of new City blocks in what is currently a large, surface parking lot at Chicken Island. The extension of the City's street network on the Chicken Island Site includes generous sidewalks throughout, including a 13-foot-wide sidewalk along Palisade Avenue, as well as ADA-accessible crosswalks and ramps. In addition, the Chicken Island Project includes 0.5 acres of pedestrian plazas (not including the standard "sidewalks" of the new blocks) and public open space (see FEIS **Figure 3-1**). The Teutonia Project would include the construction of a wider sidewalk along the west side of Buena Vista Avenue roughly from Prospect Street to Main Street (see FEIS **Figure 3-2**). On the North Broadway Site, the sidewalks in front of the lots fronting North Broadway would be rebuilt in-kind with the same configuration and the sidewalk on Overlook Terrace would be replaced in-kind with the same configuration from the North Broadway Site to Locust Hill Avenue; new ADA ramps would be installed at that intersection.

The Revised Proposed Project is designed to fit into and within an existing downtown that currently serves a large number of pedestrians. The Revised Proposed Project is intended, in part, to capitalize on prior City investments, such as the several phases of the Saw Mill River daylighting, that have enhanced the downtown environment and were undertaken to incentivize private investment in new development. Nevertheless, the existing downtown streetscape could benefit from additional improvements to serve pedestrians and facilitate other means of mobility. Together with the City, the Applicant has prepared a

conceptual illustration of potential future improvements to the pedestrian and streetscape experience in downtown Yonkers. See **Figure 3-6**.

Comment 1-6:

Comments were received regarding the need to provide additional civic spaces within the Project Sites that would serve the future new residents and benefit the existing residents of the City.

The Proposed Project as described in the executive summary has little mention of the need for enhancing or providing new civic space to support the 24/7 community design proposed with the overall project. (Nersinger_031)

The DEIS mentions the Project Sites provide an opportunity for redevelopment that supports urban enhancement activities in the city. Based on the proposed increased density for residential uses, the Applicant should provide a discussion of how opportunities for additional civic space have been evaluated and what opportunities there may be near or within the Project Sites. (Nersinger_031)

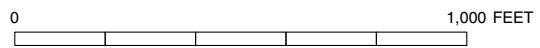
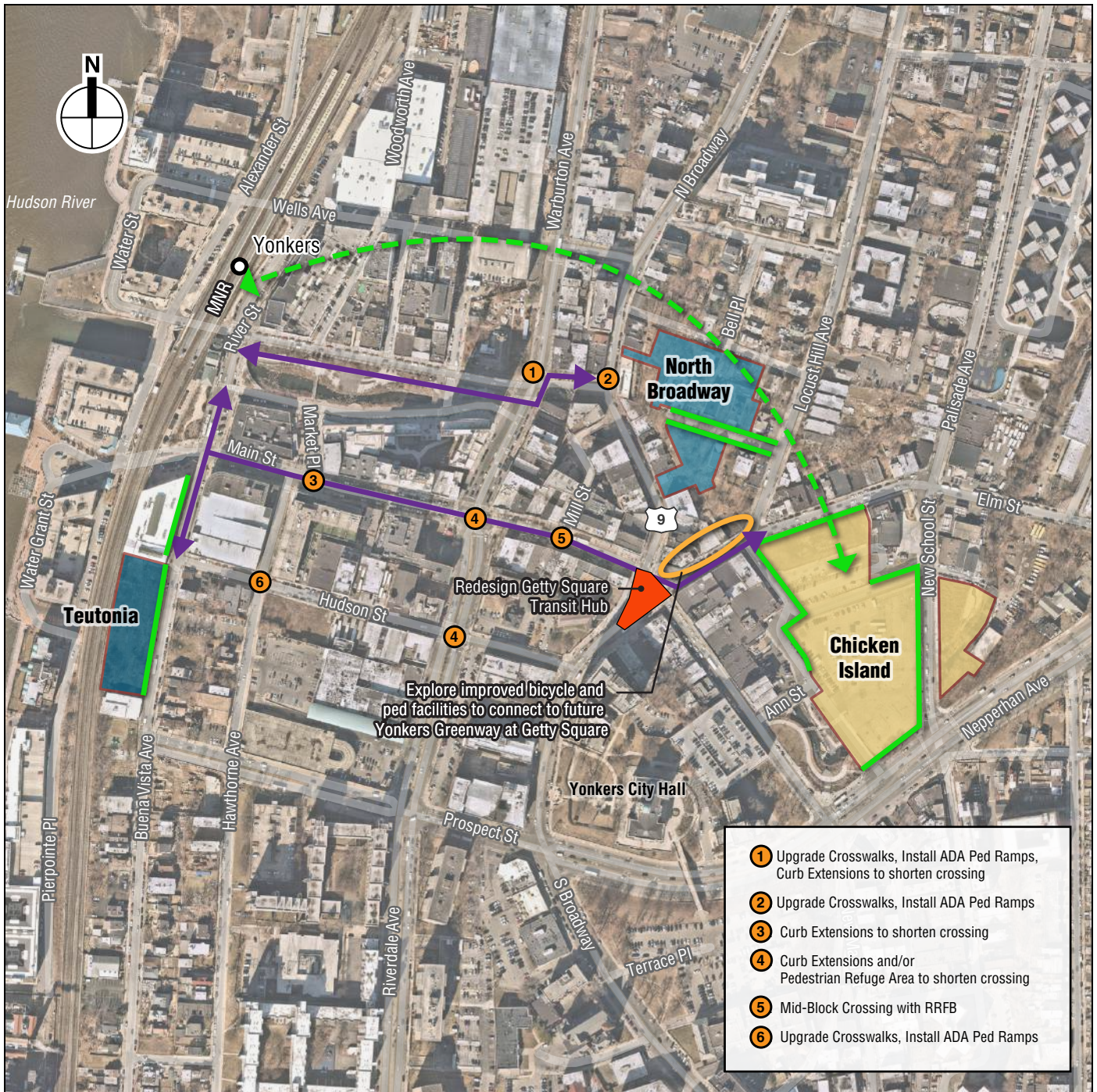
The applicant is proposing an approximately 24% increase in residential density across the three sites and near doubling of allowed height over existing zoning in several locations. There has to be more public amenities offered than a stairway that merely serves to accommodate the project residents and to put the Locust Hill site within walking distance of the train station. (Nersinger_031)

While active ground floor uses are welcomed and supported for the proposed project, there remains a concern for providing appropriate civic space and wider sidewalks for pedestrian activity and travel. What public spaces are being provided? Other than the approximately 3,000 sq. ft. remnant parcel at the former firehouse site there appear to be no public amenities provided. There is no center or gathering space being planned that can be rightfully called a public space. (Nersinger_031)

Response 1-6:

The Revised Proposed Project includes the redevelopment of the underutilized Chicken Island Site. Redevelopment of the former municipally owned public parking lot and former firehouse site has been an objective of the City for decades. Creation of new, active streetfronts, streets and sidewalks, and a vibrant extension of the City's urban fabric would, in and of itself, provide additional civic space. In addition, the Chicken Island Project includes 0.5 acres of pedestrian plazas (not including the standard "sidewalks" of the new blocks) and public open space (see FEIS **Figure 3-1**).

The Revised Proposed Project was designed to fit into and within an existing, infrastructure-rich urban downtown that currently features several civic spaces. The Revised Proposed Project is intended, in part, to capitalize on prior City investments, such as the several phases of the Saw Mill River daylighting, that have enhanced the downtown environment and were undertaken to incentivize private investment in new development.



Project Sites

- Chicken Island
- North Broadway
- Teutonia
- Pedestrian Route between Project Site and MNR
- AMS Yonkers Sponsored Improvements: Sidewalks, ADA Ped Ramps, Crosswalks
- AMS Yonkers Sponsored Improvement: Shuttle
- Further Improvements City Can Explore

Potential Pedestrian, Bicycle and Transit Improvements

Comment 1-7: The DEIS states that the zoning amendments will allow a “more thoughtfully designed ... project that creates public spaces...” Other than the sidewalks that are a necessity to circulation and a benefit to the project itself and with the exception of one small green area on the former Fire HQ site there are no public spaces in the proposed project either at Chicken Island or any of the other sites. (Nersinger_031)

Response 1-7: As described in Chapter 17, “Alternatives,” of the DEIS, and illustrated in Figures 17-3 and 17-4 of the DEIS, under the current zoning, approximately the same number of residential units could be constructed on the Chicken Island Site under the existing zoning as are included in the Revised Proposed Project. However, to meet current zoning requirements a parking podium that encompasses nearly the entire Chicken Island Site would need to be constructed. As a result, the interior streets included in the Chicken Island Project would not be developed. While it is true that the interior sidewalks serve the Chicken Island Project, they also benefit the public by creating an extension of the urban fabric to an area immediately adjacent to the heart of downtown that is currently a vacant parking lot. See also Response 1-5 and Response 1-6.

Comment 1-8: Will any public access to the Saw Mill River be provided in Building 5 site? What clean-up and protection measures are required for the waterbody and its banks? If there are existing erosion issues along the river bank, is new rip-rap required? (Nersinger_031)

Response 1-8: Approximately 3,500 sf of publicly accessible space would be created along the Saw Mill River adjacent to Chicken Island Project Building 5. The Applicant would work with the City on the final design and programming of the Chicken Island Project’s publicly accessible open spaces during Site Plan review. Rip-rap will be provided along the Saw Mill River bank at the location of the proposed Building 5 outfall and would be designed in accordance with any required NYSDEC and/or USACE permits, to be determined during the Site Plan Approval process.

Comment 1-9: Comments were received regarding the nature and amount of commercial office space. Specifically, clarification as to the nature of the office use (e.g., co-working, medical, general) was requested as was information regarding the marketability of the proposed office space.

Need to clarify statements made in the DEIS vs. statements made at the Planning Board work session about the use of the office components in the proposed action. Mark Weingarten noted at the meeting that the office spaces were amenity work center spaces for residential tenants while the DEIS calls these uses as commercial and medical offices. Did the office space move from commercial and medical uses as stated in the document to

an amenity use or “WeWork” model as noted by Mark Weingarten at the Planning Board May 5, 2022 work session? (Nersinger_031)

A lot of office space (30,000 SF) has been included, yet there is no market for such use. The FEIS should justify this use. Is this necessary? What is the impact if office space is converted to residential? The Applicant is proposing co-working space, which is not specified in the DEIS; more information on this should be provided and it should be included in the plans. (Kozicky_020)

Is the creation of second story retail and office space on North Broadway a practical idea? Second story space is always undervalued in the retail market even in the best of locations such as the Manhattan CBD and it goes almost entirely unused in the Yonkers Getty Square Market. (Nersinger_031)

We need to see multiple and substantial evaluations confirming that the addition of 30,000 square feet of new office space in a post-pandemic real estate market (assuming we ever experience a post-pandemic world) is economically feasible, viable, necessary, reasonable. (Hensley_016)

Response 1-9:

Commercial office uses can take many forms (co-working, medical, daycare, etc.). The precise use of the Revised Proposed Project’s office space will not be known until Site Plan review. The Proposed Project’s additional residential population may stimulate the market for office space in the downtown.

Future conversion of office space to residential use is not the intention of the Applicant and would require amended Site Plan approval from the Planning Board.

Comment 1-10:

DEIS states that increased height and density is required to offset high cost of development. Aren’t costs relative and smaller buildings less costly especially when the cost difference between high-rise and other building types are taken into account? If a cost argument is being put forward than a detailed explanation of various cost options of building types permitted under various zoning schemes should be a part of the study to allow a preferred alternative to be selected. (Nersinger_031)

Response 1-10:

Given the dense urban character of downtown Yonkers, building typologies other than mid- to high-rise development are not appropriate on the Project Sites. For example, low-rise, wood-frame buildings, which are typically the least expensive buildings to construct, would not take advantage of the existing access to transit and other downtown amenities as much as high-rise buildings. Once in a high-rise building typology, the fixed costs associated with site preparation and foundations are relatively static and, therefore, amortizing those costs over more floors increases the economic viability of the building. See Response to Comment Gen-9.

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Comment 1-11: In a number of places within the DEIS the statement/argument is forwarded that somehow parking requirements are used as form of density control in the Yonkers zoning (e.g. Page 1-27). Nothing could be farther from the truth. Parking requirements are there to insure adequate parking. Density controls in the downtown are based on height and form and elsewhere in the code by FAR. (Nersinger_031)

Response 1-11: Comment noted.

Comment 1-12: Local recent evidence indicates that recent developments are not achieving rent levels desired by the builder and not at a level equivalent to NYC rentals. How will the proposed action be able to maintain the level of staffing needed to have attended parking work in this environment? (Nersinger_031)

What is the comparative short-term and long term-costs for a developer to provide zoning compliant sub-grade self-parking versus the investment in parking technologies such as stackers that require 24 hour / 7 days a week parking staff or fully autonomous parking garages? Several developers have proposed these technologies in the past in order to demonstrate the off-street parking only to find out later the costs were too great, thus resulting in the need to reevaluate off-street parking with the Zoning Board of Appeals. The scale of the project sites will require successful and maintainable parking plans. (Nersinger_031)

Response 1-12: It is not financially viable to build what could be a six-story subterranean self-parking facility. Staffing levels to serve the attended parking will fluctuate with the needs of the project and will be a value add amenity for a development of this magnitude when managed properly. Lower levels of residential occupancy would require lower levels of staffing for the attended garage.

Comment 1-13: Page 1-23 First paragraph contains a number of statements ascribed to the city as its goals that seem to be more apologies for the developers interests than the city's. Nothing about the current zoning would prohibit any developer from creating an "interior street grid" at the Chicken Island site. An "aesthetically appealing skyline" is strictly in the eye of the beholder, is not a public good. Based upon the current master plan for the downtown area a skyline was not a goal adopted by the City or the persons involved in the plan. (Nersinger_031)

Response 1-13: Comment noted. The Revised Proposed Project is consistent with the City's desired objective of continued downtown revitalization, which is a prominent objective of the 2010 Downtown Master Plan.

ZONING

Comment 1-14: When reviewing the Applicant’s statement that reads “The increase in tower footprint permits a similar density of interior uses in a tower that can include more architectural style and building articulation than would be the case if a smaller building footprint is required”, it brings up concerns for appropriate building stepbacks. For example, Teutonia is proposed with minimal stepbacks that would result in a generally flat appearance for the façade of the building. Statements such as these should be supported in the design of the proposed residential towers. (Nersinger_031)

Response 1-14: Comment noted. The statement quoted is a rationale for the requested zoning change related to tower footprints of the North Broadway Project specifically, which does include a stepped façade. The Teutonia Project includes two towers that have a combined footprint of 24,000 sf, which would be permitted if the Teutonia Site were subdivided into two lots. Therefore, this rationale does not apply to the footprint size of the Teutonia Project. In addition, and as described in FEIS Chapter 1, “Revised Proposed Project,” the towers of the Teutonia Project are proposed to be further stepped back from the façade of the building’s podium than was proposed in the DEIS by an additional 2 feet, for a total stepback of 7 feet for Building 1 and 7 feet 5 inches for Building 2.

Comment 1-15: Page 1-2 at “e” - the proposed zoning amendment related to parking for multi-family dwelling would apply to all of the downtown area not just Chicken Island Site. (Nersinger_031)

Response 1-15: As described in Chapter 1, “Revised Proposed Project,” of this FEIS, the Applicant has revised the Proposed Zoning Amendments such that the change in residential parking requirements would only apply to the Chicken Island Site and the North Broadway Site (see **Appendix C-1** for the text of the Revised Proposed Zoning Amendments).

Comment 1-16: Table 1-4 should contain an additional column showing parking required under existing zoning allowing the reader to compare the proposed actions request. (Nersinger_031)

Response 1-16: With the removal of the public staircase on the North Broadway Site, the Stage 1 building would have its pedestrian access approximately 50 feet farther than ¼-mile. As such, under existing zoning, North Broadway Stage 1 would be subject to the 1 space per unit plus 0.33 per bedroom standard, while the Stage 2 building would remain subject to the 1 space per unit standard as its pedestrian entrance is within ¼-mile of the train station. The Proposed Zoning Amendments would reduce the required

off-street parking for multifamily residential uses of the Chicken Island Project and North Broadway Stage 1 building, from 1 per unit plus 0.33 per bedroom to 1 per unit. The proposed residential parking rate is consistent with the rates applied in other urban environments in Westchester County, including downtown New Rochelle and White Plains. Further, a study of the parking demand in existing downtown residential buildings found that the actual parking demand at those buildings was less than 1 space per unit for buildings within one half-mile of the Yonkers Train Station. FEIS **Table 3-2A**, below, illustrates the difference in parking required for the Chicken Island Project under current and proposed requirements. FEIS **Table 3-2B**, below, illustrates the difference in parking required for the North Broadway Project under current and proposed requirements.

Table 3-2A
Chicken Island Project Parking Requirements

Use	Size	Required Parking Spaces, Current Zoning	Required Parking Spaces, Proposed Zoning Amendments
Residential	2,000 units	2,868	2,000
Retail (1/300 sf)	70,000 sf	234	234
Office (1/500 sf)	17,000 sf	34	34
Total		3,136*	2,267*
Note: Parking provided may be less than required by zoning based on shared parking analyses.			

Table 3-2B
North Broadway Project Parking Requirements

Use	Size	Required Parking Spaces, Current Zoning	Required Parking Spaces, Proposed Zoning Amendments
Residential	650 units	780	650
Retail (1/300 sf)	4,000 sf	13	13
Office (1/500 sf)	13,000 sf	26	26
Total		819	689
Note: Required Parking in current zoning based on 1 per unit plus 0.33 per bedroom for North Broadway Stage 1. North Broadway proposing 768 parking spaces in total.			

TEUTONIA

Comment 1-17: Figure 1-10: Explain full story bulkhead shown on two of the three towers [sic] at this location and the bulkheads shown on each of the other structures in the proposed action. (Nersinger_031)

Response 1-17: The actual bulkhead is much smaller than the typical tower floor. The exterior façade extends above the roof at the perimeter of the building while the bulkhead itself is set back, as shown in the section drawings contained within **Appendix B-2** to this FEIS.

Comment 1-18: If Stage 2 of Teutonia is proposed to be constructed in Phase 3 of the overall project, how much of the total foundation and sub-grade parking will be constructed? Or will the Stage 2 lot area be used as a construction staging area for equipment, supplies, stockpiles, etc.? (Nersinger_031)

Response 1-18: The southernmost portion of the subgrade parking and podium of the Teutonia Project would not be constructed during the first stage of the Teutonia Project. Rather, that portion of the podium and parking south of the southern entrance to the garage would be constructed as part of the second stage of the Teutonia Project. This area of the Teutonia Site would be stabilized between construction stages. At this time, it is not known whether, and to what extent, construction equipment and materials may be stored in this area. The construction logistics diagrams (**Appendix H-2**) illustrate the maximum extent of staging and loading proposed. There is no plan to completely close Buena Vista Avenue for an extended period of time, although temporary closures may be needed during certain utility work as well as other, limited, periods of construction activity. This would be confirmed during Site Plan review.

Comment 1-19: Teutonia – Sidewalk rehabilitation/reconstruction beyond the frontage of the project site recommended to support the needs of commuters to the train station. (Nersinger_031)

Response 1-19: As described in Chapter 1, “Revised Proposed Project,” of this FEIS the Revised Proposed Project includes expansion of the sidewalk along the western side of Buena Vista Avenue roughly from Prospect Street to Main Street. The widened sidewalk will be between approximately 13-foot and 14-foot wide.

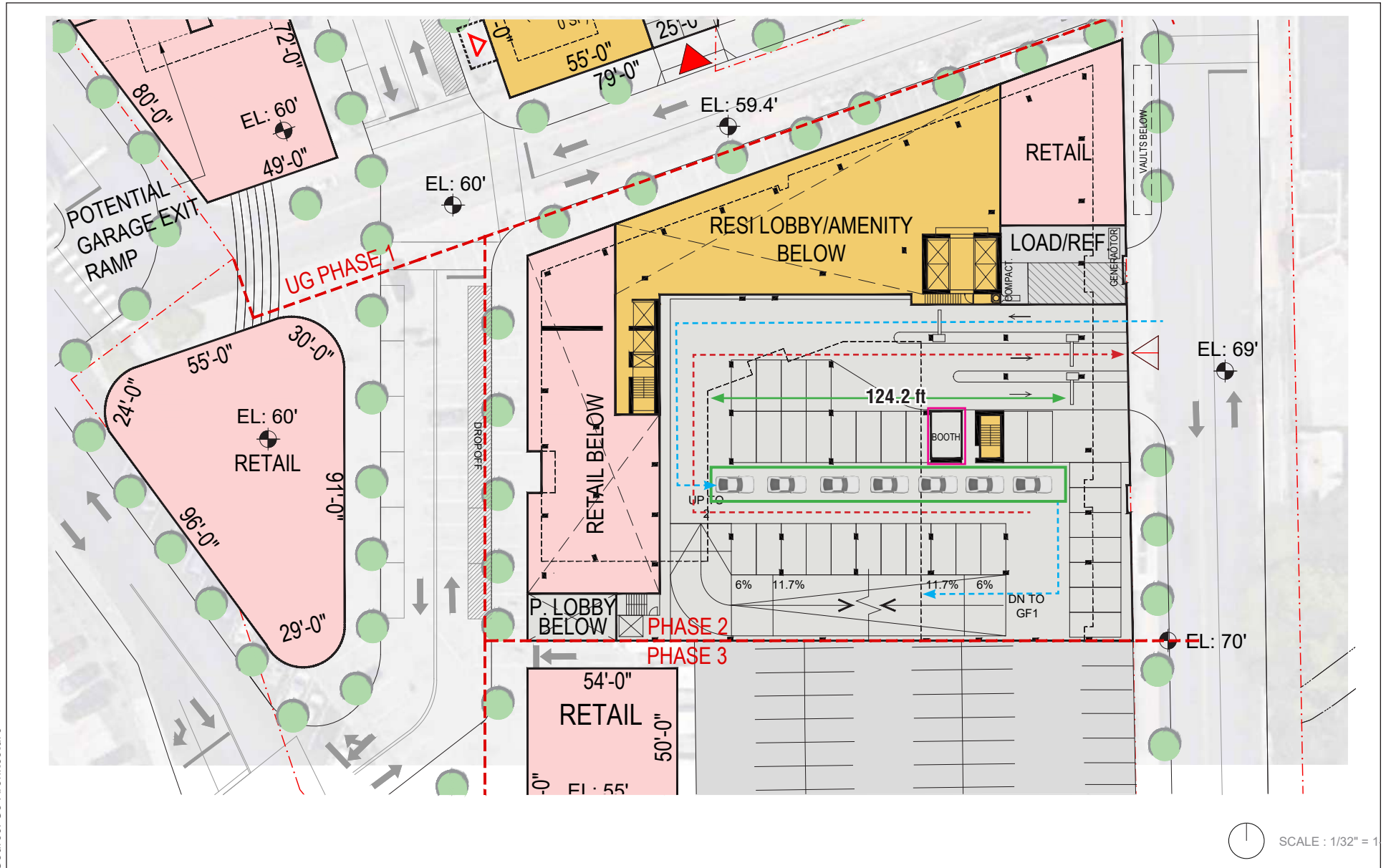
CHICKEN ISLAND

Comment 1-20: Centre Street – understand that this is for discussion purposes only at this time, but we have not permitted homophone street names in the last 10 years for public safety reasons. There are already three streets in the city with center or central in the name. (Nersinger_031)

Response 1-20: Comment noted. The Applicant will propose a different street name for “Centre Street” as part of Site Plan Review.

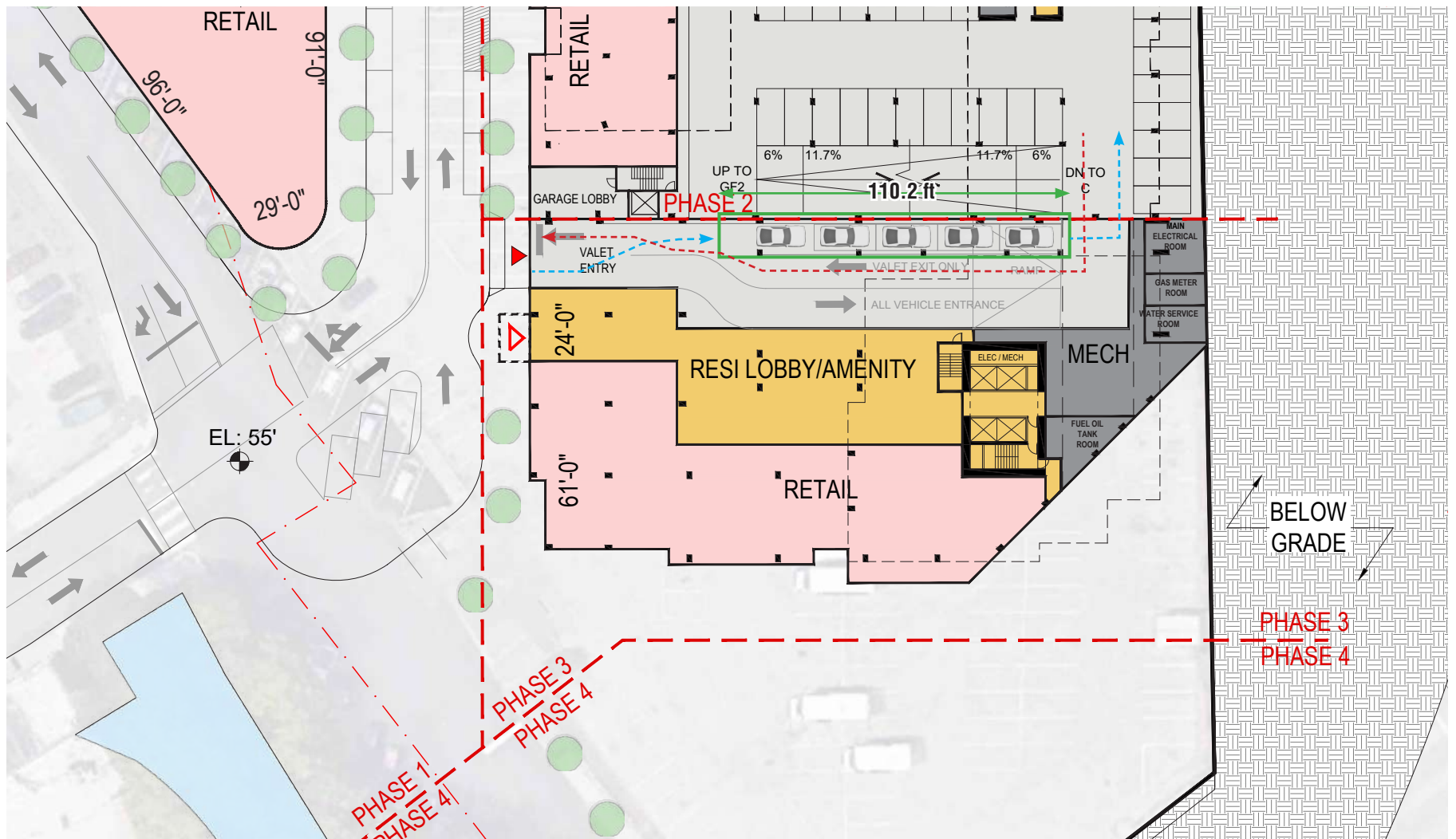
AMS Yonkers Downtown Development

- Comment 1-21:** Will “Centre Street” be a public street? How will building be built over a public ROW if so? (Nersinger_031)
- Response 1-21:** “Centre Street” will be a publicly accessible private road with access easements for utilities.
- Comment 1-22:** Proposed valet parking should not use parking lanes and streets to accommodate the queueing that should be available inside the garage. The proposal to queue and then drive to an entrance fully around the block needs to be rethought. (Nersinger_031)
- Response 1-22:** Queuing for the proposed attended and automated garages would not occur on the streets or in parking lanes. **Figures 3-7 and 3-8** illustrate the location of the proposed attended and automated garages, as well as indicate the areas proposed to be used for queuing, including the queue length in feet and approximate number of cars. Chicken Island Phase 2 will have an internal queuing length of approximately 124 feet, or six to seven vehicles. Chicken Island Phase 3 will have an internal queuing length of approximately 110 feet, or five to six vehicles. Additional queuing capacity could be utilized on the levels above/below the vehicular entrances.
- Comment 1-23:** Fig. 1-30 Attended parking proposal. This layout seems impossible even under best possible machine learning scenario where cars are placed based upon learned need of owners. There needs to be space to maneuver cars and they cannot be stacked like Lego blocks. A more realistic arrangement, or a clearer explanation of how the robo-parking system will work, must be produced with sufficient staging area for waiting cars. (Nersinger_031)
- Response 1-23:** The conceptual parking layouts provided in the DEIS have been refined. The updated layouts are shown in **Appendix B-4**. As noted therein, the refined parking layouts provide the same number of parking spaces as the conceptual layouts included in the DEIS.
- Comment 1-24:** Fig 1-48 Important to note that “BOH” – Back of House – is parked at same rate as the use that it is associated with. (Nersinger_031)
- Response 1-24:** Comment noted. The space labeled “BOH” in the referenced figure is for parking, loading, and mechanical equipment.
- Comment 1-25:** Henry Herz Street is not the western boundary of Chicken Island. It extends only a part of the way into the site from Nepperhan Avenue, no farther than the current water wheel in the adjacent park. From there to



- Parking Attendant Booth
- Enter
- Queuing Area
- Exit

Chicken Island Proposed Attended Garages - Phase 2
Figure 3-7



SCALE : 1/32" = 1'

- Queuing Area
- - - - - Enter
- - - - - Exit

Chicken Island Proposed Attended Garages - Phase 3
Figure 3-8

the north the boundary of the site are the rear property lines of the lots facing New Main Street. (Nersinger_031)

Response 1-25: Comment noted.

NORTH BROADWAY

Comment 1-26: Calling the site substantially located in the Locust Hill Avenue neighborhood the “North Broadway site” distracts from the impacts that occur to the medium scale neighborhood on top of the hill and away from North Broadway... The “North Broadway Site” should more properly be called “Locust Hill Site” to make clear that the vast majority of the development relates to the Locust Hill medium density residential community and not to the Downtown and Broadway/Getty Square areas. (Nersinger_031)

Response 1-26: Comment noted. The retail and office uses proposed would front on North Broadway, which is why the Site was named the “North Broadway Site.” In addition, a lower, pedestrian-oriented lobby would be located on North Broadway for each of the two residential towers proposed. The North Broadway Site would contribute to the existing pedestrian activity on North Broadway, Getty Square, and downtown more generally. This is true despite the removal of the public pedestrian staircase and one of the retail buildings included in the DEIS. The vehicular entrance for the two towers would be from Overlook Terrace, which is accessed from Locust Hill Avenue. The DEIS, and this FEIS, evaluate the potential impacts associated with the construction and operation of the North Broadway Project, including the buildings “on top of the hill” primarily through visual impact studies.

Comment 1-27: What will the impact of the two residential lobbies and commercial spaces be on the congested traffic situation on North Broadway? Are the residential addresses to be North Broadway or their Locust Hill/Overlook/Baldwin Place addresses? Addressing the building on North Broadway will have a significant delivery service (Fed Ex, UPS, Prime, etc.) impact. (Nersinger_031)

Response 1-27: The residential lobbies on North Broadway would be primarily for pedestrians, and also for deliveries serving the street-level commercial/retail uses. Residential deliveries would only be accepted at the “upper” residential lobbies, accessed from Overlook Terrace. The scale of the commercial uses that would be served by deliveries at the North Broadway lobbies is consistent with current uses in this corridor and deliveries to this use would not be anticipated to have a material impact on traffic on North Broadway, which would be confirmed during

Site Plan review and approval based on the final retail or commercial uses proposed.

Comment 1-28:

Comments were received regarding the proposed pedestrian staircase that would connect North Broadway and Overlook Terrace. The Westchester County Department of Planning expressed support for the staircase and requested additional information about its maintenance. The Yonkers Planning Department opined that the staircase was impractical and could lead to public safety and security concerns.

With respect to the subject application, we are encouraged that the DEIS states the developments would follow the City's Complete Streets policy, especially as a new street network is proposed within the Chicken Island site. We also commend the Applicant for including multiple pedestrian connections, most notably within the Chicken Island and North Broadway sites. Of special note is the proposed staircase connecting North Broadway to Overlook Terrace, which could prove to be a unique asset visually extending the Mill Street Daylighting park while providing a step-street connection to the neighborhood on top of the hill. As the staircase would be privately owned, more information should be provided regarding access, programming, maintenance, and whether the Applicant plans to close the staircase overnight. (Drummond_007)

The proposed stairway from North Broadway to the Locust Hill/Bell Place neighborhood is understandable from an architect's design perspective but seems to the Planning Bureau as impractical given local knowledge and conditions. The design seems to defy concepts of "defensible space"; it has a dog-leg design not allowing one to surveil the entire area from the top or bottom, it has terraces that would allow persons to hide out of view of users of the stairs and the city has closed several identical "stair streets" because of maintenance and public safety concerns. It is also a concern that design elements like this tend to be "given" to the city when private maintenance becomes too expensive for the private owner. If the stairway is to be a public access feature connecting Broadway to the Locust Hill neighborhood will the private elevator be kept open at all times to the public? (Nersinger_031)

Response 1-28:

Due to concerns regarding security and maintenance, the Applicant has eliminated the proposed staircase at the North Broadway Site. Elimination of the staircase also reduces the impact on the State/National Register (S/NR)-eligible Yonkers Downtown Historic District by obviating the need to remove the building at 28 North Broadway, which is a contributing building to the S/NR-eligible Yonkers Downtown Historic District.

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

LAND USE

Existing Conditions

Comment 2-1: Nepperhan Avenue and Riverdale Avenue are more properly noted as urban renewal [roads than “boulevards”]. (Nersinger_031)

Response 2-1: Comment noted.

Comment 2-2: Bell Place is a National Register Historic District and has not received local designation under the Yonkers Landmarks Preservation ordinance. (Nersinger_031)

Response 2-2: Comment noted.

Comment 2-3: Industrial uses on School Street? Automotive and retail, there is a cinematographer’s studio, but to characterize School Street as industrial is incorrect. (Nersinger_031)

Response 2-3: Comment noted. There are not industrial uses on School Street.

Comment 2-4: Cromwell Tower is an outlier in terms of design and density in the Locust Hill Avenue neighborhood and is a left over from the worst of urban design fostered under private low-income housing production. The higher density developments on Main Street and along the Hudson River are unrelated to the Locust Hill neighborhood, separated by distance and topography, exhibiting a typical separation between uses in hilly Yonkers. (Nersinger_031)

Response 2-4: Comment noted. The proposed residential towers of the North Broadway Project are intended to relate to North Broadway, Getty Square, Main Street, and the broader downtown area by providing a direct pedestrian connection from the residential buildings to North Broadway via a residential lobby on North Broadway for each tower.

Comment 2-5: It is important to note that the “large government office building” [the Department of Social Services on Warburton Avenue] is a low-rise building. (Nersinger_031)

Response 2-5: Comment noted. The four- to six-story building has a footprint of more than 106,000 sf.

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Future Without the Proposed Project

Comment 2-6: A chart that references future/pending/in-progress developments should be provided. A table with these other pending/in-progress developments should be used for point of reference in other chapters beyond land use (i.e., for height comparisons). (Forsberg_021)

Response 2-6: A list of projects that are anticipated to be constructed in the future with or without the Proposed Action is included as DEIS Table 2-1. This list was generated by the City’s Planning Department. Based on information received from the Planning Department subsequent to the publication of the DEIS, the table has been updated and is provided as **Table 3-3** below (updates shown in red). The table also includes the anticipated height of the buildings.

**Table 3-3
Future Development in Land Use Study Area**

Project Name	Units / Size	Height (stories)	Type	Location	Status
Avalon Bay	606	6	Multifamily	79-91 Alexander Street	Complete
Extell	1,395	6	Multifamily	Alexander Street	Approved; first phases in construction
Altman Lighting/ Rose	440	6	Multifamily	57 Alexander Street	Approved; in construction
GDC (1)	35	4	Multifamily	70 Pier Street	In SEQRA Review (Ludlow GEIS)
GDC (2)	356	6 (multiple buildings)	Multifamily	150 Downing Street	In SEQRA Review (Ludlow GEIS)
Alma Realty	128	8	Multifamily	70 Jackson Street	In construction
St. Joseph's Housing	80	7	Supportive and affordable housing	School Street	In construction
Hudson Regency	126	5	Multifamily	86 Buena Vista	Approved; in construction
Westhab	113	6	Affordable Housing	Locust Hill Avenue	Approved
Westhab II	63	6	Supportive and affordable housing	227 Elm Street	Complete
Lionsgate Studios	110,000 sf	3	Studio and Backlot (60k sf and 50k sf)	iPark	Nearing completion
9-11 Riverdale	29	9	Multifamily	9-11 Riverdale Avenue	Approved; in construction
Conifer	146	3 / 6 (two buildings)	Multifamily	Ravine Avenue and Gold	In construction
320 Nepperhan	--		Self Storage	320 Nepperhan	Approved
Riverdale Self Storage	--	8	Self Storage	390 Riverdale Ave	Approved; in construction
St. Denis School	--	4	Convert former parochial school to public school	121 McLean Avenue	In construction
Charter School for Educational Excellence	400	4	High School for 400 Students	Warburton and Lamartine	Approved; in construction
222 Lake Avenue	--	5	Mixed Uses	222 Lake Avenue	Exterior only; in construction
44 Hudson Street	300	25	Multifamily	44 Hudson Street	Variances granted
Adira Rehab / St. John Hospital	--	3	Zone Change	Medical Office / Dialysis (120 Odell, 951/967 Broadway)	Zone change granted; site plans expected
Chicken Island Brewery		6	Brew pub; restaurant	57 Alexander	Site plan approval extended
The Plant	159,000 sf	3/3/5 (3 structures)	Catering and Office	Glenwood Power Plant	No formal application submitted
70 Ashburton Avenue	70	7	Multifamily	70 Ashburton Avenue	Occupied
10 St. Casimir Avenue	68 beds	3	Men shelter/day prog	10 St. Casimir Avenue	ZBA approvals granted

Comment 2-7: The DEIS states that either the Chicken Island site or the New School street site would remain as is or vacant without the project. Existing zoning for both sites allows 250-foot high development at both sites, among the densest allowed anywhere in Westchester County. It would be accurate to say future development would be under existing zoning. (Nersinger_031)

Response 2-7: As required by the DEIS Scope approved by the Planning Board, and for the purposes of consistency with SEQRA regulations, the “Future Without the Proposed Project” addresses future environmental conditions unrelated to the development of a proposed action at the point of time at which the proposed action would be finished so that the potential impacts of the proposed action can be compared to the impacts of the other actions. As such, this condition addresses mainly changes in conditions *off* of the Project Sites.

As is stated in the DEIS, it is correct to say that the Project Sites could be developed in accordance with the existing zoning. In fact, as required by SEQRA and the adopted DEIS Scope, the potential environmental impacts of this scenario are analyzed in Chapter 17, “Alternatives,” of the DEIS.

Potential Impacts of the Proposed Project

Comment 2-8: Comments were received regarding the potential influence of the Proposed Action on the development potential of other sites within the downtown. Specifically, comments were made stating that “amendments to the zoning and Downtown Master Plan to allow the proposed development will set a precedent for future developments.”

The impact of the proposed amendments and their influence on the development of other sites in the downtown needs to be included in the analysis... How many other sites within the downtown could be developed in this manner? Amendments to the zoning and Downtown Master Plan to allow the proposed development will set a precedent for future developments. What are the cumulative impacts?... The FEIS should include an analysis of the larger impact of Master Plan and zoning amendments for Downtown Yonkers. (Yackel et al_009)

If the proposed zoning amendments were applied to other sites substantially contiguous to Teutonia, how would a future build out of the area impact the narrow street of Buena Vista Avenue? Dense settings in other city settings provide a wider streetscape. What recommendations could be outlined in an amended Downtown Master Plan to support redevelopment that would be anticipated from the Proposed Project as the catalyst? (Nersinger_031)

If this becomes a catalyst for redevelopment in this area, what future mitigations and/or infrastructure improvements would be recommended along Buena Vista to support similar projects? (Nersinger_031)

Given that the proposed zoning map changes are not granted as a part of an overall rezoning scheme, discuss the impact of potential precedent for other zoning and variance requests in the downtown area. The proposed amendments, if granted, will not exist in a vacuum and will undoubtedly be used as justifications for zoning variances. Discuss the potential impacts that these amendments will have on soft sites in the downtown. The proposed zoning changes designed to work only on three sites owned by the applicant will have a precedent setting impact upon development elsewhere in the downtown. Already the variance granted for the 44 Hudson Street project has been brought up in discussions with other developers. (Nersinger_031)

What other potential off-site impacts could be discussed other than parking when reviewing the Proposed Zoning Amendments? Pedestrian friendly designs, greenspace, etc. (Nersinger_031)

Response 2-8:

The Revised Proposed Zoning Amendments would only apply to sites of a certain size and certain distance from the train station. The Project Sites are the only sites, currently, to which the Revised Proposed Zoning Amendments would apply. It is possible that other parcels may, in the future, be assembled to meet the criteria set forth in the Revised Proposed Zoning. The future development of those Sites would be subject to site-specific zoning and SEQRA reviews.

The Proposed Action may incentivize the redevelopment of other sites proximate to the Project Sites under the existing zoning requirements and may also incentivize certain property owners to request variances or zoning amendments to facilitate projects that are larger than currently permitted. The nature and extent of such future, hypothetical, development cannot be known at this time. Other future developments would be subject to its own site-specific SEQRA review.

SEQRA is not intended to, and cannot, address every possible future scenario. Speculation about possible future assemblages of property in the downtown that potentially could be developed in accordance with the Proposed Zoning Amendments is beyond the reasonable scope of SEQRA review of this Proposed Action.

Comment 2-9:

Why are no mitigation measures needed for land use? What does mitigation mean in the context of land use? (Forsberg_021)

The DEIS concludes that the land uses found on Locust Hill Avenue and those found elsewhere in the study area are similar and thus no impacts are seen and no mitigation is needed. The DEIS ignores the difference in scale between the areas and the impacts that scale has in zoning. Residential is residential but there is a qualitative and design difference ignored in the document between low and medium density/height residential and high density/high rise residential. (Nersinger_031)

Response 2-9: The uses of the Revised Proposed Project (i.e., multifamily residential, commercial/retail, commercial office, and off-street parking) are currently permitted on the Project Sites and are the same as the uses surrounding the Project Sites. That is to say, the Revised Proposed Project does not include a use that is inherently incompatible with neighboring uses (e.g., industrial or manufacturing uses). However, the Proposed Action includes uses of a scale (e.g., height and bulk of buildings) that are not currently permitted. Impacts related to the scale of these uses is addressed in the DEIS and this FEIS and mitigation measures are identified. These analyses include visual simulations.

ZONING

Comment 2-10: Rezoning - The Applicant is asking for zoning text and map amendments which are discretionary approvals under the law. A discretionary approval requires an appointed or elected body of officials, in this case the City Council, to decide whether or not to proceed with a development. The goal of a discretionary approval process is to determine whether a development proposal is worthy of entitlement, or the right to proceed with development and construction. (Yackel et al_009)

Response 2-10: Comment noted.

Comment 2-11: The City underwent a public master planning process for its downtown in 2010 with the preparation of the Downtown Yonkers Master Plan and the accompanying Downtown Zoning Amendments which were analyzed in a Generic Environmental Impact Statement (GEIS). The Master Plan was developed through extensive public outreach and the heights and densities ultimately adopted by the City Council under the Zoning Amendments were supported by a public vision and detailed analysis. The current project includes amendments to the 2010 Master Plan. The Applicant should provide a detailed summary comparing the existing zoning standards to the proposed amendments. A zoning summary table may be helpful to the reader. Any significant changes should be discussed in detail regarding potential impacts. (Yackel et al_009)

Response 2-11: A zoning summary table comparing the existing zoning regulations and the Proposed Zoning Amendments for each Project Site is provided in **Table 3-4**. The impacts of the Proposed Action, including the Proposed Zoning Amendments, are analyzed in the DEIS and this FEIS.

**Table 3-4
Zoning Summary**

	Teutonia		Chicken Island		North Broadway ¹	
	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
Building Height	66 ft podium – south 250 ft tower – north	435 ft	250 ft – south 100 ft – northern portion within 80 ft of Palisade Ave	400 ft	100 ft for parcels in D- MX District on Overlook and Baldwin 66 ft – lots fronting North Broadway 60 and 45 feet for A- District Zoned parcels	300 ft
Building Coverage	100%	No change	100%	No change	100% in D-MX District 40% in A District	No change (D-MX) A-District rezoned to D-MX
Parking	1 space per dwelling unit 1 space per 300 sf retail/commercial 1 space per 500 sf office	No change	1 space per dwelling unit + 0.33 spaces per bedroom 1 space per 300 sf retail/commercial 1 space per 500 sf office	1 space per dwelling unit 1 space per 300 sf retail/commercial 1 space per 500 sf office	1 space per dwelling unit for D-MX within ¼ mile of train station (e.g., Stage 2). Outside ¼ mile add 0.33 space per bedroom (e.g., Stage 1) 1 space per 300 sf retail/commercial 1 space per 500 sf office	Stage 1 North Broadway: 1 space per dwelling unit Stage 2: No change
Tower Footprint	12,000 sf for residential 20,000 sf for nonresidential	24,000 sf aggregate for 2 residential towers	12,000 sf for residential 20,000 sf for nonresidential	38,000 sf per residential tower; 80,000 sf aggregate up to 250 ft height; 28,000 sf aggregate from 250 ft to 400 ft height in 6 towers	12,000 sf for residential 20,000 sf for nonresidential Towers not permitted in A-District	13,000 sf per residential tower, 26,000 sf aggregate for 2 towers
Affordable Housing	10% of units in development with 100+ units (payment in lieu permitted for up to 5%)	No change	10% of units in development with 100+ units (payment in lieu permitted for up to 5%)	No change	10% of units in development with 100+ units (payment in lieu permitted for up to 5%)	No change
Notes: ¹ Lots 8, 25, and 79 within the North Broadway Site are proposed to be rezoned from A to D-MX						

Comment 2-12: Land Use and Zoning – What is the FAR of each of the proposed buildings? (Yackel et al_009)

Response 2-12: The proposed FAR for each Project Site is provided in **Table 3-5** below.

**Table 3-5
Floor Area Ratio**

Site	Lot Area (sf)	Gross Floor Area (sf)	FAR
Teutonia	49,658	1,077,089	21.7
Chicken Island	228,690	2,173,597	9.5
North Broadway ¹	86,026	726,184	8.4
Note: ¹ Calculations are based on the revised North Broadway Project Site and the revised North Broadway Conceptual Plans, included as Appendices B-10 and B-11.			

Comment 2-13: Potential off-site impacts discussing reduction in off-street parking, “...it is the Applicant’s opinion that these changes will not materially change the development potential of other sites within the downtown.” Opinion is not the standard for DEIS review. This should be studied and the impact quantified. There is at least one project that is soon to be proposed that would be impacted by a change in parking standards. The proposed zoning amendment on parking would allow less parking on sites other than those owned by the applicant. There needs to be a discussion of the impact upon the downtown of the zoning amendment and other developable sites. (Nersinger_031)

Response 2-13: As described in Chapter 1, “Revised Proposed Project,” of this FEIS, the Applicant has amended the Proposed Zoning Amendments such that the change in residential parking requirements would only apply to the Chicken Island Site and the North Broadway Site (see **Appendix C-1**).

Comment 2-14: Confirm if any changes to Downtown Loading Space ratios is proposed. (Nersinger_031)

Response 2-14: No changes to Downtown Loading Space ratios are proposed.

Comment 2-15: Is there any analysis of the requested changes to the retail parking ratios and impacts on downtown traffic and parking? (Nersinger_031)

Response 2-15: No changes to the retail parking ratios are proposed.

Comment 2-16: Provide the reader with the current definition of a “Designated Development Site” under Section 43-8 of the Zoning Ordinance. (Nersinger_031)

AMS Yonkers Downtown Development

- Response 2-16:** Section 43-8 of the City of Yonkers Zoning Ordinance currently defines “Designated Development Site” as: “In the CB or GC Zone District, a tract having 10 or more acres of area in the aggregate and comprised of one or more parcels and/or lots may be designated by the City Council as a single ‘designated development site.’”
- Comment 2-17:** Please explain what would be allowed to happen in a designated development site. The section gives some history, as the earlier iteration of this zoning tool has no connection to this project. The fact that the City Council approved something in the past, a different project, still requires explanation of the current use. Please provide a project-based explanation of exactly what impacts/changes to the sites would occur with the proposed zoning amendment to Designated Development sites. Real world, site-based explanation because the paragraph supplied does not explain what happens if the DD is put into use. (Nersinger_031)
- Response 2-17:** As proposed, the designation of a “development site” by the City Council would follow site plan approval by the Planning Board, and it would allow the lot and dimensional requirements of the DM-X District to be applied to an entire tract in the D/MX District comprised of one of more lots having 1.75 or more acres or area in the aggregate and located in the maximum height district shown on “Map B: Height District Map” of the City Zoning Ordinance, rather than to any of the individual lots which comprise the designated development site or any of the individual lots into which the designated development site is subdivided. The purpose is to give developer/owners of large-scale, multi-component projects in the D/MX District flexibility to finance and transfer individual components on separate lots, subject to the zoning regulations applicable to the designated development site as a whole. The principal effect would be to allow the height of a building on a designated development site to continue to conform to D-MX District requirements even if the subdivided lot on which the building is located is smaller than would otherwise be required for a building that high.
- Comment 2-18:** Regarding the Applicant’s proposed method for compliance with the current Affordable Housing Ordinance, it may be beneficial to explain the purpose of the Affordable Housing Trust Fund based on the definition in §43-192 of the Zoning Ordinance. (Nersinger_031)
- Response 2-18:** Pursuant to §43-192 of the Yonkers Zoning Ordinance, the “Affordable Housing Trust Fund (AHTF)” is defined as “A trust fund created for the use of receiving funds from developers required to provide affordable housing units that have been granted the option of paying into the AHTF in lieu of developing the required number of affordable units. The AHTF

shall further the purpose of the renovation, rehabilitation, and/or remediation of units and infrastructure dedicated for affordable housing.”

Comment 2-19: Per the Westchester County Planning Board Response Letter, YON 22-002, dated April 18, 2022, there is a noted concern for the proposed use fee-in-lieu AHO units to that would allow lower percentage of AHO units to be physically constructed under the Proposed Action. An explanation of why the Applicant believes providing the full 10% of AHO units for the 3,556 unit project creates a potential adverse impact to the overall project should be discussed. (Nersinger_031)

Response 2-19: The Revised Proposed Project would comply with the current affordable housing requirement Article XV of the Yonkers Zoning Ordinance. Article XV currently requires 10 percent of the total number of units to be affordable, but allows for the AHTF committee to authorize a payment-in-lieu for up to half of the required units within a project.

Comment 2-20: The DM-X zone does not allow 100% lot coverage for residential uses. (Nersinger_031)

Response 2-20: Comment noted.

Comment 2-21: The Findings Statement that was a part of the 2011 Downtown Master Plan and downtown zoning revisions were made specifically for the projects and zoning contained in those documents and that review. The use of quotes from those findings makes it appear as if the current proposed project is being granted approvals based upon earlier study. (Nersinger_031)

Response 2-21: Comment noted.

Comment 2-22: It is important to understand that the UR-HD zoning was created and placed as only a means to not have the Riverview I & II buildings become non-conforming. Built under the supra-zoning authority of the NYS Urban Development Corporation in the early 1970’s these buildings do not represent choices that Yonkers made for its zoning either in the 1970’s or in the 2011 rezoning. (Nersinger_031)

Response 2-22: Comment noted.

Comment 2-23: What is the functional relationship between the proposed amendments connection of permitted building height to site size? Given that all sites are effectively built out to 100% of the land area, there is no density, “light and air”, or other relationship except [sic]. (Nersinger_031)

AMS Yonkers Downtown Development

- Response 2-23:** The Proposed Zoning Amendments would permit certain building heights based on a combination of lot size and distance from the Yonkers Train Station. As the distance from the train station increases, so does the minimum lot size required. Limiting the proposed increases in height to larger parcels encourages catalytic development projects on certain targeted parcels that are critical to the continued revitalization of downtown Yonkers. Further information about the Purpose and Need of the project is in Chapter 1 of this FEIS, as well as Response to Comment Gen-9.
- Comment 2-24:** Detail the current maximum permitted height of the three “A” zoned lots at the Locust Hill/Overlook site in feet so that a better comparison can be made to the proposed height under the proposed amendment. One and a half times street width is not a usable comparison to the reader. (Nersinger_031)
- Response 2-24:** As stated in the DEIS page 2-16, “Maximum permitted buildings heights are 35 feet (or 2.5 stories) for single- and two-family residences, and one-and-a-half times the width of the street right-of-way for multifamily and nonresidential buildings. For Lots 8 and 25, this would be equal to approximately 60 feet. For Lot 79, this would be equal to a maximum height of 45 feet.”
- Comment 2-25:** It is not clear what the “greater design flexibility” is or what it accomplishes on the Chicken Island site. (Nersinger_031)
- Response 2-25:** As stated in the DEIS, “without the proposed amendments, wider and shorter residential towers could be constructed.” As demonstrated in Figure 17-3 of the DEIS, a total of seven 250-foot-tall residential towers could be constructed on the Chicken Island Site pursuant to the current zoning. The Revised Proposed Project, on the other hand, includes five residential towers, three of which are a maximum of 250 feet and two of which rise to 400 feet. By increasing the allowable height of the towers, additional space on the Chicken Island Site can be allocated to new through streets, public sidewalks, and plazas, while maintaining the residential density otherwise permitted by the current zoning.
- Comment 2-26:** Show a range of alternate tower sizes and the urban design impact of those towers between the existing size and the applicant’s proposed size. (Nersinger_031)
- Response 2-26:** As required by the adopted DEIS Scope, the DEIS includes an analysis of the potential impacts of development under the existing zoning and compares those impacts, including potential visual impacts, to the

potential impacts of development of the Proposed Action. The alternatives addressed in the DEIS conform to the adopted DEIS Scope.

Comment 2-27: Discuss the relationship between tower footprint and “architectural style and building articulation” and why more slender and shorter buildings cannot have “architectural style and building articulation”. (Nersinger_031)

Response 2-27: The quote from the DEIS relates specifically to the design of the North Broadway Project towers. The Proposed Zoning Amendments would allow a residential tower with a 13,000-sf footprint, as opposed to a 12,000-sf footprint on the North Broadway Site. This modest increase in tower footprint allows the Applicant to achieve a similar residential density to a 12,000-sf tower of the same height in a building that includes more architecturally significant stepbacks, tapering, and other articulation.

Comment 2-28: The word “reasonable” is worth judicious consideration by everyone at AMS and Yonkers City Hall in connection with the proposed projects outlined in this DEIS. I participated in the process that led to the finalization of the 2010 Downtown Yonkers Master Plan, which was created in consultation with thousands of shareholders and approved by City Council. It is not reasonable for the developers to expect wholesale rewriting of the zoning amendments so carefully deliberated at that time. (Hensley_016)

Response 2-28: Comment noted.

PUBLIC POLICY

Comment 2-29: The concept of creating mixed-use developments in downtown Yonkers is generally consistent with the County Planning Board’s long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995. This proposal would revitalize a number of vacant or underused properties, and create much needed housing in an area well serviced by mass transit and local services. The addition of ground-floor commercial spaces would also help activate additional blocks of streetscape with pedestrian-friendly uses. (Drummond_007)

Response 2-29: Comment noted.

AMS Yonkers Downtown Development

Comment 2-30: Similar to the City’s efforts with the Saw Mill River daylighting project have served as the catalyst for this next round of downtown redevelopment, we believe this application could serve as the possible catalyst for even more development in the future. While the County Planning Board is supportive of a trajectory of growth that focuses on downtown Yonkers, we urge the City to consider a few broader topics that can help influence the downtown environment as it changes. Our views on these matters have been shaped by our review of the similar downtown development expansions in White Plains and New Rochelle. (Drummond_007)

Response 2-30: Comment noted.

Comment 2-31: We note that the proposed zoning and master plan amendments would permit building heights and footprints that are double or more in size than currently permitted. These drastic changes could redefine the landscape and skyline of the downtown and act as a precedent for future zoning change requests. In addition, the proposed Teutonia Site building would be one of the tallest buildings in Westchester County, as well as the tallest building along the Hudson River between 72nd Street in Manhattan and Empire State Plaza in Albany.

The DEIS states that the increased height and bulk of the proposed buildings “is necessary to offset high costs of development of these transformational and catalytic projects, including costs to construct the complex and expensive foundations for both the Teutonia Project and the North Broadway Project and to provide the public amenities as part of the North Broadway Project.” However, it can also perhaps be argued that these site conditions are an indication that these sites are not suitable for such large scale development, and perhaps the City’s existing zoning is more appropriate. In addition, we point out that the granting of increased density is typically considered as a way to balance developer and municipal needs. Increased density often depends on the provision of additional affordable housing, public spaces, or infrastructure upgrades. We recommend the City give this consideration as the application continues. (Drummond_007)

Response 2-31: Comment noted. As discussed in Chapter 17, “Alternatives,” of the DEIS, under the Chicken Island Site’s existing zoning, approximately the same number of residential units and commercial/retail space could be constructed as is proposed by the Applicant. Under the existing zoning, the proposed office space component would be reduced, and nearly 50 percent more parking spaces would need to be constructed on-site. In addition to revitalizing several key sites in downtown that are vacant or underutilized, the Revised Proposed Project would result in numerous

upgrades to the City's infrastructure and would provide several community benefits, including the extension of the City's urban fabric into the Chicken Island Site, the widening of the sidewalk along Buena Vista Avenue from Prospect Street to Main Street, as well and provision of public open space adjacent to Phase III of the daylighted Saw Mill River.

Comment 2-32: How are wider towers on taller bases consistent with the city's comprehensive plan recommendations to reinforce the importance of views of the waterfront? The wider Teutonia towers by definition will take up more of the visual field of anyone upland looking to the river and from some angles create a slab building effect. The Downtown master plan proposed limited tower sizes to promote an elegant and relatively narrow tower on an appropriate base. The proposed Teutonia buildings are visually one slab sided tower when viewed from any direction except at a 90-degree angle to the buildings. (Nersinger_031)

Response 2-32: The Proposed Zoning Amendments would not change the permitted height of a tower's podium, which would remain at 66 feet. With respect to the Teutonia Site, the Proposed Zoning Amendments would allow for two towers with a combined footprint of 24,000 sf as opposed to a maximum of 12,000 sf per tower per lot. Given the size of the Teutonia Site, it would be feasible to subdivide into two lots and construct two towers, one on each lot. The Proposed Zoning Amendments would obviate the need to subdivide the Teutonia Site in order to build two towers by allowing for the same cumulative footprint on one lot.

Comment 2-33: The proposed action is neither supported nor consistent with the Greenway Strategic Plan. This document is a strategic planning document for the use of the council that would help to forward the Greenway concept. Nothing in this document speaks to land use planning or anything related to the proposed action. This applies to the Greenprint for a Sustainable Future as well. (Nersinger_031)

Response 2-33: Comment noted. The Greenway Strategic Plan and Greenprint for a Sustainable Future do not speak to land use planning.

Comment 2-34: Yonkers Comprehensive Plan: If the applicant is going to cite the Comp Plan then they need to review all of the goals and objectives contained therein. Downtown and Waterfront development is important but so is the maintenance of the existing neighborhoods. Please review and discuss all applicable goals and objectives in the Comp plan and the proposed actions conformance with or variance from them. (Nersinger_031)

Response 2-34: **Table 3-6** lists the goals of the Comprehensive Plan as stated in the document’s “Summary,” and analyzes the consistency of the Proposed Action with those goals. As noted, the Comprehensive Plan was adopted in 2000 and included many goals, some of which are applicable to private development projects and some of which are applicable to government agencies and relate to City polices other than land use.

Comment 2-35: :NYS Coastal Zone Management: Do Policy 24 Prevention of Impairment of scenic resources and Policy 44 Tidal and Freshwater wetlands have any impact upon the proposed action? (Nersinger_031)

Response 2-35: Policy 24 relates to resources designated by the State as Scenic Areas of Statewide Significance (SASS). There are no SASS-designated resources proximate to the Project Sites. The closest SASS is the Hudson Highlands, which generally extends from Stony Point and Peekskill in the south to Newburgh and Beacon in the north.

The Project Sites do not contain, nor are they adjacent to, any State-regulated tidal or freshwater wetlands and therefore the Revised Proposed Project would not have any direct impact on those resources.

Comment 2-36: The Applicant references its compliance with Westchester 2025. One of the clauses of that document is to make planning resources available to the public. Have we as the City of Yonkers achieved that by making the planning resources for our agenda available to the public, or is the Applicant saying that he’s going to work to make planning resources available to the public? How does that work, what do you mean about planning resources? It would benefit the public to have a little land use training. (Forsberg_021)

Response 2-36: The City of Yonkers strives to provide the public with the substantive and procedural information necessary for productive engagement on these important issues. With respect to the Proposed Action, it is noted that it has been the subject of numerous City Council meetings and Planning Board meetings, hearings and public comment sessions. Public hearings on the DEIS were held by the Lead Agency on March 9, 2022 and April 13, 2022. Written comments on the DEIS were accepted from February 9 through April 27, 2022. The information about the application is and has been posted on the City’s website, allowing for public engagement.

Table 3-6
Consistency of Revised Proposed Project with Yonkers Comprehensive Plan

Comprehensive Plan Goal	Consistency of Proposed Action
Transportation	
Improve transportation services to meet the changing ridership patterns and needs of commuters and transportation-dependent residents.	Applicable to government transportation policy. Not applicable to private development.
Capitalize on the City's downtown waterfront access, existing Recreation Pier and proximity to New York City	Proposed Project would redevelop and revitalize three key areas within downtown.
Improve the quality of transportation facilities	The Applicant would mitigate the potential traffic impact of the Proposed Project through the contribution of a per unit mitigation contribution that would be used by the City to implement transportation improvements throughout the Downtown area. The Applicant would improve the sidewalks and streetscape in front of the Project Sites and, in the case of Buena Vista Avenue, from Prospect Street to Main Street. The Applicant will provide technical support to the City for transit improvements within the vicinity of the Project Sites. Improving bus operations at Getty Square is identified as further improvements for the City to explore. See Response to Comment 11-37.
Improve east-west access.	Applicable to government transportation policy. Not applicable to private development.
Improve parkway interchanges.	Applicable to government transportation policy. Not applicable to private development.
Economic Development	
Retain and increase the number of job-creating light industrial and manufacturing establishments in the City and ensure that there is sufficient land for industrial uses.	Proposed Action does not change the uses permitted on the Project Sites.
Improve the overall quality of shopping areas.	Relates to government policy. Proposed Project would activate the streetfronts adjacent to the Project Sites, including along North Broadway, Buena Vista, Palisade Avenue, and James Streets. In addition, the Project would create new street level commercial/shopping areas within the Chicken Island Site, which is currently surface parking.
Promote more professional, personnel and business services as well as entertainment and hospitality uses.	Proposed Action does not change the uses permitted on the Project Sites.
Establish an aggressive economic development program that capitalizes on the City's assets.	Applicable to government policy. Redevelopment of Chicken Island would be the direct result of the City selling Chicken Island to the Applicant for purposes of economic development.
Parks and Recreation	
Preserve and enhance existing parks and recreational resources.	Applicable to government policy for existing resources.
Increase the amount of parks and recreational facilities.	Applicable to government policy. Proposed Project includes recreational amenity space for Project residents, as well as new public civic spaces and sidewalks.
Waterfront	
Improve public access and provide new uses to enhance the northern and southern waterfront areas.	Not applicable to Project.

Table 3-6 (cont'd)
Consistency of Revised Proposed Project with Yonkers Comprehensive Plan

Comprehensive Plan Goal	Consistency of Proposed Action
Civic Infrastructure and Community Services	
Strengthen the City's civic infrastructure.	Not applicable to Project.
Increase the amount and availability of community and civic space.	Project would extend the urban fabric of the City into Chicken Island, including new wide sidewalks, and pedestrian plazas. Project is designed to complement the City's investment in downtown civic spaces, including the daylighting of the Saw Mill River at Chicken Island, Mill Street, and Larkin Plaza.
Explore new opportunities for City services and facilities.	Not applicable to Project.
Housing	
Preserve existing housing stock.	The Teutonia and Chicken Island Sites are vacant. The North Broadway Site has approximately 13 occupied residential units, for which relocation assistance would be provided. Those units would be removed to construct the North Broadway Project. As such, the Proposed Project would increase the amount of housing available in the City by approximately 3,543 units.
Encourage the creation of affordable housing opportunities.	The Proposed Project would comply with the City's Affordable Housing ordinance, which requires the provision of 10% of units be affordable housing within multifamily developments.
Concentrate redevelopment efforts on smaller geographic areas.	The Proposed Project concentrates development within the City's downtown, including the development of two vacant properties within the heart of the City.
Neighborhoods and Quality of Life	
Improve the overall physical appearance of the City.	In the case of Teutonia and Chicken Island, the Proposed Project would transform vacant parcels in the heart of downtown into thriving components of the City's urban fabric. The North Broadway Project would infill a vacant lot along North Broadway as well as improve the visual character of the neighborhood along Overlook Terrace.
Advertise, publicize, and celebrate the City's assets.	Not applicable to Project.
Improve the quality of life for residential neighborhoods adjacent to industrial and commercial areas.	Not applicable to Project.
Improve the quality of life in densely developed areas.	Project would infill several prominent sites within the City, bridging gaps in the urban fabric of the City with wider sidewalks and active, street-level commercial/ retail uses.
Provide resources to help communities improve its quality of life.	Not applicable to Project.
Zoning and Critical Areas	
Adopt a new zoning ordinance	Applicable to government policy. Not applicable to Project.
Rezone inappropriately zoned areas.	Applicable to government policy. Not applicable to Project.
Simplify the zoning ordinance	Applicable to government policy. Not applicable to Project.
Identify critical areas that warrant additional study in the future.	Applicable to government policy. Not applicable to Project.

CHAPTER 3: VISUAL AND COMMUNITY CHARACTER

COMMUNITY CHARACTER AND VISUAL RESOURCES

Comment 3-1: YCSD believes that of the three pieces of this overall project, the proposed building heights for Chicken Island make the most sense, because this property is on low-lying acreage. The topographical layout of the Teutonia and North Broadway sites will increase the visibility and perception of excessive height and will have more effect on the general view sheds, as acknowledged in the DEIS. YCSD encourages the Lead Agency to consider maintaining the Teutonia site at the 25 stories approved in 2010/11 in the Yonkers Master Plan and reducing the North Broadway project buildings to heights more compatible with the adjacent Locust Hill Historic District. (YCSD_013)

Response 3-1: Comment noted.

Comment 3-2: Chicken Island presents less of a problem with community character. However, the Locust Hill Historic District area of the North Broadway project is not receiving enough consideration in regard to the imposition of large-scale development abutting it. The Teutonia Building is completely out-of-scale with the buildings immediately adjacent and in truth should be returned to its 2010 zoning of 25 stories – and even that height is more than the neighborhood should be asked to absorb. (YCSD_013)

Response 3-2: The Proposed Zoning Amendments would allow taller buildings than permitted under current zoning. Several measures are included in the Revised Proposed Project to mitigate the impacts of this increase in height. The use of brick on the façades of the North Broadway Project would be consistent with the characteristics of the Bell Place-Locust Hill Avenue Historic District, which contains residences primarily constructed of brick, including 1 Bell Place. To promote the residential character of the North Broadway Project, the garage façade would be screened with three levels of residential townhouses along Overlook Terrace. Landscaping would be provided along the Baldwin Street sidewalk, complementing the existing residential characteristics of the surrounding area. In response to public comments, the sidewalk along the western side of Buena Vista Avenue from Prospect Street to Main Street would be widened to between 13 and 14 feet and the towers would be further stepped back from the façade of the building's podium. The length of the podium along Buena Vista Avenue would be broken up through the application of several different façade designs, creating the appearance at ground level of several different buildings. These changes

help to enhance the pedestrian environment in front of the Teutonia Site and down the block towards the Yonkers Train Station.

Comment 3-3: The Teutonia Site, as proposed, presents the largest tower(s) and a moderate to large impact to the surrounding area for visual resources. The final design and scale of the building must express careful thought and consideration for the surroundings and the future skyline of the downtown. (Nersinger_031)

Response 3-3: In response to public comments, the towers of the Modified Teutonia Project are proposed to be further stepped back from the façade of the building’s podium than was proposed in the DEIS by an additional 2 feet, for a total stepback of 7-feet for Building 1 and 7-feet 5-inches for Building 2. In addition, the sidewalk along the western side of Buena Vista Avenue from Prospect Street to Main Street would be widened to between 13 and 14 feet. The length of the podium along Buena Vista Avenue would be broken up through the application of several different façade designs, creating the appearance at ground level of several different buildings.

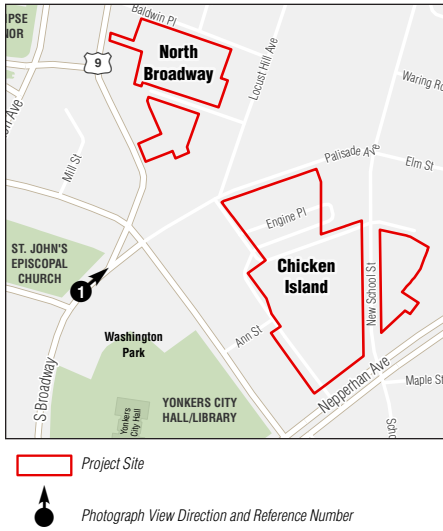
Comment 3-4: Fig. 1-22 This figure shows views of the Chicken Island site from Getty Sq. However, it does not show the complete picture of the Chicken Island and Locust Hill sites. A rendering that is taken from the vicinity of 20 South Broadway generally north would show the impact of both of these sites on the neighborhood context. (Nersinger_031)

Response 3-4: An additional photosimulation from this vantage point is provided as **Figure 3-9**.

Comment 3-5: Comments were received concerning the height and architectural design of the Teutonia Project. Specifically, commenters opined that the height of the proposed towers is “concerning for the surrounding area,” and that increased separation between the two towers, increased tower stepbacks from the podium façade, and changes to the towers’ designs may help mitigate potential impacts.

The proposed total height of the Teutonia Building is concerning for the surrounding area. The DEIS references buildings that are only 10 stories tall to the west. As proposed the 41-story, 435 feet tall building would be the first of its kind in the Downtown. While architectural design discussed in the DEIS offers some mitigation, the proposed stepback distance and distance between the two towers of the building should be reviewed to determine if the design can be improved to provide a more balanced appearance. (Nersinger_031)

Building Height and Width. The proposed [Teutonia] 40-story building is very tall especially when considered in the context of existing structures in

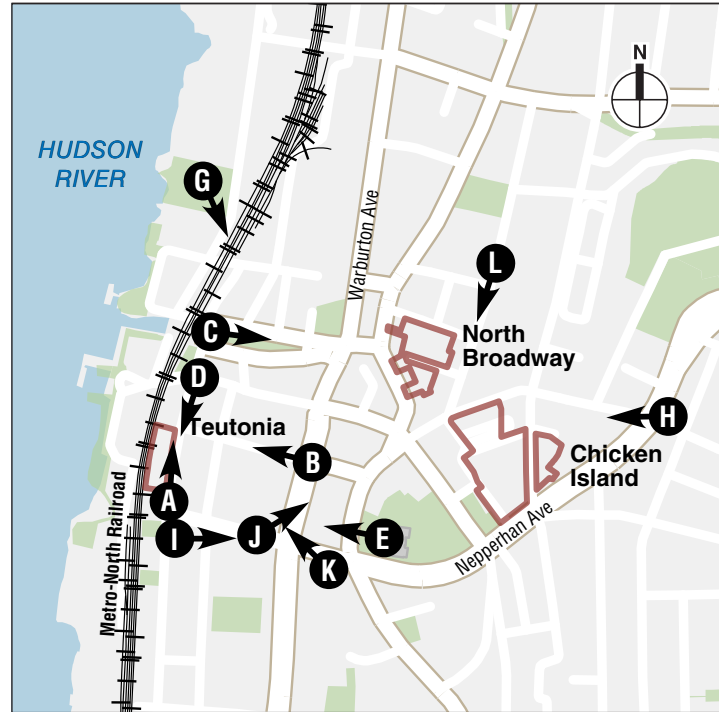


Existing 1



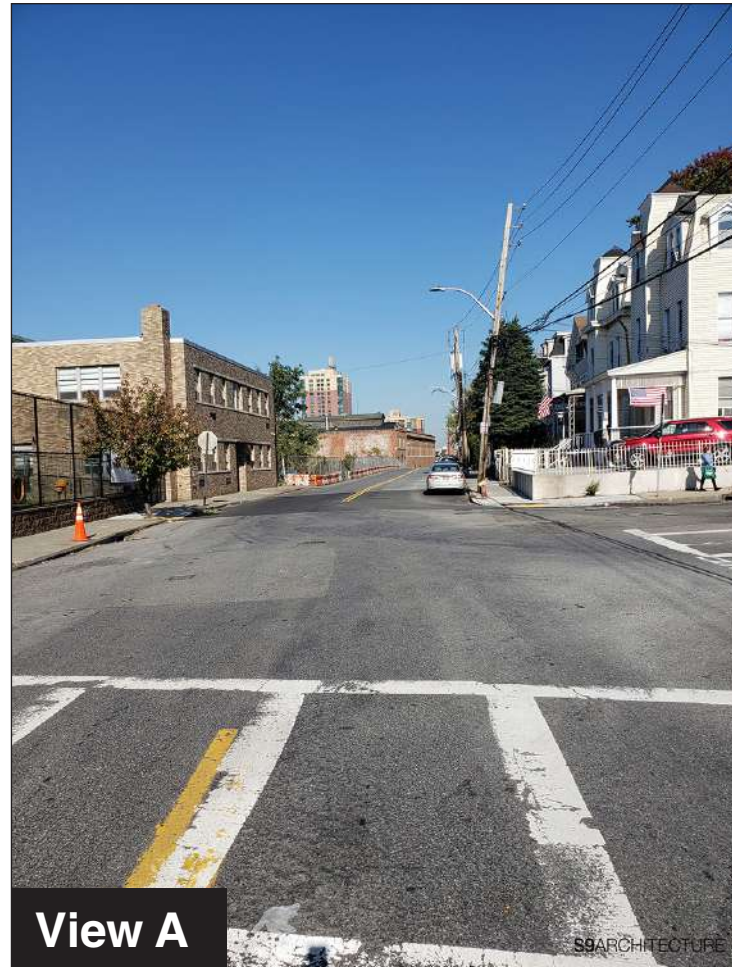
Proposed 1

Source: RWDI 2021

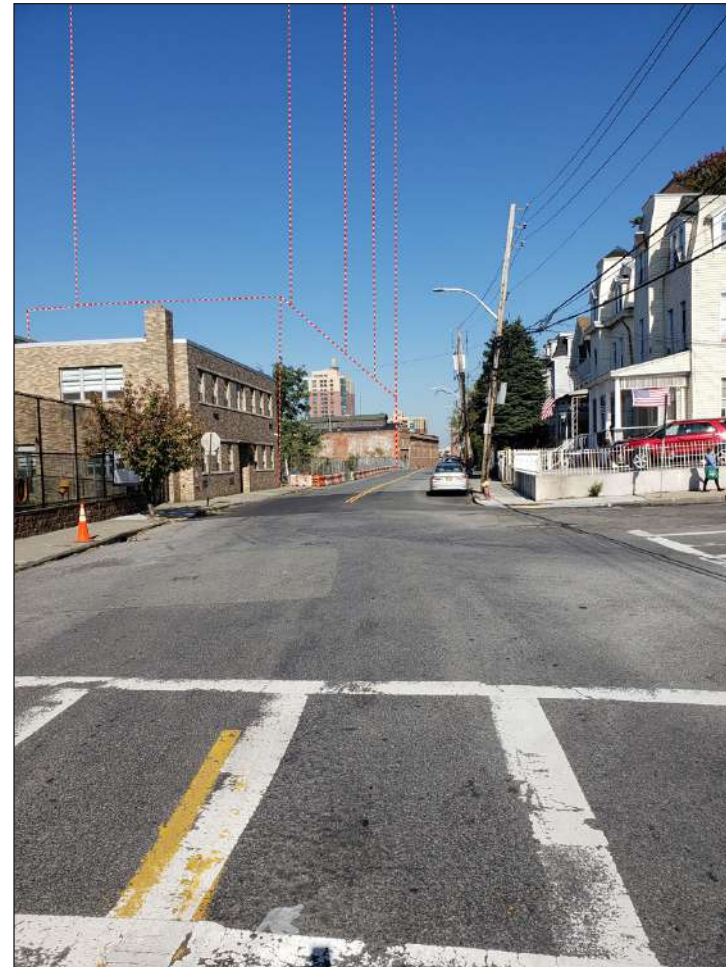


Project Site

Photo Key



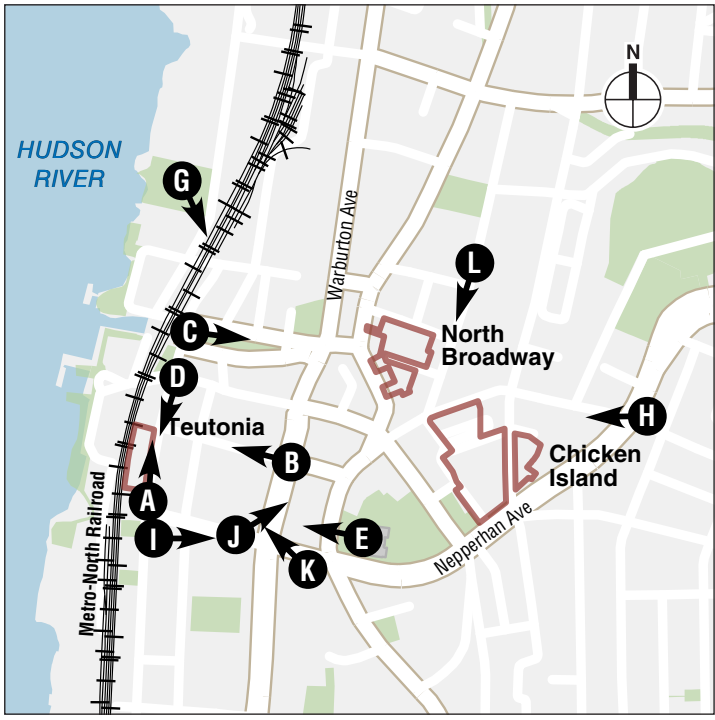
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After



Project Site

Photo Key



Before

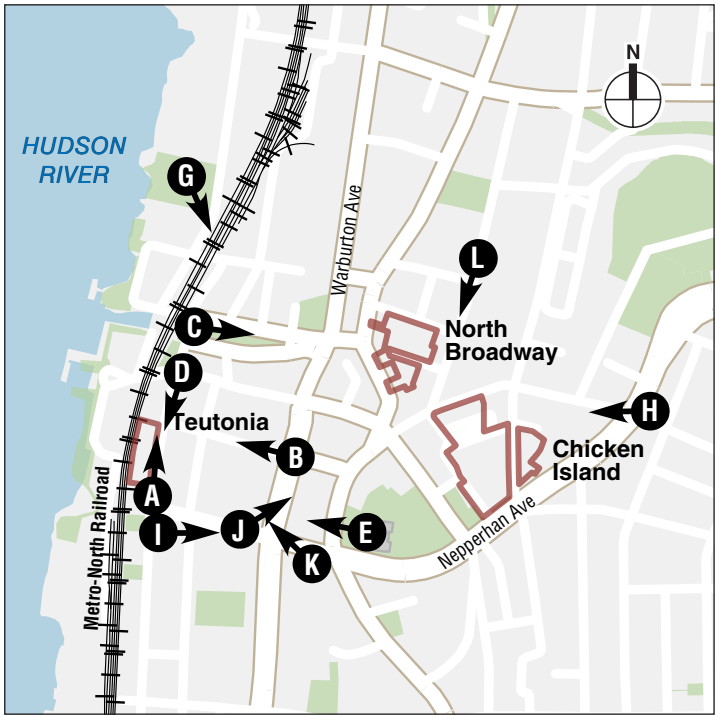


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After

Build Condition
View B: Hudson Street, view west to the Teutonia Site
DEIS Figure 3-9b



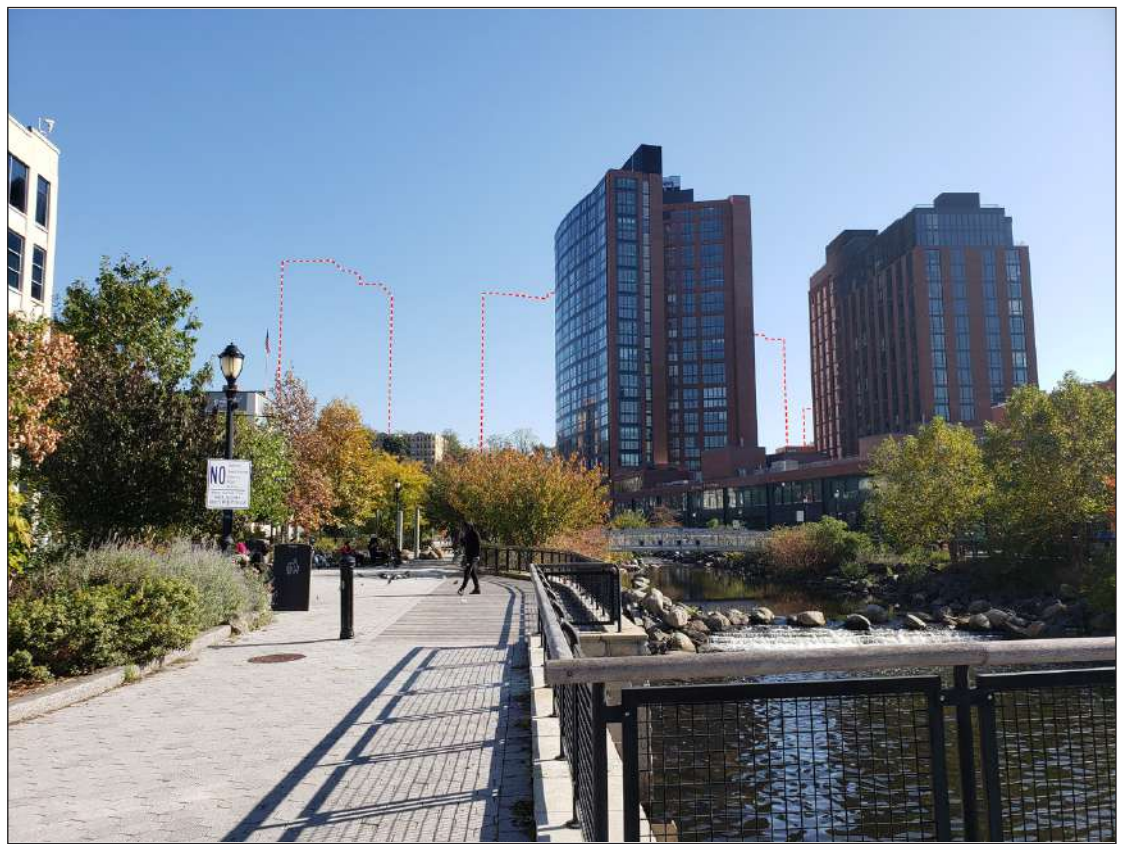
Project Site

Photo Key



View C

Before



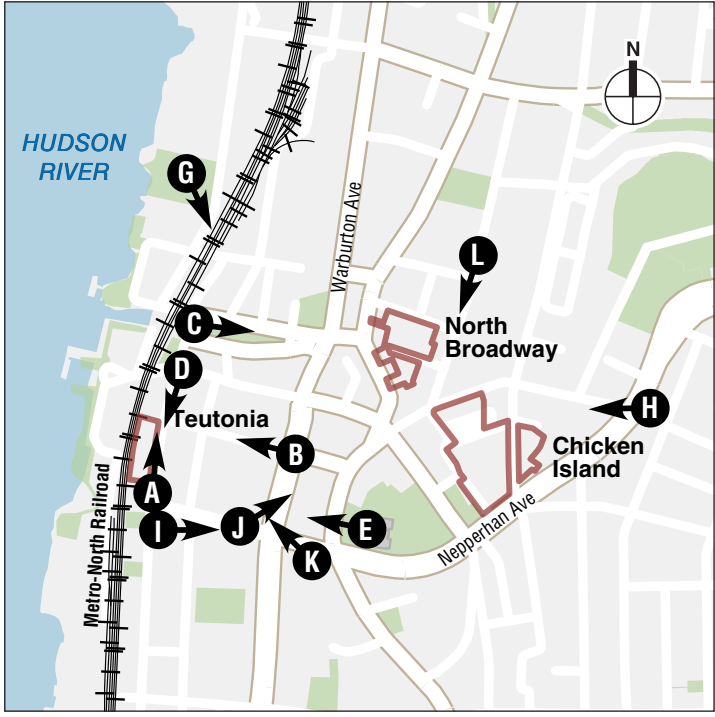
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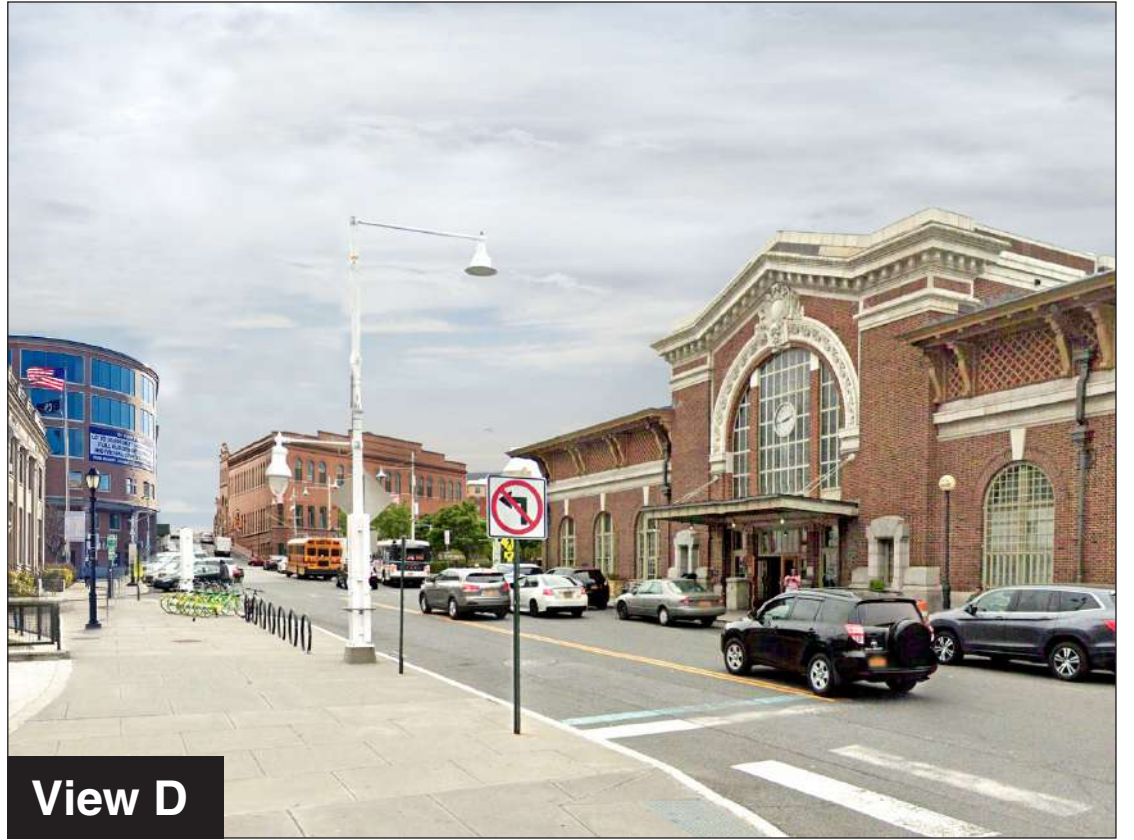
View C: Van der Donck Park, view east to North Broadway Site

DEIS Figure 3-9c



Project Site

Photo Key



View D

Before

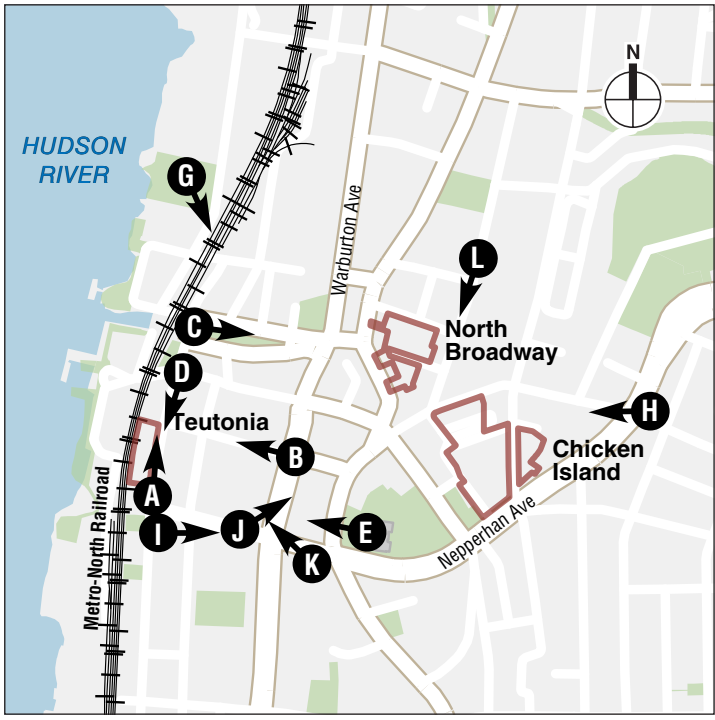


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After

Build Condition
View D: Buena Vista Avenue and Main Street, view south to Teutonia Site



Project Site

Photo Key



Before



Maximum Envelope



After



Project Site

Photo Key



View F

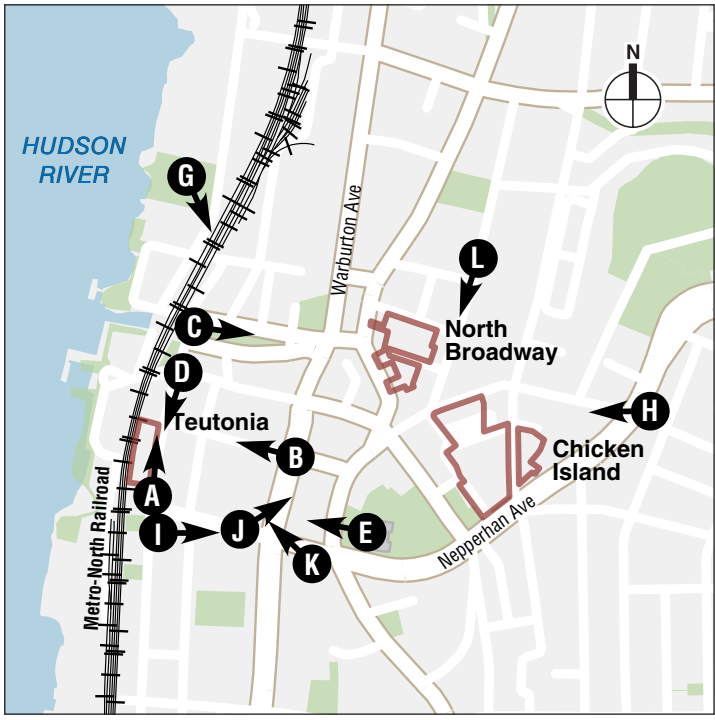
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Maximum Envelope



After



Project Site

Photo Key



Before

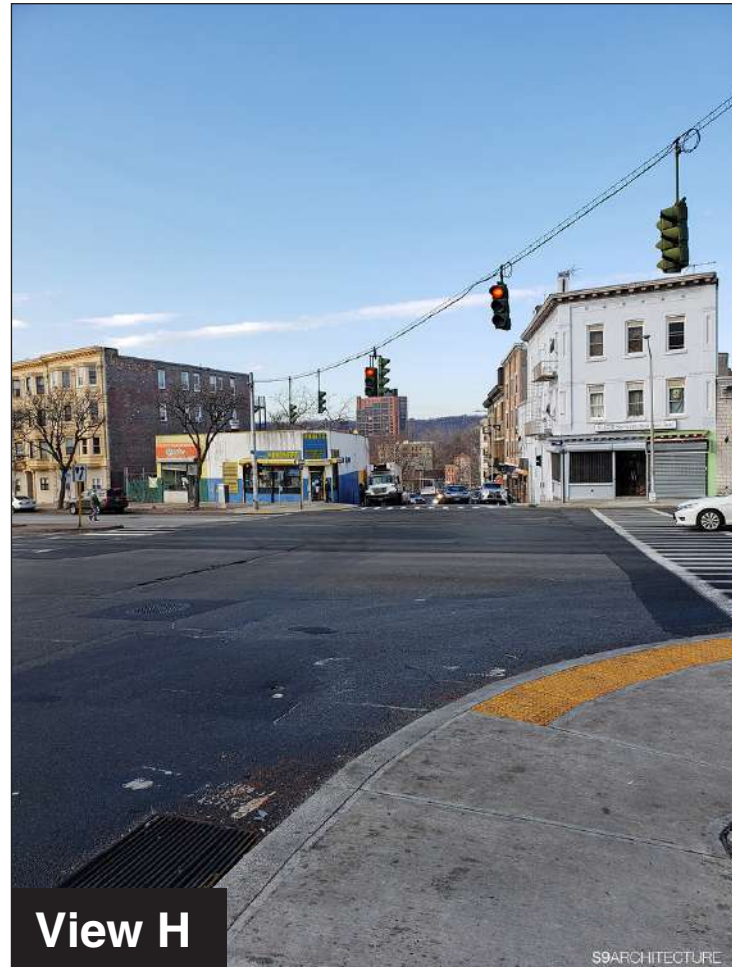
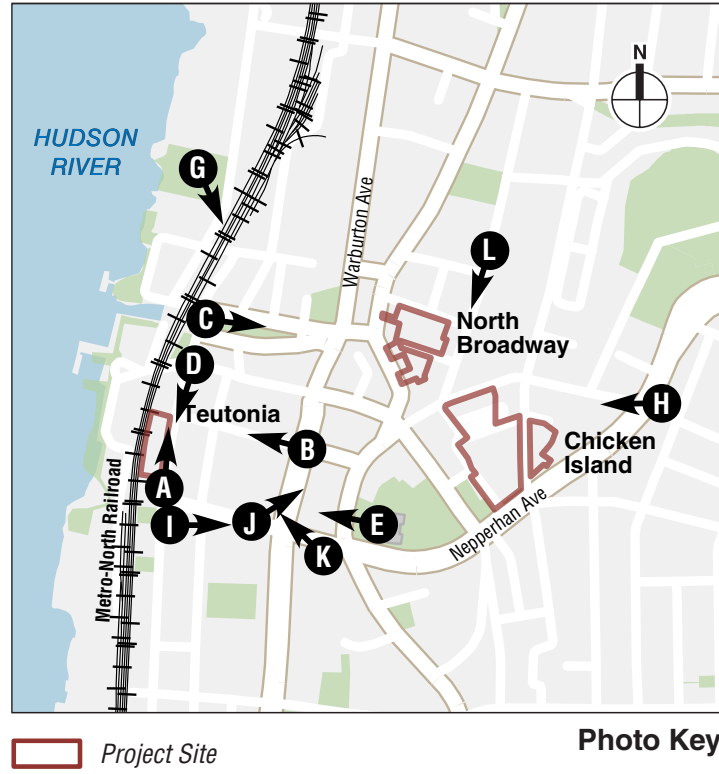


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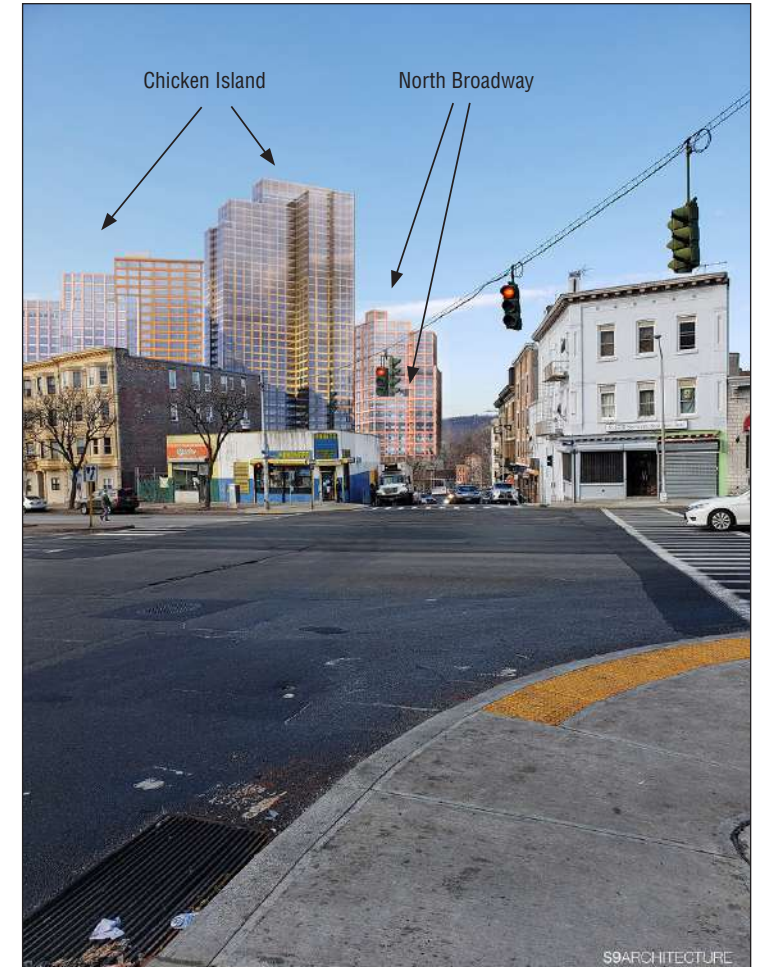
Build Condition
View G: View southeast to North Broadway and Chicken Island Site



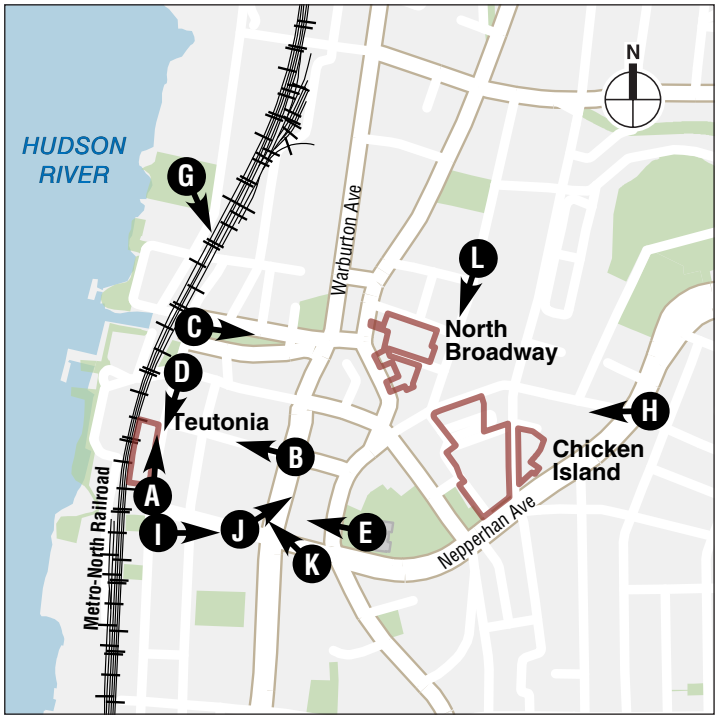
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Maximum Envelope



After



Project Site

Photo Key



Before

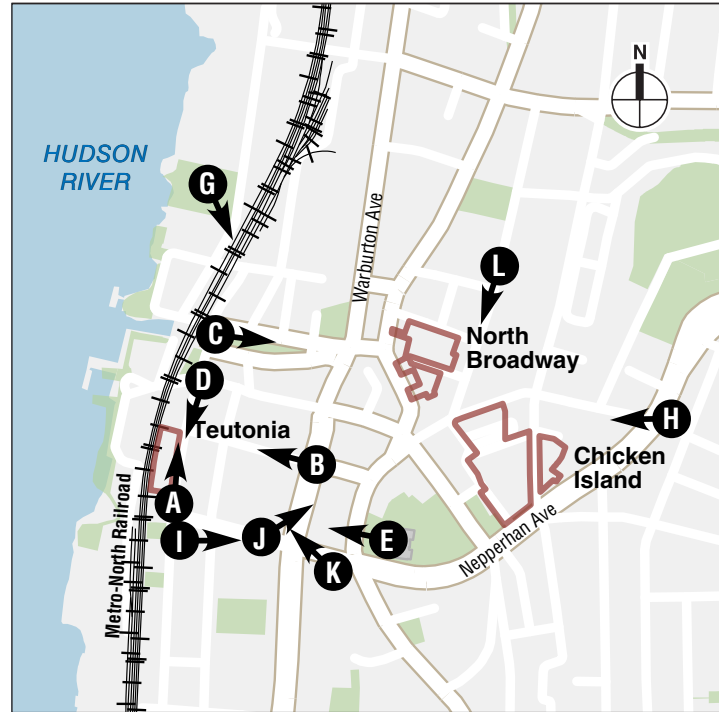


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After

Build Condition
View I: Buena Vista Avenue south of Prospect Street,
looking northeast to Chicken Island Site



Project Site

Photo Key

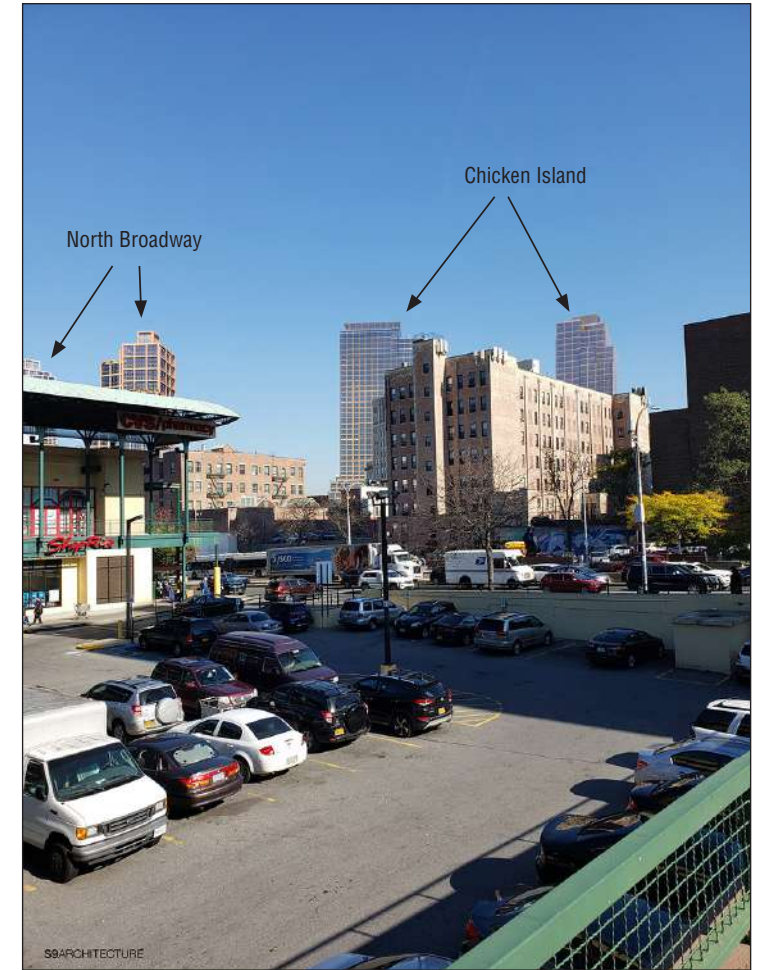


View J

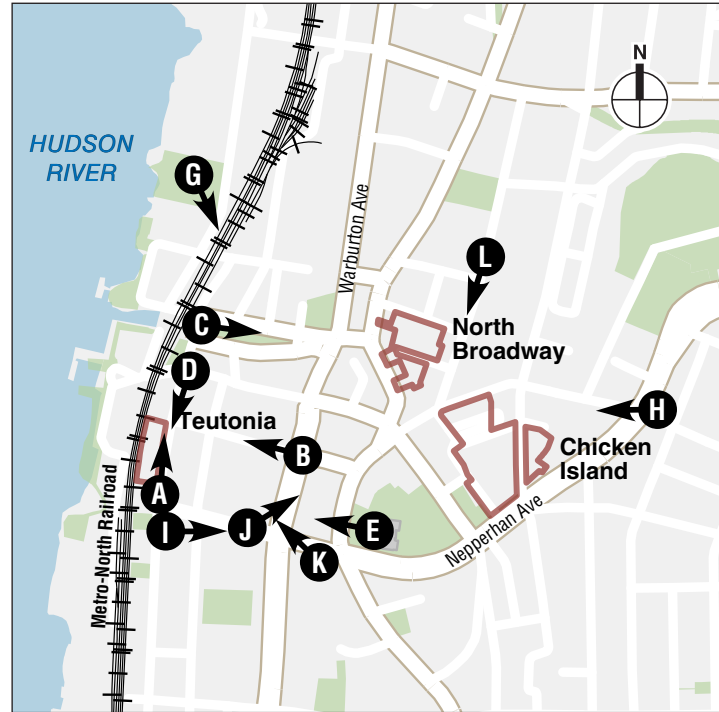
Before



Maximum Envelope



After



Project Site

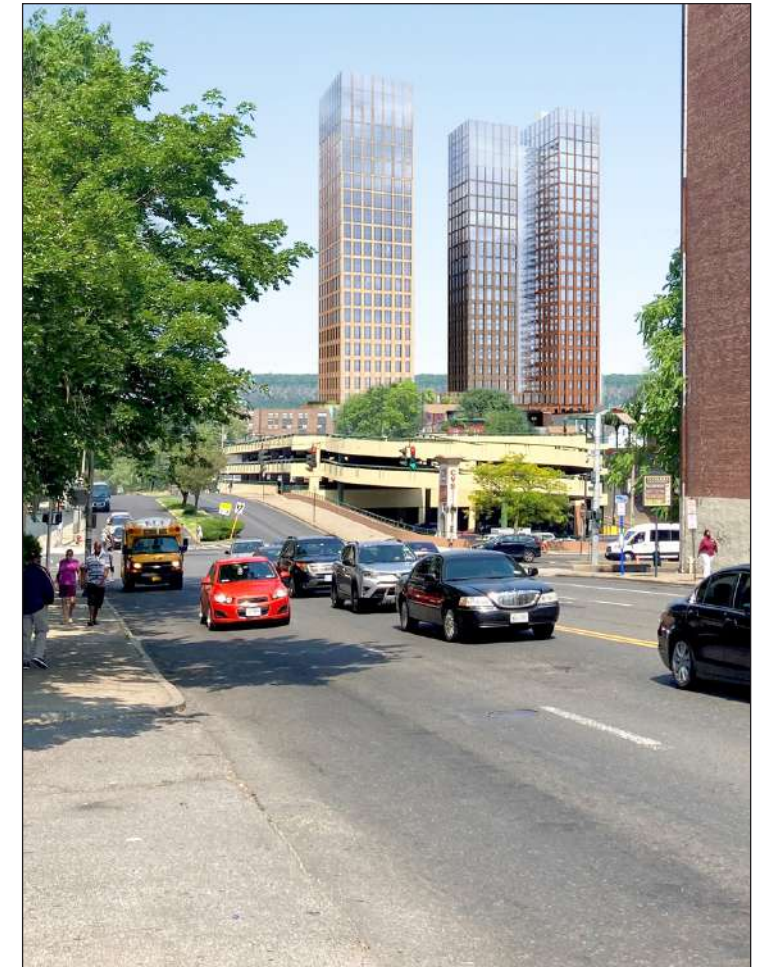
Photo Key



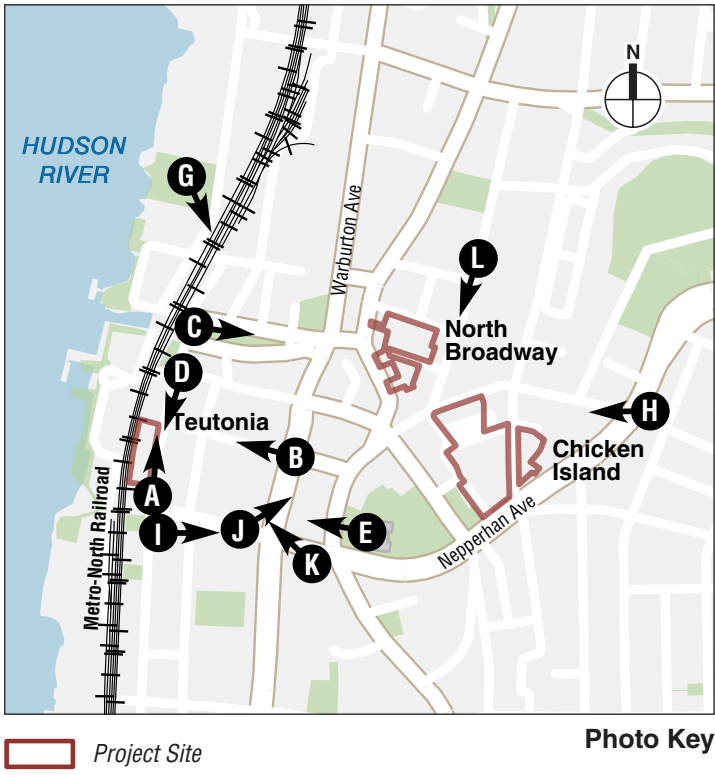
Before



Maximum Envelope



After



View L

Before

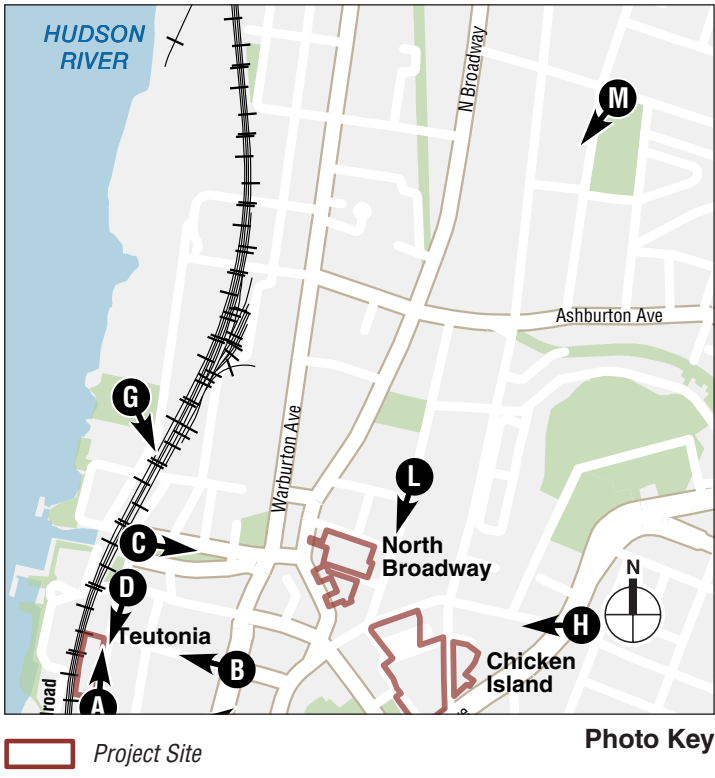


Maximum Envelope



After

Build Condition
View L: Locust Hill, view south to North Broadway and Chicken Island Sites



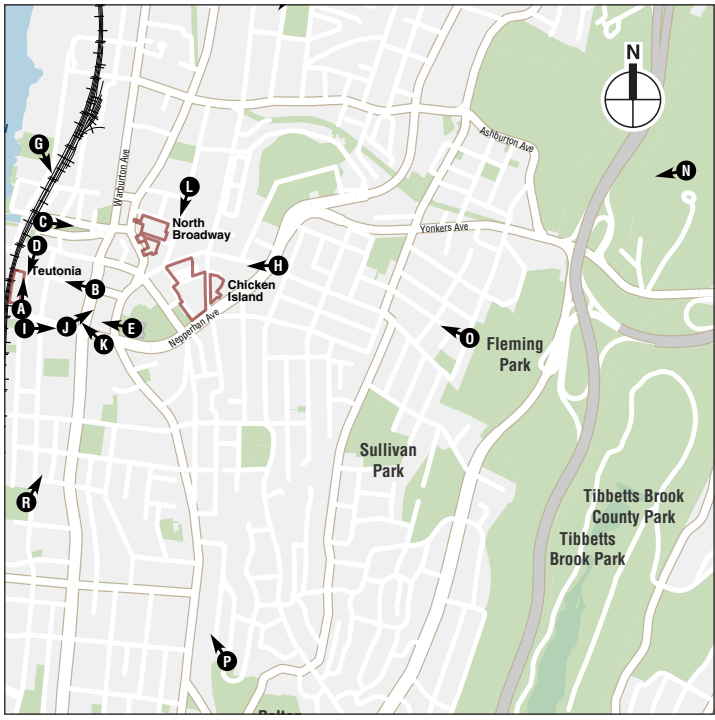
Before



Maximum Envelope



After



Project Site

Photo Key



Before



Maximum Envelope



After

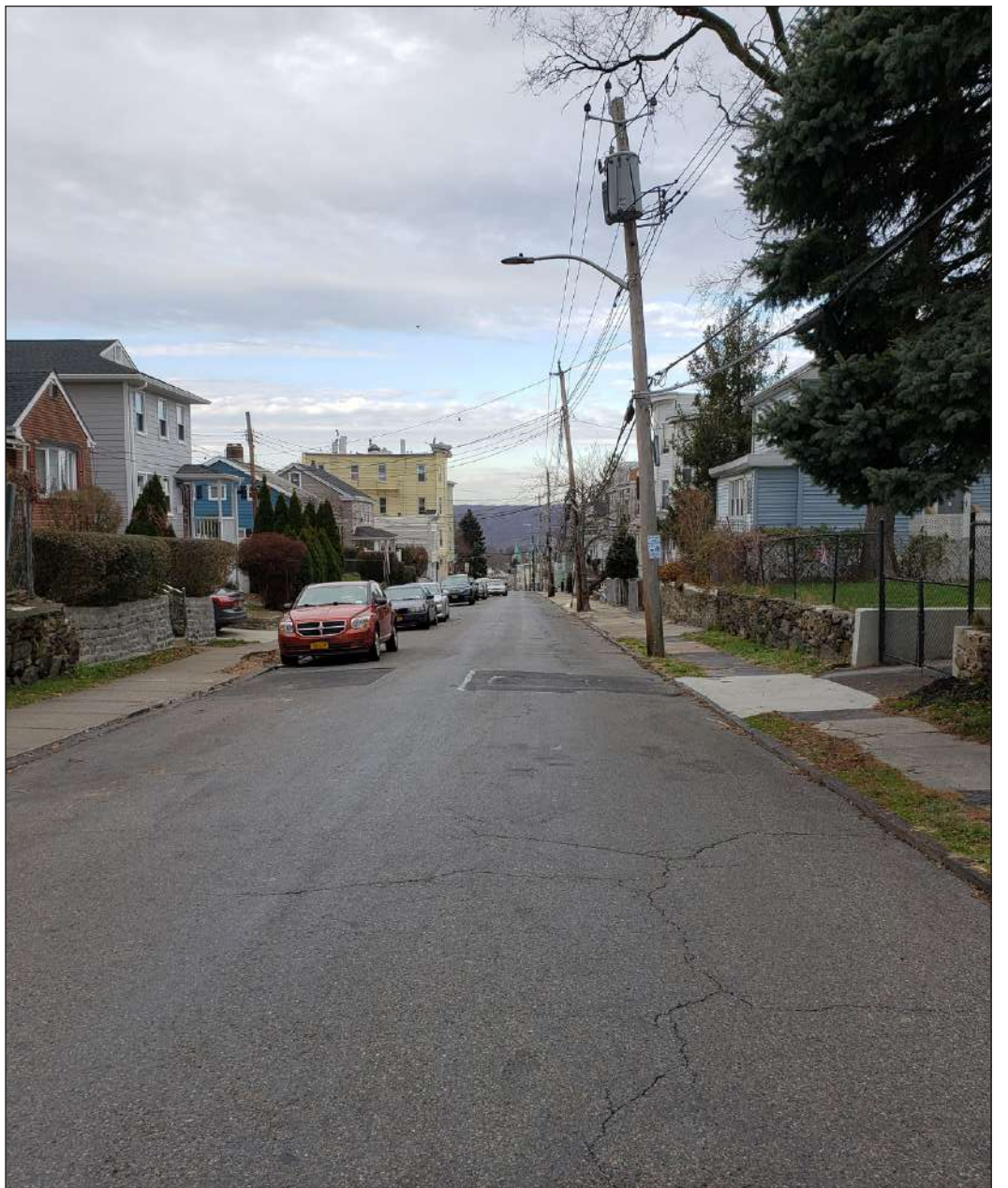


Project Site

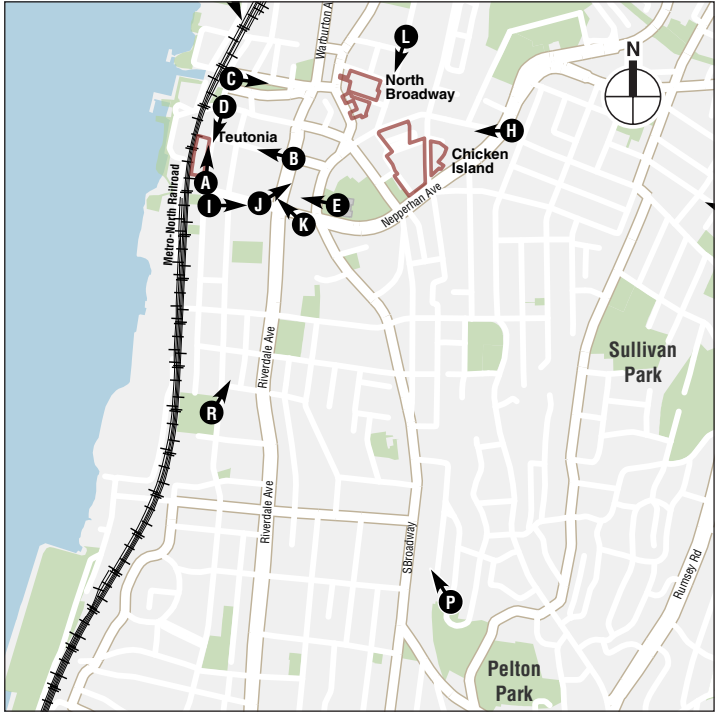
Photo Key



Before



After (Project not visible)



Project Site

Photo Key



Before



Maximum Envelope



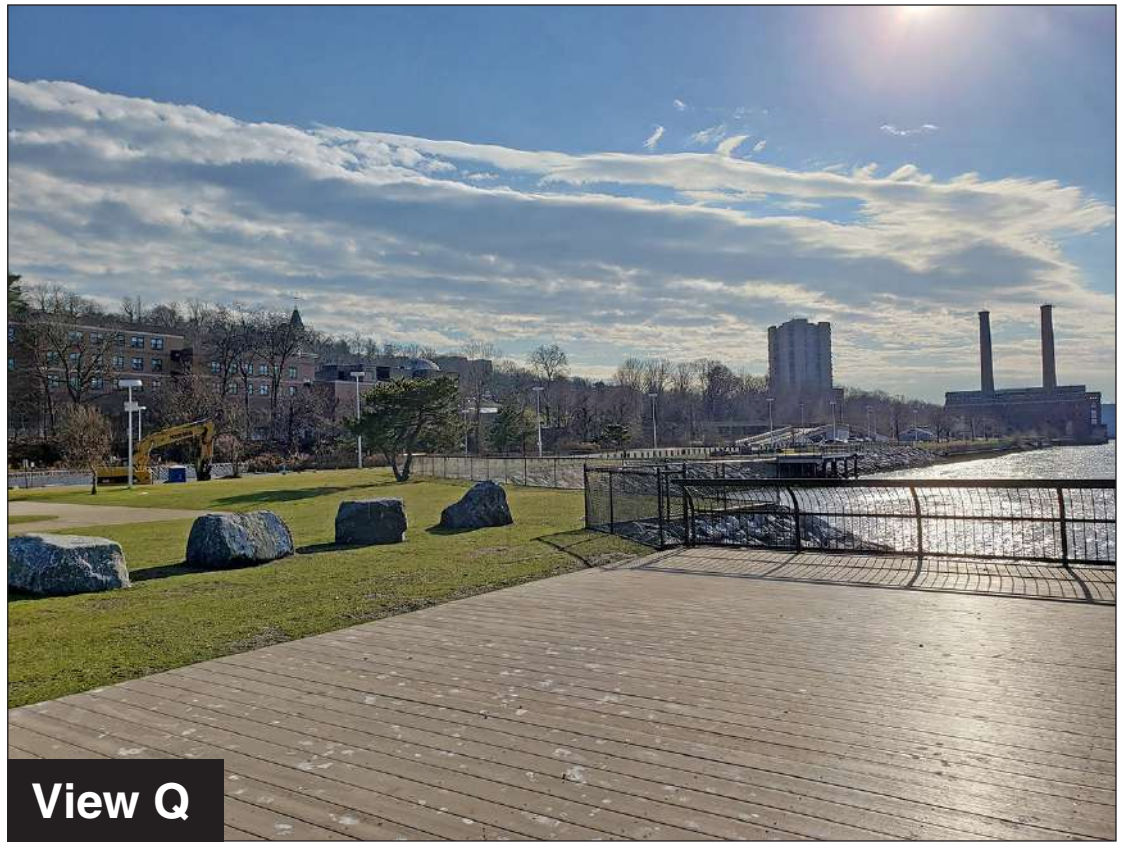
After

Build Condition
View P: Sutherland Park, Park Hill, looking northwest to Project Sites
 DEIS Figure 3-9p



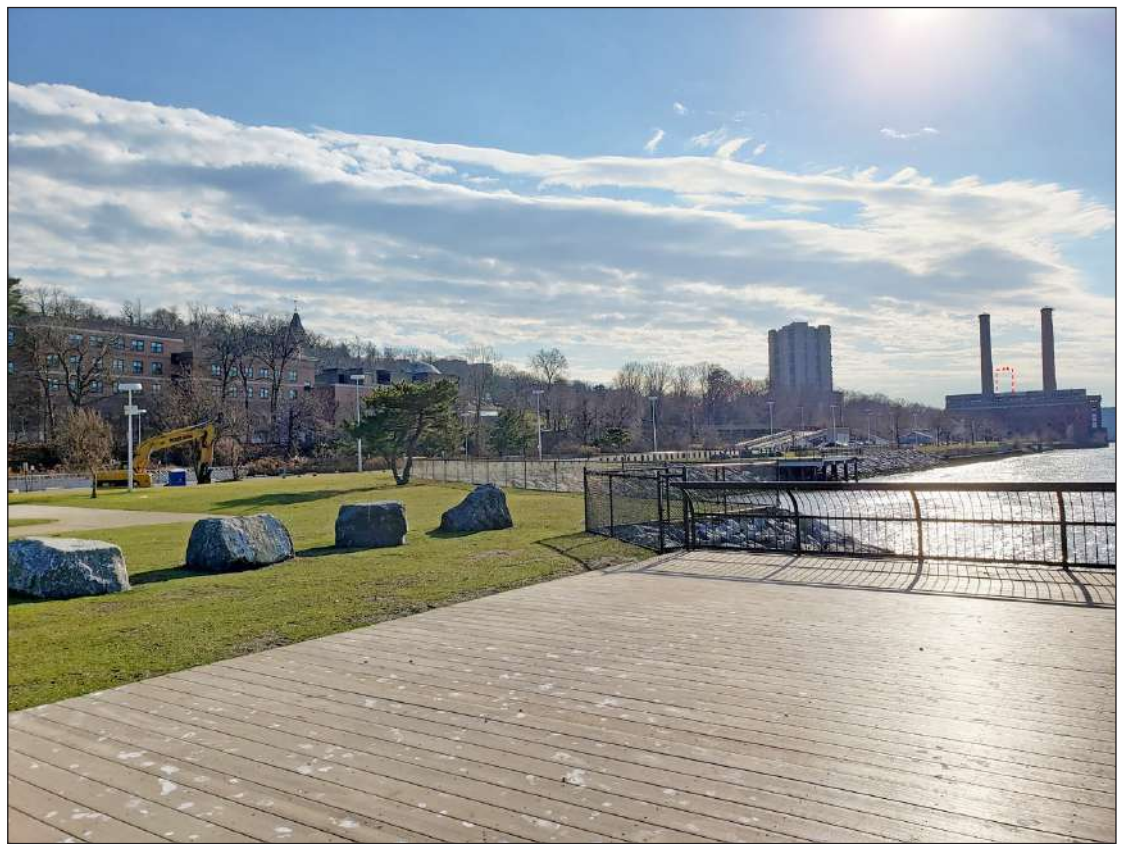
Project Site

Photo Key

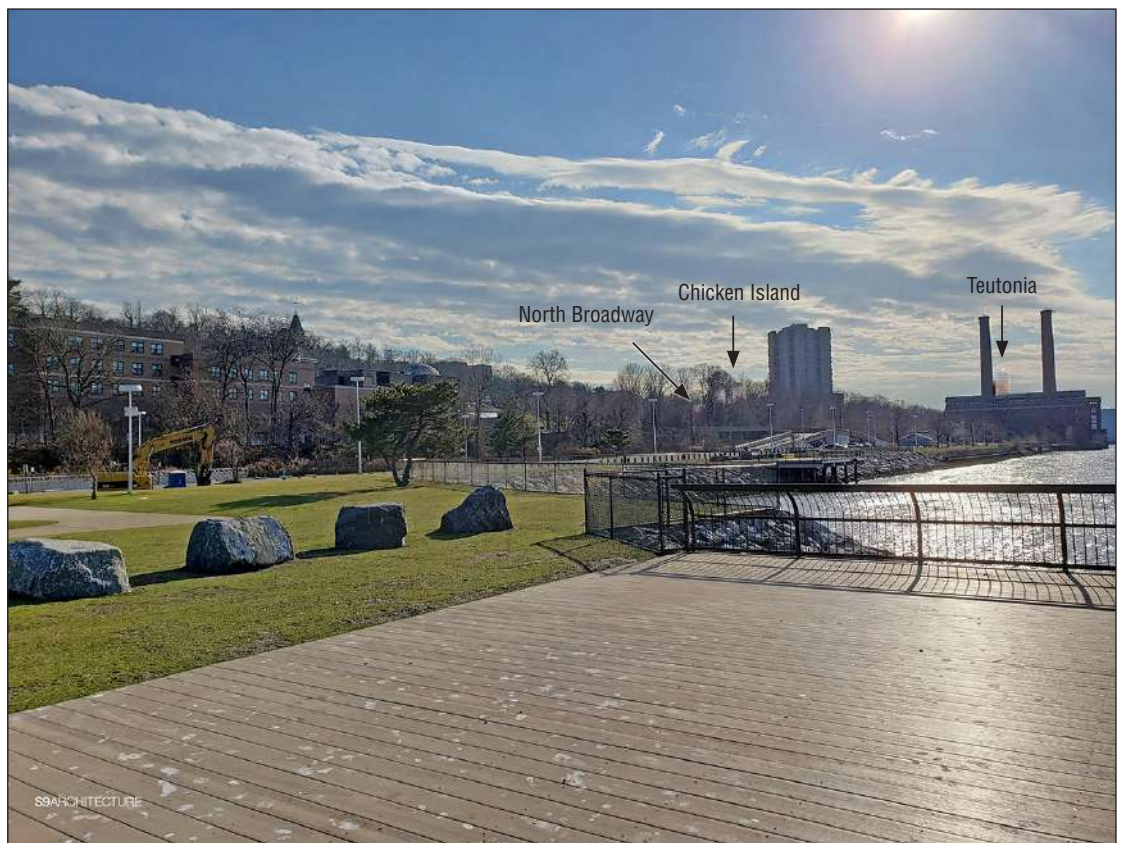


View Q

Before



Maximum Envelope



After

Build Condition
View Q: JFK Marina, view southeast to North Broadway and Teutonia Sites



Project Site

Photo Key



Before



Maximum Envelope



After

Build Condition
View R: Anthony O'Boyle Memorial Park, view northeast to Chicken Island and North Broadway Site

the Downtown but also that the building is also proposed to be located on high ground. The proposed towers are 435' high with an elevation of approximately 483'. By contrast the existing tallest buildings in downtown are the RXR development which is 25-stories tall and the recently approved 44 Hudson Street which is proposed to be 25- stories at an elevation of 277 feet. Further, the tallest buildings at Chicken Island are proposed at 38 stories and an elevation 465' and at North Broadway are 25 stories and elevation 378'. (Yackel et al_009)

The proposed towers are too wide and too close together thereby creating a virtual slab, walled building. Tower 1 is 178' wide (as wide as a 17-story building) while Tower 2 is 94' wide with 80 feet of separation between the two towers. The width of Tower 2 should be reduced to open up views through the building's towers. (Yackel et al_009)

Figure 1-10 Massing diagram shows that from almost any human scale view point that the proposed multi-tower building will be perceived as a single slab cutting off views of the Hudson River Palisades. (Nersinger_031)

Stepback – The proposed building is located on a narrow street of approximately 35' in width, including two lanes of traffic and two parking lanes. The proposed building podium is 66', or essentially a 6-story base over the narrow street with the tower of Building 1 stepped back 5' from the podium and the tower of Building 2 stepped back 5' 5" from the podium. The narrow width of the street, the narrow sidewalk, the 6-story podium followed by 34-story towers with a minimal stepback creates a scale of building that is out of character with the surrounding landscape. Combined with the a widen sidewalk [sic], the Applicant should consider locating the towers farther back on the podium by at least 8-10'. (Yackel et al_009)

The setback and stepback of Teutonia is imposing. Both the setback and stepback should be increased. (Kozicky_020)

Response 3-5:

See Response to Comment 3-2.

The DEIS contains an extensive analysis of the visual impacts of the Proposed Project, including photosimulations from 18 vantage points throughout the City (and across the Hudson River), in the locations required by the adopted DEIS Scope. These analyses evaluate the change in visibility that would occur as a result of the Proposed Project, including the Teutonia Project proposed towers. DEIS Figure 1-10, mentioned in the comment above, depicts the Teutonia Project in a block (i.e., massing) format from an axonometric (i.e., bird's eye) view and not a human scale view. Human scale views are presented in the eighteen photosimulations described above. While the two towers would be perceived as a single tower from acute vantage points, the design of the Teutonia Project would preserve views of the Palisades between and around the two towers from key vantage points within the City, including the intersection of Riverdale Avenue and Prospect Street, Hudson Street, Washington Park/City Hall, Grant Park, Dunwoodie Golf Course, and Sutherland Park. The length of the podium along Buena Vista Avenue would be broken up through the

application of several different façade designs, creating the appearance at ground level of several different buildings (see FEIS **Figure 3-10**).

With respect to setbacks from the podium, in response to comments the towers of the Teutonia Project are proposed to be further stepped back from the façade of the podium than was shown in the DEIS by an additional two feet, for a total setback of 7 feet for Building 1 and 7 feet 5 inches for Building 2. The towers would be set back as far as possible on the podium for towers of the proposed size, while still respecting the 10-foot minimum rear yard setback for residential uses in the D-MX Zoning District.

The changes made as part of the Modified Teutonia Project—the podium façade, construction of a wider sidewalk and the stepping back of the two residential towers—help to enhance the pedestrian environment in front of the Teutonia Site and down the block towards the Yonkers Train Station.

With respect to tower separation, current zoning requires a minimum distance between towers of 60 feet. As proposed, the Teutonia Project towers would be separated by 80 feet. Under existing zoning, the maximum tower footprint above the first 66 feet is 12,000 square feet for residential use; the proposed zoning amendment would allow a maximum aggregate residential tower footprint of 24,000 square feet in two towers for lots in the maximum height district that are 1 acre or greater and located within 1/8-mile walking distance to the Yonkers Train Station.

Comment 3-6:

Any figures portraying the build condition of an area that do not include the full wireframe or rendering of a building should be revised to allow the reader to perform an accurate comparison of the existing condition to the Proposed Action. For example, see Figures 3-9a and 3-9l. Foreshortened illustrations of building height are unacceptable. Figure 3-9b is a better, truer depiction for a DEIS.

Figure 1-13 (and all other elevations) Show buildings to full height. Cutting off the tops of the buildings does not allow for a full comparison of the buildings in context with existing community. (Nersinger_031)

Response 3-6:

The DEIS includes photosimulations from 18 different vantage points throughout the City, as well as numerous renderings of various components of the Proposed Project. (The photosimulations from the DEIS, DEIS Figures 3-9a to 3-9r, are included on the following pages.) One of the 18 photosimulations, DEIS Figure 3-9a, was taken from one half-block away from the Teutonia Site and is from an angle that focuses on the street-level interaction of the Teutonia Project and the surrounding community. As such, the top of the Teutonia building is not visible. The



Source: SQ Architecture



Teutonia Façade Design - View from Buena Vista Looking South
Figure 3-10b



Teutonia Façade Design - View from Buena
Vista Looking North
Figure 3-10c



other photosimulations show the full height of the buildings, including from Larkin Plaza. In addition, the DEIS, and this FEIS, contain numerous other renderings and massings of the proposed buildings from the street level and from a bird's eye perspective that also show a wider context that allows for the height and scale of the proposed buildings to be compared to the surrounding community.

Comment 3-7: Fig. 3-9k The “after” rendering seems to be moved to the north versus the wire frame middle illustration. (Nersinger_031)

Response 3-7: To show the full extent of the Teutonia Project towers, the trees on either side of the photograph in the rendered condition were digitally “pruned” so that more of the proposed buildings could be viewed.

Comment 3-8: How do “brick “grid” elements” [of the Teutonia towers] work to reduce the actual width the two proposed towers take up in the visual plane? (Nersinger_031)

Response 3-8: The architectural elements do not reduce the actual width of the towers. As stated in the DEIS, the brick “grid” elements on the façades of the Teutonia towers include two features that help to minimize the overall appearance of the buildings’ bulk. By framing every two stories, instead of one, and by reducing the width and scale of the framing as the buildings get taller, these features help to minimize their apparent bulk and height.

Comment 3-9: What are the BID landscaping ramifications? I imagine that the three new complexes will require some assistance from the BID for landscaping or not? (Brody_006)

Response 3-9: The Revised Proposed Project would include streetscape improvements, including street trees and appropriate street furniture and, in the case of the Chicken Island Project, appropriate wayfinding signs. The Applicant would work with the BID to identify the appropriate requirements for ongoing maintenance of any improvements within the public right of way. Improvements remaining on private property would be maintained by the Applicant.

SHADOWS

Comment 3-10: The evaluations of shadow impact seem extremely conservative, especially given the topography at the North Broadway site. New, more realistic shadow evaluations must be required for the FEIS. Sunlight brings life to public streets. (Hensley_016)

Response 3-10: The shadow analysis in the DEIS was conducted in accordance with the methodology proscribed by the adopted DEIS Scope. Specifically, the methodology follows the *New York City Environmental Quality Review (CEQR) Technical Manual*. As discussed in DEIS Chapter 3, “Visual and Community Character,” and pursuant to that methodology, a screening analysis was performed to identify the geographic extent of the areas that could potentially be reached by shadow generated by the Proposed Project. The sites identified during the screening analysis then underwent a detailed analysis to determine the extent and duration of new incremental shadow that would be cast on a sunlight-dependent resource as a result of the Proposed Project. Because existing buildings may already cast shadows on a sunlight-sensitive resource, the Proposed Project is analyzed to determine whether it would cast new additional, or incremental, shadows on that resource. A shadow impact occurs when the incremental shadow falls on a sunlight-sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs. A significant shadow impact on open space generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight-sensitive resource and results in a substantial reduction in the usability of the open space, accounting for the open space’s utilization rates throughout the affected time periods.

Comment 3-11: I am concerned specifically about the Chicken Island site & North Broadway sites. I am worried about the significant impacts of shadows on the local community that would be created by increasing the current permitted building height to the one proposed by the developer. I think the buildings would be too high and the board should go with the alternative plan for Chicken Island and stay with the current permitted maximum building height for this portion of the project. (Morel_004)

Response 3-11: As discussed in DEIS Chapter 3, “Visual and Community Character,” the detailed shadow analysis shows that the Proposed Project would cast new incremental shadows on certain parks, plazas, sunlight-dependent historic sites, portions of the daylighted Saw Mill River, and the Hudson River. Generally, these new shadows would be of limited extent and/or duration, and/or would occur at times when usage of an affected resource would typically be light, such as early in the morning, and would not substantially affect the use, character, vegetation, or habitats of the open space and natural resources or, in the case of the historic resources, significantly alter the public’s use of the resource.

New shadows would affect the stained-glass windows of the Mt. Carmel Baptist Church, a S/NR-eligible building at 175 Nepperhan Avenue,

which could be completely obscured by incremental shadow in the late afternoons of the spring, summer, and fall for up to an hour and 15 minutes, and partially obscured for over two hours in some months. However, as discussed in DEIS Chapter 17, “Alternatives,” this resource would also be impacted by shadows if the Chicken Island Site were developed under the current zoning with towers built to the maximum permitted height of 250 feet.

In consultation with the Mt. Carmel Baptist Church, the Applicant will seek to develop measures to offset the impacts of the incremental shadows to the extent practicable. Measures to be explored include cleaning of the interior/exterior of the windows or of any protective covering if present; replacement of any protective covering if present with a more translucent material; and installation of artificial lighting, which could simulate the effect of direct sunlight on the stained-glass windows.

Comment 3-12: Nowhere in this chapter is there a consideration of the loss of “solar gain” for individual buildings when new construction obscures both passive and active solar technologies because of increased shadowing. YCSD would like to see a review of this potential situation. (YCSD_013)

Response 3-12: The shadow study presented in Chapter 3, “Visual and Community Character,” is a comprehensive analysis following *CEQR Technical Manual* methodology, as required by the adopted DEIS Scope. Under that methodology, the focus of the shadow analysis is the effect of additional shadows on use and users of public open spaces, on the health of the vegetation in the open spaces, and on sunlight-dependent features of historic resources. An assessment of the potential effects of project-generated shadows on every building in the longest-shadow study area is beyond the reasonable scope of environmental review under SEQRA. However, regarding this comment, it should be noted that the Proposed Project’s shadows would, like all shadows, move clockwise over the course of each day, falling generally west in the morning, north in midday, and east in the afternoon, not falling on any one location for long. In the spring, fall, and particularly the summer, shadows are short from mid-morning to mid-afternoon, and the Proposed Project’s shadows would primarily be limited to the immediate vicinity west, north, or east of the Project Sites during these times, as shown in the figures associated with the shadow study in DEIS Chapter 3. Further, the Proposed Project’s shadows would overlap at times with those of other surrounding buildings, further limiting the size and duration of new, or incremental, project-generated shadow.

AMS Yonkers Downtown Development

Comment 3-13: New trees and other landscaping to be situated on the AMS sites should take into account the amount of shadowing they will receive during the important growing seasons. (YCSD_013)

Response 3-13: Landscape/planting plans will be further developed and designed during the Site Plan approval process and will comply with Chapter 80, “Shade Trees,” of the City of Yonkers Code. Shade-intolerant landscaping species will be avoided.

Comment 3-14: The developer should be required to replace trees and landscaping lost to shadows in the Yonkers public parks and other public spaces. An assessment by the Parks Department over a 2-year period post construction should be incorporated into the final plans for the projects so that the Parks Department can determine if replacements are necessary. (YCSD_013)

Response 3-14: Impacts of shadows on public parks were evaluated in DEIS Chapter 3, “Visual and Community Character.” The sunlight-dependent resources in public spaces would receive sufficient sunlight during the growing season. In the Saw Mill River Daylighting Phase III Park adjacent to the Chicken Island Site, all areas of the park affected by incremental shadow would receive a minimum of six hours of direct sunlight over the course of the day throughout the growing season months, ample even for species requiring full sun. The evaluation also indicates that vegetation in Washington Park would be minimally impacted by incremental shadows, with areas of longer incremental shadow durations still receiving a minimum of six hours of sunlight. Incremental shadow would not reach the Yonkers Train Station Plaza during late spring or summer. Plantings and vegetation in van der Donck Park would receive a minimum of five to six hours of direct sunlight in March and September, and over six hours throughout the heart of the growing season, from May to August. The garden and grounds of the Philipse Manor Hall State Historic Site would receive ample direct sun over the course of each day in the growing season. Trees and plantings in the Saw Mill River Daylighting at Mill Street would receive a minimum of five to six hours or more of direct sunlight throughout the heart of the growing season.

Comment 3-15: Appendix E-1 Tier 3 Shadow Analysis clearly shows that both the historic Yonkers Station and Metro-North’s Hudson Line right-of-way will have shadows cast on them resulting from the construction of the Teutonia Hall towers. Table S-21 (mitigation) on page S-84 does not indicate any potential shadow impacts to these resources. (Hollander_015)

Response 3-15: As noted in DEIS Chapter 3, “Visual and Community Character,” the Yonkers Train Station has a large arched window above the entry

pavilion, and smaller arched windows on the ground floor including one on the south façade facing the plaza space. Incremental shadow from the Teutonia Project would pass across this south façade window on the December 21 analysis day for 45 minutes, 12:45 PM to 1:30 PM, covering all of it for most of this period (see DEIS Figure 3-72). Given that the affected feature is one window and not the primary large window above the entry pavilion, and the incremental shadow would only occur in winter and would be relatively brief, the Teutonia Project would not significantly affect this historic building, and therefore no mitigation is proposed. The right-of-way was not identified as a sunlight-dependent resource and, therefore, detailed shadow impact analyses of the right-of-way were not performed. However, the Applicant would work with Metro-North to evaluate its specific concerns related to shadowing of the right-of-way as site and building design progress.

Comment 3-16: Lighting mitigation for shadow impacts to the Mt. Carmel Church windows should be provided. (Landi_022)

Response 3-16: In consultation with the Mt. Carmel Baptist Church, the Applicant will seek to develop measures to offset the impacts of the incremental shadows to the extent practicable. Measures to be explored include cleaning of the interior/exterior of the windows or of any protective covering if present; replacement of any protective covering if present with a more translucent material; and installation of artificial lighting, which could simulate the effect of direct sunlight on the stained-glass windows.

WIND

Comment 3-17: The developer has gone to great lengths to evaluate potential wind speeds and wind tunnel effects. However, the study on which they have based their evaluations concluded in 2018. In the past four years, wind storms (along with rain events) have risen dramatically in both intensity and frequency throughout the Northeast. (YCSD_013)

Response 3-17: The studies were completed in 2021 and used meteorological data for 1988 through 2018. Given the time needed to complete the analysis, and the preliminary nature of data for a certain time period after it becomes available for download, more recent data could not be incorporated into the model. The evaluation used the best available data at the time it was conducted. The addition of three more years of wind data (2019-2021) would not have any significant impact on the conclusions and recommendations contained in Appendices E-2 and E-3 of the DEIS.

AMS Yonkers Downtown Development

Comment 3-18: YCSD proposes that a new study be commissioned, based on more current national and local weather conditions, and that the developers give far more serious consideration to methods of reducing damaging wind turbulence at street level for current and new downtown occupants. (YCSD_013)

Response 3-18: Additional evaluations may be conducted as building designs are finalized during the Site Plan review process, with a focus on the pedestrian environment immediately proximate to the proposed buildings.

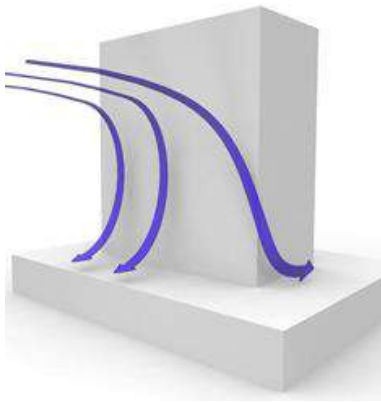
Comment 3-19: While discussed in some detail in Chapter 3, explain what permanent solutions (that remain effective year-round) are available to mitigate impacts to pedestrian wind levels. It would be helpful for the reader to learn more about the how landscaping, wind screens, and canopies are designed to help mitigate increased wind levels created by taller buildings in a downtown setting. (Nersinger_031)

Response 3-19: Examples of features/design details that are effective year-around include: deep canopies close to ground level, wind screens, and tall coniferous trees that retain their foliage throughout the year (see **Figure 3-11**). The choice and effectiveness of these measures would depend on the exposure and orientation of the site with respect to the prevailing wind directions and the size and massing of the proposed buildings. Recommendations specific to each Project Site were summarized in DEIS Chapter 3 and described in Appendices E-2 and E-3 of the DEIS and will be further evaluated during site plan review.

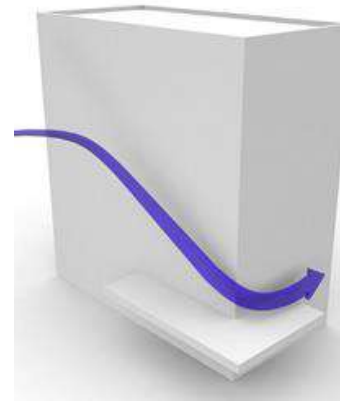
Comment 3-20: In the Chicken Island Site, the commercial plaza is noted as an area where wind will be an issue. How will this affect the use of this double-sided retail corridor? What design changes can be made to reduce the impact? (Nersinger_031)

Response 3-20: As part of site plan review, the Applicant will coordinate with its wind engineer, Rowan Williams Davies & Irwin Inc., as the Chicken Island Project design progresses to incorporate measures to reduce wind impacts, such as landscaping, wind screens, and recessed entrances. With incorporation of wind control measures, wind speeds comfortable for the intended use are anticipated within the Chicken Island Project commercial plaza.

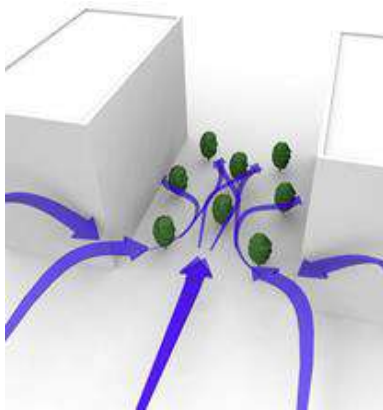
Comment 3-21: The only mitigation discussed for wind impacts at the Teutonia site relates to the buildings' entrances, but there are predicted wind impacts at Hudson and Prospect Streets. Both of these streets are anticipated corridors for pedestrians accessing the train stations from other



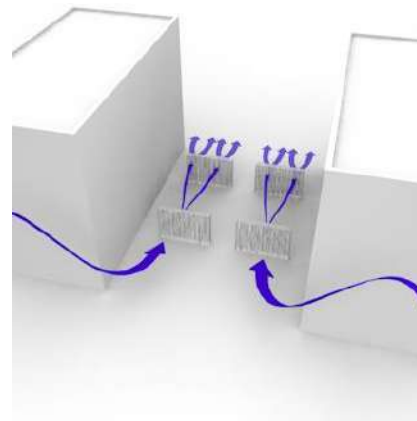
a) Podium/Tower Setback



b) Canopy



c) Landscaping



d) Wind Screens

developments. Additionally, there is no discussion about the effects of the wind impacts upon the Queens Daughters day care center, a sensitive receptor. Logically, an impact that has potential safety issues for an adult would be more of a concern for small children. The wind impacts appear to be present at both the day nursery's entrance and their playground. (Nersinger_031)

Response 3-21:

Wind gusts that are responsible for the predicted safety exceedances at the entrance and playground of the Queens Daughters daycare are typically anticipated during extremely windy days or during the peak winter months.

Given the waterfront location of the site and the local wind directionality, any massing that is taller than the existing surrounding buildings would have resulted in high wind speeds around it. The Teutonia Project also incorporates several positive design features from a wind control perspective such as tower setback at the podium and a partially open podium garage.

During final design of the Teutonia Project as part of site plan review, the Applicant would work with its wind engineer and the adjacent Queens Daughters daycare to incorporate appropriate wind control measures, such as canopies and trellises, to disrupt the vertically flowing winds and minimize potential adverse impacts to the outdoor recreational areas of the daycare.

Comment 3-22:

Excessive wind is often cited in quality-of-life studies as one of the greatest annoyances in a downtown urban area plagued with wind tunnels. The Yonkers streets closest to the Hudson River are already almost non-negotiable when a storm is brewing. Extending these problems further east into the new buildings, and making the elevated public outdoor spaces on Teutonia nearly uninhabitable during wind events, seems shortsighted at best. (YCSD_013)

Response 3-22:

The analysis conducted for the DEIS indicates that developing the Teutonia Site would essentially result in the relocation of the highest pedestrian wind levels that already occur under existing conditions on the west side of the Metro-North Railroad tracks, to locations east of the Teutonia Project towers. As noted in the DEIS, this impact would occur even if the Teutonia Site is developed under the existing zoning. Wind gusts that are responsible for the predicted safety exceedances are typically anticipated during extremely windy days or during the peak winter months. As discussed in DEIS Chapter 3, "Visual and Community Character," wind conditions on the Teutonia Project's Level 7 and Level 41 terraces during the summer, when they are anticipated to be used the most, are expected to be suitable for standing at all locations except the

south side of the Level 7 terrace, where wind speeds suitable for strolling are anticipated (see DEIS Figure 3-86). Wind speeds that meet the safety criterion are anticipated at all tested locations on the Teutonia Project terraces (see DEIS Figure 3-88).

As noted in Chapter 1, “Revised Proposed Project,” and Chapter 2, “Environmental Analysis,” of this FEIS, as modified, the Teutonia Project’s garage will include fewer window openings on the first few floors (i.e., up to approximately 40 feet above the elevation of the Metro-North tracks), on the west, or rear, side of the garage. As the front-facing (east) side of the garage along Buena Vista Avenue would feature retail and residential amenity uses up to this elevation, this minor design revision would not materially affect the results of the wind analysis.

Comment 3-23: There is concern with impacts to fire fighters; the wind velocity of fighting a fire at high height is different than at lower elevations. This needs to be evaluated. (Landi_022, Forsberg_021)

Response 3-23: The Yonkers Fire Department (YFD) has been consulted with respect to the potential impacts of the Proposed Project during development of the DEIS and did not indicate a concern regarding wind velocity at the upper stories of the proposed buildings.

CHAPTER 4: CULTURAL RESOURCES

GENERAL

Comment 4-1: We [the NYS Office of Parks, Recreation and Historic Preservation] (OPRHP) have reviewed the Draft Environmental Impact Statement (EIS) for the AMS Yonkers Downtown Development dated February 9, 2022. We have read through the Historic Resources chapter and have no comments. We look forward to receiving the Final EIS and design documents for the three project sites for our continued review. (McIlvor_005)

Response 4-1: Comment noted.

ARCHAEOLOGICAL RESOURCES

Comment 4-2: Comments were raised about the potential for archaeological resources within the Chicken Island Site.

“Existing Conditions” states, “In letters dated December 28, 2020 and March 24, 2021, OPRHP advised that the Proposed Project does not present any archaeological concerns (see Appendix F-2 and Appendix F-4).” Neither of the letters submitted from SHPO indicates that there are strictly

NO archeological resources on any of the three sites. In the 12/28/20 letter, OPRHP Survey and National Register Unit requested a building survey. Has this been provided? The 12/28/20 indicates that there are no archeological resources on the North Broadway site. There is no mention of the Chicken Island Site, which is the historic bed of the Saw Mill River. The 3/24/21 letter just reflects the addition of the 16 North Broadway to the project. Reference to Appendix F-2, the NYS OPRHP Letter dated December 28, 2020. Has the Applicant confirmed that the OPRHP has no comments for the Chicken Island Site? The letter only makes references to the Teutonia Site and the North Broadway Site. (Nersinger_031)

The DEIS is misleading on at least a couple of counts. For instance, AMS infers on page 4-1 that “In letters dated December 28, 2020 and March 24, 2021, OPRHP advised that the Proposed Project does not present any archaeological concerns (see Appendix F-2 and Appendix F-4).” The opinions expressed in these exhibits relate narrowly to parcels in the North Broadway phase. One has to assume that a former thriving commercial area like Chicken Island, near the center of a 400-year-old city, presents astounding possibilities for archaeological study. AMS should review the record, including the attached map of Chicken Island in 1893, before presenting such an opinion. All over the world, cities and developers partner to employ scientific teams during construction when these opportunities arise. (Hensley_016)

Response 4-2: The adopted DEIS Scope notes that the analysis of the Proposed Project’s potential impacts to archaeological resources “will be based on consultation with OPRHP.” OPRHP was provided information regarding the Project Sites. OPRHP’s letter of December 28, 2020 indicating no archaeological concerns, is for the entirety of the Proposed Project and Project Sites. OPRHP’s letter of March 24, 2021 regarding archaeology specifically addresses one additional property added to the North Broadway Site (16 North Broadway) subsequent to OPRHP’s December 2020 letter. In addition, in its letter dated April 1, 2022, OPRHP confirmed that they reviewed the DEIS and did not have any comments. The DEIS discloses that the Project Sites do not possess archaeological sensitivity, as determined by OPRHP.

Comment 4-3: Comments were raised regarding protocols to be followed should archaeological materials be found during construction.

Although the SHPO notes that they have no archeological concerns, the Chicken Island site has been a center of development in downtown Yonkers since the 1700’s. Describe protocols used should archeological materials be found. (Nersinger_031)

What happens if something of archeological significance is found during excavation? What is the monitoring protocol? (Forsberg_021)

Response 4-3: OPRHP determined that the Project Sites do not possess archaeological sensitivity, and, therefore, there is no requirement for monitoring of archaeological resources. Despite this determination by NYS OPRHP

and in response to public comments regarding the potential archaeological sensitivity of the Chicken Island Site for archaeological resources, an Unanticipated Discoveries Plan (UDP) would be prepared by the Applicant as a condition of building permit approval. The UDP would describe the procedures to be implemented in the event that any significant unanticipated archaeological resources are encountered during construction. The UDP would set forth the steps that would be followed, including establishing a chain of command regarding notification of finds among the contractor, the Construction Manager, the Applicant, the Applicant's archaeological consultant, and NYS OPRHP, to ensure that appropriate measures would be taken to investigate, document, and recover significant uncovered artifacts while minimizing disruption to the construction schedule.

HISTORIC RESOURCES

Construction Impacts

Comment 4-4: Comments were raised regarding potential impacts to historic buildings from blasting and vibration during construction.

Are there any NYS Building and Fire Code requirements that the Applicant must adhere to regarding the Construction Protection Plans and blasting near historic resources at the Teutonia and North Broadway sites? (Nersinger_031)

In addition to addressing the astounding amount of massive new construction planned, the DEIS provides particularly valuable information in the mapping of the many resources downtown that are eligible for preservation and listing on the local, New York State, and/or National Registers of Historic Places. We should all move expeditiously to identify which of these should and must be preserved for future generations and protected during 10 years of construction. For these properties and those already listed for protection, AMS must present in the FEIS a plan that details exactly where and how seismic monitoring will be performed throughout the construction period, and what measures will be taken to respond to threats that result from blasting, chipping, or pile-driving near any local, state, or national historic landmarks. (Hensley_016)

Response 4-4: Blasting during construction is under the jurisdiction of YFD, and a permit must be obtained prior to commencing. If blasting is proposed by the contractor, YFD would ensure compliance with applicable regulations. In addition, and as stated in the DEIS, a Construction Protection Plan ("CPP") would be developed for construction at each Project Site in order to protect proximate historic resources. The CPP would be developed in coordination with OPRHP and a professional engineer and would be based on New York State and industry standards, as well as federal guidance on protecting historic structures. Specifically, upon final approval of the contract drawings and prior to any construction

activity, on a Project Site, a mapping of historic sites within a radius of influence would be completed. The Applicant would then document the conditions of those structures prior to construction. A monitoring plan would be developed for any necessary vibration monitors and or crack measurement devices. The frequency of monitoring and tolerances would be specified in the CPP. Exceedances will be evaluated pursuant to the CPP, and construction techniques would be altered as necessary.

Comment 4-5: Construction Protection Plans should be shown as a draft in the FEIS given the number of national register historic and more sensitive structures in the downtown such as Philipse Manor Hall, St. John’s Church, the Proctors Theater and the Trolley Barn.

Please document discussions with NYS OPRHP and the SHPO regarding the potential impacts to structure of Philipse Manor Hall that has been cited in previous reports as being sensitive to vibrations from construction work and trucks. Include a paragraph in the FEIS that vibration monitoring can be offered upon request. (Nersinger_031)

Response 4-5: In a letter dated April 1, 2022, OPRHP confirmed that they reviewed the DEIS and did not have any comments. See also Response to Comment 4-4. CPPs for the Project Sites would be developed in consultation with OPRHP to protect historic resources from inadvertent construction damage. CPPs are specific to a particular site plan and site-specific conditions, as well as to certain construction techniques, which cannot be known for the three different Project Sites at this time.

Comment 4-6: How will historic elements within districts that aren’t buildings/sites (i.e., historic fire hydrant) be preserved/protected? (Forsberg_021)

Response 4-6: The Applicant will identify relevant infrastructure on the streets surrounding a Project Site as part of the CPP.

Teutonia

Comment 4-7: Teutonia Hall, which gives its name to the Teutonia site of this application, was demolished by a previous owner. The façade was dismantled and stored for later use as required by a previous approval for an earlier development proposal on the site in 2012. We are supportive of the current Applicant’s stated intention to incorporate elements of the former façade into the proposed project. (Drummond_007)

Response 4-7: Comment noted.

Comment 4-8: Comments were raised regarding the demolition report from the former Teutonia façade and the location and condition of the façade elements.

The building design for the podium levels at the Teutonia Site shall demonstrate compliance with previous findings of the Planning Board regarding the demolition of the former Teutonia Hall and incorporate the dismantled Buena Vista Avenue façade. Please note, a demolition report dated 7/30/2014 was provided to the City and should be incorporated into the project. It is anticipated that Planning Board would adopt a similar finding for the Proposed Project. (Nersinger_031)

How much of the Teutonia Hall façade remains available, usable and where is it currently stored? The reuse of the former building was an important element in prior approvals and the land use boards expect that the salvaged façade would be incorporated into the new building. What is "...the current condition of the façade." as this statement sounds like an introduction of an excuse to not use the salvaged materials. (Nersinger_031)

Naturally, in my capacity as chairman of the Landmarks Preservation Board, Chapter 4 of the DEIS has been a particular focus. The developers asked to meet with me last year to discuss the surviving elements of the façade of the Teutonia Hall. My understanding is that they have evaluated and stored these elements with the intent to protect and incorporate them into the new Teutonia Hall site. The FEIS will need to address these important artifacts more specifically, where they are now and their condition, together with detailed renderings of exactly how they will be utilized in, and, when necessary, recreated for, the new construction. The current renderings are insufficient to this task. The Façade Demolition report prepared by JVS Exteriors for Kohl Construction Group (attached to this email) should be incorporated as an appendix to the FEIS so that this important record is retained and referenced by AMS. The citizens of Yonkers, long before I joined the LPB, were clear in their determination that this singular part of the city's history be both preserved and featured in any new development on the site. (Hensley_016)

How will the former Teutonia Hall façade be incorporated? What does this look like? Will the entire façade be incorporated? (Larkin_023)

Response 4-8: The Applicant has provided a design for the Teutonia Project building façade that incorporates elements of the historic Teutonia Hall façade (see **Figure 3-10**). Jablonski Building Conservation completed a materials conservation report, which indicated that the original terra cotta and some of the brick may be acceptable for reuse, subject to testing for strength and durability. Much of the façade's metal was corroded prior to demolition and was subject to further corrosion when left on-Site by the prior owner. Some of the metalwork may be salvageable, but most will have to be recreated. .

Chicken Island

Comment 4-9: We learned an illuminating lesson recently when St. John's Church was freed from its proximity to 5 South Broadway by a four-alarm fire. In

Chapter 18, Table 18-1, AMS opines that the shadows proposed for the stained-glass windows of Mr. Carmel Baptist Church “cannot be mitigated by any reasonable measure,” as if an attempt to scale back the design is beyond reason. They should make every reasonable attempt to do so and honor this historic house of worship. (Hensley_016)

Response 4-9: In consultation with Mt. Carmel Baptist Church, the Applicant will seek to develop measures to offset the impacts of the incremental shadows to the extent practicable. Measures to be explored include cleaning of the interior/exterior of the windows or of any protective covering if present; replacement of any protective covering if present with a more translucent material; and installation of artificial lighting, which could simulate the effect of direct sunlight on the stained-glass windows.

Comment 4-10: AMS states on page 4-13 that “The Chicken Island Project would not obstruct views to the primary façade of the 87 Nepperhan building.” I believe it is fairly common knowledge that AMS is in talks with the City of Yonkers regarding potential acquisition of the land and destruction of this Art Deco icon. (Hensley_016)

Response 4-10: The Applicant has had informal, inconclusive discussions with the City about 87 Nepperhan, but acquisition of the building is not a component of the Proposed Action. Any potential future private reuse of the building or land would require the approval of the City of Yonkers (as the landowner) and would be subject to its own review under SEQRA.

North Broadway

Comment 4-11: Within the North Broadway site, two of the buildings are noted as contributing to the State/National Register-eligible Yonkers Downtown Historic District (28 North Broadway and 50 North Broadway). 50 North Broadway is dilapidated and would be replaced with a three-story building. 28 North Broadway is two stories and would be replaced with a stepped building that would terrace up the hill alongside the proposed public staircase. The DEIS states that a study would be conducted to evaluate possible alternatives to demolition. We would recommend either incorporating the façade of 28 North Broadway into the site plan, or utilizing design elements from the original building within the new building. (Drummond_007)

Response 4-11: In response to comments, the proposed new building at 28 North Broadway has been eliminated. Therefore, the Project would not adversely affect this contributing property within the S/NR-eligible Yonkers Downtown Historic District. The Applicant would prepare an analysis to evaluate whether, given the objectives of the North Broadway

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Project, there are any feasible and prudent alternatives to demolishing the building at 50 North Broadway.

Comment 4-12: YCSD encourages the City in general, and the Lead Agency and Planning Department in particular, to consider the health of historic buildings contiguous to a portion of the AMS project. The Wheeler Block of North Broadway contains some of the most impressive and vital buildings to preserve in the entire city. The North Broadway project is planned to include grand staircases coming down the hill and ending on the east side of the Wheeler Block. Two buildings, one of which is considered by S/NR to be a contributing building to a potential historic district, are slated to be demolished to accommodate the staircases. (YCSD_013)

Response 4-12: The new building at 28 North Broadway has been eliminated. Therefore, the North Broadway Project would only require the demolition of one property that is considered contributing to the S/NR-eligible Yonkers Downtown Historic District, 50 North Broadway. As described in the DEIS, the building at 50 North Broadway is vacant and boarded up. It is in a deteriorated condition and does not meaningfully contribute to the North Broadway streetscape.

As stated in the DEIS, a Construction Protection Plan (“CPP”) would be developed for construction at each Project Site in order to protect proximate historic resources. The CPP would be developed in coordination with OPRHP and a professional engineer and would be based on New York State and industry standards, as well as federal guidance on protecting historic structures. Specifically, upon final approval of the contract drawings and prior to any construction activity, on a Project Site, a mapping of historic sites within a radius of influence would be completed. The Applicant would then document the conditions of those structures prior to construction. A monitoring plan would be developed for any necessary vibration monitors and or crack measurement devices. The frequency of monitoring and tolerances would be specified in the CPP. Exceedances will be evaluated pursuant to the CPP, and construction techniques would be altered as necessary.

Comment 4-13: North Broadway site: “The applicant would consult with OPRHP ... and develop mitigation measures...” Shouldn’t this be a part of the EIS? Isn’t Alternatives analysis a basic element of an EIS? This should be addressed in the FEIS. (Nersinger_031)

Response 4-13: The comment is referring to the statement in the DEIS regarding the alternatives analysis that would need to be provided to OPRHP for demolition of 50 North Broadway and 28 North Broadway. Based on comments received, the new building at 28 North Broadway has been

eliminated. Therefore, the North Broadway Project would not adversely affect this contributing property within the S/NR-eligible Yonkers Downtown Historic District and an alternatives analysis and mitigation would no longer be required. As described in the DEIS, the building at 50 North Broadway is vacant and boarded up. It is in a deteriorated condition and does not meaningfully contribute to the North Broadway streetscape. The Applicant has consulted with OPRHP, pursuant to SEQRA regulations and the DEIS Scope, to identify relevant cultural resources and potential impacts of the Proposed Project to those resources as well as potential mitigation measures. The Applicant would continue to consult with OPRHP under Section 14.09 of the New York State Historic Preservation Act, as is required by a Letter of Resolution among OPRHP and NYSDEC. As part of that consultation, the Applicant would prepare an analysis to evaluate whether given the objectives of the Proposed Project, there are any feasible and prudent alternatives to demolishing the building at 50 North Broadway as well as to finalize measures to mitigate adverse impacts. To facilitate this analysis, the Applicant performed a structural evaluation and records search of the building (see **Appendix I**). This report documented the severely deteriorated condition of the building, including fire damage to wood beams, floors, and walls, as well as large holes in, and the partial collapse of, the roof; partial collapse of the rear of the building; and assessments that the building is unsafe. Alternatives to demolition include 1) retaining the building at 50 North Broadway in its current configuration with no possible use for the North Broadway Project; 2) retaining and modifying the building at 50 North Broadway for use as part of the North Broadway Project; and 3) retaining only the façade of the building at 50 North Broadway. Alternatives to demolishing the building would require substantial re-construction of what is currently an unsafe building, which is not practically and economically feasible. In addition, in order to use the building as part of the Proposed Project, e.g., to provide the required connection from North Broadway to the North Broadway tower which is sited at a higher elevation on the hill, the building would have to be increased in height and depth, which would likely be infeasible given its current condition. Retaining the façade of the building would likewise be infeasible due to the deteriorated condition of the building and the significant engineering challenges posed by the need to demolish the remaining non-primary façade portions of the existing 50 North Broadway building; to brace and stabilize the primary façade; to protect the façade during construction; and to build a new building with the North Broadway façade wall standing on the site and incorporated into the new building by bracing and incorporating the façade. In addition, a substantial new building would be required behind the façade in order to provide the required connection to the proposed residential tower.

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Comment 4-14: Landscaping on Baldwin Street may “complement” the existing residential character of the surrounding area but cannot screen the bulk of the buildings and the windowless parking garage facing the national register community to the north. (Nersinger_031)

Response 4-14: Comment noted. See Response to Comment 4-15.

Comment 4-15: While a new building next to a historic district does not make the district less historic, a building so dimensionally out of context with the district that will contribute negative impacts such as shadows and construction impacts does not induce the districts owners to continue to deal with their older homes. (Nersinger_031)

Response 4-15: As stated in the DEIS, the National Register of Historic Places Nomination Form for the Bell Place-Locust Avenue district specifically noted that its boundaries were drawn to exclude intrusions that are clearly delineated by changes in terrain/topography and by the distinctly different character of the surrounding area, including the “massive” 11-story apartment tower to the north on Cromwell Place and the “severely altered mid and late 19th century buildings to the south.”¹ The Nomination Form further describes the Historic District as having been “developed in the second half of the 19th century as a residential enclave,” which “retains its distinct 19th century ambience while much of the fabric of the surrounding area has witnessed extensive 20th century intrusions and has suffered from urban blight and decay.” As also stated in the Nomination Form, the historic district is architecturally significant as a mid-19th century neighborhood. The North Broadway Project would become part of the surrounding setting of the historic district, which does not contribute to its significance and would not adversely affect the historic characteristics of the historic district. To avoid inadvertent construction-related impacts to properties in the historic district that are in proximity to the North Broadway Project, a Construction Protection Plan to protect these historic resources would be developed and implemented in consultation with a licensed professional engineer, as stated in the DEIS. As further described in the DEIS, a shadows analysis was undertaken to assess potential impacts on sunlight-sensitive resources which are those that depend on sunlight or for which direct sunlight is necessary to maintain the resource’s usability or architectural integrity (such as stained glass windows) or for which the effect of direct sunlight is described as playing a significant role in a historic property’s

¹ National Register of Historic Places Inventory-Nomination Form, Bell Place-Locust Hill Avenue Historic District, prepared by OPRHP, 1985, Section 7, “Description,” page 1.

importance as a historic landmark. The Bell Place-Locust Avenue Historic District does not contain these characteristics.

With respect to potential construction period impacts, see also Response to Comment 4-4 as well as the mitigation measures incorporated into the Revised Proposed Project.

Comment 4-16: The Yonkers Downtown Historic District, which for the moment exists in name only, could become a reality if the city approached its urban redesign to incorporate the preservation of the buildings that represent core elements of its past history and development. (YCSD_013)

Response 4-16: The Yonkers Downtown Historic District has been determined to be S/NR-eligible. The Revised Proposed Project requires the demolition of one contributing property within the historic district (the vacant and dilapidated two-story building at 50 North Broadway). As described in the DEIS, the north residential tower of the North Broadway Project (with the exception of its lobby and two floors of amenities that would be located along North Broadway in the location of 50 North Broadway) and most of the south residential tower would be outside of the boundaries of the Yonkers Downtown Historic District and substantially set back from North Broadway.

Comment 4-17: YCSD encourages the Lead Agency to negotiate with the developer to set aside funds for the restoration of the facades of the historic properties on North Broadway. A refurbished streetscape below Locust Hill will increase the property values of the entire AMS North Broadway/Locust Hill project and should be seen as desirable enough for the developer to encourage the creation of a Façade Fund. (YCSD_013)

Response 4-17: Comment noted. The Revised Proposed Project would improve the streetscape along North Broadway through infill of a vacant lot and replacement of a dilapidated building with attractive, context-sensitive development along the street.

Comment 4-18: The Yonkers IDA could also consider making a Façade Fund a requirement in exchange for payment in lieu of taxes (PILOTs) and tax incentives on the AMS project. (YCSD_013)

Response 4-18: Comment noted.

Comment 4-19: The North Broadway site specifically Block 2018, Lots 48, 50, 51, 56, & 57 is an historical area and should be designated as such with signage in the surrounding community. I am concerned the new modern

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developments will be designed in a way that does not take into consideration the historic value of the area. (Morel_004)

Response 4-19: Comment noted.

Comment 4-20: I believe designating the area around the North Broadway site in Getty Square as an historic district and keeping potential developments in line with the surrounding historic preservation design will be more beneficial in the increase of tax revenue than a complete redesign with taller buildings as requested by the developer. (Morel_004)

Response 4-20: Comment noted.

CHAPTER 5: GEOLOGY, SOILS, AND TOPOGRAPHY

Comment 5-1: In our 2020 notes, YCSD brought up the issue of the Yonkers Steep Slopes ordinance at the North Broadway project. We do not believe that the DEIS answers this issue in a satisfactory fashion. (YCSD_013)

Response 5-1: Section 43-105 B of the Yonkers Zoning Ordinance relates to the development of sites with steep slopes. That section sets out 20 considerations to be addressed to the Planning Board's satisfaction during Site Plan review. The final site plans to be developed for the Revised Proposed Project will address these design considerations, as practicable.

CHAPTER 6: SOCIOECONOMICS, FISCAL IMPACTS, AND ENVIRONMENTAL JUSTICE

Comment 6-1: Part of the N Broadway project is in the BID and some of it appears to be out. Will this apartment complex that goes over to Overlook Avenue be in the BID? Will the BID be given tax assessment money from any or all of the building projects? Has anyone taken this into consideration? How much money will be given to the BID as the result of the buildings and the BID tax assessment equation? (Brody_006)

Response 6-1: The portions of the Revised Proposed Project that are within the BID boundary would be subject to BID assessments. As noted in Table 6-32 of Chapter 6, "Socioeconomic Conditions," at full build-out, the Proposed Project would generate an estimated \$796,400 annually for the BID, of which approximately \$784,600 would be net new revenue. This estimate is based on the fact that approximately 75 percent of the area of the Project Sites is within the BID. As noted in DEIS Table 6-32, the tax payments by the Proposed Project are estimated solely for the purpose of environmental review and are not binding on the final tax assessments determined by the City of Yonkers Assessor.

Comment 6-2: What are the staffing level implications for the BID with the new buildings? How will the BID afford the increased costs of staff and maintenance for these increased areas? There will be increased cost of everything at the BID due to the increase in buildings, trash, people, etc. Has this been factored into any equation? (Brody_006)

Response 6-2: The Revised Proposed Project would revitalize existing vacant and underperforming sites with mixed-use, transit-oriented developments, which would benefit conditions in the BID. In addition, the Proposed Project would generate revenues for the BID that would support staffing and maintenance costs. See also the Response to Comment 6-1.

AFFORDABLE HOUSING

Comment 6-3: Comments were received regarding the method by which the Revised Proposed Project would comply with the City of Yonkers' Affordable Housing Ordinance. Specifically, some commenters expressed their opinion that the Project should not pay a fee in lieu of providing a certain number of units within the Project's buildings.

We are supportive of the Applicant including the required 356 affordable units within the development. We are not supportive of the Applicant potentially buying their way out of their responsibility to provide half of the required affordable housing units through a payment-in-lieu. The County Planning Board strongly opposes the use of payment-in-lieu provisions for affordable housing and we encourage the City to eliminate this provision as it seeks to revise its affordable housing ordinance. (Drummond_007)

There are several notations in various chapters that the affordable housing will be between "5% and 10% of the units. The COY ordinance calls for 10%. If the developer plans to accommodate less than that number in its buildings than it should simply state that and acknowledge that the balance will be paid into the city fund. However, YCSD believes that a full 10% - and possibly more if the city passes a new ordinance - should be incorporated into each new building. Of this 10% an appropriate division should be made among 1, 2, and 3 bedroom apartments so that low-income families will be able to be accommodated in the new construction. (YCSD_013)

Affordable housing units included with the project are reduced. What financing is being explored? Is there any discussion about the affordability moving closer to the 10 percent range if there are wider bands in the AMI (area median income)? (Forsberg_021)

Who is the reporting agency that the Applicant would be working with on those affordable units for the income requirements? How will the actual number of affordable units be determined? Are any social services being proposed to support affordable units? Who would manage the payment in lieu? A case study of how payment in lieu would work should be provided. (Forsberg_021)

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We understand that the City is looking to make changes to its affordable housing ordinance and we recommend the City consider the County's Model Ordinance Provisions¹ for guidance in making its revisions. The County developed these Provisions to standardize the affordable housing programs across Westchester to make it easier for both residents and developers to understand qualifications and requirements, and to provide fair housing throughout all municipalities. (Drummond_007)

I am also troubled by any suggestion that AMS might be allowed to minimize the amount of affordable housing by payments-in-lieu, and I believe they should withdraw this notion in the FEIS. (Hensley_016)

Response 6-3: Comments noted. The Revised Proposed Project would comply with the City of Yonkers Affordable Housing requirements set forth in Article XV of the Yonkers Zoning Ordinance. Details regarding the method by which the Applicant would comply with these requirements, including the number of units to be provided within the Revised Proposed Project buildings and the amount, if any, of a payment in lieu of on-site affordable units are not known at this time, and would be determined during the Site Plan review process. See also Response to Comment 2-19 regarding the City of Yonkers' Affordable Housing Trust Fund.

Comment 6-4: How would the Affordable Housing (AHO) units that are at a higher rent, albeit affordable under the terms of the AHO, have any mitigating effects upon other vulnerable households rent increases? (Nersinger_031)

Response 6-4: As detailed in DEIS Chapter 6, "Socioeconomics, Fiscal Impacts, and Environmental Justice," using conservative assumptions, up to 22 percent of the Socioeconomic Study Area's² ("SESA") current residents may be low-income renters in units that are not rent-protected and potentially vulnerable to increases in market-rate rent. The analysis also shows that market-rate rents are currently not affordable to low-income and some moderate-income renters. Through the provision of AHO units, the Revised Proposed Project would provide units at rent levels that are affordable to a portion of the potentially vulnerable population in the SESA, and those who would be eligible for the AHO units are largely unable to afford current asking rents in the SESA.

¹ <https://homes.westchestergov.com/resources/affordable-housing-ordinances/model-ordinance#:~:text=Westchester%20County%20has%20developed%20Model,new%20fair%20and%20affordable%20housing.&text=The%20Model%20Ordinance%20Provisions%20suggest,as%20fair%20and%20affordable%20units.>

² See DEIS Chapter 6, "Socioeconomics, Fiscal Impacts, and Environmental Justice" for a description and illustration of the SESA.

RESIDENTIAL AND BUSINESS DISPLACEMENT

Comment 6-5: In particular, we note that the DEIS describes how direct and indirect residential displacements would result from the proposed development. By that reasoning, affordable housing should be provided to the maximum extent possible in order to balance the market with the needs of existing residents – thereby minimizing any displacement of current residents. This includes the direct displacements involved with this particular application, which would remove 13 residential units and four commercial tenants. Relocation assistance measures, either within the site or within the neighborhood, should be discussed in the EIS. (Drummond_007)

Response 6-5: In response to public comments, the Applicant will offer to lease space in the Revised Proposed Project at market rate rents to existing commercial tenants at the Project Sites that have been in good standing throughout the duration of their current lease. The Applicant, upon request, will retain a local broker to assist existing commercial and residential tenants at the Project Sites find suitable temporary or permanent replacement space as necessary and will provide up to \$5,000 per displaced residential unit in financial assistance to offset relocation costs.

Comment 6-6: This section [Indirect Residential Displacement] seems to discuss only the impacts of potential rent increases within existing buildings and does not consider the impacts of the new development upon the overall downtown market. As current development interest in the downtown has itself induced the proposed action isn't there a potential that the new development would induce new interest in the market, purchase of existing older frame multifamily buildings and the demolition and repurposing of these buildings essentially displacing the existing populations in those buildings? Are there soft sites within the downtown that are appropriately zoned but "underdeveloped" that might see such displacement occur? (Nersinger_031)

Response 6-6: As detailed in Chapter 6, "Socioeconomics, Fiscal Impacts, and Environmental Justice," the Revised Proposed Project would, over a 10-year period, introduce a large enough number of higher-income residents and new housing product to influence the socioeconomic and market conditions in the SESA. With more higher-income residents in the SESA, other property owners may recognize a potential to improve vacated units or redevelop properties to offer residential units at a higher price point. This influence would be greater on properties that allow for larger multifamily residential buildings, rather than single-family or multifamily homes, because new market entrants are not typically

seeking those types of residential product. However, there is already a readily observable trend toward higher incomes and new market-rate residential development in the SESA. Irrespective of the Revised Proposed Project, projects under construction, recently completed, and planned in the SESA (see FEIS **Table 3-3**) will introduce new residents that will create displacement pressures on lower-income residents living in unprotected rental housing. The Proposed Project would contribute to, and potentially accelerate, existing trends, but would not initiate a new trend of displacement. With respect to the potential development of “soft sites” downtown, please see Response to Comment 2-8.

Comment 6-7: In response to issues of indirect business displacement the document notes that there would be wide sidewalks on areas around the Chicken Island site. What width is proposed? It states that there would be “public plazas”. (Nersinger_031)

Response 6-7: Sidewalks on the Chicken Island Site would range from approximately 4.7 feet to 15.4 feet in width, with 13-foot-wide sidewalks most prevalent and certain plaza areas with widths up to 29 feet.

Comment 6-8: More detail on business displacement during construction should be provided. What arrangements would be made for displaced businesses during construction? (Forsberg_021)

Response 6-8: Construction of the Revised Proposed Project is not anticipated to result in indirect displacement of area businesses; see Response to Comment 15-16. With respect to issues of potential direct displacement; also see Response to Comment 6-5.

MARKET NEEDS/OWNERSHIP

Comment 6-9: NYC is implementing congestion tax and public transportation is consistently on the rise and becoming unaffordable and more unsafe causing people to flee. People flee due to unaffordable living (as New York’s population is declining in general due to NY’s tax laws already). Yonkers and developers are hoping that the people will flee to Yonkers except Yonkers and these developers are not looking to accommodate these people in the long term. I am also wondering why it is also all rental properties. Why not build condominiums so individuals are actually vested in Yonkers rather than renters? (Gevar_008)

Response 6-9: Comment noted. The Applicant is proposing rental units based on its analysis of the current and reasonably anticipated future market demand for rental units and lack of demand for condominium units.

Comment 6-10: I had written to the planning board in year 2020 about prime real estate not being available to the residents of Yonkers. Below is what I had written about my concerns two years ago and I still feel the same: My biggest concern is if there are any studies done on all the rental properties that have been built in the last 20 years in Yonkers. Are the properties actually rented out or are there a lot of vacancies? Have any of the rentals changed their requirements to fill any vacancies? Are there any studies done on how much time those residence shop in Yonkers? In addition, to my fear that downtown Yonkers is going to turn into a co-op city I don't like that a few renters enjoy prime real estate. Although, retail is having a difficult time, prime real estate should be built to be enjoyed by many and generate revenue. Aside from people like myself not wanting to go downtown because of vehicle congestion due to improper infrastructure and safety concerns Yonkers has been allowing apartment building after apartment building and I don't see much revenue. Why not build a large glass mall with attached parking? Similar to the old South Street Seaport in NYC. How about a beautiful enclosed ice rink? Why not have office space rather than apartments upstairs? Yonkers needs to re-establish itself as a city of gracious living. (Gevar_008)

Response 6-10: As discussed in DEIS Chapter 6, “Socioeconomics, Fiscal Impacts, and Environmental Justice,” when the Revised Proposed Project is complete and full property taxes and other taxes are being paid, it is estimated that it would generate approximately \$27 million more in tax revenue per year than is currently generated by the Project Sites. This includes an additional approximately \$18.03 million in property taxes, \$4.66 million in sales, payroll, and other taxes, and \$4.08 million in Yonkers resident income tax surcharges. Of this amount, the City is estimated to receive an additional approximately \$7.4 million per year and the Yonkers Public Schools is estimated to receive approximately \$9.63 million in additional revenue per year. The Revised Proposed Project contains slightly less retail space than the DEIS Proposed Project and would therefore result in a *de minimis* reduction in property, sales, and payroll taxes.

In addition, and as stated in the DEIS, the Applicant anticipates applying to Yonkers Industrial Development Agency (“IDA”) for financial assistance to make the Revised Proposed Project economically viable. Financial assistance may include mortgage recording tax exemptions, construction period sales tax exemptions, and potentially property tax abatements. To the extent that after review of required cost/benefit analyses the IDA agrees to provide property tax abatements, the Applicant would enter into one or more PILOT agreements with the IDA, which would require payments in lieu of taxes to be made according to a negotiated schedule. The potential terms of PILOT agreements, including the amounts of payments and the duration of the agreements, are not

currently known. However, it is expected that the IDA would require payments in lieu of taxes to taxing jurisdictions in amounts sufficient to cover any increased costs incurred by governmental service providers, including Yonkers Public Schools, as a result of the Revised Proposed Project.

It is also noted that the Project Sites are not owned by the City. In fact, the Chicken Island Site was sold by the City to the Applicant for the explicit purpose of redevelopment.

Comment 6-11:

Prior to approving the proposed number of units, YCSD asks that an assessment of current residential occupancy rates be conducted on the downtown and waterfront residential buildings. While we agree that it is more sustainable to create additional density in the urban core, rather than to continue to utilize open land for housing, it is incumbent upon the Lead Agency to be sure that this amount of additional residential units will be able to operate at near or full capacity. The risk here is that a surplus of units will end up empty, and thus the additional planned retail and commercial spaces will not meet their potential either. (YCSD_013)

Response 6-11:

As noted in Table 6-13 of DEIS Chapter 6, “Socioeconomics, Fiscal Impacts, and Environmental Justice,” the residential vacancy rate in the SESA was 13.6 percent in 2019.

Data compiled by a local real estate brokerage, Julia B. Fee, indicates that as of June 2022, 92.3 percent of units within comparable residential buildings in the City were leased, indicating a vacancy rate of approximately 7.7 percent for those buildings (see **Table 3-7**).

**Table 3-7
Residential Leasing Rates**

Property	Year Built	# Units	Percentage Leased
Sawyer Place Phase 2	2019	438	93.0%
Apex (Formerly Modera)	2018	324	96.0%
River Club At Hudson Park	2018	213	94.0%
66 Main Street	2008	170	97.0%
Stratus on Hudson	2019	74	98.0%
River Tides At Greystone	2018	330	92.0%
45 Hudson Views	2015	61	94.0%
SOYO Lofts	2017	27	100.0%
Avalon Yonkers	2019	590	87.0%
Hudson Blue	1967	94	89.0%
412 BX River	2019	44	93.0%
TOTAL		2,365	92.3%
Source: Julia B. Fee; July 11, 2022			

- Comment 6-12:** What is the market for all the residential development proposed? Can it be absorbed? (Landi_022)
- Response 6-12:** A formal market assessment is outside the scope of SEQRA analyses. See Response to Comment 6-11 for information on vacancy rates in comparable buildings, which indicate demand for this product. In addition, see Section 6.C.3 of the DEIS, which documents the ongoing increase in employment within the City (and the SESA), which also helps to support the market for new residential units. Changes in future market conditions could affect the scale of the Revised Proposed Project and the timing of its build-out. See also Response to Comment 6-11, which indicates low vacancy rates for housing products similar to those proposed. Any changes would be reflected in future site plans and, if the changes are significant, may require further SEQRA review.
- Comment 6-13:** The creation of this many units will increase supply making all rents more affordable. (Forsberg_021)
- Response 6-13:** Comment noted. As discussed at the end of Section 6.E.1.c of the DEIS, “from a macroeconomic perspective, the addition of housing in the SESA, even at higher price points, could serve to relieve rent pressures because absent the new units, households drawn to the area would compete for other available units, driving up rents.” Therefore, while rents in the SESA may not decrease as a result of the Revised Proposed Project, for a portion of the SESA’s housing stock, rents may not increase as fast.
- Comment 6-14:** Besides the fact that as yet we have no studies substantiating that the market can sustain the residential and office units proposed in the DEIS, large numbers of people will be displaced by this proposed development. (Hensley_016)
- Response 6-14:** With respect to market studies for residential and office uses, see Responses 1-9 and 6-12 and. With respect to the concern about residential displacement, DEIS Chapter 6, “Socioeconomics, Fiscal Impacts, and Environmental Justice,” analyzes direct and indirect displacement of existing residents and businesses and concludes that there would not be potential significant adverse impacts due to displacement. See also the Response 6-5. Thirteen existing residential units would be displaced by the Revised Proposed Project. The Applicant will offer to lease space in the Revised Proposed Project at market rate rents to existing commercial tenants at the Project Sites that have been in good standing throughout the duration of their current lease.

FISCAL

Comment 6-15: Will AMS be given any tax incentives? Will AMS be given a PILOT for any or all of the properties they will be building? (Brody_006)

Response 6-15: As discussed in DEIS Chapter 6, “Socioeconomics, Fiscal Impacts, and Environmental Justice,” the Applicant anticipates applying to the IDA for financial assistance to make the Revised Proposed Project economically viable. Financial assistance may include mortgage recording tax exemptions, construction period sales tax exemptions, and potentially property tax abatements. To the extent that after review of required cost/benefit analyses the IDA agrees to provide property tax abatements, the Applicant would enter into one or more PILOT agreements with the IDA, which would require payments in lieu of taxes to be made according to a negotiated schedule. The potential terms of PILOT agreements, including the amounts of payments and the duration of the agreements, are not currently known. However, it is expected that the IDA would require payments in lieu of taxes to taxing jurisdictions in amounts sufficient to cover any increased costs incurred by governmental service providers, including Yonkers Public Schools, as a result of the Revised Proposed Project.

Comment 6-16: “Proposed project is estimated to generate approximately \$27 million more in tax revenue per year...” Is this a pre- or post-PILOT figure?

Can the applicant provide general figures in the Executive Summary for the expected PILOT program, such as the approximate rate for an approximate period of time?

“Potential terms of PILOT agreements ...are not currently known.” Please provide an average of recent PILOT terms and provide an estimate of tax revenue with the PILOTs in place.

PILOTs also typically reduce/eliminate sales taxes and mortgage recording taxes. What is the amount of sales tax lost to the taxing entities over the construction period? (Nersinger_031)

Response 6-16: See Responses 6-10 and 6-15. Based on review of six PILOT agreements for downtown development projects made by YIDA since 2017, the duration of the agreements range from 15 to 20 years. There is substantial variation in the levels of abatement, though under all agreements the PILOT amount increases annually so that by the end of the term of the agreement the amount equals the amount of taxes that would be paid in the absence of the agreement.

As discussed in DEIS Chapter 6, IMPLAN estimates direct construction sales tax at \$0.62 million for the City, \$1.68 million for the County, \$3.66 million for the State, and approximately \$30,000 for the MTA.

Comment 6-17: Property taxes will result in \$27 million more than current conditions. The project will seek one or more PILOTs. How will this work? Is it each particular building that they're talking about getting a PILOT for? How will the PILOT agreements allow for the increased cost of services resulting from the project? What are costs for police, fire, etc. and how does this equate to the PILOT? In the past, many times those PILOTs were for 25 years. Now they're usually 10 or 20 years. (Larkin_023)

As discussed in DEIS Chapter 6, IMPLAN estimates direct construction sales tax at \$0.62 million for the City, \$1.68 million for the County, \$3.66 million for the State, and approximately \$30,000 for the MTA.

Response 6-17: When the Revised Proposed Project is complete and full property taxes are being paid, it is estimated that the Revised Proposed Project would generate approximately \$18.32 million in property taxes, approximately \$18.03 million more than the amount of property tax currently generated by the Project Sites. The Applicant anticipates applying to the IDA for financial assistance to make the Revised Proposed Project economically viable. Financial assistance may include mortgage recording tax exemptions, construction period sales tax exemptions, and potentially property tax abatements. To the extent that after review of required cost/benefit analyses the IDA agrees to provide property tax abatements, the Applicant would enter into one or more PILOT agreements with the IDA, which would require payments in lieu of taxes to be made according to a negotiated schedule. The potential terms of PILOT agreements, including the amounts of payments and the duration of the agreements, are not currently known. However, it is expected that the IDA would require payments in lieu of taxes to taxing jurisdictions in amounts sufficient to cover any increased costs incurred by governmental service providers, including Yonkers Public Schools, as a result of the Revised Proposed Project. See also Responses to Comments 6-15 and 6-16.

The \$27 million figure referenced by the commenter is the estimated annual increase in *all* tax revenues from the Project Sites, including property taxes, sales, payroll, and other taxes, and Yonkers resident income tax surcharges.

Comment 6-18: Page 7-1 third paragraph in Chapter 7 – Tax generation numbers are different here than on page 6-6 Fiscal Impact. Please justify the two values. (Nersinger_031)

Response 6-18: Page 6-6 of DEIS Chapter 6, “Socioeconomics, Fiscal Impacts, and Environmental Justice,” states the total property tax would be \$18.03 million; page 7-1 of DEIS Chapter 7, “Community Facilities and Services,” states approximately \$4.67 million of these property taxes would go to the City of Yonkers (consistent with DEIS Chapter 6 page 6-45). Page 6-6 states the sales, payroll, and other taxes amount would be \$4.66 million (consistent with page 6-44); as noted on page 7-1 of the DEIS, of the sales tax component, the City of Yonkers would receive \$0.19 million (consistent with Table 6-34 on page 6-47 of the DEIS). Pages 6-6 and 7-1 both indicate that residents of the Revised Proposed Project are estimated to generate \$4.08 million in income tax.

ECONOMIC BENEFITS

Comment 6-19: 1,400 jobs are estimated to be generated by the project. How many of these jobs are likely to accrue to Yonkers residents? (Nersinger_031)

Response 6-19: The Revised Proposed Project would generate approximately 1,400 jobs each year during the 10-year construction period, and 658 jobs once operational. The Applicant would work with the City to implement a local hiring program. At this time, it is unknown how many jobs would likely accrue to Yonkers residents.

Comment 6-20: Notes that there would be “new economic activity at the project sites”. Will there be any negative impacts offsetting the new activity? Congestion, traffic, etc. that would offset the benefits? (Nersinger_031)

Response 6-20: See comments/responses with respect to specific potential impacts of the Revised Proposed Project, including impacts from traffic.

Comment 6-21: How was the 658 direct job number arrived at? What kinds of jobs are anticipated? (Nersinger_031)

Response 6-21: As detailed in DEIS Chapter 6, “Socioeconomics, Fiscal Impacts, and Environmental Justice,” direct employment was estimated based on the size (i.e. sf/, units) of the proposed uses and industry employment ratios from comparable projects in and around Westchester County. Table 6-39 in the DEIS provides a detailed breakdown of the estimate and the ratios associated with the estimate. Upon completion, and at stabilized operating conditions, the Revised Proposed Project would support an estimated 658 direct full- and part-time jobs annually. These jobs would be distributed across several sectors including: professional/health care (estimated 120 employees); building support services (142 employees); retail and personal care services (158 employees); food services (160 employees), and other personal services (78 employees). Given the

reduction in retail space from the DEIS Proposed Project, the number of retail and personal care, food services, and other personal service employees would be slightly less than was estimated in the DEIS.

ENVIRONMENTAL JUSTICE/GENERAL/NON-SUBSTANTIVE

Comment 6-22: Little to no discussion about “Environmental Justice” in the Executive Summary of the DEIS. Perhaps some language could be brought forward from Chapter 6 about the existing population data in the SESA. (Nersinger_031)

Response 6-22: Comment noted. This topic is discussed in DEIS Chapter 6, “Socioeconomics, Fiscal Impacts, and Environmental Justice,” in accordance with the adopted DEIS Scope.

CHAPTER 7: COMMUNITY FACILITIES

POLICE PROTECTION

Comment 7-1: The following comments were received regarding Yonkers Police Department Resources:

The proposed development would place a considerable strain on the Yonkers Police Department’s resources. Specifically, the police to citizen ratio would be negatively affected by the addition of several thousand residents to the Downtown area, as well as the influx of people who would utilize the proposed commercial space during business hours. Currently, the YPD employs approximately 1 Police Officer for every 343 residents. Police coverage would decrease to approximately 1 Police Officer for every 360 residents, with the anticipated addition of approximately 9,000 residents, not to mention the increase in population during business hours. As such, we would recommend that 25 additional sworn members be added to the Police Department, in order to continue to deliver the exceptional level of service that our community is accustomed to. (Monaco_030)

Are there any regional or national standards around the need to increase police patrols or workforce due to the increase in new commercial spaces? Will the mix of uses have an impact upon calls for services, for example, will hospitality industry uses, bars and restaurants have a different impact than other sorts of commercial uses?

The DEIS notes that “To service this increase, [in various calls for service] additional police personnel might be needed.” What is this number and what is the cost of police personnel needed? (Nersinger_031)

Impacts to police departments are a concern. The need for satellite stations should be evaluated. (Landi_022)

Response 7-1: As discussed in DEIS Chapter 7, “Community Facilities and Services,” the Yonkers Police Department (“YPD”) estimated that the Proposed Project would result in an approximately 45 percent increase in calls

within YPD Sector 401. This would be an increase of 3,384 calls per year in that sector. In their comments on the DEIS, YPD further noted that up to 25 additional police officers would be required to serve the Proposed Project. These estimates are based on the YPD's interpretation of the increase in calls attributable to recently completed downtown residential developments, the estimated residential population of the Proposed Project reported in the DEIS (i.e., 9,246), as well as the City's current police officer to resident ratio. For purposes of analysis, the Revised Proposed project is anticipated to have the same population.

As stated in Chapter 6, "Socioeconomics, Fiscal Impacts, and Environmental Justice," of the DEIS, the estimated residential population of the Proposed Project is based on two conservative assumptions. First, it assumes full occupancy of the proposed 3,556 units and does not account for normal levels of vacancy. Second, the estimate is derived from applying the *average* household size of renter-occupied units within the Socioeconomic Study Area ("SESA") (i.e., 2.6 persons per unit) to all units in the Proposed Project. Given that more than half (i.e., 55 percent) of the units in the Revised Proposed Project are studios or one-bedroom units, the 2.6 person per unit multiplier likely overestimates the actual population of the Revised Proposed Project. Using per unit multipliers based on their experience developing residential properties¹, the Applicant estimates that the actual population of the Revised Proposed Project is likely to be approximately 6,325 people, or one-third less than was assumed for purposes of fiscal impact analysis.

Given the inherent uncertainty in the precise number of new calls that the Proposed Project may generate, and the corresponding number of police officers needed to staff those calls, the DEIS analyzes the City's budget and estimates the potential increase in annual municipal cost that may result from the Proposed Project, including costs associated with providing emergency services and other municipal services. This analysis was performed using industry standard methodology, including per capita methodology, and was based on the estimated 9,246 person population.² Based on this analysis, the Proposed Project is estimated to result in approximately \$4.07 million in annual costs to the City (excluding costs to the Yonkers Public Schools). As stated above, this figure includes costs attributable to the City's emergency service providers, as well as other

¹ Based on their experience, the Applicant estimates the average per unit population would be 1.1 persons for studio units, 1.3 persons for 1-bedroom units, 2.25 persons for 2-bedroom units, and 3.25 persons for 3-bedroom units.

² The municipal cost for the commercial portion of the Project was estimated using the Proportional Valuation Method. The municipal cost for the residential portion of the Project was estimated using the per capita methodology. See Section 7.B.3 of the DEIS.

City services and is based on the estimated 9,246 person population of the Proposed Project. When the Revised Proposed Project is complete and fully taxed, it is estimated that the Project Sites would generate approximately \$4.67 million per year in property taxes payable to the City over and above what the Project Sites currently generate, resulting in an approximately \$0.6 million annual surplus to the City. In addition, the Proposed Project would generate sales taxes payable to the City (both from the new businesses as well as from increased sales at existing businesses) as well as approximately \$4.08 million per year in resident income tax surcharges. The analysis and conclusions are the same for the Revised Proposed Project, except that the Revised proposed project contains slightly less retail space than the DEIS Proposed Project and would therefore result in a *de minimis* reduction in property, sales, and payroll taxes.

The Applicant anticipates applying to the IDA for financial assistance to make the Revised Proposed Project economically viable. Financial assistance may include mortgage recording tax exemptions, construction period sales tax exemptions, and potentially property tax abatements. To the extent that after review of required cost/benefit analyses the IDA agrees to provide property tax abatements, the Applicant would enter into one or more PILOT agreements with the IDA, which would require payments in lieu of taxes to be made according to a negotiated schedule. The potential terms of PILOT agreements, including the amounts of payments and the duration of the agreements, are not currently known. However, it is expected that the IDA would require payments in lieu of taxes to taxing jurisdictions in amounts sufficient to cover any increased costs incurred by governmental service providers, including Yonkers Public Schools, as a result of the Revised Proposed Project.

The City would allocate the additional tax revenue and/or PILOT revenue generated by the Revised Proposed Project as it determines to be appropriate, including to the various City departments, including YPD. See also Responses to Comments 6-15 and 6-16.

Comment 7-2:

How this is going to play into the city's larger connection with the homeless population and all of the crime that's been going on downtown. And if that's been addressed and if their going to help the city, like, really well, not just fluff, like really help the city, to improve the waterfront and take care of everybody. (Guigon_003)

Response 7-2:

See Responses to Comments 6-10 and 7-1. The City would allocate the additional tax revenue and/or PILOT revenue generated by the Revised Proposed Project as it determined to be appropriate, including to the various City departments and to fund priorities.

FIRE PROTECTION

Comment 7-3: Table 7-8: Applicants analysis of apparatus response history for fire stations serving project sites indicates decade increase. With the restrictions and quarantine resulting from the COVID-19 pandemic, the city saw a reduction in overall runs throughout the 2020 year. These numbers are not indicative of the trend in request for fire services and should be considered an outlier. Similarly a catastrophic failure in the records management system caused a loss of data in 2013 resulting in an underreporting of the actual number of unit responses. Citywide apparatus response has increased and is trending to be comparable to pre-pandemic response levels as seen in 2018 and 2019. Reanalysis is required and must be reflective of the increase as such. (Pagano et al_017)

Response 7-3: Comment noted. Table 7-8 of the DEIS presents the cumulative number of times that the apparatus in the fire stations serving the Project Sites responded to a service call. Removing 2013 and 2020 totals from that table results in a yearly average of 27,209 apparatus responses from the stations serving the Project Sites. (Including 2013 and 2020, the average was 26,755 apparatus responses per year.) It is important to note that this is not the number of calls for service, as multiple apparatus may respond to a single call.

Data provided by the YFD for 2021 and the first half of 2022 confirm that responses have been trending upwards for the apparatus in the fire stations proximate to the Project Site (see **Table 3-8**). Excluding 2013 and 2020 and 2021 data, there was an average of 27,319 apparatus responses from the stations serving the Project Sites. Based on responses in the first six months of the year, the apparatus were on pace to respond to 25,906 calls for the 2022 calendar year.

**Table 3-8
Apparatus Response History (2009–2022) – Fire Stations Serving Project Sites**

Station	Company	Apparatus Responses													
		2009	2010	2011	2012	2013 [^]	2014	2015	2016	2017	2018	2019	2020 [^]	2021 [^]	2022 [*]
3	Engine 303	2,703	2,509	2,664	2,364	2,558	3,147	3,642	4,171	2,960	3,180	3,267	2,703	2,826	2,596
	Asst. Chief Battalion 1	2,028	1,862	2,254	1,995	1,959	2,472	3,116	2,971	2,990	3,172	3,084	2,575	2,992	2,932
4	Engine 304	2,398	2,222	2,291	2,010	2,014	2,424	2,962	3,224	2,169	2,488	2,277	2,071	2,011	1,890
	Ladder 74	1,290	1,216	1,352	1,115	1,060	1,369	1,782	1,641	1,621	1,823	1,630	1,501	1,708	1,650
6	Engine 306	2,952	2,744	2,898	2,618	2,511	3,024	3,608	3,606	2,504	2,708	2,843	2,451	2,589	2,426
8	Engine 308	1,697	1,512	1,738	1,605	1,504	1,784	2,081	2,061	1,525	1,561	1,553	1,388	1,402	1,446
9	Engine 309	2,141	1,889	1,999	1,964	1,815	2,250	2,686	2,808	2,025	2,238	2,199	2,018	1,896	1,938
	Ladder 72	1,318	1,139	1,329	1,191	1,099	1,423	1,721	1,780	1,804	1,908	2,016	1,739	1,836	1,840
10	Engine 310	1,820	1,668	1,904	1,725	1,581	2,060	2,378	2,318	1,651	1,751	1,610	1,377	1,457	1,538
	Engine 312	2,276	2,063	2,365	2,155	1,912	2,452	2,880	2,448	1,701	1,771	1,693	1,427	1,521	1,598
12	Ladder 75	1,742	1,537	1,940	1,881	1,511	2,091	2,437	2,538	2,684	2,945	2,701	2,284	2,524	2,608
	Asst. Chief Battalion 2	2,359	2,132	2,652	2,615	2,457	2,963	3,636	3,623	3,701	3,900	3,531	2,946	3,396	3,444
Annual Totals (all stations)		24,724	22,493	25,386	23,238	21,981	27,459	32,929	33,189	27,335	29,445	28,404	24,480	26,158	25,906
Average Annual Apparatus Responses 2009–2022[^]		27,319													
Note: * 2022 data available for first six months of year. Values in table are scaled to full year based on the data available. [^] Data excluded from average. 2013 excluded due to record system failure; 2020 and 2021 excluded due to pandemic influences.															
Source: City of Yonkers Fire Department, 2021 and 2022															

Comment 7-4: Comments were received stating that budgetary resources, staffing, and the number of fire stations have not been increased (or, in some cases have been decreased) over the past several years and have, therefore, not kept pace with the increase in population or service calls.

In the 1980s, due to financial crisis, the Yonkers Fire Department saw two engine companies (E302 and E305) and one truck company (L76) closed. Since that time the City of Yonkers has seen an enormous increase in fire department emergency responses. Records indicate apparatus responses have doubled over the past decade; however, the department has not seen any of those decommissioned apparatus returned to service. (Pagano et al_017)

Chapter 7 Section D.1 indicates YFD responds to approximately 7 calls per 100 residents. The proposed development indicates an occupancy of 9,246 new residents which translates to an increase of 647 calls per year based on the proposed project. As previously indicated, apparatus response counts have doubled in the downtown area over the past decade. A review of nine current ongoing construction projects show the downtown response areas is adding 2,468 additional residential units or 6,420 persons independent of the AMS project. Based on the references provided in the DEIS at 2.6 persons per unit, the increased call volume in the study area is 450 additional service calls from the nine current projects. Review of call history shows an average of 20.5 minutes per call from initial dispatch until unit is back in service. No analysis has been provided for the increased response time or calls for service provided. Study must indicate these increases. (Pagano et al_017)

Section D.2 Future without the proposed project: Applicant indicates “While YFD did not report any current plan to change staffing levels or the types or geographical distribution of fire protection services, it is expected that YFD would be able to provide fire protection services adequate to accommodate other future development anticipated to occur over the next 10 years.” This statement is inaccurate. City fire apparatus response counts were 20,727 in 2012 and 39,161 in 2021, almost doubling over the past decade. At projected rates of development throughout the city, apparatus response counts are expected to continue to increase pushing response times beyond acceptable limits. YFD is currently exploring sites for potential new fire stations to accommodate the predicted growth. Reanalysis is required and should be reflective of the 10-year overall growth of the City of Yonkers but more importantly the growth in the downtown area particularly impacted by this project. (Pagano et al_017)

Over the past decade the City of Yonkers has approved numerous large residential developments totaling approximately 6,900 units. The 3,556 residential units proposed by this DEIS equates to approximately 50% of all other developments combined. This figure excludes the 95,000 sq. ft. of commercial retail and 30,000 sq. ft. of commercial office space indicated in Table 1-6. (Pagano et al_017)

Response 7-4: A study of increased response time or calls for service is beyond the reasonable scope of SEQRA review. See FEIS **Table 3-8** for an updated apparatus response history for 2009-2022. The new buildings would meet the latest fire and life safety code requirements. Specifically, the 2020

Fire Code of NYS and the 2020 Building Code of NYS require specific fire protection features. They include but are not limited to: fire apparatus access roads, fire hydrant systems, sprinkler systems, standpipes systems, and fire alarms systems. In addition, the requirements of the 2020 Building Code of New York State Section 403 High-Rise Construction will be met or exceeded including the requirements for a fire command center, specific sprinkler requirements, emergency voice/alarm communication system, emergency responder radio coverage, smoke removal system and standby power. In addition, the City would allocate the additional tax revenue and/or PILOT revenue generated by the Revised Proposed Project as it determined to be appropriate, including to the various City departments, including YFD.

Comment 7-5:

Comments were received regarding the Proposed Project’s impacts to the budget, staffing, and needs of the Yonkers Fire Department (“YFD”) with respect to apparatus and fire stations. Specifically, commenters noted that fighting fires in high-rise buildings is manpower intensive and that recommissioning one of the fire companies that was closed in the 1980s may be required.

Section D.3 Potential Impacts of the Proposed Project: Applicant indicates “The Proposed Project will result in an increased number of calls for service and an increase number of apparatus responses.” During DEIS scoping, YFD requested Applicant provide an estimate of increase in service based on comparable fully occupied structures to validate any estimate of service increase. This has not been provided. Please provide the estimate of anticipated increase in service calls for each of these structures and the overall development project. (Pagano et al_017)

Does tax revenue cover public services, such as the fire department? This project would need a new fire station. (Forsberg_021)

As indicated previously, this will not only add 650 calls for service each year to the fire department just on the residential portion but will present additional unique challenges to firefighting due to the height of these structures. The increase in fire-related responses to both new and existing developments continues to tax fire department resources, resulting in increased response times and challenges to fire suppression efforts. To ensure the fire department is capable of maintaining an adequate level of care and protection to the citizens of Yonkers, recommissioning one of the companies which had served the project area but was closed during the 1980s will be required. (Pagano et al_017)

If fire trucks from Vark Street and School Street are fighting fires in our downtown areas, where most of them are taking place now, they will not be available to fight fires on North Broadway or Chicken Island. For other companies to get there, it won’t be as time efficient as it would be if it were closer. (Landi_022)

Response 7-5:

As discussed in DEIS Chapter 7, “Community Facilities and Services,” and based on the overall number of calls to YFD City-wide, the Proposed

Project may result in up to 650 additional calls for service a year. Also as stated in the DEIS, this number is likely conservative (e.g., it may overestimate the number of calls) as it is reasonable to assume the older building stock within the City generates more calls per capita than newer buildings.. The new buildings would meet the latest fire and life safety code requirements. Specifically, the 2020 Fire Code of NYS and the 2020 Building Code of NYS require specific fire protection features. They include but are not limited to: fire apparatus access roads, fire hydrant systems, sprinkler systems, standpipes systems, and fire alarms systems. In addition, the requirements of the 2020 Building Code of New York State Section 403 High-Rise Construction will be met or exceeded including the requirements for a fire command center, specific sprinkler requirements, emergency voice/alarm communication system, emergency responder radio coverage, smoke removal system and standby power. As noted by the YFD in their comments on the DEIS, current staffing and equipment levels have not kept pace with increases in apparatus responses.

Given the inherent uncertainty in the precise number of new calls that the Proposed Project may generate, and the corresponding number of firefighters and apparatus needed to respond to those calls, the DEIS analyzes the City's budget and estimates the potential increase in total annual municipal cost resulting from the Proposed Project, including costs associated with providing emergency services and other municipal services. This analysis was performed using industry standard methodology. Based on this analysis of the City's budget, the Proposed Project is estimated to result in approximately \$4.07 million in annual costs to the City (excluding costs associated with the Yonkers Public Schools). As stated above, this figure includes costs attributable to the City's emergency service providers, as well as other City services. When the Revised Proposed Project is complete and fully taxable, it is estimated that the Project Sites would generate approximately \$4.67 million per year in property taxes payable to the City over and above what the Project Sites currently generate, resulting in an approximately \$0.6 million annual surplus to the City. In addition, the Proposed Project would generate sales taxes payable to the City (both from the new businesses as well as from increased sales at existing businesses) as well as approximately \$4.08 million per year in resident income tax surcharges. The analysis and conclusions are the same for the Revised Proposed Project, except that the Revised Proposed Project contains slightly less retail space than the DEIS Proposed Project and would therefore result in a *de minimis* reduction in property, sales, and payroll taxes.

The Applicant anticipates applying to the IDA for financial assistance to make the Revised Proposed Project economically viable. Financial

assistance may include mortgage recording tax exemptions, construction period sales tax exemptions, and potentially property tax abatements. To the extent that after review of required cost/benefit analyses the IDA agrees to provide property tax abatements, the Applicant would enter into one or more PILOT agreements with the IDA, which would require payments in lieu of taxes to be made according to a negotiated schedule. The potential terms of PILOT agreements, including the amounts of payments and the duration of the agreements, are not currently known. However, it is expected that the IDA would require payments in lieu of taxes to taxing jurisdictions in amounts sufficient to cover any increased costs incurred by governmental service providers, including Yonkers Public Schools, as a result of the Revised Proposed Project.

The City would allocate the additional tax revenue and/or PILOT revenue generated by the Revised Proposed Project as it determines to be appropriate, including to the various City departments, including YFD. The net increase in property taxes to the City from the Proposed Project is projected to exceed City costs, and therefore no additional mitigation would be required.

Comment 7-6:

Comments were received regarding the potential impacts of fighting fires in high-rise buildings.

Section D.3 Potential Impacts of the Proposed Project: Applicant indicates “During the Applicant’s coordination with the YFD, the YFD has not indicated the need for new equipment to service the Proposed Project.” Although the current equipment is capable of providing service to structures, high-rise firefighting is manpower intensive and provides unique challenges in life saving and firefighting. The current manpower and staffing numbers limit the ability to properly fight fires within these structures. (Pagano et al_017)

High-rise fires represent an extraordinary challenge to fire departments and are some of the most challenging incidents a fire department encounters. Although fires within high-rise structures occur less frequently than other types of fires, about 43 happen every day. According to NFPA, between 2005 and 2009 high-rise fires resulted in an average of 53 deaths, 546 people injured and property damage amounting to \$235 million annually. Historic high-rise fires include the Triangle Shirtwaist Fire of 1911, the MGM Grand fire in 1980, One Meridian Plaza Fire in 1991, Grenfell Tower Fire in 2017, and recently the Twin Parks NYC Fire in January 2022 where 17 people lost their lives. (Pagano et al_017)

Firefighting in high-rise structures are manpower intensive and require careful coordination of tactics to protect life and property. The risk to firefighters and occupants increases in proportion to the height of the building and the height of the fire above ground level. When firefighters are operating above the reach of aerial devices, the only viable means of egress is the interior stairs; extra protection afforded by laddering the building is not possible (Klane, 2007).

In addition, high-rise fires test the very limits of the endurance of individual fire fighters who must carry heavy equipment up several stories. The right level of staffing provides fire officers with the ability to make critical strategic decisions on the fire ground. NFPA 1710 defines the total effective response force for a high-rise initial full alarm assignment as 39 persons excluding any on-scene emergency medical support and transport. To fulfill this basic requirement would require more than half the City of Yonkers fire apparatus. (Pagano et al_017)

This project would need training for 40-story buildings. (Forsberg_021)

Fighting fires is a challenge; there is concern with impacts to fire fighters. The ladder will drop off the firefighter at the tenth floor, and that firefighter has to travel up manually if the elevators are off and put out that fire. So if he has to go up 40 stories, I think it's a considerable height difference. (Landi_022)

What type of equipment is needed for firefighters to reach top floors? Does the Fire Department have such equipment? It's quite a large undertaking to understand if you're going to require another firehouse, we should understand what the cost of that is because it's not only the cost of building the firehouse, it's manning the firehouse, the equipment that's needed. The fire department should be involved. (Larkin_023)

Response 7-6:

In their comments on the DEIS, YFD notes that "although the [YFD's] current equipment is capable of providing service to structures, high-rise firefighting is manpower intensive and provides unique challenges in life saving and firefighting. The current manpower and staffing numbers limit the ability to properly fight fires within these structures." See Responses to Comments 7-1 and 7-5 regarding impacts to staffing and funding.

In addition, the Revised Proposed Project would comply with the most recent Building and Fire Codes. The 2020 Fire Code of NYS and the 2020 Building Code of NYS require specific fire protection features. They include but are not limited to: fire apparatus access roads, fire hydrant systems, sprinkler systems, standpipes systems, and fire alarms systems. In addition, the requirements of the 2020 Building Code of New York State Section 403 High-Rise Construction will be met or exceeded including the requirements for a fire command center, specific sprinkler requirements, emergency voice/alarm communication system, emergency responder radio coverage, smoke removal system and standby power.

EMERGENCY MEDICAL SERVICES

Comment 7-7:

Will proposed action have any impact upon the currently overloaded EMS services that all seem to rely on mutual aid for coverage? <https://www.lohud.com/story/news/local/westchester/2022/03/30/facing-ems-crisis-westchester-county-officials-look-for-solutions/9441023002/>

Can the applicant provide their own rapid response coverage for medical issues related to their projects? (Nersinger_031)

Response 7-7: The City currently contracts with Empress Emergency Medical Services to provide emergency medical services within the City. As stated in the DEIS, “It is expected that future contracts [with the City] would require Empress to provide levels of service to meet increased demand,” including from the Revised Proposed Project. The City would allocate the additional tax revenue and/or PILOT revenue generated by the Revised Proposed Project as it determines to be appropriate, including to fund emergency medical services. The cost of providing service to the Revised Proposed Project is anticipated to be covered by the increase in property tax revenue. See responses to Comments 7-1 and 7-5.

PUBLIC SCHOOLS

Comment 7-8: The school district is 4,000 students over capacity. The district is currently building one additional school and has plans to build three more. The DEIS states that the project will not result in an impact because of these new school plans. However, there are existing undocumented students not included in the 4,000 over capacity number, so the project may have an impact. The Applicant should pay to mitigate impact. (Landi_022)

Response 7-8: As discussed in DEIS Chapter 7, “Community Facilities and Services,” the property taxes generated by the Proposed Project to the Yonkers Public School (“YPS”) are anticipated to more than cover the incremental increase in YPS costs associated with the Proposed Project. As described in the DEIS, approximately one-half of YPS’ revenue comes from New York State, with the remaining approximately half (42 percent) primarily coming from City property taxes. Based on YPS enrollment data, in 2019–2020, the annual per-pupil cost to Yonkers property-taxpayers was approximately \$10,160. Based on this annual per-pupil cost, the incremental cost to YPS attributable to the Proposed Project’s estimated 313 public-school-aged children is approximately \$3.18 million per year, which is well below the estimated net increase in tax revenue to YPS.

When the Revised Proposed Project is complete and fully taxable, it is estimated that the Project Sites would generate approximately \$9.63 million per year in property taxes to YPS over and above what the Project Sites currently generate, resulting in an approximately \$6.45 million annual surplus to the YPS.

As stated in the DEIS, the Applicant anticipates applying to IDA for financial assistance to make the Revised Proposed Project economically viable. Financial assistance may include mortgage recording tax

exemptions, construction period sales tax exemptions, and potentially property tax abatements. To the extent that after review of required cost/benefit analyses the IDA agrees to provide property tax abatements, the Applicant would enter into one or more PILOT agreements with the IDA, which would require payments in lieu of taxes to be made according to a negotiated schedule. The potential terms of PILOT agreements, including the amounts of payments and the duration of the agreements, are not currently known. However, it is expected that the IDA would require payments in lieu of taxes to taxing jurisdictions in amounts sufficient to cover any increased costs incurred by governmental services providers, including YPS as a result of the Revised Proposed Project.

PARKS, RECREATION, AND OPEN SPACE

Comment 7-9: Locust Hill site access from North Broadway appears to be insufficiently public and with the dogleg shown in the plans, not a “defensible space” oriented area. Other stair streets in Yonkers suffered from long-term maintenance problems, crime, and lack of all-weather access leading to their being closed down by the City. (Nersinger_031)

Response 7-9: Due to concerns regarding security and maintenance, the proposed staircase at the North Broadway Site has been eliminated. See Chapter 1 of this FEIS for additional details.

Comment 7-10: Show on each site plan the areas considered “publicly accessible open space”. (Nersinger_031)

Response 7-10: The only publicly accessible open space being proposed is at the Chicken Island Site (see **Figure 3-1**). It consists of a pedestrian courtyard between Chicken Island Project buildings 3 and 4, which include ground-floor commercial/retail uses, a pedestrian plaza between James Street and the new internal street within the Site, and a parcel on New School Street adjacent to the Saw Mill River.

Comment 7-11: Convert the open space figures to square feet since acres are less understandable by the public and are perceived as a large area. Proposed .74 acres of “open space” is only 32,200 square feet or 9 square feet per proposed dwelling unit over the three sites. (Nersinger_031)

Response 7-11: The Revised Proposed Project would include approximately 100,792 square feet (2.31 acres) of open and outdoor recreational space, including a total of approximately 21,506 square feet (0.49 acres) of publicly accessible open space on the Chicken Island Site. The remaining 79,286 square feet (1.82 acres) of open and outdoor recreational space of the Revised Proposed Project would be private (for use by residents) and

would consist of amenity terraces, including the swimming pools of the Modified Teutonia and Chicken Island Projects. With the Revised Proposed Project, the public open space ratio within the SESA would decline. However, it should be noted that to maintain the ratio of open space per capita in the SESA (i.e., 61,855 square feet [1.42 acres] per 1,000 people) with the Revised Proposed Project, approximately 571,943 square feet (13.13 acres) of publicly accessible open space would be required, which is larger than the combined size of the Project Sites.

Comment 7-12: Comments were raised regarding the availability of recreational and open space for residents of the Proposed Project.

In the Executive Summary, Page S-32 Paragraph 1, reference is made to open space for the Teutonia Building and the lack of it planned into the design of the project. It is not sufficient for AMS to guarantee “off-site recreation land or improvements.” New recreational spaces, particularly playgrounds for the children expected to live in these buildings, must be incorporated into the site plan proposals for ALL of the buildings, not just Teutonia. (YCSD_013)

The public plazas shown in the figures for all of the projects are not sufficient recreational sites for all of the new residents. More passive and active park spaces are required. (YCSD_013)

The development needs to include more green space and amenities for children and families. (Landi_022)

Response 7-12: On-site recreational spaces would be provided for residents of the Revised Proposed Project. The amenity packages for the various buildings would include a gym (wellness suite with small spa/treatment rooms/movement studio), a screening room, a kid’s playground/playroom, a dog run, a lounge, a roof deck with pool, a business suite, a game room, a sports simulator, and a party/multipurpose room. The precise packages to be offered at each individual building have not yet been determined.

The Revised Proposed Project was designed to fit into and within an existing urban downtown that currently features open spaces and civic spaces characteristic of a downtown urban environment. The Revised Proposed Project is intended, in part, to capitalize on prior City investments, such as the several phases of the Saw Mill River daylighting, that have enhanced the downtown environment and were undertaken to incentivize private investment in new development.

Comment 7-13: Due to lack of room for parkland at the Teutonia site the Applicant is proposing a payment in lieu. The Applicant should provide details on what this park might look like; a case study could be provided. (Forsberg_021)

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Response 7-13: As illustrated in DEIS Figure 7-7, there are several parks and open spaces proximate to the Project Sites, including, among others, the community garden and Pride Park near the Teutonia Site, Van der Donck Park, Mill Street Daylighting park, and Phase III daylighting park near the North Broadway and Chicken Island Sites, as well as the Esplanade Park, Columbus Park, Cerrato Park and War Memorial Park that are slightly more than ¼-mile from the Project Sites. The Revised Proposed Project would not result in a significant adverse impact to these resources or any other public open or recreational space. Taxes and fees provided by the Applicant could be utilized by the City to improve these resources, which would benefit not only project residents, but also the existing community. See also Response to Comment 7-12.

Comment 7-14: YCSD believes that the wholesale recreation of an urban core, which this project represents, should include cultural and recreational spaces for the downtown residents. A jazz club, black box theatre, pool hall, dance facility – any or all of these should be part of the Yonkers’ design and plan for the future of the city and its residents... At the beginning of this project, Michael Mitnick spoke to numerous community members about the kinds of cultural resources the public would like to see incorporated into this massive redesign of the downtown. It does not appear as if AMS plans to incorporate any of the suggestions made to them. (YCSD_013)

Response 7-14: Comment noted. There is commercial space in both the Modified Chicken Island Project and Modified North Broadway Project that could potentially have cultural uses. The uses of that space have not yet been determined.

SOLID WASTE AND RECYCLING

Comment 7-15: Use a Yonkers recycling rate based upon tipping at the county owned transfer station. As a lower income community, it is likely that these rates are lower in Yonkers than more affluent Westchester County. (Nersinger_031)

Response 7-15: Based on the 2020 Annual Report from the Westchester County Department of Environmental Facilities, the recycling rate specific to Yonkers was 39 percent. Using this rate, it is anticipated that the Proposed Project would generate approximately 50.6 tons/week of non-recyclable waste (2,631 tons/year). This rate is 9.1 tons/week (474.8 tons/year) more than was presented in the DEIS (41.5 tons/week, or 2,158 tons/year). The permitted solid waste capacity of the Charles Point Resources Recovery Facility is 710,000 tons/year. The increase in the Revised Proposed Project’s non-recyclable waste generation represents 0.07% of the

permitted capacity and therefore represents a negligible change from the impacts discussed in the DEIS.

Comment 7-16: Information on Page 7-31 contradicts information in the chapter summary about recycling rates. If Yonkers collects 90,000 tons of total refuse annually and 11,000 tons of recyclables then the City recycling rate is 12.2 percent and not the 50% assumed on page 7-2. (Nersinger_031)

Response 7-16: Based on the 2020 Annual Report from the Westchester County Department of Environmental Facilities, the City of Yonkers generated 144,602 tons of solid waste in 2020; of this, 56,043 tons were recycled, resulting in a 39 percent recycling rate.

Comment 7-17: Acknowledging that location of refuse disposal is normally left for site plan review process the project elements are individually so large that roll-on/roll-off appear to be the only means to deal with refuse collection. At the same time, the project elements are so compactly developed that there does not appear to be any obvious locations for such service that takes up considerable horizontal and vertical space on a site. Consideration has to be given during the FEIS process about how to deal with this concern. The Planning Board has not permitted curbside collection for multi-family buildings for almost a decade. (Nersinger_031)

Response 7-17: There would be in-building pickup of solid waste. The ground floor of each building would contain a compactor and an off-street loading spaces that are anticipated to be used for solid waste pick up (see **Appendix B**).

Comment 7-18: Will solid waste be handled by the City or private carter? (Larkin_023)

Response 7-18: Solid waste from the Revised Proposed Project would be collected by a private carter.

Comment 7-19: The Downtown Rezoning DGEIS is stale at 10 years old and an EIS that old is generally not considered valid. Has the information on solid waste and recycling been updated? (Nersinger_031)

Response 7-19: The Downtown Rezoning DGEIS was not used as a source for solid waste generation or recycling rates. See the Responses to Comments 7-15 and 7-16.

CHAPTER 8: INFRASTRUCTURE AND UTILITIES

Comment 8-1: Comments were received regarding the potential cumulative impacts of the Proposed Project to infrastructure and utilities when considered with

potential future growth within the City that may take place as a result of the Proposed Project and Proposed Zoning.

The DEIS indicates that many infrastructure upgrades and extensions, involving electric, gas, water, and sewer lines, would need to be installed to permit the completion of the development. While we note that the Applicant would provide many of these updates over the course of construction, we recommend that the City conduct an infrastructure study for the whole downtown to determine the current capabilities and possible future infrastructure needs if largescale development were to continue. As an example, the City of New Rochelle completed an infrastructure study for the whole downtown along with a generic environmental impact statement in conjunction with their Downtown Overlay zoning which has spurred a tremendous amount of growth. If the City of Yonkers is assuming a similar trajectory of growth, a more holistic study of infrastructure needs may be preferable than individual studies that are reactive to individual development proposals. (Drummond_007)

The City should require the Applicant to carefully assess cumulative impacts to infrastructure from this project so that the City can use that to review the AMS project and other planned and approved development projects to better understand its future infrastructure improvement needs. (Yackel et al_009)

Response 8-1:

Section 8.C of the DEIS discusses the potential for pending and approved projects to increase water and sewer demand as well as potentially use the same infrastructure as the Revised Proposed Project. The Yonkers Engineering Department reviewed the potential impacts of the Revised Proposed Project and determined the appropriate mitigation for those impacts.

With respect to potential future, hypothetical, development within the City, see Response to Comment 2-8.

Comment 8-2:

Since 2010, it has been the policy of the County Department of Environmental Facilities (WCDEF) that municipal governments require development Applicants to identify mitigation measures that will offset the projected increase in sewer flows to County operated wastewater facilities. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three-for-one for market rate housing units and at a ratio of one-for-one for affordable affirmatively furthering fair housing (AFFH) units. We appreciate that the DEIS discusses the Applicant's intention to implement I&I reduction techniques following County guidelines, and that work not conducted by the Applicant would be balanced by a payment-in-lieu to the City for improvements. (Drummond_007)

Response 8-2:

Comment noted.

- Comment 8-3:** Section 8 Table 8-2: Connections Chicken Island Site- – Existing Water Supply Infrastructure
- School Street – 12 inch CIP
 - Nepperhan Avenue - 12 inch CIP
 - New Main Street – DIP /CIP
 - Palisades Avenue – 12 inch CIP
 - John Street – 6 and 8 inch CIP
 - James Street 6 inch CIP
 - Henry Hertz Street – 12 inch DIP
 - Ann Street – 12 inch DIP
 - Former Engine Place 4 inch CIP
- Note: 4 inch main in Engine Place connects to the 8 inch water main in James Street and currently supplies the new School Street Fire House’s 6 inch fire line and 4 inch domestic water service. The 8 inch James Street water main connects to the 12 inch water main in School Street. (Speight_012)
- Response 8-3:** Existing water main sizes are acknowledged and have been updated on revised Chicken Island Project civil plans (see FEIS **Appendix B-3**).
- Comment 8-4:** Results of water main flow tests conducted in the vicinity of the proposed Chicken Island Development indicate there is adequate pressure and volume to supply to the five buildings to be constructed under the Chicken Island development with the proposed water system infrastructure improvements as stated in the DEIS. (Speight_012)
- Response 8-4:** Comment noted.
- Comment 8-5:** In addition to the water system infrastructure improvements, as stated in the Chapter 8 of the DEIS, Section “E” Mitigation Measures proposed for the Chicken Island Site, the Water Bureau will require the replacement of the James Street 8 inch CIP water main with a new 12 inch DIP water main connected to the School Street 12 inch water main and to the new 12 inch DIP iron water main connected to Palisades Avenue and to the new 12 inch main constructed under phase III Saw Mill River Daylighting project at the intersection with James Street and John Street. Both the existing 8 inch and 6 inch mains in James Street will be properly abandoned at the existing connection to the School Street water main. (Speight_012)

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- Response 8-5:** Comment noted. It is assumed the commenter intended to state “both the existing 8 inch and 6 inch mains in John Street will be properly abandoned at the existing connection to the School Street water main.” The utility plans for the Modified Chicken Island Project have been revised in accordance with this comment (see **Appendix B-3** to the FEIS). The new 12-inch water main internal to the Chicken Island Site would connect to the existing mains in School Street, Ann Street, and Palisade Avenue. Notes have been added to the plans to depict the abandonment of the existing 8-inch and 6-inch mains in John Street.
- Comment 8-6:** Locations of new fire hydrants and valves to be installed as specified by the Yonkers Water Bureau. (Speight_012)
- Response 8-6:** New fire hydrants and valves would be installed as specified and located by the Yonkers Water Bureau. Corresponding notes have been added to the utility plans (see **Appendix B-3** to the FEIS).
- Comment 8-7:** Developer’s Engineering consultants will develop plans and specifications for new water utilities which will be reviewed and approved by the City of Yonkers Engineering Department and the Water Bureau prior to submission to the Westchester County Department of Health for approval. (Speight_012)
- Response 8-7:** Plans and specifications for new water utilities would be provided to the City Engineering Department and the Water Bureau prior to submission to the Westchester County Department of Health for approval. Corresponding notes have been added to the utility plans (see **Appendix B-3** to the FEIS).
- Comment 8-8:** Section 8 Table 8-4 – North Broadway Site - Existing Water Supply Infrastructure
- Locust Hill Avenue – 12 inch CIP
 - Baldwin Place – 4 inch and 8 inch CIP/DIP
 - Bell Place - 4 inch and 8 inch CIP/DIP
 - Overlook Terrace – 4 inch and 6 inch CIP
 - North Broadway – 6 inch, 8 inch and 12 inch CIP
 - Palisades Avenue – 12 inch CIP
 - Cromwell Place – 4 inch CIP- Not in service.
 - Manor House Square – 12 Inch CIP
 - Wells Avenue – 6 Inch and 8 inch CIP/DIP (Speight_012)

- Response 8-8:** Existing water main sizes are acknowledged and have been updated on revised Modified North Broadway Project civil plans (FEIS **Appendix B-9**).
- Comment 8-9:** Results of flow tests conducted in vicinity of the development on Locust Hill Avenue site indicate the 12 inch CIP water main in Locust Hill Avenue cannot supply adequate pressure or volume to the proposed 38 story structures. Additionally it is anticipated the installation of pumps on both fire and domestic water services will be necessary to augment the pressure and volume to the buildings. (Speight_012)
- Response 8-9:** Comment noted. As part of the Revised Proposed Project, the Applicant would install approximately 1,750 linear feet of new water main in Locust Hill Avenue from Ashburton Avenue to Overlook Terrace. Pumps on both fire and domestic water services would be installed as needed to augment the pressure and volume to the buildings.
- Comment 8-10:** Mitigation measures proposed include the construction in Locust Hill Avenue a new 12 inch water main connected to the 16 inch high service water main on Ashburton Avenue and extending to Overlook Terrace to supply the proposed project. New water main will not connect to the existing water main in Palisade Avenue. Proposed two central parcels fronting North Broadway will be supplied from the existing 8 inch Low Service water main within North Broadway, whereas both towers will be supplied by the new 12 inch high service water main in Locust Hill Avenue. Proposed new water services on North Broadway and Locust Hill Avenue are connected to two different pressure zones and shall not interconnect on exterior or interior of the proposed buildings. (Speight_012)
- Response 8-10:** Comment noted. The proposed new water services on North Broadway and Locust Hill Avenue would not interconnect on the exterior or interior of the proposed buildings. The North Broadway Project civil plans have been revised to reflect this (FEIS **Appendix B-9**).
- Comment 8-11:** Results from the flow tests conducted on 6 inch water main in Buena Vista Avenue cannot support water volume required for the fire and domestic demand of the two 41 story residential towers nor is it feasible to tap a 6 inch water main to supply an 8 inch fire service. As stated in “Mitigation Measures Proposed” a new 12 inch water main shall be installed in Buena Vista Avenue and connected to the 12 inch water main in Prospect Street at Hawthorne Avenue as well as the 12 inch water main in Main Street. (Speight_012)

- Response 8-11:** Comment noted. The Applicant would extend the existing 12-inch water main starting at the intersection of Prospect Street and Hawthorne Avenue to the Teutonia Site. The new 12-inch water main would continue west to the intersection of Prospect Street and Buena Vista Avenue where it would run north and connect to the existing 12-inch water main at Main Street. The Modified Teutonia Project civil plans have been revised to reflect this (included as FEIS **Appendix B-1**). Pumps on both fire and domestic water services would be installed as needed to augment the pressure and volume to the buildings.
- Comment 8-12:** All water main construction, extensions and other improvements to the water system will be reviewed and approved by the Water Bureau, Engineering Department and Westchester County Department of Health. Please note: It is recommended project consultants consult with the Water Bureau and Engineering Department while developing water main improvements. (Speight_012)
- Response 8-12:** Plans and specifications for new water utilities would be provided to the City Engineering Department and the Water Bureau prior to submission to the Westchester County Department of Health for approval. Corresponding notes have been added to the utility plans (see **Appendices B-1, B-3, and B-9** to the FEIS).
- Comment 8-13:** B.1 Water Supply please note correction first paragraph, second sentence. In the City ... there are 4 Pump stations, 5 disinfection systems, three corrosion treatment facilities..." (Speight_012)
- Response 8-13:** Correction noted.
- Comment 8-14:** Comments were received requesting information on the maximum estimated fire flow demand for each building within the Proposed Project.
- Please submit maximum estimated fire flow demand anticipated for each building at all three sites as per NFPA requirements. (Speight_012) 3
- Section B.1: Water supply does not specifically address the maximum potential fire flows for proposed projects. Maximum potential fire flows for each structure should be provided in accordance with Appendix B of the NYS Fire Code to determine if the existing water infrastructure (and with build conditions) will support maximum potential fire flows. Note: these flows differ from building services fire demand as per NFPA for sprinkler and/or standpipes. (Pagano et al_017)
- Response 8-14:** The maximum potential fire flow for each structure has been calculated based on Table B-105.1(2) in Appendix B of the 2018 International Fire Code and is included in **Appendix J**.

- Comment 8-15:** Please note 20 psi minimum pressure used to calculate fire flow volume is a requirement of the New York State Sanitary Code, Part 5, Section 5-1.27 “Adequacy of Distribution System” not a requirement of fire pumps in buildings or on fire apparatus. (Speight_012)
- Response 8-15:** Comment noted. The flow tests conducted for each of the Project Sites estimate the available fire flow at 20 psi. Flow tests were conducted using two hydrants: one hydrant with a pressure gauge and the second with the flow gauge. The pressure measured pre-flow is the static pressure and the residual is the pressure measured under flow. That information was then used to estimate the available fire flow at 20 psi, as required by the New York Sanitary Code, Part 5, Section 5-1.27.
- Comment 8-16:** Reducing the number of residential units will help alleviate potential problems related to the major issues of sewage, water supplies, and fire access. (YCSD_013)
- Response 8-16:** Comment noted. The potential impacts of the Revised Proposed Project on sanitary sewer and water supply infrastructure and on the YFD are analyzed in the DEIS and this FEIS and measures to mitigate any potential significant adverse impacts of the Proposed Project have been identified.
- Comment 8-17:** Why is the capacity of sewer treatment plant less in the DEIS than it was in the 2001 Alexander Street Master Plan (84.8 MGD vs. 96 MGD)? (Larkin_023)
- Response 8-17:** The flows noted by the commenter are average flows rather than the capacity of the Yonkers Joint Treatment facility, which is 120 MGD from June 1 to October 31 and 145 MGD from November 1 to May 31. For many years, Westchester County policy for new contributing flows has been to remove infiltration and inflow (“I/I”) at a rate of 3 to 1. This has resulted in less stormwater and groundwater entering the treatment facility. The Revised Proposed Project would be required to remove I/I per City Engineering Department requirements or pay an appropriate fee to enable the City to perform any required I/I improvements. The last Westchester County published report available on the County website has the average flow for the Yonkers Joint Treatment facility as 84.8 MGD for 2019, with a maximum of 109 MGD (January 2019) and a minimum of 57 MGD (September 2019). Westchester County Department of Environmental Facilities indicated in their Will Serve letter that the average daily flow of the facility in 2021 was 79 MGD (see FEIS **Appendix K**).

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Comment 8-18: The stormwater should be separated from the combined sewer system within Chicken Island. (Landi_022)

Response 8-18: Comment noted. Stormwater flows from the Modified Chicken Island Project would be separated from the existing combined sewers to the maximum extent practicable, which is an improvement over the current condition. On the Chicken Island Site, approximately 2.70 acres currently drain to the combined sewer system that connects to the trunk line in Palisade Avenue (POA-A in the SWPPP included as FEIS **Appendix F-1**). Under post development conditions approximately 2.26 of those 2.70 acres would no longer drain to the combined system and would be routed to a new storm system that discharges into the Saw Mill River (POA-B in the SWPPP). The reductions for POA-A for the 1, 10 and 100-year storms are 82% flow reduction (5.75 cubic feet per second [cfs] to 1.05 cfs), 83% (11.30 cfs to 1.96 cfs) and 83% (20.04 cfs to 3.37 cfs), respectively. The majority of stormwater runoff not being separated from the combined sewer comes from the sidewalk along Palisade Avenue and the entire right-of-way along the northern section of James Street, which is too low to connect back to the existing outfalls at the Saw Mill River near Ann Street.

Comment 8-19: The project should include complete separation of the sewer system. (Larkin_023)

Response 8-19: With respect to the Modified Chicken Island Project, see Response to Comment 8-18. The sewers surrounding the North Broadway and Teutonia Sites have been further evaluated in coordination with the City Engineering Department to maximize the potential separation of sewers. For the Modified North Broadway Project, it is impractical to detain stormwater runoff within the buildings and then pipe the stormwater through the buildings in order to discharge it at the lower North Broadway elevation. As there is no separate storm sewer in Locust Hill Avenue, stormwater would continue to be directed to the combined sewer in Locust Hill Avenue. Any required mitigation for this connection is being further evaluated with the City Engineering Department. For the Modified Teutonia Project, options for rerouting the stormwater from the site were evaluated. Stormwater runoff cannot be directed and piped underneath the Metro-North Railroad right-of-way to the west. Based on historical documentation of Buena Vista Avenue, Main Street, and Nepperhan Street, there is no clear path to cross the existing utilities in Main Street to reach the separate storm system in Nepperhan Street. Therefore, the stormwater from the Modified Teutonia Project would continue to be detained on site and ultimately directed to the combined sewer in Buena Vista Avenue.

- Comment 8-20:** Upgrades to the sewer should be done now. Backflow prevention devices for surrounding properties should be added now as part of this project. A mechanism to assist owners with funding should be determined. (Forsberg_021)
- Response 8-20:** Backwater valves are required under certain circumstances when plumbing fixtures are provided below the elevation of the next upstream manhole. The final plumbing design of the Revised Proposed Project would comply with the applicable building and plumbing codes.
- Comment 8-21:** Does the WWTP have capacity during heavy rain/storm events? Developers building in the subject area would be expected to take this matter into consideration when developing final designs for their projects and demonstrate that their proposal would not result in sewage flows that exceed the capacity of the plan. (Larkin_023)
- Response 8-21:** Westchester County Department of Environmental Facilities indicated in their Will Serve letter that the Yonkers Joint Treatment Facility has capacity to serve the Proposed Project (see FEIS **Appendix K**). Given that the sewer demand for the Revised Proposed Project is slightly less than the DEIS Proposed Project, the Will Serve letter is valid for the Revised Proposed Project. Stormwater and sanitary waste generated by the Modified Chicken Island Project would be separate to the maximum extent feasible (see Response to Comment 8-18), while stormwater would be discharged to combined sewers from the Modified Teutonia Project and the Modified North Broadway Project. Peak stormwater flows would be detained prior to leaving each of the Project Sites during large rainfall events, reducing the impact of the Revised Proposed Project to the combined sewer system and the treatment facility. The capacities of the detention vaults are as follows: Modified Teutonia Project Building 1/2, 5,505 cubic feet; Modified Chicken Island Project Building 1, 6,273 cubic feet, Building 2/3, 6,273 cubic feet, Building 4, 2,633 cubic feet, and Building 5, 3,009 cubic feet; and Modified North Broadway Project Building 1, 2,626 cubic feet, and Building 2, 11,552 cubic feet. Therefore, no impacts to the treatment facility are expected from rainfall events.
- Comment 8-22:** Gas lines are proposed; if gas is interrupted then fuel oil will be used. Electric demand is very high already; a lot of infrastructure upgrades are needed. Will there be a cost to Yonkers associated with the increase in electrical demand? Is Con Ed doing the work and residents pay Sustainable Westchester? I commend the Applicant for using the existing gas lines, I think that's very smart, instead of going forward with electric. More detail should be provided on the type of heating systems that are going to be installed with the gas lines, although this could be done during

the site plan phase. Will there be a master gas meter or individual meters per unit that would allow monitoring of resident usage for sustainability tracking? (Forsberg_021)

Response 8-22: The final design of HVAC and metering systems would be completed prior to construction, although the Applicant does not currently anticipate fully electric HVAC. As stated in the DEIS, the Applicant would install the transformer vaults for the required electric service for each building and Con Edison would be responsible for installing the transformers, network protectors, and service cables to the customer point of entry. The City of Yonkers would not incur costs for the improvements made by Con Edison.

CHAPTER 9: STORMWATER MANAGEMENT

Comment 9-1: We note that the impervious surface coverage for the development sites would be increased due to the proposed development. The DEIS proposes various stormwater management measures, utilizing underground detention basins as well as aboveground solutions such as green roofs and stormwater planters. The Applicant is also proposing to separate some of the stormwater flow from the Chicken Island site away from the existing combined sewer outflow and into a new system that would discharge to the Saw Mill River. On-site devices are proposed treat stormwater before it is discharged from the sites to the river and storm system. We support these measures, and recommend the Applicant be encouraged to incorporate as much aboveground stormwater management solutions as possible. (Drummond_007)

Response 9-1: Comment noted. Aboveground stormwater management measures and green infrastructure techniques would be incorporated into the final stormwater management design to the maximum extent practicable. During Site Plan review, the final stormwater management design for each project would utilize green infrastructure techniques as required by NYSDEC.

Comment 9-2: The DEIS barely mentions permeable pavement to address storm water management. Bioswales and other storm water retention options should be considered. Far more than 50% coverage of hardscape surfaces should be permeable pavement. (YCSD_013)

Response 9-2: Comment noted. During Site Plan review, additional green infrastructure techniques for stormwater management, including permeable pavement where practicable, would be considered. In general, however, permeable pavement is not a practical option in this region and is difficult to maintain.

Comment 9-3: We own a small unit on North Broadway, and we're just curious, we tried reading through all the stuff that they presented and we're worried about the river coming up through all of the buildings in that area and what the extra water is going to do during storms and all of that. (Guigon_003)

Response 9-3: The Revised Proposed Project would decrease the rate of stormwater flows from the Project Sites when compared to the current conditions through the use of various stormwater management techniques, including detention. Therefore, the Revised Proposed Project is not anticipated to increase flooding.

CHAPTER 10: ENERGY USAGE

No comments were received on this chapter.

CHAPTER 11: TRAFFIC AND TRANSPORTATION

Comment 11-1: General Comments were received expressing generalized concern about the potential impacts of Project-generated traffic on the City's transportation network.

I am very concerned with the current planning in Yonkers. Today as I was driving down Nepperhan Avenue it difficult because we have various large transportation companies with large vehicles such as bus, limousine, towing, oil etc. lined up along the narrow street. The vehicles are so large that often the traffic needs to stop so the vehicles can be maneuvered in and out of the companies' parking lots or they are double parked causing even more congestion. When the very beautiful Carnegie Library was tragically knocked down a portion of Yonkers Avenue was widened but we still have bottle necking at the split of Nepperhan and Yonkers Avenue. A lot of these plans look pretty in pictures however, PLANNING should be a long term consideration. The amount of traffic, street sizes and size of buildings or vehicles should be a big factor in planning. (Gevan_008)

Furthermore, you cannot keep building in already congested areas and show us a before and after picture without showing us the reality of the consequences. People want safety and comfort. More and more people are buying large SUVs because of inclement NY weather and SUVs' spaciousness and comfort. The parking lots and our old, NARROW south Yonkers streets are not accommodating. (Gevan_008)

As a general rule, YCSD believes that the proposed building heights, and the increased residential density, are not appropriate for the narrow, elongated Yonkers downtown. (Traffic and parking present more of a problem in such a confined space.) (YCSD_013)

Reducing the number of residential units will help alleviate potential problems related to the major issues of traffic. (YCSD_013)

Traffic is bad. I sit through the intersections that operate at a LOS D, which generally sometimes could be a little frustrating if you're sitting at a light for up to 55 seconds, that's a lot. Two of the others are up to 80 seconds, that's a minute-and-a-half sitting at a traffic light. (Larkin_023)

If I go from Ashburton to Yonkers Avenue, I have to sit there at least two or three lights before I can get to Yonkers Avenue, when they said there was no problem there. (Landi_022)

Response 11-1: The Traffic Impact Study (“TIS”), presented in the DEIS, analyzed Proposed Project-generated trips and the effects of those trips on traffic operations at intersections proximate to the Project Sites. Based on the results of that analysis, the TIS identifies traffic mitigation measures at impacted intersections. The mitigation measures identified would return the impacted intersections, with one exception as noted in the DEIS, to the operating conditions that would be anticipated in the future without the Proposed Project (also known as the No Action condition). As noted in the TIS, some of the intersections impacted by the Proposed Project would operate at a Level of Service (LOS) D or LOS E, even with mitigation. However, as noted above, this is the condition at which the intersection would operate in the No Action condition. The analysis and conclusions are the same for the Revised Proposed Project.

The Revised Proposed Project’s internal roadways and parking garages, as well as the roadways adjacent to the Project Sites, are designed to meet national and state design standards.

Comment 11-2: In Metro-North’s letter of December 21, 2020 submitting comments on the DRAFT Scoping document and EAF, Metro-North requested the addition of the intersection at Buena Vista Avenue and Doc/and River Streets as well as Buena Vista and Nepperhan to the analysis as they are access points to Yonkers Train Station. It doesn’t appear that these were included. Kindly advise why. (Hollander_015)

Response 11-2: The Buena Vista Avenue & Dock Street/River Street and Buena Vista Avenue & Nepperhan Street intersections are located north of the Project Sites. The Revised Proposed Project is anticipated to generate fewer than 20 vehicle trips at these intersections during a peak hour, and therefore would not have a significant adverse impact to these intersections. The TIS includes the adjacent Main Street & Buena Vista Avenue and Warburton Avenue & Dock Street/Nepperhan Street intersections and, based on those quantified analyses, the vehicle trips generated by the Revised Proposed Project would not result in impacts to intersection operations adjacent to the train station.

Comment 11-3: [American Sugar Refining] ASR incorporates in its comments herein what has been discussed between ASR representatives and City representatives regarding mitigation before December 31, 2029, of certain traffic impacts relating to the proposed rezoning of the Ludlow neighborhood and the proposed development at Downing Street by

Ginsburg Development Companies... It is recommended that the DEIS be redrafted, and the traffic analysis be revised to include the recommendations discussed within the report and the Draft Environmental Document be resubmitted. (Maggiotto, Jr._014 & Maggiotto_033, which was oral testimony of the same comments as the written comments)

Response 11-3: The Applicant’s analysis of the potential cumulative traffic impacts of the Proposed Project and the Ludlow TOD was coordinated with the City and the Ludlow TOD consultant team. The project generated trips and associated impacts of the Ludlow developments, including the GDC projects, are accounted for in the No Action and With Action traffic conditions. Therefore, revision of the TIS is not warranted. See also Response to Comment 11-7.

Comment 11-4: Weekday peak hour should be 7-9 AM and 5-7 PM – two hours to account for school traffic. (Larkin_023)

I was concerned when I looked at the time of the traffic study, it’s only one hour, 8:00 to 9:00. The school buses are running 7:00 am, and 2:30, 3:00. The evening time is only 5:00 to 6:00, that does not accurately capture what is really going on there, which is an interchange that needs to be rethought as we add another 3,500 units, 3,600 parking spots. (Hertz_032)

Response 11-4: Traffic analyses assess the operations of an intersection during peak hours. The peak hours analyzed in the TIS were identified in coordination with the City Traffic Engineer and the City’s traffic consultants. Based on that coordination, and the traffic count data, the peak hours were determined to be during weekdays from 7 AM – 8 AM and 5 PM – 6 PM and during Saturday from 1 PM – 2 PM. These peak hours represent the typical “worst case” traffic conditions. For example, while the morning peak period occurs between 7 AM and 9 AM, the data received indicated the peak hour of volume occurred 7 AM to 8 AM.

Comment 11-5: We have whatever going into Ludlow and then there’s going to be residual things, looking at the traffic, the plant and some other projects are listed as unknown. So, they’re tabulated into the traffic calculations as what, unknown, as zero? There’s going to be some impact. (Hertz_032)

Response 11-5: The TIS includes trips generated by approved and planned developments in the area as part of the No Action traffic condition. Project-generated trips were then added to the No Action condition to determine the

potential impacts of the Proposed Project. The analysis and conclusions are the same for the Revised Proposed Project.

TRAFFIC ANALYSIS

Comment 11-6: Section C of the transportation chapter of the DEIS discusses the data collection undertaken as part of the study process. As noted in the DEIS, the COVID pandemic results in atypical levels and patterns of vehicular traffic. NYSDOT has developed a methodology to address this issue when collecting traffic data. The DEIS deviates from this methodology and introduces the software platform “Streetlight” to look at historical traffic volumes. The DEIS does not provide sufficient detail on the data obtained from Streetlight or how the turning movement volumes were created and what checks were done to ensure the results are accurate and complete. (Maggiotto, Jr._014)

The validity of COVID [traffic] data and projected rebound should be evaluated. (Kozicky_020)

Response 11-6: The TIS methodology, including development of existing conditions volumes, was determined in coordination with the New York State Department of Transportation and the City. The DEIS describes the methodology utilized to develop the existing traffic volumes from StreetLight™, a provider of “big data,” and historical traffic counts. NYSDOT, in its August 11, 2022 *Traffic Data Collection Guidance during COVID-19 Pandemic Memorandum*, acknowledges the use of “big data,” such as StreetLight™, to accurately represent pre-pandemic traffic conditions.

Comment 11-7: As part of this review, we examined traffic count volumes taken under the Ludlow TOD DGEIS recently conducted. Traffic counts for that particular study were taken in 2018. When compared to traffic volumes utilized under the Ludlow study, traffic volumes were found to be almost identical and in a couple cases lower. It would be reasonable to expect growth over the last 3 years in the order of 1% per year. The methodology used to develop the existing traffic volumes should be detailed in the DEIS and actual traffic volumes included to show the historical growth of traffic. (Maggiotto, Jr._014)

Response 11-7: The DEIS describes the methodology utilized to develop the existing and No Action traffic volumes, including background growth from specific developments identified by the City and an approved annual general background growth rate of 0.5 percent. The Ludlow TOD traffic volumes were balanced with traffic volumes at adjacent Study Area intersections.

Existing traffic volumes were approved by the City Traffic Engineer and the City's traffic consultant.

Comment 11-8: Internal trip credits are typically applied when multiple different land uses are proposed within a single development. The primary land use for this development is residential and the retail and office component are low in comparison which will result in very low internal trips. It is recommended that for the AM peak no reduction be applied for internal trips and a 5% credit be applied to PM and Saturday conditions. (Maggiotto, Jr._014)

Response 11-8: Internal trip credits were calculated using standard methodology from the *Institute of Transportation Engineers Trip Generation Handbook, 3rd Edition*, which considers internal trips based on the size of each use component. The size of the retail and office components of the Proposed Project are reflected in the internal trip calculations. This methodology was approved by the City Traffic Engineer and the City's traffic consultant.

Comment 11-9: The traffic signal timings should be verified by the City of Yonkers/Westchester County and actual copies of the signal timing directives should be included in the DEIS. The DEIS traffic analysis utilized for the signalized intersection type is listed as "actuated-coordinated." This mean that the existing traffic signals have full detection on all approaches and will allow the traffic signals to adjust the green times to the traffic demand. However, based on our field investigations we did not observe these traffic signals reacting to traffic demand. In particular, at the intersection of Riverdale Avenue and Prospect Street no pedestrian push button exists on the south-east corner which indicates the walk phase for the north-south approach must always be displayed for each timing cycle. The DEIS must confirm with the City/County whether these signals have been coded corrected in the traffic analysis and the actual signal timing directives be included in the DEIS. If the signals are actually "pre-timed" (non-responsive to traffic demand), using this designation would result in a worse operating condition than that which is generated by using "actuated-coordinated" signal designation. If this is the case, the traffic analysis is likely underestimating the congestion at intersections by using incorrect signal designations. (Maggiotto, Jr._014)

Response 11-9: The traffic signal timings were reviewed by the City Traffic Engineer. A majority of the Study Area intersections operate as actuated coordinated or semi actuated coordinated and not pretimed; however, the standard traffic analysis software only allows for modeling the signal as actuated-

coordinated or semi-actuated-uncoordinated. To better represent the coordination of the traffic signals downtown, the analysis models the intersections as actuated-coordinated. Actuated traffic signals are not always based on pedestrian push button actuation, but instead detectors that sense vehicles on the roadway. During the peak hours, the traffic volumes at the Study Area intersections will “max out” the green time for all signal cycles, which result in little to no variation between cycle lengths and split times.

Comment 11-10: **Riverdale Avenue at Prospect Street.** In reviewing the analysis of this intersection, the queuing and coordination between this intersection and the traffic signal at S. Broadway need to be closely coordinated. In examining the analysis worksheets provided in the DEIS, the queuing information provided shows long queues. The westbound through approach was noted as having a queue of over 800 feet and the left-turn as having a queue of 439 feet at the 95th percentile. The distance between the intersection at S. Broadway and the intersection at Riverdale is less than 300 feet. Although the approach Level of Service is listed as “D” this queuing will impact the intersection at S. Broadway resulting in gridlock conditions. (Maggiotto, Jr._014)

Response 11-10: With the mitigation measures identified in the DEIS, the average queue lengths at the Riverdale Avenue & Prospect Street intersection are not projected to exceed the provided storage space between the Riverdale Avenue & Prospect Street and South Broadway & Prospect Street intersections with the exception of the 95th percentile condition, which is a worst-case scenario analyzed in the traffic analysis software. Put another way, the queues would not exceed storage capacity for 95 percent of the peak hours at the Riverdale Avenue & Prospect Street intersection.

Comment 11-11: The intersections at Riverdale Avenue and Prospect Street and Prospect Street/Nepperhan Avenue at S. Broadway should be examined as one intersection to provide for proper clearances to ensure queuing between intersections does not spill back into the adjacent intersection. (Maggiotto, Jr._014)

Response 11-11: Following standard traffic analysis methodology, and as approved by the City’s Traffic Engineer and the City’s traffic consultants, the Riverdale Avenue & Prospect Street and South Broadway & Prospect Street intersections were analyzed as two discrete intersections with two separate signal timing plans. The two intersections were analyzed as coordinated in the westbound direction with the appropriate offsets. The traffic signal clearance times are based on geometry and travel speed, not queuing, and would not be affected by queuing at the intersection. With

the identified mitigation measures, the average queue lengths are not projected to exceed the provided storage space at the two intersections.

Comment 11-12: Address congestion created by buses stopping in an existing travel lane along Prospect Street. (Maggiotto, Jr._014)

Response 11-12: The Synchro intersection capacity analyses in the TIS incorporates bus stopping blockages where applicable (see Chapter 11, “Traffic and Transportation” of the DEIS).

PARKING

Comment 11-13: The AMS project would dislocate the existing surface parking lot at the Chicken Island site that is operated by the Yonkers Parking Authority. While several parking spaces are often empty, the parking lot is frequently rented out for bus and truck storage to service large events in the surrounding area or within the site itself. To address parking needs in the downtown, the City has plans to construct a new 500 space parking structure, to be known as the Cacace Parking Garage, located nearby at the Yonkers City Court and Police Department Headquarters on Nepperhan Avenue. The new parking structure would help offset the loss of the surface parking at Chicken Island. (Yackel et al_009)

Response 11-13: Comment noted.

Comment 11-14: The parking analysis by Nelson Nygaard concludes that the parking spaces provided by the three buildings address the future parking demand generated by the new uses. The parking supply is based on the parking ratio of 1 space per apartment unit which corresponds to the current zoning requirement for buildings within ¼ mile from the rail station. As the Chicken Island development is located beyond ¼ mile from the station, it would require a supply of 1.0 space per unit plus 0.33 spaces per bedroom. The Applicant requests a zoning text amendment for this development to also provide 1 space per dwelling unit (DU). A shuttle bus would operate between the Chicken Island development and the Yonkers train station. (Yackel et al_009)

Response 11-14: Comment noted.

Comment 11-15: I also don't understand why the developer needs another parking garage in this area when the current Government Center Garage & Warburton Parking garages are underutilized and have plenty of spaces. (Morel_004)

Response 11-15: The Revised Proposed Project includes several private parking structures to meet the anticipated demand of its residents and employees.

Comment 11-16: Comments were received opining that, in general, the Proposed Project would not provide sufficient off-street parking to meet its demand.

Where will the tenants in the new buildings park? (Brody_006)

Currently, there is a proposal for 3556 residential units and only 3909 parking spots. Although the thought may be that these buildings are in proximity to the train station and many new residence will not require cars I think that is false. Most people do not live alone or cannot afford to live alone. Therefore, even if they both work in NYC and take the train for work, they will have at minimum 1 car to share for their needs in Westchester County which is not free of cars. However, due to the pandemic many individuals are working remotely or leaving NYC. If they are not commuting to NYC they will more than likely shop in Yonkers at various businesses and bring in the sales tax for Yonkers and Westchester County. Rather than stopping off at businesses in NYC on their way home from work they will remain in Yonkers and use their vehicle for transportation and shopping in Yonkers which is beneficial. What is not beneficial is the short sightedness that most of South Yonkers lacks parking as it is. If you grew up in South Yonkers you know the frustration of circling around looking for parking especially during the east coast's inclement weather. That's because a great many of the area's buildings and housing were built during a time when families did not own cars or there was 1 car per family. That is not the case now. (Gevan_008)

Reducing parking requirements has nothing to do with reducing reliance on private automobiles nor does it encourage residents to walk to local destinations. Parking demand and trip generation are two concerns that are not entirely connected. A fully functional downtown with all of the amenities that residents might need may have fewer internal auto trips but that does not equate with residents not needing a place to park their private cars. (Nersinger_031)

The applicant's argument about the impacts of parking requirement reduction in the ¼ to 1/2-mile area discussing housing density and parking used as "density control" versus the simple question of whether or not suburban residents coming to Getty Square will not have cars. The issue is not that less parking will encourage more building area but whether a 1 space per DU standard will provide sufficient parking. (Nersinger_031)

Response 11-16: The parking proposed for the various components of the Revised Proposed Project is described in Chapter 1, "Project Description," of the DEIS and Chapter 1, "Revised Proposed Project," of this FEIS. The amount of off-street parking planned to serve the Revised Proposed Project has been determined to be sufficient based on the analyses in Chapter 11, "Traffic and Transportation" of the DEIS as further clarified in the responses to comments in this FEIS. Specifically, findings from parking occupancy/demand surveys at nearby, comparable residential developments, completed in 2008 and 2012, found that each occupied unit generated less than one space of parking demand during overnight peaks (0.84 spaces per unit was the average across the five buildings surveyed). In 2021 and 2022, surveys of five additional, comparable

developments were completed. These developments averaged 0.78 parking permits per occupied residential unit (see **Appendix L**).

One of the most significant factors influencing whether transit access and other multimodal resources reduce vehicle ownership levels is the amount of parking made available to residents. Put simply, if two spaces are made available to each unit, the development will attract more two-car households. If one space per unit is provided, the average will be much lower. This is demonstrated in recent studies of residential parking demand.¹ In addition, other recent studies demonstrate average residential parking demand peaks below one space per unit across several downtown areas well served by transit in cities including San Diego, CA and Seattle, WA.²

Comment 11-17:

Comments were received questioning whether the specific off-street parking demand studies documented in the DEIS supported the Applicant's proposal to reduce the multifamily parking ratio on the Chicken Island Site to one space per unit.

The Applicant needs to explain why the recent parking ratios established for the Hudson Park project (based on the number of residential permits issued and documented in Figure 5 on page 4 of the Nelson Nygaard Memo, Appendix L-6) reached 1.6 spaces per unit in the Hudson South project and 1.06 in the Hudson North project. (Yackel et al_009)

The data for past parking generation measures from the Hudson Park Development from 2008 and 2012 is old. (Micka_019)

You start with 7 comparable sites for the past, yet you only survey 4 for this study? What happened to the list discussed in October 2021?

Properties:

1. RXR Yonkers - Sawyer Place (FKA Larkin Plaza) - 50 Nepperhan
2. Apex Hudson Riverfront - 20 Water Grant St
3. Avalon Bay - 79 Alexander Street
4. 412 Bronx River Road
5. Mill Creek - Modera Hudson River Waterfront - 20 Water Grant Street

¹ Chatman, D.G. 2013. Does TOD Need the T? On the Importance of Factors Other Than Rail Access. *Journal of the American Planning Association* 79: 17-31.

Millard-Ball, A., J. West, N. Rezaei, and G. Desai. 2021. What do residential lotteries show us about transportation choices? *Urban Studies* 59: 434-452.

² Chen Ryan. 2019. Transit Priority Areas Multifamily Residential Parking Standards. Prepared for the City of San Diego. January 16, 2019.

Via Architecture. 2015. Right Size Parking. August 2015. <https://rightsizeparking.org/>

6. Hudson Park North (2008), South (2003) and River Club (Collins) -
1 Van Der Donck/ 1 Alexander Street

7. RXR New Rochelle (Micka_019)

The Hudson Park South ratio of 1.60 occupied spaces per unit and the Hudson Park North ratio of 1.06 occupied spaces per unit are greater than what you are proposing; I understand combined the ratio looks good, but how can you look at these two individually and say that it supports your proposed parking ratio zone change? (Micka_019)

“The study indicated that the existing parking demand to residential ratio is 0.94 parking spaces per dwelling unit, supporting the proposed one parking space per dwelling unit parking rate.” (p. 11-35)

The parking study shows the following: occupied spaces per dwelling unit is on the rise and two of the four residential buildings studies had a ratio greater than one. How does this support your proposal? (Micka_019)

“Based on the above findings, a projected supply-need ratio of 1 space per residential dwelling developed is proposed.” (p. Nelson\Nygaard Consulting Associates, Inc. | 6)

I don't see how you can come to this conclusion based on the above examples and lack of supporting evidence. (Micka_019)

Response 11-17:

Data collected at multifamily buildings in the City located proximate to transit demonstrates an average parking demand of less than one space per dwelling unit (see DEIS Chapter 11, “Traffic and Transportation”). As described in the DEIS, parking utilization data from 2008 and 2012 was provided by the City’s traffic consultants, and was complemented by new counts performed in 2021, including updated counts of parking permits issued at the same locations previously studied, as well as counts at two new multifamily facilities. It is worth noting that ITE’s Parking Generation Manual, upon which most parking requirements are based, often uses much older data for its measures of peak parking demand.

As noted in the DEIS, overnight parking-occupancy data at Hudson Park was not able to be collected in 2021. Therefore, an estimate of the total number of permits sold, per unit, was included. Given that permits are often purchased for vehicles that are not kept on premises full-time, and that there is always some measure of absenteeism among resident vehicles (due to vacations or secondary homes), ratios derived from permits sold are slightly higher than the ratios that would be actually be experienced at a facility during a typical overnight peak period. Nevertheless, the Applicant included this anomalous result to represent the high end of potential demand for multifamily projects in the City located proximate to transit. As stated above, even using this data, the *average* parking demand at the various multifamily developments was still found to be less than one space per dwelling unit.

Given the concern about this data point, subsequent to the DEIS the Applicant reached out to the management company for Hudson Park subsequent verify the data. The management company responded with the following information for the three Hudson Park buildings, indicating a parking permit demand of 0.93 spaces per occupied unit (see **Table 3-9**). This figure was used to update the Parking Analysis Memorandum provided as DEIS Appendix L-6 (see **FEIS Appendix L**).

**Table 3-9
Hudson Park Residential Permit Parking Demand**

Building	Total Units	Occupied Units	Parking Permits	Permits per Occupied Unit
1 Alexander	293	278	246	0.88
1 Pier Pointe	139	127	118	0.93
1 Van Der Donck	127	120	124	1.03
TOTAL		525	488	0.93

Sources: Greystar Building Management, July 8, 2022

Furthermore, the data from 2008 and 2012 (as well as 2022) were calculated as occupied spaces per occupied unit, which will almost always be slightly higher than a ratio that is based on total units (as is the proposed supply). Given that, an upward trend in parking demand over time is not seen, especially since two of the new counts showed much lower demand than in 2008 and 2012. What the data does support is the conclusion that multi-family facilities can thrive with much less than one space per dwelling unit when located near transit and marketed as TOD—which includes efficient parking supplies and multiple amenities to reduce its residents’ vehicle ownership needs.

Comment 11-18:

Comments were received requesting case studies of other municipalities that demonstrate the adequacy of the proposed multifamily parking ratio proposed for Chicken Island (i.e., one space per unit).

Transit oriented development (TOD) parking reductions were adopted in the 2011 Downtown Zoning as a limited experiment to foster development in the close in area around the train station. Areas beyond the ¼-mile walking distance were specifically excluded. What experiences and studies in the literature can be provided to show that the parking demand of TOD residents, versus traffic, is actually reduced to the levels proposed in the applicant’s project? Cities of similar size and relative location to their center city would be appropriate. (Nersinger_031)

TOD reduces traffic but does it reduce parking demand? What studies support the change from a TOD parking program based at ¼ mile to a ½-mile distance to the train station? What do studies in the literature indicate as the right number of parking spaces per dwelling unit?

Provide study information of cities similar to Yonkers in terms of location to the metro center, transit offerings and similar in terms of the applicants sites relating to TOD parking reductions. A very quick review of some of

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the literature turned up information suggesting that the difference between car ownership, and thus parking demand, in a TOD and non-TOD settings was less than expected. (Nersinger_031)

- Response 11-18:** See Responses to Comments 11-20 and 11-21.
- Comment 11-19:** The City of Charlotte [to which the DEIS compared multifamily parking ratios] has an advanced light rail system in all directions; not exactly similar to Yonkers at all. (Micka_019)
- Response 11-19:** The City of Charlotte has 73 bus routes, one bus rapid transit line, and two light rail lines, which result in approximately 17 percent of weekday commuter trips within the City provided by public transit. The transit ridership percentage in Charlotte is comparable to that of Yonkers. Additionally, Yonkers has a long history of being developed around a high level of transit access to Manhattan and its extensive network of subway lines, which compares favorably to the new streetcar service that primarily connects Charlotte’s Central Business District to adjacent neighborhoods.
- Comment 11-20:** “The City of Redmond used reduced parking requirements to incentivize TOD around the Redmond Downtown Transit Center.” (p. Nelson\Nygaard Consulting Associates, Inc. | 5)
- Yonkers does not have a transit center and Redmond’s is a future link to a light rail system. (Micka_019)
- Response 11-20:** Yonkers’ transit offerings near the Project Sites are superior to those in Redmond; Redmond was included in the TIS solely to illustrate parking reductions being used as a catalyst for TOD.
- Comment 11-21:** “The ITE Land Use Category most appropriate for the residential components of proposed developments is Multifamily Housing Mid-Rise (221).” (p. Nelson\Nygaard Consulting Associates, Inc. | 3)
- Explain why this is the most appropriate. (Micka_019)
- Response 11-21:** The other option would be Multifamily Housing High-Rise (LU 222), but the ITE demand data for this category is very limited, based on just five (5) studies or less among the variables included in this category. By contrast, the key variables in Multifamily Housing Mid-Rise (221) have data based on dozens of studies.
- Comment 11-22:** Comments were received regarding the potential impacts to future development outside of the Project Sites as a result of changes to the required off-street parking ratio for retail and commercial uses.

How will other sites be impacted by the proposed amendments to the retail parking ratio (1 space per 300 sf vs. 1 space per 500 sf of retail)? (Yackel et al_009)

This section should clarify if the project proposes any amendments to parking requirements for retail/commercial and office uses. (Nersinger_031)

Response 11-22: No changes to retail or commercial parking requirements are proposed.

Comment 11-23: Comments were received regarding the potential impacts to future development outside of the Project Sites as a result of changes to the required off-street parking ratio for multifamily buildings between ¼- and ½-mile from a train station.

The Planning Board should ask the Applicant to present an analysis using the off-street parking ratios within a ¼-mile from the train station requirement, rather than the ½-mile proposal requested. This will help the City better understand the cumulative parking impact of going from ¼ mile to a ½ mile. (Yackel et al_009)

Regarding the Applicant's proposal to amend the parking ratio for "apartments" to 1 per dwelling unit within 0.5 miles of a train station and 1 per dwelling unit plus 0.33 per bedroom beyond 0.5 miles, this amendment to the Zoning Code will have a large effect on other areas City-wide that are within 0.5 miles from a train station, not just the Yonkers train station. (Micka_019)

Response 11-23: The Proposed Zoning Amendments have been revised so that the reduced off-street parking requirement would apply solely to the Chicken Island Site and the North Broadway Site.

Comment 11-24: The parking layout plans for all projects show relatively steep slopes (14% to 16%) with short transition ramps. These transition ramps need to be longer than 10 feet. 16% slopes are too steep for self-parking garages. For the Chicken Island site, the Applicant shows an attendant parking layout with 4 parking spaces one behind the other and not enough space to maneuver and store the first 3 cars if car #4 needs to be taken out. The Applicant needs to take a more accurate look at these layouts as this may require larger parking areas. (Yackel et al_009)

Response 11-24: The parking layout plans have been updated and now include 12 percent ramps and 15-foot transitions (see **Appendix B-4 through B-8**).

Comment 11-25: It is also unclear if any of the proposed "shared parking" as indicated in the EAF will be available for Metro-North customer parking. As indicated in the Metro-North letter dated December 21, 2020, Metro-North would be interested in understanding if any of these spaces would be available for AM peak or off-peak customers (or both). (Hollander_015)

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- Response 11-25:** The shared parking analysis does not factor in commuter parking.
- Comment 11-26:** The shared-parking model demand projections in the appendix for Late Afternoon (3pm-4pm) indicated that office is 10% of peak. (p. Nelson\Nygaard Consulting Associates, Inc. | 9) This is incorrect, should be much higher. (Micka_019)
- Response 11-26:** Ten percent is a typo; it should be 90 percent. The model used 90 percent for Late Afternoon, as shown in the tables in the parking analysis in Appendix L-6 of the DEIS.
- Comment 11-27:** The shared-parking model demand projections in the appendix for Evening (7pm-8pm) indicated that office is 100% of peak. (p. Nelson\Nygaard Consulting Associates, Inc. | 9) This is incorrect, should be lower. (Micka_019)
- Response 11-27:** One hundred percent is a typo; it should be 10 percent. The model used 10 percent for Evening, as shown in the tables in the parking analysis in Appendix L-6 of the DEIS.
- Comment 11-28:** Chapter 11 Traffic, briefly discusses the possibility of relying on shared parking for shortfall of 87 parking spaces at the Chicken Island site, once fully built. Where is shared parking available? What measures will be taken to control shared parking at peak demand? (Nersinger_031)
- Response 11-28:** At peak demand, there will be almost no demand for non-residential parking. If necessary, sufficient resident parking can be assured by limiting the number of monthly permits issued to the commercial and office tenants of the development. This number can be adjusted based on observations of “shoulder” periods, such as early evenings and late mornings.
- Comment 11-29:** The DEIS indicates Chicken Island would have a parking deficiency of approximately 87 parking spaces. So, the proposal does not even provide the sought after zoning change of a 1 to 1 ratio? (Micka_019)
- Response 11-29:** The Modified Chicken Island Project would include 2,180 on-site parking spaces to serve the proposed 2,000 residential units, 70,000 sf of street-level commercial/ retail uses, and 17,000 sf of commercial office uses. If the required parking was calculated separately for each of the three proposed uses, the total amount of parking required would be 2,267 spaces. However, given that the various uses would experience their peak parking demand at different times of the day, and as allowed pursuant to §43-132.C of the Yonkers Zoning Ordinance, the required number of parking spaces can be reduced upon a showing that “the accumulated

parking demand at any one time of the two or more uses sharing the [parking] facility shall not exceed the total capacity of the facility.” The Chicken Island Project shared parking analysis is provided in DEIS Appendix L-6 as well as FEIS **Appendix L**. As indicated therein, during the daytime hours when approximately 800 of the residential cars would not be at the Site, there would be more than enough parking capacity for the retail and office parkers. The analysis and conclusions are the same for the Modified Chicken Island Project.

Comment 11-30: The Applicant should provide more information about how these parking spaces are going to be provided. For example, the parking plan shown on Figure 1-30 is not even physically possible. Three levels of attended parking as proposed is not going to be acceptable; this issue should be looked into sooner than later because it may end up requiring more floors for parking than expected... It would be helpful to add parking proposed layouts to Section F.5, Parking Conditions. (Micka_019)

Response 11-30: The parking layouts have been revised. See **Appendix B-4 to Appendix B-8**.

Comment 11-31: It’s not every day that we have an application that seeks to reduce the parking requirements because they’re paying for valet parking, so I guess that could be the correct answer of why the parking requirements would be reduced, using valet, but I think including a clause in the scope would be beneficial. (Forsberg_021)

Response 11-31: The Proposed Zoning Amendments specifically authorize the use of valet parking to satisfy the minimum off-street parking requirements of the Zoning Ordinance. This clarification codifies existing practice. The proposed reduction in required off-street parking for the Chicken Island Site and the North Broadway Site is based on industry standard publications, surveys of multifamily buildings performed by the Applicant and the City’s traffic consultant, and case studies of other cities.

Comment 11-32: Parking is described as self-park, attended, and an automated garage. How will parking spaces be delineated for residential and commercial space (employees and visitors)? How will parking be assigned for the different types of users? How do parking permits offset the proposed parking deficit figures? (Nersinger_031)

Response 11-32: Parking spaces will not be assigned and do not need to be delineated between residential and commercial spaces, nor visitor spaces. Parking permits can be used to offset any residential parking deficit by limiting

the number of monthly permits issued to the commercial and office tenants of the Modified Chicken Island Project.

PEDESTRIAN AND BICYCLE

Comment 11-33: Comments were received requesting information on the pedestrian improvements that may be required to support the Revised Proposed Project. Improvements adjacent to the Project Sites as well as within downtown more broadly, and on the way to the train station specifically, were mentioned.

What pedestrian improvements are proposed to support TOD not only at the select project sites, but what is needed immediately, area wide to increase safe modes of pedestrian and bicycle travel in the downtown that will encourage residents and visitors to rely less on passenger vehicles? (Nersinger_031)

The proposed increases to residential tower building footprint within certain radii of a train stations allows for greater use of the project site. The references to pedestrian travel distances to train stations should also take into consideration the street scape - specifically the need to review minimum zoning requirements for sidewalk widths, and building setbacks in order to provide an appropriate pedestrian scale design. (Nersinger_031)

With the addition of several new downtown open spaces that resulted from the Saw Mill River daylighting and the riverfront redevelopment, downtown Yonkers has made a great deal of progress towards becoming a safer and more vibrant place for pedestrians. However, challenges remain, with many streets and intersections in need of pedestrian signals and crosswalks. (Drummond_007)

Bicycle access and mobility also continues to be a challenge, as there is very little infrastructure dedicated to bicycle transportation and there are few formalized bicycle parking areas downtown. We believe this needs to change if downtown Yonkers is to continue on this growth trajectory. Given that White Plains and New Rochelle have both made substantial efforts towards incorporating bicycle infrastructure in their downtowns, we are concerned that Yonkers will become the standout downtown that remains inhospitable to bicycles. This is all the more concerning given that Yonkers has the following advantages that the other two cities do not:

- There are existing two-way, barrier-separate bicycle facilities that are located in the Bronx that end abruptly at the City line. These could be extended into Yonkers
- The Old Croton Aqueduct is a popular biking and walking path that comes within a short distance of downtown Yonkers
- The Yonkers Greenway will potentially link Van Cortlandt Park with downtown Yonkers
- The Empire State Trail goes through Yonkers but does not connect to downtown

While some of these concerns may be outside of the immediate scope of the DEIS, we encourage the City to continue considering the role that pedestrian and bicycle transportation should be playing in downtown Yonkers. In particular, we encourage the City to improve pedestrian and bicycle safety, and to consider wayfinding signage or other assistance to help pedestrians find services and transit stops. (Drummond_007)

It is still unclear what pedestrian and bicycle accommodations for connections to existing pedestrian and bike routes will be available as indicated in the EAF. Metro-North is interested in facilities envisioned to accommodate non-motorized travel to/from the proposed development and the Yonkers Station. (Hollander_015)

Transit Oriented Development (TOD) – The proposed project is intended to be TOD development. To ensure that the project meets this objective, the Applicant should present a plan for connectivity between the proposed development sites and the rest of downtown. The three sites are separated by urban renewal roads (i.e. Riverdale Avenue, Nepperhan Avenue) that are very wide. Wide crossings need pedestrian refuges, benches, other pedestrian infrastructure. The Applicant, for the good of their project and the city’s interest, should give additional consideration to the walkability of the proposed development sites in the context of Downtown. (Yackel et al_009)

Pedestrian safety during operation is a concern. Regarding pedestrian traffic going to and from Metro North Station, pedestrian improvements are needed. Narrow streets do not lend themselves to pedestrian traffic. Barriers may be needed to channelize pedestrians to crosswalks. Bike traffic should be encouraged to the station; accommodations through streetscape and bike infrastructure should be provided. (Kozicky_020)

What improvements are proposed for overall walkability? (Nersinger_026)

Street lights are needed as the downtown is very dark. Crosswalks and dog waste stations are also needed. (Nova_024)

Response 11-33:

The Revised Proposed Project includes the creation of new City blocks in what is currently a large surface parking lot at Chicken Island. The extension of the City’s street network on the Chicken Island Site includes generous sidewalks throughout, including a 13-foot-wide sidewalk along Palisade Avenue, as well as ADA-accessible crosswalks and ramps. In addition, the Modified Chicken Island Project includes 0.5 acres of pedestrian plazas (not including the standard “sidewalks” of the new blocks) and public open space. The Modified Teutonia Project would include the construction of a wider sidewalk along the west side of Buena Vista Avenue roughly from Prospect Street to Main Street. On the North Broadway Site, the sidewalks in front of the lots fronting North Broadway would be rebuilt in kind and the sidewalk on Overlook Terrace would be replaced in kind from the North Broadway Site to Locust Hill Avenue and new ADA ramps would be installed at that intersection.

Each residential building would include bicycle parking.

The Revised Proposed Project is designed to fit into and within an existing downtown that currently serves a large number of pedestrians. The Revised Proposed Project would capitalize on prior City investments, such as the several phases of the Saw Mill River daylighting, that have enhanced the downtown environment and were undertaken to incentivize private investment in new development. Nevertheless, the existing downtown streetscape could benefit from additional improvements to serve pedestrians and facilitate other means of mobility. Together with the City, the Applicant has prepared a conceptual illustration of potential future improvements to the pedestrian and streetscape experience in the downtown (see **Figure 3-6**). Improvements to pedestrian lighting in these areas could also be considered.

Comment 11-34: Though as stated in the DEIS, “The analysis did not project related safety, pedestrian or transit impacts at the evaluated intersections,” given the proximity of the proposed project and its value as being in walking distance to the Yonkers Station, pedestrian and safety impacts at these intersections leading to the station should be reviewed and analyzed both with and without the proposed project. (Hollander_015)

Response 11-34: Safety analysis is based on historical data and cannot be accurately projected to future conditions. As part of the safety analysis, pedestrian safety improvements at high crash locations within the Study Area are proposed in the DEIS. See also Response to Comment 11-33 above.

Comment 11-35: Pedestrian/Bicycle credit of 5% - the DEIS documents that the pedestrian facilities are adequate at best and there are no bicycle facilities through the study area. The pedestrian trips are already captured under the transit credit and with no bicycle facilities existing or being proposed it is recommended that there be no reductions taken for pedestrian and bicycles. (Maggiotto, Jr._014)

Response 11-35: The pedestrian/bicycle and transit credits were based on U.S. Census Bureau American Community Survey Journey-to-Work 2012–2016 data (the latest information available at the time of the analyses), which separately considers bus, subway, rail, walk, and bicycle means of transportation to and from work. Based on the Journey-to-Work data, approximately 11 percent of residents at the Project Sites are anticipated to walk, none are anticipated to bike, and 43 percent are anticipated to take a form of public transportation. The use of a five percent pedestrian/bicycle credit is conservative compared to the Census Journey to Work data. See also the Response to Comment 11-33 above.

Comment 11-36: All three sites should investigate how to connect via pedestrian/bicycle to the proposed Greenway through downtown. (Micka_019)

Response 11-36: See Response to Comment 11-33 above. **Figure 3-6** shows Palisade Avenue as a potential connector between the Chicken Island Site and the proposed Greenway near Getty Square.

TRANSIT

Comment 11-37: Unlike Westchester’s other cities, downtown Yonkers faces a unique challenge because it does not have a centralized location for accessing the different bus routes that serve downtown or for transferring between bus routes. Each bus route passes through downtown using different stops which may (or may not) be located within Getty Square or Larkin Plaza. As a result, downtown Yonkers can be a confusing place for transit riders, particularly where transfers are involved, either from the train or between buses. It would benefit the City greatly if transit access could be generally improved.

We urge the City to consider the how to make bus access easier for the thousands of passengers who pass through downtown Yonkers each day. We point out that there is a great deal of interaction between Bee-Line passengers and downtown businesses, which would only increase with the addition to the downtown population proposed by these developments and other future growth. In particular we recommend the City consider the findings of the *County Mobility and Bus Redesign Study* which will be entering its public engagement phase in the coming months. As mentioned above, wayfinding signage could also be useful for transit riders, particularly for those who need to transfer buses. Getting people out of their cars and riding public transportation should be a goal. Encouraging better connectivity could help us all to get to this goal. (Drummond_007)

In addition, we second the County’s comments on the Bee-Line Bus Service. The Applicant should clearly identify bus stops and improvements to the Getty Square bus terminal area dimensional requirements and contribute to the improvement costs. (Yackel et al_009)

Response 11-37: See Response to Comment 11-33 above. Bus operations at Getty Square is identified for potential future improvements in **Figure 3-6**.

Comment 11-38: With respect to the proposed development sites, it will be important for the streetscape improvements and retail amenities offered by these developments to accommodate waiting bus passengers as well as the movements they make as pedestrians before or after using the bus. This is of heightened importance due to the Applicant’s statement that bus

stops would need to be relocated to accommodate street changes. While any such changes would require collaboration with County Transportation Planning staff, we generally recommend that relocated bus stops be incorporated into proposed public plaza areas, with space set aside for shelters and other amenities. The FEIS should also include a reference to the County's Bus Stop Planning, Design and Placement Guidelines.¹ (Drummond_007)

Response 11-38: The Applicant will coordinate with Westchester County during Site Plan Review to identify potential locations for bus shelters and other transit amenities adjacent to the Project Sites in accordance with the County's Bus Stop Planning, Design and Placement Guidelines.

Comment 11-39: In Appendix L, the estimated number of new Metro-North riders resulting from the proposed multi-phased AMS proposal is indicated as 145 in the AM peak hour. What is the source of the assumptions used? How many riders are anticipated in each proposed project phase? What are the cumulative impacts of the additional riders anticipated from this proposal coupled with the additional developments that have been constructed/approved proximate to the Yonkers Station. It is unclear what potential impacts additional riders resulting from this proposal could have at the Yonkers Station as included in our letter dated December 21, 2020. (Hollander_015)

Response 11-39: The Metro-North Railroad ("MNR") ridership estimates were based on American Community Survey Journey-to-Work data and previous data provided by MNR, assuming 1.25 workers per residential unit. The Applicant has continued to coordinate with MNR on ridership assumptions, which have been refined and are presented below in **Table 3-10**. While the Revised Proposed Project could increase the southbound ridership during the AM peak hour by 406 passengers, it is the policy of the mass transit agencies to adjust their operating schedules to reflect demand as needed.

¹ <https://planning.westchestergov.com/images/stories/pdfs/2018busstop.pdf>

**Table 3-10
MNR Ridership Assumptions and Calculations**

	Calculation/Assumption
Number of Proposed Residential Units	3,556
Number of Commuters per Residential Unit ¹	1.25 Commuters/ Residential Unit
Total Commuters ²	4,445
Percent Commuting by Rail ¹	24%
Total New MNR Commuters ³	1,067 commuters
Percent Traveling during AM Peak Period (6AM – 10AM) ¹	70%
MNR AM Peak Period Commuters ⁴	747 commuters
Percent of AM Peak Period Commuting during AM Peak Hour ¹	40%
New AM Peak Hour MNR Commute Ridership ⁵	299
New AM Peak Hour MNR Non-Commute Ridership ⁶	128
Total New AM Peak Hour MNR Ridership	427
Southbound Travel (95% of Ridership)¹	406
Northbound Travel (5% of Ridership)¹	21
Notes:	
1. Assumptions developed in coordination with MTA	
2. Number of Residential Units * Number of Commuters/Residential Unit	
3. Total Commuters * Percent Commuting by Rail	
4. Total New MNR Commuters * Percent Traveling during AM Peak Period	
5. MNR AM Peak Period Commuters * Percent of AM Peak Period Commuting during AM Peak Hour	
6. Applied MNR assumption of 70%/ 30% split between Commuter and Non-Commute MNR Ridership	

Comment 11-40: I would ask that your department work closely with AMS on addressing the need for additional parking structures and the potential to have shuttles/trolleys servicing the residents downtown and linking to the Metro-North station. (Klein_002)

Response 11-40: The Project Sites are located within walking distance of the Yonkers Train Station. Therefore, residents are not anticipated to drive and park at the station. The Chicken Island Site, which is only located a half-mile away from the Yonkers Train Station, will also have a shuttle service between the site and the Yonkers Train Station as an amenity for residents and employees.

Comment 11-41: Transit credit of 25% percent is acceptable – given the proximity of the Yonkers Train Station with its amenities and frequency of express trains this credit is appropriate. (Maggiotto, Jr._014)

Response 11-41: Comment noted.

Comment 11-42: The proposed AMS developments would generate the following transit trips:

- AM outbound: 145 persons on Metro North and 93 on the Westchester Bee buses

- PM inbound: 150 persons on Metro North and 137 on the Westchester Bee buses

The DEIS concludes that the additional transit ridership would be distributed among several bus routes and therefore a significant adverse impact on bus service is not anticipated. No mitigation measures are proposed for transit services. (Yackel et al_009)

Response 11-42: Comment noted. See Response to Comment 11-39.

TRAFFIC MITIGATION

Comment 11-43: The DEIS studied 38 intersections. 18 of these intersections were designated as being impacted by the project traffic. The DEIS showed that 17 of these intersections could be mitigated with a combination of new traffic signals (for 4 intersections), lane reconfigurations and signal phasing changes. The impacts at one unsignalized intersection (Locust Hill Avenue and Ashburton Avenue) could not be mitigated because signalization is not warranted, however, left turns from Locust Hill Avenue onto Ashburton Avenue could be prohibited. (Yackel et al_009)

Response 11-43: Comment noted.

Comment 11-44: It should be noted the City of Yonkers has previously determined that projects within the downtown zoning districts will pay a mitigation fee, based on the number of projected development trips. Reducing the number of trips will reduce the mitigation fee required as part of the development. The actual implementation of mitigation measures will then be the responsibility of the City of Yonkers. (Maggiotto, Jr._014)

A fair share mitigation contribution has been in effect in downtown Yonkers to fund the mitigation measures. The Applicant should develop in the FEIS a cost estimate of all proposed mitigation measures and propose a mechanism involving all planned downtown developments to fund the needed improvements. (Yackel et al_009)

Response 11-44: As discussed in the DEIS, the Applicant would pay a “fair share traffic mitigation fee” based on the number of dwelling units constructed. This fee would be used by the City to implement the traffic mitigation measures determined by the City to be appropriate to address the impacts of redevelopment of the downtown core by the Applicant and others. Subsequent to the DEIS, the City determined that the fee would be set at \$650 per dwelling unit payable at the time of a Certificate of Occupancy is issued by the City for a rebuilding.

Comment 11-45: Timing of Implementing Mitigation Measures – the DEIS estimates the implementation of mitigation measures by the phase of the project. However, there is no timing of these phases and the delay in implementing mitigation measure will have considerable impacts to already congested conditions. As will be shown in the subsequent sections of this report, mitigation measures are needed prior to the opening of the first phase of development. Implementation of mitigation measures for identified significant adverse impacts cannot be pushed off into some distant future. (Maggiotto, Jr._014)

Response 11-45: Chapter 11, “Traffic and Transportation,” of the DEIS identifies the mitigation measures that would be required for each phase of the Proposed Project. Given the “fair-share traffic mitigation fee” to be paid by the Applicant, the City would be responsible for implementation of the improvements. The Applicant would coordinate phasing of implementation with the City, as discussed in the DEIS and this FEIS.

Comment 11-46: Comments were received opining that measures to improve traffic operations to LOS D or better should be identified and opining that the mitigation measures proposed in the DEIS at certain intersections are not sufficient.

Operation of Traffic Signals should be mitigated to Mid-Level of Service D – It is general traffic engineering practice that when mitigation is required, that the operating conditions be mitigated to a Mid-Level of Service D. It is recommended that the DGEIS utilize this criterion. (Maggiotto, Jr._014)

To be implemented prior to the completion of Phase 1: All approaches should be mitigated to Mid-Level-of-Service D. (Maggiotto, Jr._014)

The analysis included within the DEIS documents a queue for the eastbound through movement [at Nepperhan Avenue/Prospect Street at South Broadway] of 620 feet which is twice the available storage length. The analysis, in the mitigated condition, shows an overall intersection level of service of “D,” but for the eastbound approach, the operating conditions show a level of service “F.” Notes shown on the analysis sheets provide clarification for this condition that include “volume exceeds capacity, queue is theoretically infinite.” Given the queuing in the westbound direction, these two closely spaced intersections are in gridlocked conditions with queues extending past one another and have not been properly mitigated to address the issue. Additionally, there is a bus stop located on the south side of Nepperhan Avenue/Prospect Street which impacts the roadway capacity. The analysis should also examine the impacts at this bus stop as buses must stop in the travel lane which creates additional congestion not documented in the DEIS. The DEIS currently proposes mitigation at this intersection to provide a northbound right turn lane and changes to the traffic signal timing. These mitigation measures are insufficient to address the delays and queuing documented in the DEIS. The intersection of South Broadway and Prospect Street creates, must be addressed in the DGEIS. (Maggiotto, Jr._014)

Nepperhan Avenue/Prospect Street at South Broadway. In addition to the improvements discussed above, field observations showed that at the intersection of Prospect Street and South Broadway, queues along Nepperhan Avenue/Prospect Street were observed that stretched into the intersection at Riverdale Avenue and queues from Riverdale Avenue stretched into S. Broadway. This queuing is creating congestion and additional delays that have not been captured in the traffic analysis contained within the DEIS. The vehicle storage area between the intersection at South Broadway and the intersection at Riverdale is less than 300 feet. (Maggiotto, Jr._014)

Two intersections that are impacted by this project are proposed to be mitigated to future no-build conditions, but would still be operating at overall levels of service E:

1. Riverdale Avenue and Prospect Street
2. South Broadway and Nepperhan Avenue/Prospect Street

These intersections are adjacent to each other and will need a coordinated improvement. They both have the highest crash history in the DEIS study area. (Yackel et al_009)

I thought it was good that a signal was being put at the southbound Saw Mill at Yonkers and Ashburton Avenue, roughly. But the rest of all the intersections, all seem to be going from E to F here, or F to F. (Hertz_032)

Response 11-46:

Pursuant to SEQRA guidelines and the specific traffic impact thresholds established for the environmental review of the Proposed Project, as approved by the City, operating conditions must be mitigated to No Action conditions or better. Except at the Locust Hill Avenue & Ashburton Avenue intersection, the proposed mitigation measures achieve No Action or better traffic operating conditions. That is, the mitigation measures identified in the DEIS would return the impacted intersections, with one exception as noted in the DEIS, to the operating conditions that would be anticipated in the future without the Proposed Project (also known as the No Action condition). As noted in the TIS, some of the intersections impacted by the Proposed Project would operate at LOS D or LOS E, even with mitigation. However, as noted, this is the condition at which the intersection would operate in the future even without the Proposed Project. The analyses and conclusions are the same for the Revised Proposed Project.

Comment 11-47:

Comments were received regarding some of the specific mitigation measures proposed in the DEIS, as well as other traffic mitigation measures that may be required as a result of the Proposed Project.

The intersection of Riverdale Avenue and Prospect Street the DEIS does proposes mitigation at this intersection. [sic] This includes signal retiming and the addition of a “Northbound Right 250-foot pocket.” However, the DEIS does not explain how this additional lane is to be implemented. The current northbound approach roadway width is 41 feet and includes one 11-

foot left turn lane, one 11-foot through lane, one 11-foot shared through/right lane and one 8-foot parking lane. To accommodate an additional right turning lane, widening of the roadway and the acquisition of a small piece of property will be necessary. Currently trucks making a right turn from the northbound approach cannot negotiate this turn without going into the westbound left turn lane and impacting the sidewalk on the southeast corner. To mitigate conditions at this intersection, geometric and property acquisitions will be required. Riverdale Avenue and Prospect Street are designated truck routes and truck turning movements need to be accommodated. To address the current safety issue, the City of Yonkers developed a conceptual plan which includes expansion of the southeast corner of the intersection to include proper geometric elements to accommodate a right turn that includes large truck traffic. (Maggiotto, Jr._014)

To be implemented prior to the completion of Phase 1: Provide geometric improvements to the intersection [of Prospect Street and Riverdale Avenue] (Maggiotto, Jr._014)

To be implemented prior to the completion of Phase 1: Provide full actuation to the traffic signal [at Prospect Street and Riverdale Avenue] with maximums and minimum green times to improve the efficiency of the traffic signal especially in off peak times. (Maggiotto, Jr._014)

To be implemented prior to the completion of Phase 1: Parking within 250 feet of Prospect Street should be eliminated on the NB (Riverdale Avenue) approach to accommodate the proposed geometric improvements. (Maggiotto, Jr._014)

To be implemented prior to the completion of Phase 1: Ensure proposed improvements are compatible with the high number of pedestrians using the intersection [of Prospect Street and Riverdale Avenue]. (Maggiotto, Jr._014)

Examine the possibility of increasing the roadway width by reducing the sidewalk and lane widths to provide for an additional travel lane through the section between Riverdale Avenue and S. Broadway. East of S. Broadway, Nepperhan Avenue provides three eastbound lanes and this cross section could be matched. (Maggiotto, Jr._014)

Ensure proposed improvements are compatible with the high number of pedestrians using the intersection. The pedestrian crossing distance at this intersection is approximately 130 feet. Any signal timing changes must accommodate this long crossing time. (Maggiotto, Jr._014)

The Riverdale Avenue and Prospect Street intersection requires extensive geometric improvements including but not limited to: a northbound right turn channelization with pedestrian island (this will shorten the length of the pedestrian crossings), a southbound dual left turn, phase and timing changes, adjustments to the center medians, adding a lane eastbound Prospect St and a new fully actuated traffic signal. (Micka_019)

“Potential Safety Improvements

- Install yellow retroreflective signal backplates to improve signal visibility
- Add leading pedestrian intervals for pedestrian crossings” (p. 11-18)

For all of these high accident intersections, are these potential safety improvements listed as proposed mitigations? There is no question that the proposed action will increase accidents at these locations. (Micka_019)

The South Broadway and Nepperhan Avenue intersection would benefit from the addition of a northbound right turn lane with channelization and pedestrian island; in order to shorten the length of the pedestrian crossings. (Micka_019)

The cost of improvements to Riverdale and Prospect and South Broadway and Prospect will be mostly funded by other area developments and the City. (Micka_019)

Mitigation includes adding signals within close proximity to existing signals, therefore making coordination of the signals a necessity. The entire signal system along the Yonkers/Nepperhan Avenue corridor extending from the Saw Mill River Parkway into the downtown area will be upgraded and made part of the City's computerized traffic signal system. This will allow for "real time" management of the traffic within the corridor and the Central system will keep all of the controllers in coordination. The City's existing computer system can accommodate the upgraded system. (Micka_019)

Response 11-47:

Implementation of the mitigation measures proposed in the DEIS is at the discretion of the City. The Applicant would pay a "fair share traffic mitigation fee" of \$650 per dwelling unit to the City, which would fund the improvements required by the Revised Proposed Project and other projects in the downtown. See also Response to Comment 11-44. The mitigation measures identified consider existing pedestrian crossing distances, none of which were proposed to be increased.

With respect to the intersection of Riverdale Avenue and Prospect Street, as noted in the DEIS, the northbound right turn pocket is proposed to be added by restricting parking within 250 feet of the intersection. The turn pocket can be added by adjusting the travel lanes at the northbound approach to 10 feet wide each, which is typical in urban areas and seen at many intersections in the downtown (such as the southbound approach at Riverdale Avenue and Prospect Street). It is also noted that the City may implement a different mitigation plan at this intersection.

Comment 11-48:

Comments were received requesting that the Applicant conduct a traffic monitoring program.

To be implemented prior to the completion of Phase 1: Implement a traffic monitoring program where turning movement counts and 7-day automatic recorder counts are conducted at agreed to locations on an annual basis. Traffic analysis of these counts should be completed to ensure acceptable traffic operations until the completion and occupation of all proposed development. Traffic impacts and future mitigation to address any impacts should be part of the assessment. (Maggiotto, Jr._014)

014)Who pays for additional mitigation measures that are needed from post construction [traffic] monitoring? When and how is it done? (Larkin_023)

Will traffic data be updated in the future (i.e., interim monitoring between phases) to demonstrate conditions have not changed? (Nova_024)

Response 11-48:

A traffic monitoring plan will be developed in coordination with the City. As stated in Section H.1, “Post Construction Monitoring,” of Chapter 11, “Traffic and Transportation,” of the DEIS:

“In order to ensure sufficient mitigation measures are identified and implemented by the City of Yonkers, post construction traffic monitoring will be conducted by the Applicant to determine the adequacy of the mitigation measures and to determine if the City should consider implementing additional strategies.

“Following full occupancy of each construction phase, Weekday AM, Weekday PM, and Saturday peak period driveway counts will be collected at each of the Project Site driveways. Prior to data collection, a data collection protocol will be submitted to the City for approval.

“Following each data collection period, a memorandum will be submitted to the City presenting a comparison of the driveway counts to the trip generation estimates presented in this study. If the driveway peak hour counts exceed the trip generation estimates, the City may request that the Applicant perform additional traffic analyses at the impacted study intersections to determine if additional improvements should be implemented by the City using the traffic mitigation funds previously remitted by the Applicant. Any future analysis will be coordinated and approved by the City and could include collecting intersection peak hour traffic turning movement counts and conducting peak hour intersection operations analyses to identify additional improvements.”

Comment 11-49:

The AMS DEIS proposes to mitigate the traffic impacts along Yonkers Avenue east of Ashburton Avenue, where Yonkers Avenue interconnects with the Saw Mill River Parkway and the Cross-County Expressway with a new signal at the southbound ramp off the Saw Mill River Parkway and signal phasing changes at the other intersections. The Applicant needs to demonstrate that this new signalized intersection can function efficiently given that it would be about 300 feet from the Yonkers Avenue traffic signals at Ashburton and the Saw Mill River parkway northbound ramps. A traffic simulation needs to be undertaken of this segment of Yonkers Avenue. It is expected that a wireless communication system will need to be implemented along the Yonkers Avenue signals to allow the City to monitor traffic conditions along this arterial and to change signal phasing on a real time basis. (Yackel et al_009)

AMS Yonkers Downtown Development

Yonkers Avenue/Saw Mill Northbound ramps should be analyzed for a second right turn lane. (Micka_019)

What about geometric improvements? Also two lanes on the Yonkers Avenue/Saw Mill Southbound ramps. (Micka_019)

Response 11-49:

The mitigation measures identified in the DEIS would return the LOS of this impacted intersection to the No Action condition. However, there are additional improvements the City could explore to further improve operations. At the request of the City’s Traffic Engineer, an intersection capacity analysis was conducted to identify additional traffic flow improvements that could result from widening the Saw Mill Parkway ramps to provide an additional right-turn lane. The resulting traffic operation with the widened ramps is presented below in **Tables 3-11A and 11B.**

**Table 3-11A
Saw Mill Parkway Ramps - Additional Capacity Improvements
AM Peak Hour**

Approach		Build with Mitigations				With Additional Capacity Improvements			
		Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS
31: Yonkers Avenue & Saw Mill NB Ramps									
Yonkers Avenue	EB	L	0.85	51.6	D	L	0.85	51.6	D
		T	0.57	6.2	A	T	0.57	6.2	A
	WB	T	0.99	54.5	D	T	0.99	53.2	D
		R	0.15	0.2	A	R	0.15	0.2	A
Saw Mill Northbound Ramps	SB	L	0.42	53.4	D	L	0.42	53.4	D
		R	0.52	21.5	C	R	0.29	16.5	B
		Intersection		29.9	C	Intersection		29.0	C
34: Saw Mill SB Ramps & Yonkers Avenue									
Yonkers Avenue	EB	T	0.61	0.3	A	T	0.61	0.3	A
		R	0.36	0.1	A	R	0.36	0.1	A
	WB	T	0.71	6.9	A	T	0.64	5.7	A
Saw Mill Southbound Off-Ramp	SB	R	0.81	54.8	D	R	0.68	45.7	D
		Intersection		5.9	A	Intersection		5.0	A

Table 3-11B
Saw Mill Parkway Ramps - Additional Capacity Improvements
PM Peak Hour

Approach		Build With Mitigations				With Additional Capacity Improvements			
		Lane Group	v/c Ratio	Delay (sec)	LOS	Lane Group	v/c Ratio	Delay (sec)	LOS
31: Yonkers Avenue & Saw Mill NB Ramps									
Yonkers Avenue	EB	L	0.86	47.4	D	L	0.86	47.4	D
		T	0.58	7.8	A	T	0.58	7.8	A
	WB	T	1.00	50.0	D	T	1.00	50.0	D
		R	0.11	0.1	A	R	0.11	0.1	A
Saw Mill Northbound Ramps	SB	L	0.27	45.5	D	L	0.27	45.5	D
		R	0.66	29.1	C	R	0.38	20.3	C
		Intersection		29.8	C	Intersection		28.8	C
34: Saw Mill SB Ramps & Yonkers Avenue									
Yonkers Avenue	EB	T	T	0.57	0.3	T	0.57	0.3	A
		R	R	0.30	0.2	R	0.30	0.2	A
	WB	T	T	0.93	62.0	T	0.79	55.5	E
Saw Mill Southbound Off-Ramp	SB	R	R	0.96	79.5	R	0.84	54.2	D
		Intersection		32.5	C	Intersection		27.4	C

Comment 11-50: It appears that the intersection of Broadway and Hudson Street should be signalized with 2032 with action. (Micka_019)

Response 11-50: The intersection did not meet the peak hour signal warrant therefore a signal is not proposed. The peak hour warrant is presented in FEIS **Appendix M**. The intersection itself is also unique in that the right turn from Hudson Street onto Broadway does not encounter conflicting traffic and was removed from the analysis. In addition, while not captured in the analysis, the left-turn from Hudson Street to Broadway has its own lane it could turn into given the configuration of the intersection.

Comment 11-51: The proposed mitigation measures in the DEIS include allowing both east- and west-bound lane permitted turns for both weekday AM and PM at the Nepperhan Avenue/Ashburton Avenue intersection. Explain further, what does this mean? (Micka_019)

Response 11-51: This reflects allowing the eastbound and westbound left-turn lanes to have a green arrow (protected movement) and then still allow drivers to make a left turn when conflicting through movements have a green signal (permitted movement). The analysis was conducted without the protected movements, therefore the impact was incorrectly identified since the mitigation measure is already deployed in the field.

TEUTONIA

Comment 11-52: Teutonia Site. Setback/sidewalks – The building is proposed to be a high Metro North railroad use site and there may be hundreds of persons walking from the site to the station. Consideration in the building’s design should be given to the need to move commuters to and from the Yonkers Rail Road station. There may be a need to widen the site sidewalks as a marshalling point and to otherwise fix the sidewalks between the site and the station. (Yackel et al_009)

Response 11-52: The existing sidewalk along the west side of Buena Vista Avenue will be widened to provide an 11-foot to 15-foot-wide sidewalk from Prospect Street to Main Street. **Figure 3-2** presents the proposed widened sidewalk and travel lane widths.

Comment 11-53: For the Teutonia site the DEIS assumes that all Teutonia traffic accesses Buena Vista Avenue via one access point located midway between Hudson Street and Prospect Street. The proposed site plan shows that there will be a second access point at the northerly limit of the Teutonia site at the location where the STOP bar is located for the northbound traffic entering that intersection. This implies that this intersection would have to be redesigned where the northerly Teutonia exit may become the fourth leg of the intersection planned to be signalized. The Teutonia exit and Hudson Street approach would be offset. This needs to be addressed in the FEIS with a conceptual drawing of the intersection and a level of service analysis including the 4th leg. (Yackel et al_009)

Response 11-53: **Figure 3-2** presents the conceptual intersection design for the northern Teutonia Site Driveway/Hudson Street intersection. The traffic intersection analysis provided in the DEIS includes this signalized four-legged intersection and indicates that it operates at an acceptable LOS.

CHICKEN ISLAND

Comment 11-54: Internal Circulation. The Chicken Island site has a complicated internal street system that takes over a large portion of the project site and may end up being very confusing to the users. It is not just one north-south street and one east west street traversing the site (as explained in Section F.8.b of Chapter 11). There is also James Street and Ann Street. This circulation is further complicated by the three different garages in that complex with their respective access points. This complicated circulation system needs to be evaluated in terms of its wayfinding requirements and user orientation. (Yackel et al_009)

Response 11-54: The Chicken Island Site will have one north–south road and one east–west road, simplifying the current roadway configuration. Residents/employees will be familiar with the garages serving their buildings while visitors will be directed to the garage entrance on New School Street.

NORTH BROADWAY

Comment 11-55: Locust Hill Ave is notably steep from Palisade leading up to Overlook Terrace and continuing North. What physical roadway improvements are required to facilitate all incoming and outgoing traffic to this project site from Locust Hill Ave. (Nersinger_031)

Response 11-55: No physical improvements are proposed for Locust Hill Avenue. On-street parking on the west side of the road is currently prohibited and will not impact sight distances for vehicles leaving Overlook Terrace.

Comment 11-56: The DEIS should expand upon the existing conditions of Locust Hill Avenue as the North Broadway site will rely on this street for primary access. (Nersinger_031)

Response 11-56: The roadway width of Locust Hill Avenue (approximately 26 feet) is not wide enough for traditional drive aisles and on-street parking, which typically require 32 feet. The roadway appears to be properly crowned for drainage considerations and has intermediate catch basins (though they appear small) between Overlook Terrace and Palisade Avenue. The pavement seems to be in generally good condition, with no excessive cracking, potholes, or rutting. The curb and sidewalk seem to be in generally poor condition.

CHAPTER 12: AIR QUALITY

Comment 12-1: As a general rule, YCSD believes that the proposed building heights, and the increased residential density, are not appropriate for the narrow, elongated Yonkers downtown. (Air pollution presents more of a problem in such a confined space.) (YCSD_013)

Response 12-1: The DEIS includes a detailed analysis of the potential air quality impacts associated with the Proposed Project and identifies measures to mitigate potential significant adverse impacts. With the implementation of these mitigation measures, the Proposed Project would not have a significant adverse impact on air quality. The analysis and conclusions are the same for the Revised Proposed Project.

CHAPTER 13: NOISE

Comment 13-1: As a general rule, YCSD believes that the proposed building heights, and the increased residential density, are not appropriate for the narrow, elongated Yonkers downtown. (Noise presents more of a problem in such a confined space.) (YCSD_013)

Response 13-1: The DEIS includes a detailed analysis of the potential noise impacts associated with the Proposed Project and identifies measures to mitigate potential adverse impacts. With the implementation of these mitigation measures, the Proposed Project would not have a significant adverse noise impacts. The analysis and conclusions are the same for the Revised Proposed Project.

CHAPTER 14: HAZARDOUS MATERIALS

Comment 14-1: Has a copy of the 2017 NYS DEC Brownfield Cleanup Certificate been provided in the DEIS? No reference to appendix or figures was found in the volumes. (Nersinger_031)

Response 14-1: The 2017 NYSDEC Brownfield Cleanup Program Certificate of Completion for the Teutonia Site (C360085) was provided in Appendix P-2 of the DEIS.

CHAPTER 15: CONSTRUCTION

GENERAL

Comment 15-1: Comments were received regarding the provision of a Construction Management Plan.

A draft Construction Management Plan (CMP) should be provided in the FEIS. There are too many factors put off until site plan or later that need review to wait on the CMP eventual adoption. (Nersinger_031)

Due to the size of this project, number of work force personnel, potential for street closures, etc. we feel it is important for the Applicant to provide a CMP plan as part of the FEIS so that the City may review for Construction related impacts. (Micka_019)

Response 15-1: A preliminary draft Construction Management Plan (the “Preliminary CMP”) is provided as **Appendix H-1** to this FEIS. The Preliminary CMP would be finalized for each separate Project Site as part of Site Plan review for the specific site.

Comment 15-2: Short-term construction impacts (noise, air quality, street parking, pedestrian impacts, etc.) for 10 years on local residents and residents

moving into the newly constructed buildings need to be addressed. The downtown needs to be livable for residents in existing buildings – don't want them to leave because construction is so bad. (Nova_024)

There will be construction impacts to pedestrians due to sidewalk closures and safety issues. (Kozicky_020)

Response 15-2: The 10-year construction build-out is for all three different Project Sites. No single site would be under construction for the full 10-year period. The DEIS includes a detailed analysis of the potential impacts associated with construction of the Proposed Project and identifies measures to mitigate potential adverse impacts, and in response to comments, some of these measures are supplemented in this FEIS. With the implementation of these mitigation measures, the Proposed Project would not have a significant adverse impact on noise, air quality, on-street parking, or pedestrian safety during construction. As part of Site Plan review, and prior to construction at any of the Project Sites, the Preliminary CMP, including revised Construction Site Logistics Diagrams, would be finalized to address and minimize the impacts from construction at a particular site (see **Appendix H** to this FEIS).

Comment 15-3: How will the existing daycare nursery (73 Buena Vista Ave, website: <https://www.queensdaughtersdaycare.com/>) be protected during site work and construction? Children are active at this property due to the outdoor play area. Parents rely on Buena Vista to drop-off and pick-up children using private vehicles. (Nersinger_031)

Response 15-3: The Applicant would coordinate with the daycare staff and will provide flagmen as needed during daycare drop-off and pick-up times. Measures would be implemented to ensure the safety of pedestrians, minimize impacts to traffic and street parking, minimize fugitive dust, and provide coordination and notification of significant noise generating activities, as documented in the Preliminary CMP (see **Appendix H-1** to this FEIS).

Comment 15-4: Has there been any consideration to the rodent population increase during construction? Will AMS be asked to help contain the rodents? (Brody_006)

Response 15-4: Prior to construction, the Applicant would engage a pest control company to manage rodents. The management plan would be updated as the site conditions change (see **Appendix H-1** to this FEIS).

Comment 15-5: The description of the construction of the Teutonia Hall site indicates:
“The two towers will be constructed on a podium and that the podium structure would have three floors below the existing grade of Buena Vista

Avenue but are exposed on the west side of the Site near the MNR tracks. Project construction would require a significant amount of excavation and earth removal from the site.”

Metro-North approval will be required, and appropriate safety measures will need to be included in the design to reduce potential impact to Metro-North and its operation as a result of the exposures facing our active right-of-way. Additionally, given the proximity of the Teutonia Hall site to Metro-North’s active operation and infrastructure, Metro-North’s blasting protocols will be required to be followed should construction on this site require blasting. Additionally, attached for your convenience is a Letter of No Exception for the Support of Excavation from Metro-North to Ancora Engineering dated March 25, 2021. In addition to the requirements set forth in this letter, Metro-North must approve phasing plans for construction of the Teutonia Hall site as well as stormwater and other drainage plans and infrastructure tie-ins if applicable. As indicated in the December 21, 2020 Letter on the Scoping Document and EAF, Metro-North requests that identification of temporary impacts to rail operations resulting from construction be identified for the Teutonia Hall site. (Hollander_015)

Response 15-5: Comment noted. An Entry Permit from Metro-North Commuter Railroad Company (“MNR”) would be required for construction of the Teutonia Project. The Entry Permit would address potential impacts, and require mitigation measures acceptable to MNR.

Comment 15-6: Temporary easements for tiebacks under city streets are mentioned. Does that mean that that it is anticipated that the tiebacks under city ROW will be removed? If they are made permanent, will the city be compensated for the use of city land? (Nersinger_031)

Response 15-6: If tiebacks are required under the City right-of-way during construction, they would be abandoned in place, as is typical in the City.

TRAFFIC, TRANSPORTATION, AND PARKING

Comment 15-7: Comments were received questioning the estimate in the DEIS that 75 percent of construction workers would arrive on mass transit and, subsequently, questioning where adequate parking for construction workers would be located. Comments were also received regarding the potential locations of, and permitting requirements for, satellite parking areas as well as questioning whether the use of parking garages within a building that has not yet received a Certificate of Occupancy is permitted.

The analysis assumes that 75% of construction workers will arrive onsite by public transit. There is no reference for this information and in our

experience in Westchester County this has not proven to be the case. (Yackel et al_009)

“Parking—It is anticipated that the majority of the construction workers would utilize mass transit.” (p. 15-14) This will not be the case. You are seriously overestimating the number of workers driving to the sites. (Micka_019).

“The Applicant would prohibit construction workers from parking their private vehicles on the active construction sites. Based on the experience of the Applicant’s construction manager at other construction sites that are proximate to mass-transit, it is anticipated that approximately 75 percent of construction workers would utilize mass transit.” (p. 15-6) We disagree with this assumption and feel that only a small percent of workers will use public transportation. (Micka_019)

I find it highly unbelievable that most workers will take mass transit when construction is required all over the place. Where are these workers coming from that they’re all going to be on mass transit? And if they’re not, where are they parking? Because the only place that it seems was closest to Chicken Island that has an area that they could provide parking. (Larkin_023)

Chapter 15, Section C.1 indicates the maximum number of workers on-site to be 2,190. Table 15-2 provides maximum manpower by year and phase. The analysis assumes 75% of workers will arrive by mass transit. Based on recent construction projects in the downtown area the DEIS assumption of mass transit usage is overly conservative and is not realistic in Westchester County and Yonkers. Our experience has been more than half of the construction workers arrive to project site by vehicle in lieu of mass transit with little carpooling. Analysis of current ongoing projects is required to serve as a case study of the actual numbers of construction staff that take mass transit to work and Section C.1 should be revised to reflect actual conditions. (Pagano et al_017)

Most workers will not take mass transit (DEIS states 75%). Where did the assumption that workers take mass transit come from? Even at 75% using mass transit, 500-plus workers would be driving in at the high point. Where will workers park? Is satellite parking a reality? Where would it be? (Kozicky_020)

Give examples of places in the Westchester/Putnam/Rockland County suburbs where any significant construction project has had a majority of its workers use public transit to come to the job site. Give specific projects and contacts in the approving community. The proximate to public transportation idea is troubling as the bus system is limited and Metro North only serves a north-south worker base. How does this bus-commuter rail system serve workers from other areas of the county and reduce private auto use to 25% of the workers? (Nersinger_031)

The Applicant should assume that significantly more workers will arrive on site by vehicle and have a realistic plan in place to deal with the traffic and parking needs of commuting workers. It is not realistic to state that workers will be prohibited from parking onsite during construction, since they will be driving and will need to park somewhere in the downtown. This impact is real and significant and a mitigation plan needs to be developed that

addresses this issue as well as issues related to construction impacts on narrow streets, temporary road closures and impacts on traffic, etc. (Yackel et al_009)

The DEIS states that the applicant would prohibit “construction workers from parking their private vehicles on the active construction sites.” This means that parking would not be allowed on the active construction site not that the workers cars would not park around the sites. Please clarify & explain how the applicant would “prohibit” workers from parking in areas that would affect the community? (Nersinger_031)

Show where the 800 – 2000 construction workers will potentially be able to park in reasonable distance of the job sites, i.e., show 800 – 2000 available parking spaces. (Nersinger_031)

Where will workers park for the Teutonia site for the multiple stages of construction? (Nersinger_031)

Where will workers park for the North Broadway site? As mentioned earlier we do not believe that construction workers will come to the site by mass transit. This presents a particular problem at the Locust Hill site as there is little parking available for the teachers and staff and construction workers arriving before them will take the few on-street parking spaces available. (Nersinger_031)

“The New School Street Parcel could accommodate 100 vehicles, while the southern portion of the Palisade Avenue Parcel could accommodate 492 vehicles.” (p. 15-6)

We need to see these proposed temporary parking sites/layouts and how the proposed shuttles will operate between the sites (Micka_019)

Can the lease be extended for chicken island to allow continued parking while the project progresses? (Nersinger_031)

“The Applicant would set up one or more privately contracted satellite parking locations, as necessary, and shuttle construction workers to the Project Sites. Any satellite construction working parking area for more than 10 vehicles would be subject to approval by the City.” (p.15-6) Where are these satellite locations? (Micka_019)

Explain how a Construction management plan sets aside site plan review under the Zoning Ordinance for newly created parking areas for AMS project workers? (Nersinger_031)

Please show where these “privately contracted satellite parking locations” might be. What provision of Yonkers code suggests that there is an exclusion from site plan approval for parking areas under 10 vehicles? (Nersinger_031)

Discuss use of parking garages on site that are not yet granted a certificate of occupancy. Is the use by workers legal under building code? Under OSHA rules? Is it supported by the insurers of the project? (Nersinger_031)

Response 15-7:

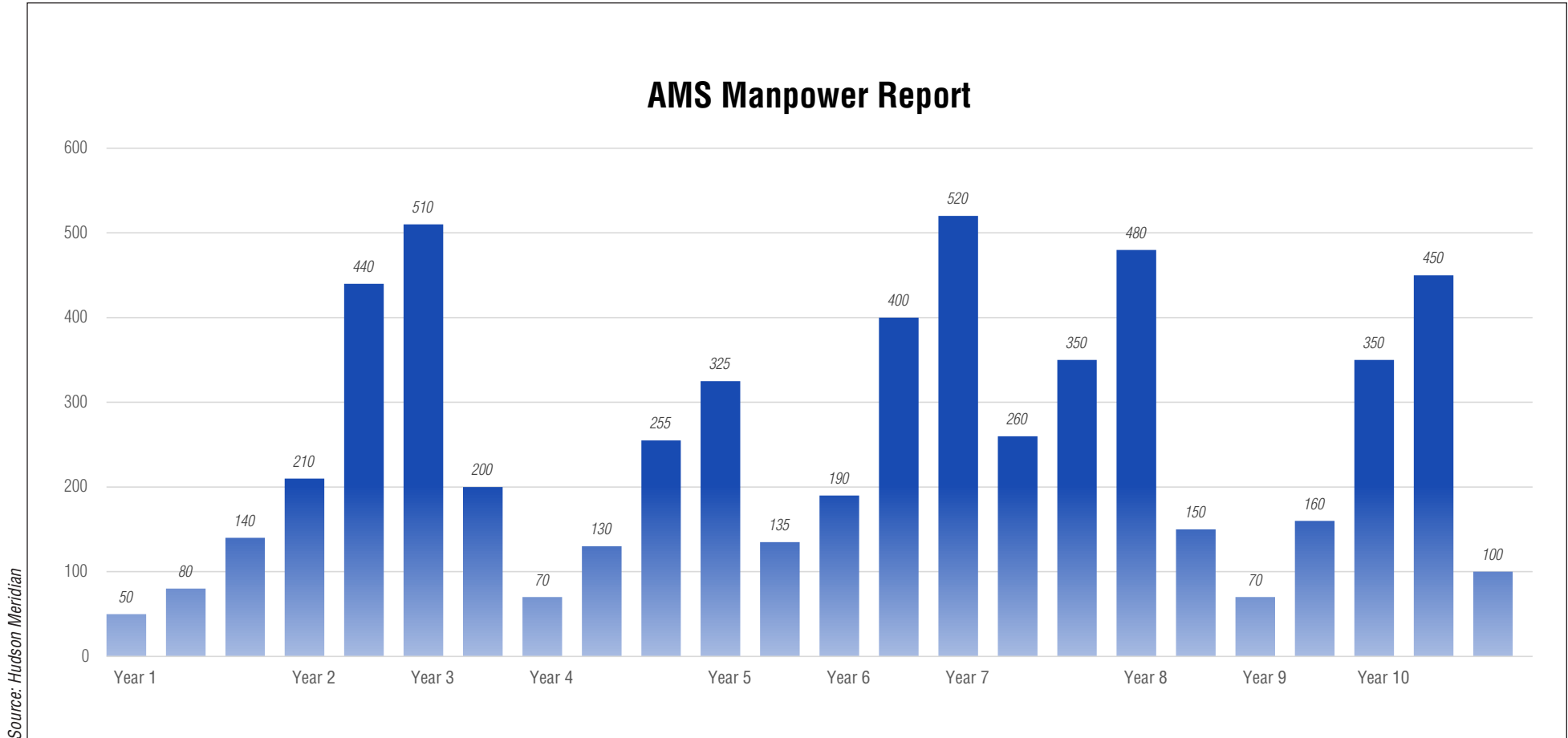
As described in Chapter 2, “Environmental Analysis,” of this FEIS, the construction period manpower estimates have been revised based on an examination of two recent/ongoing construction projects of similar types for which the Applicant’s Construction Manager, Hudson Meridian,

performed the same role (587 Main Street, New Rochelle and Larkin Plaza 16 Nepperhan Street, Yonkers). Based on the revised estimates, it is anticipated that at the period of maximum construction overlap between Project Sites, at most 520 construction workers would be present at one time across the three Project Sites (see **Figure 3-12**). As described in Chapter 2, “Environmental Analysis,” the Applicant’s construction manager would offer financial incentives for all labor (general contractor, if any, and subcontractors) to utilize vans and public transportation to minimize the number of parked vehicles. The incentives would be included in all subcontracts and would include financial reimbursement. All subcontractors would be directed to advise their labor force of any incentives issued for carpooling and mass transit use. The labor force will be reminded of these incentives via on-site signage at the entry gates. For this FEIS, it is estimated that 25 percent of the workers arrive by van, carpool, or mass transit. While this percentage would fluctuate during the construction process, periods of peak activity would be likely to have the highest levels of carpooling and van usage as those are periods of highest trade activity. Peak activity would generally occur during stage 6 (interior finishes) when the following trades are involved: HVAC, electrical, plumbing, flooring, painters, and millwork. Based on this assumption of 25 percent, approximately 390 parking spaces would be needed to meet peak demand.

Workers would be notified about street parking rules during weekly meetings between the construction manager, general contractor, if any, and subcontractors. In addition, on-site signage regarding parking rules would be posted at the entry gates. Offsite parking rules would be enforced by local traffic enforcement.

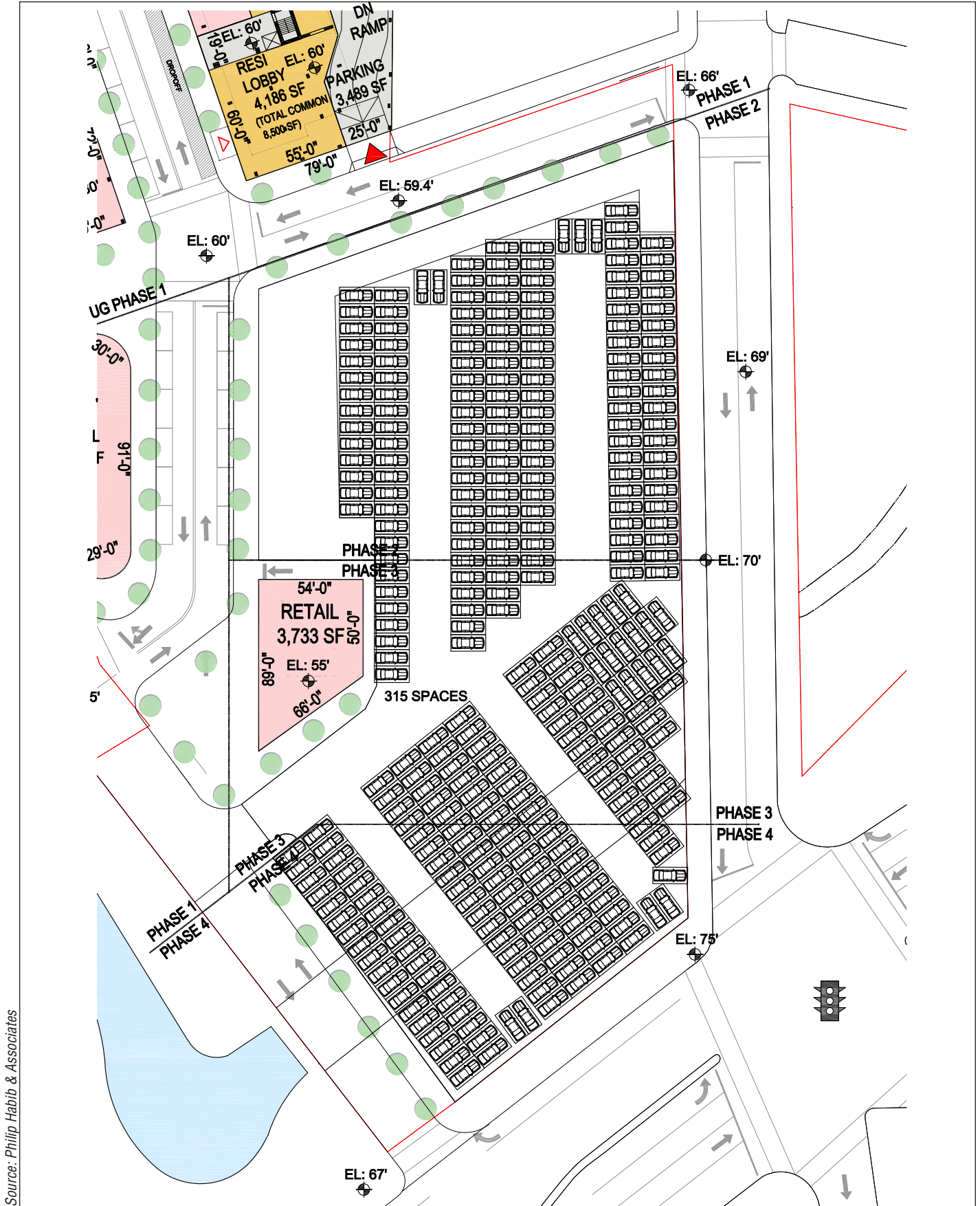
To avoid and minimize impacts to on-street parking and to traffic and transportation, the Applicant would not permit construction worker parking at the Teutonia or North Broadway Sites until the on-site parking garages are complete and allowed to be utilized. Gates would be installed at these garages and locked at all times. Workers would have to arrive by shuttle bus primarily from the Chicken Island Site from the other parking areas described below.

The Chicken Island Site would be used as a satellite parking facility with shuttles running to the Teutonia and North Broadway Sites. Valet parking would be utilized, which, when combined, would provide a capacity of approximately 592 vehicles (see **Figure 3-13**). After Phase 1 of the Chicken Island Project is complete, the lots would have a capacity of approximately 415 vehicles (see **Figure 3-14**). The spaces could be mostly self parked in the morning as attendants would direct drivers into the available spaces along each row, filling the first row and then the





Source: Philip Habib & Associates



Source: Philip Habib & Associates

Construction Parking Phase 2 to Phase 5

second row, etc. For exiting, the attendant would escort workers to their vehicles and move any car blocking the second vehicle. In this type of open parking lot, the drivers can be of assistance while attendants move vehicles. Eventually when the lot is half filled, workers can move their own vehicles as there would no longer be vehicles blocking in other vehicles.

The Chicken Island Site may also be used for the temporary staging of construction trucks during the day and/or construction materials, which would reduce the availability of parking during certain times. It is not possible at this time to determine an exact percentage of the site that would be used for staging. The percentage used would vary based on the type of work being completed. The Applicant's Construction Manager does not anticipate using more than 25 percent at any given time. However, even with an approximately 25 percent reduction in on-site parking available at the Chicken Island Site, there would still be parking for approximately 311 vehicles. As shown in **Figure 3-12**, there would only be a few times during the construction period where there may be parking demand in excess of this amount (e.g., those periods where there are more than 415 workers estimated to be on the Project Sites). To make up any potential resulting parking shortfall, the Applicant would utilize the other sources of off-street parking described below.

First, as parking garages on the Project Sites become usable for construction worker parking (i.e., a Partial Temporary Certificate of Occupancy is issued for the garage), they would be utilized, as the City Permitted at the recently completed Sawyer Place development.

Second, the City has indicated that it would be able to provide a minimum of 100 dedicated spaces for construction worker parking in the Government Center Garage, adjacent to the Chicken Island Site. This is consistent with the City's intent to relocate City staff parking from the Government Center garage to a newly constructed Cacace Justice Center garage, which would increase the availability of spaces within the Government Center garage. The Applicant would coordinate the number of parking spaces needed, the timing of the spaces needed, and the duration of such need as the construction process progresses.

Third, the Applicant previously received approval from the ShopRite facility (in between the Teutonia and Chicken Island Sites) to utilize up to 100 spots in their garage on a temporary basis. However, the Applicant is not currently utilizing these spaces. Therefore, if needed, the Applicant would seek similar approval from ShopRite for construction worker parking for the Revised Proposed Project without affecting the availability of spaces for 86 Main Street.

Given the number of surface parking spaces available at the Chicken Island Site, the newly constructed on-site parking garages, and the availability of off-site spaces proximate to the Project Sites, sufficient off-street parking for construction workers has been identified.

Finally, the Applicant is committed to working with the City during construction of the Revised Proposed Project to coordinate construction activities between the three Project Sites to minimize adverse impacts during Site Plan review and as outlined in the Public Outreach section of the CMP (FEIS **Appendix H-1**).

Comment 15-8:

Comments were received questioning the impacts to traffic and on-street parking as a result of staging and loading activities during construction.

DEIS does not address any staging of materials, vehicles, etc. as required to ensure development schedule but not impact normal traffic. Staging of deliveries of steel, concrete, etc. is required and numerous commercial vehicles will be required to “stage” awaiting their turn to unload. Provisions and locations for staging of concrete trucks, commercial flatbeds, etc. is required and should be considered in the DEIS. Provide locations for staging of vehicles that will be required to meet the construction schedule. (Pagano et al_017)

Regarding staging of construction materials, how do they get the materials to the sites? Between 9-3 are peak hours in the City and therefore would impact businesses. (Landi_022)

How can you stage on Buena Vista without blocking travel lanes? (Micka_019)

There will be a loss of street parking during construction. (Nova_024)

There will be an impact from construction vehicles. (Landi_022)

The Teutonia site is narrow and it seems difficult to place construction loading on site. The street is also narrow such that access to the site will need to use both lanes, vehicles would need to back in to the site and block traffic. Construction deliveries to the site could block traffic flow and cause traffic delays. (Yackel et al_009)

Chapter 15 Section C1a states “Large construction trucks would be directed to use Buena Vista Avenue (BVA) for staging.” This contradicts earlier statements that all deliveries and staging would be conducted on site. Same question for Chicken Island site. (Nersinger_031)

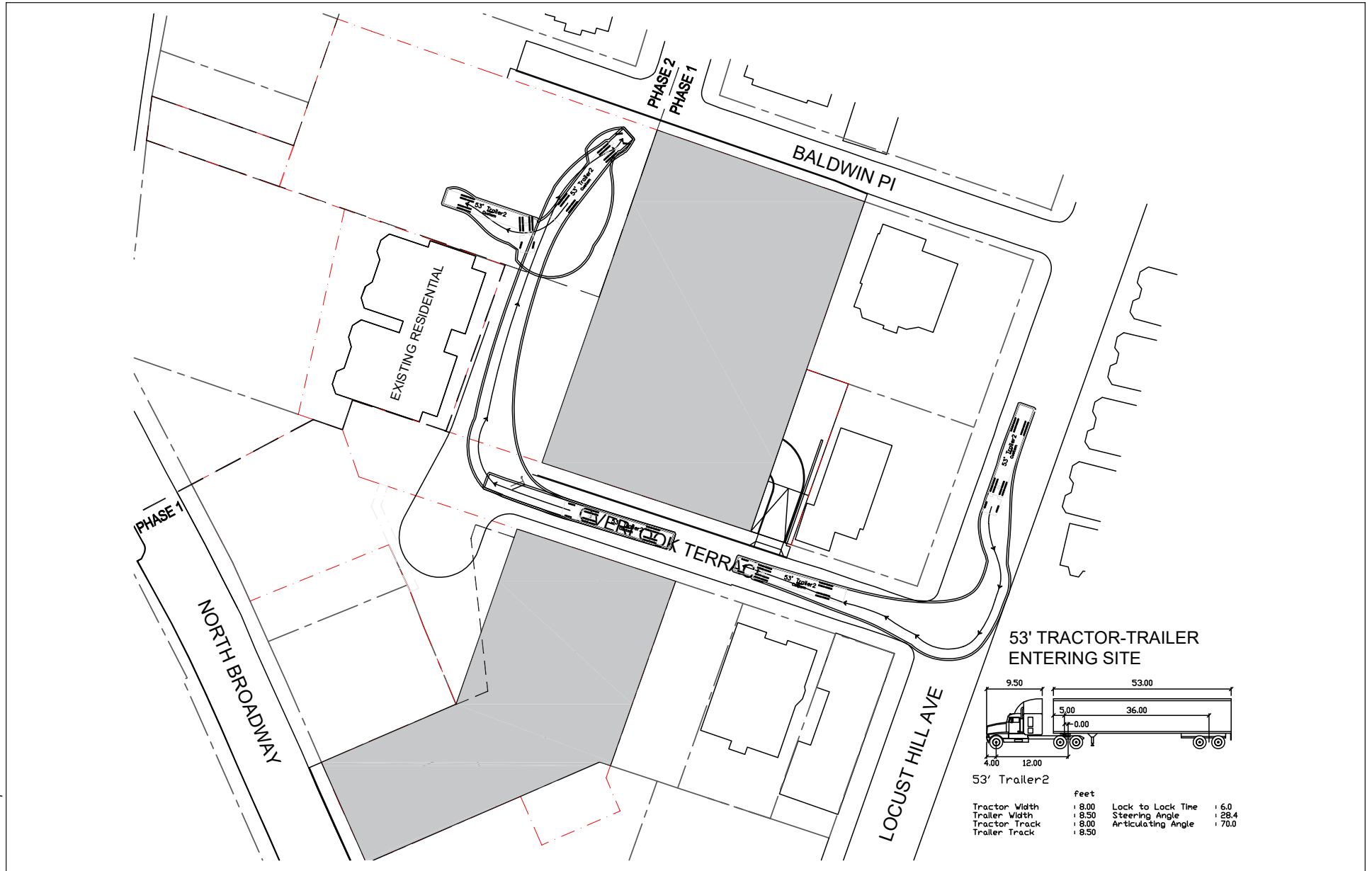
Figure 15-2 thru 15-12 Construction phasing diagrams – Understanding that these diagrams are schematic and draft they illustrate the improbability of statements made in the narrative that construction operations would take place on the sites. For example, materials delivery is almost inconceivable to be able to take place wholly on the Teutonia site without use of Buena Vista Ave for delivery with the then almost assured closures of the street to traffic. Therefore, alternate routes for traffic and drop off for area businesses and institutions at all of the sites need to be thought out during the EIS process. (Nersinger_031)

Will all parking on Buena Vista Avenue need to be prohibited during construction? Same question for the Chicken Island site. (Nersinger_031)

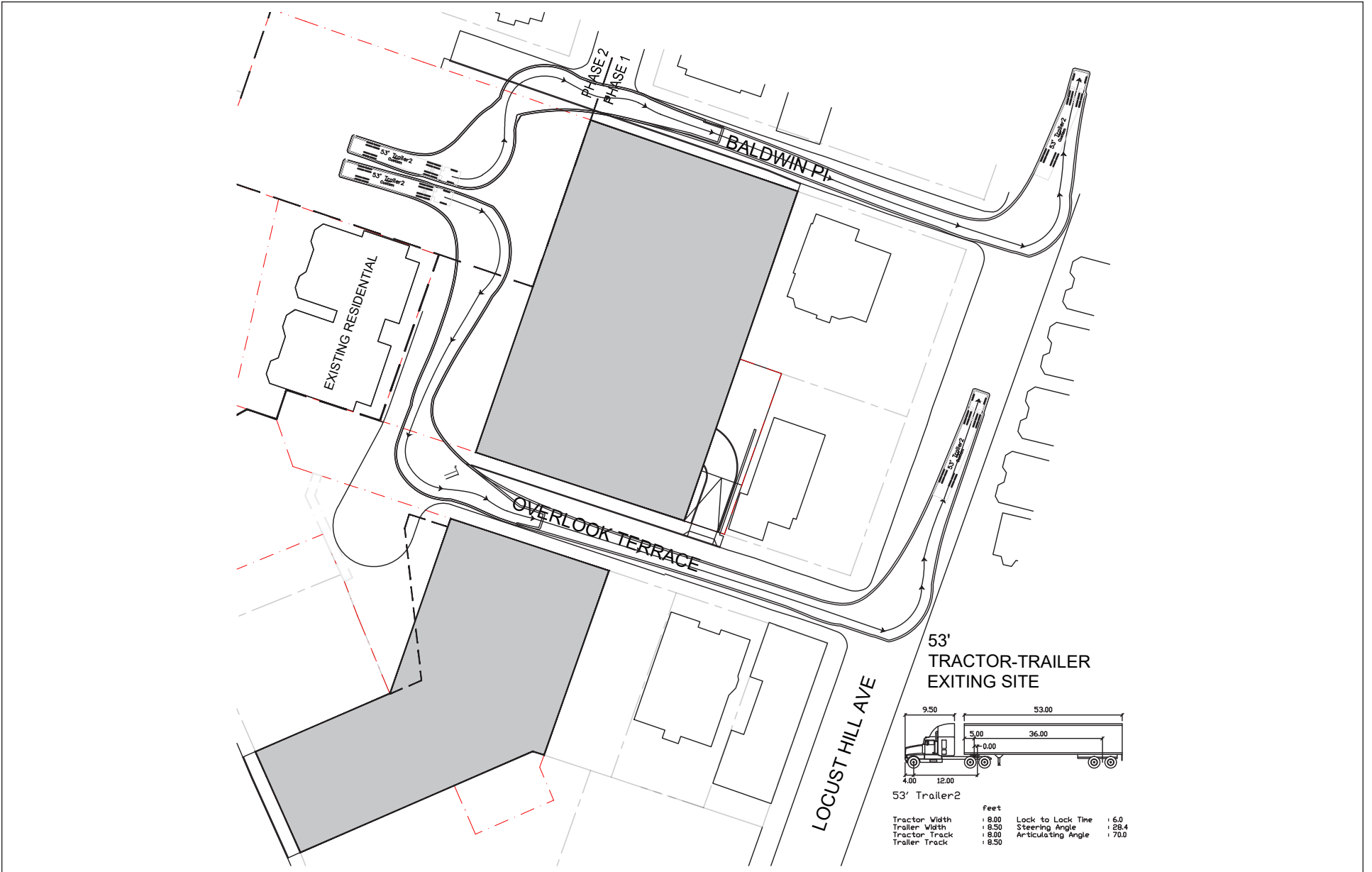
Response 15-8:

As described in Chapter 2, “Environmental Analysis,” of this FEIS, revised Construction Site Logistics Diagrams (included as **Appendix H-2**) and construction truck routing figures have been provided. The truck routing figures illustrate, conceptually, where trucks would stage and unload at each Project Site. Also shown, conceptually, is the extent of lane closures in front of the Project Sites. As part of Site Plan review and prior to construction, the revised Construction Site Logistics Diagrams would be finalized and would include the specific measures required to mitigate impacts from loading and unloading, including requirements for traffic control, time constraints and delivery hours of operations.

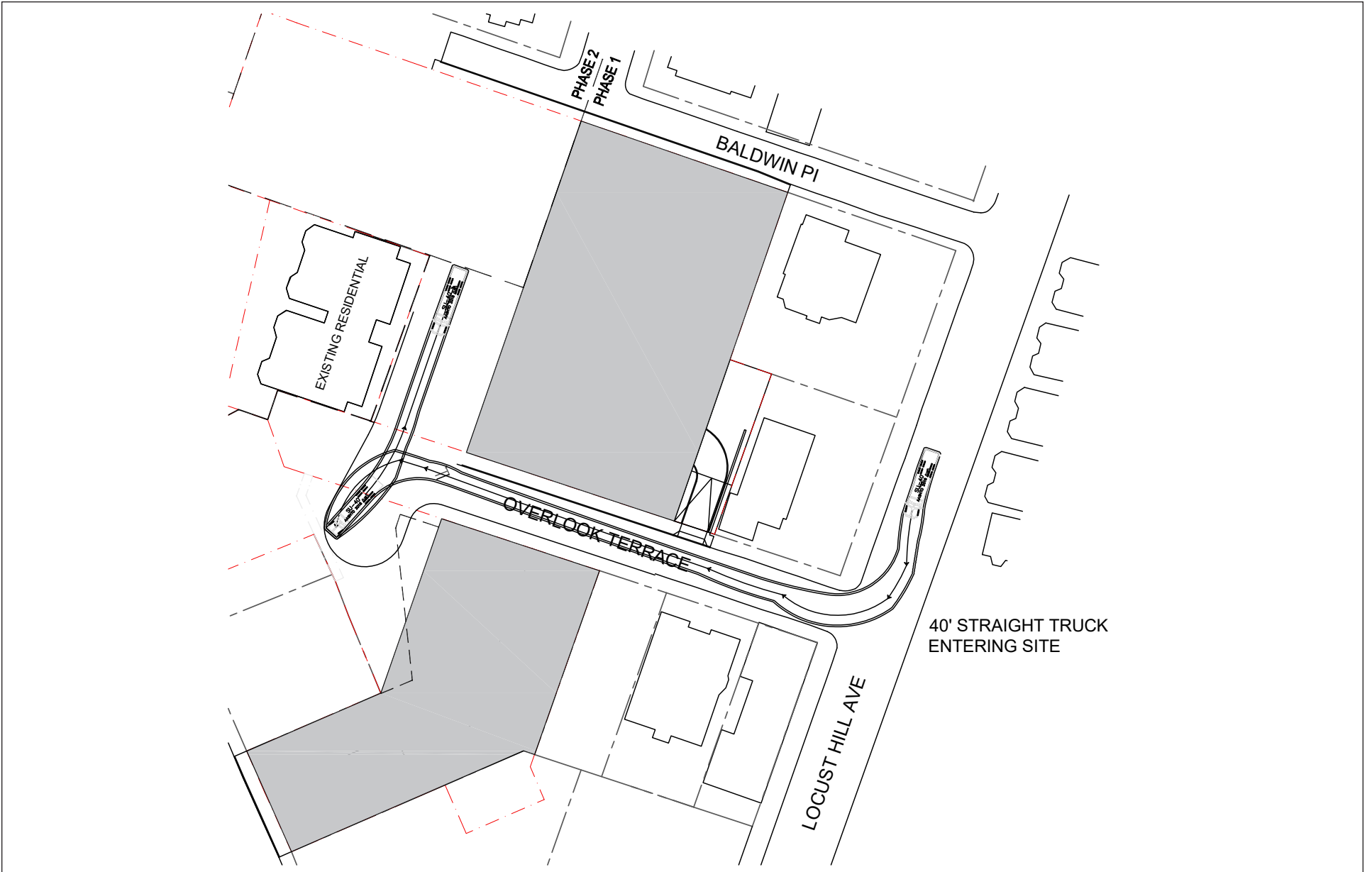
With respect to the Teutonia Site, the contractor would install a movable barrier parallel to the front lot line, approximately 15 feet from the lot line. Two-way traffic would remain on Buena Vista Avenue. This would be similar to the condition once the Modified Teutonia Project is completed, where, as previously described, only four on-street spaces would remain on the east side of Buena Vista Avenue in order to accommodate movement into the Hudson Street project’s off-Site parking lot and the Modified Teutonia Project garage and to accommodate the widening of the sidewalk between Prospect and Main Streets and the new left turn lane at Buena Vista Avenue and Prospect Street. Surrounding the North Broadway Site, on-street parking would be eliminated during construction on Overlook Terrace, Baldwin Place, and Locust Hill Avenue in the areas just north of Baldwin Place and Overlook Terrace. Similarly, closure of sidewalks at the intersections of Baldwin Place and Overlook Terrace with Locust Hill Avenue may be necessary. These restrictions would be necessary to allow for construction truck movements to and from Locust Hill Avenue to the North Broadway Site. The Applicant would require its Construction Manager, general contractor, and all sub-contractors to limit the size of construction trucks for the North Broadway Project to match the available roadway geometry in this area. Construction truck turning movements were evaluated for the North Broadway site (see FEIS **Figure 3-15**). Truck size would be limited to a 53-foot tractor trailer on Overlook Terrace and Baldwin Place during North Broadway Project Phase 1 and a 50-foot tractor trailer on Overlook Terrace during North Broadway Project Phase 2. Truck size limits would be incorporated in all subcontract and vendor agreements. Deliveries would be closely scheduled and confirmed by the Applicant’s Construction Manager’s site superintendents to avoid getting too many deliveries per day or at the same time. When the superintendents schedule these deliveries, they would remind the trucking companies of the truck size limits.



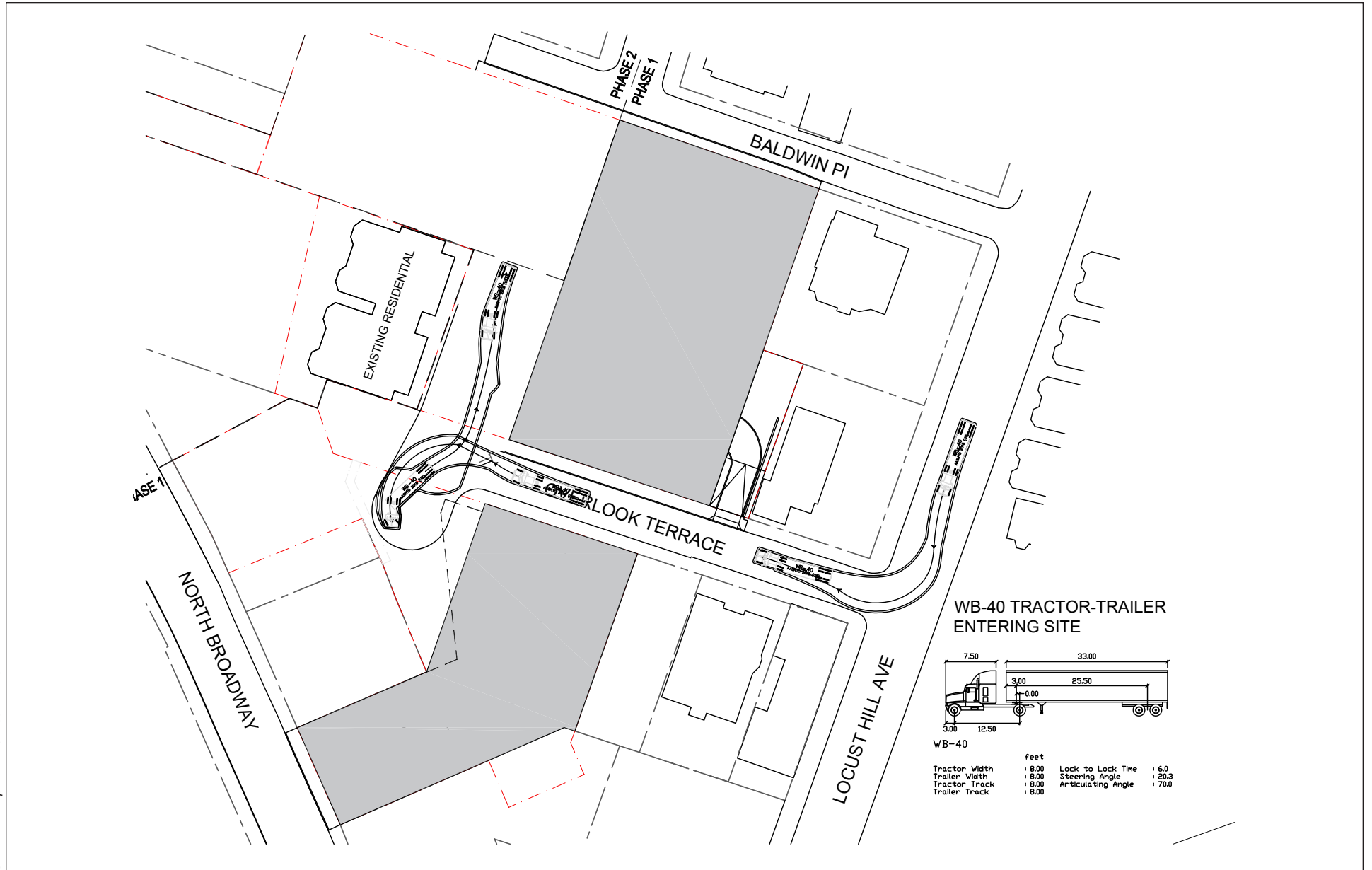
Construction Truck Turning Diagram - North Broadway
Phase 1 - 53-foot Tractor Trailer Entering Site



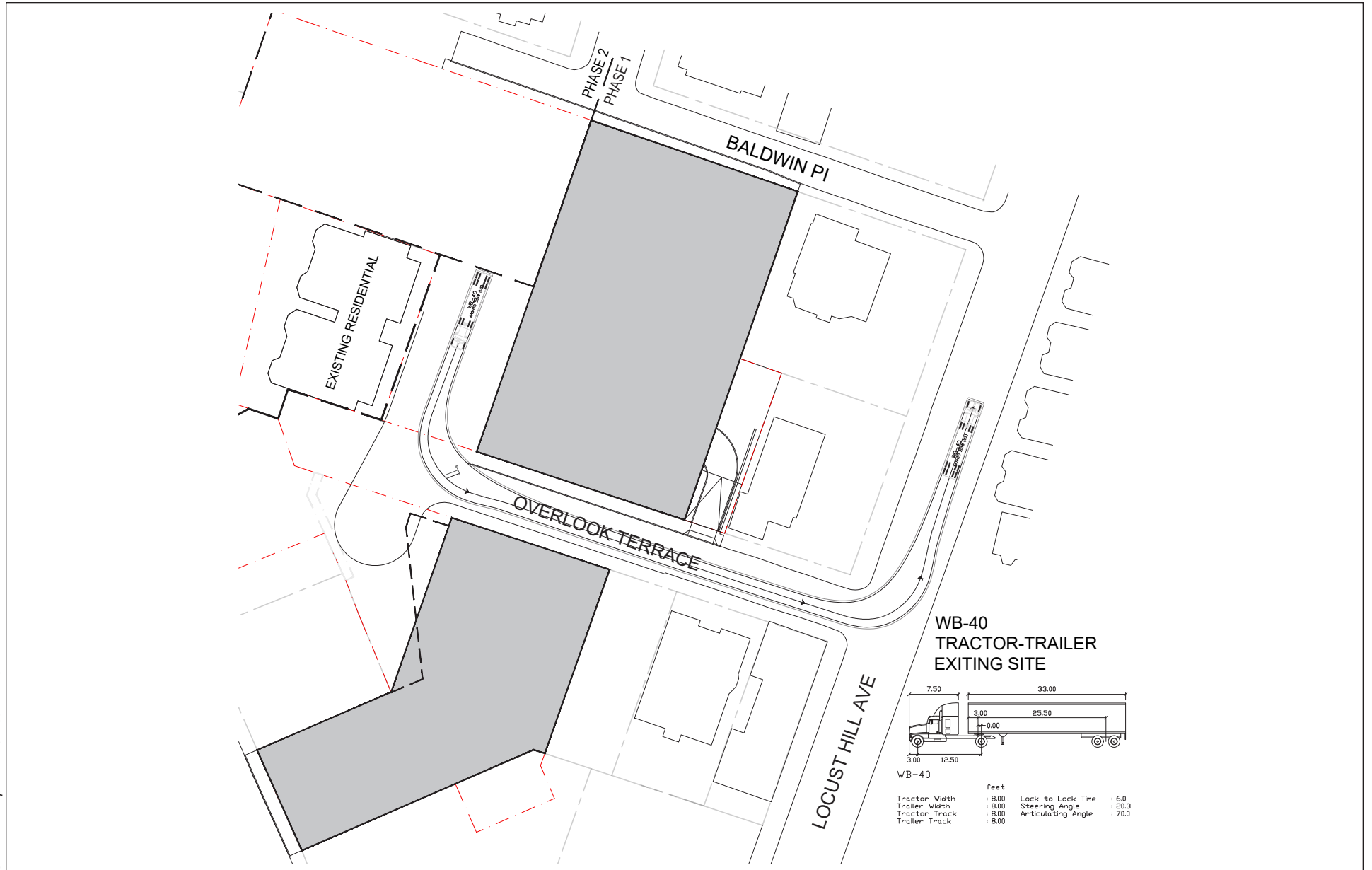
Construction Truck Turning Diagram - North Broadway
Phase 1 - 53-foot Tractor Trailer Exiting Site



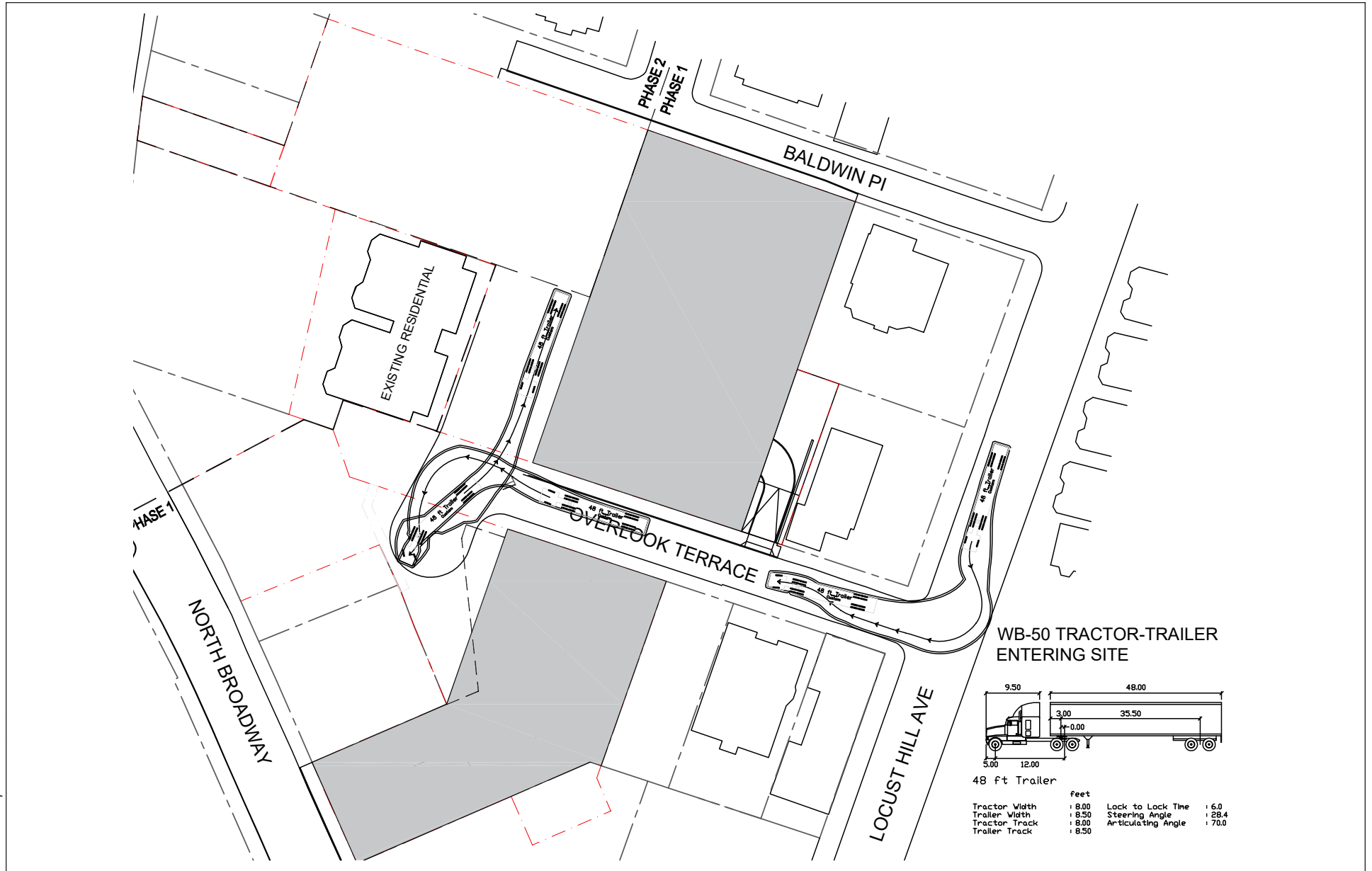
Construction Truck Turning Diagram - North Broadway
Phase 2 - 40-foot Straight Truck Entering Site



Construction Truck Turning Diagram - North Broadway
Phase 2 - 40-foot Tractor Trailer Entering Site



Construction Truck Turning Diagram - North Broadway Phase 2 - 40-foot Tractor Trailer Exiting Site



Construction Truck Turning Diagram - North Broadway
Phase 2 - 50-foot Tractor Trailer Entering Site

Figure 3-15f

With respect to the Chicken Island Site, all materials are anticipated to be staged on-site. Similarly, during Phase 1 of the Modified Teutonia Project and Phase 1 of the Modified North Broadway Project, materials would be staged almost exclusively on those Project Sites. In most cases, loading and unloading of materials would also occur on-site, or in the case of the Teutonia Site, within the construction barrier on Buena Vista Avenue, described above. During Stage 2 of the Modified Teutonia Project and Stage 2 of the Modified North Broadway Project, material would be staged on-site to the extent practicable. However, as discussed in Response to Comment 15-7 above, it is anticipated that some material would be staged on the Chicken Island Site. This off-site staging would allow for coordination of delivery times to the Teutonia Site and North Broadway Site to ensure that the space necessary to unload is available. The Applicant would also utilize this process for their concrete subcontractors to minimize traffic impacts proximate to the Teutonia Site and North Broadway Site. In general, required staging would be conducted outside of peak-hour traffic times.

To mitigate potential impacts on North Broadway, to the extent practicable, construction on the North Broadway fronting parcels of the North Broadway Site would be done from the Baldwin Place and Overlook Terrace access points utilizing materials and equipment staged/stored on the main portion of the North Broadway Site. The Applicant anticipates that only smaller vans and box trucks would utilize North Broadway during the later stages of construction.

Comment 15-9: Overview notes that staging areas would be on site and/or screened by berms or construction fencing. Is this possible on a narrow site such as Teutonia? Diagrams in the DEIS contradicts this statement. (Nersinger_031)

Response 15-9: Construction fencing would be installed around the active construction sites as indicated on the revised Construction Site Logistics Diagrams and would be in accordance with Chapter 33 of the 2020 New York State Building Code (included as **Appendix H-2**).

Comment 15-10: Comments were received questioning the impacts to traffic as a result of the 10-year construction period for the Proposed Project.

The Applicant should provide a detailed analysis of all aspects of 5-phase, 10-year construction plan. Despite analysis contained in the DEIS, we still question whether traffic impacts, among others, won't have a significant impact on Downtown Yonkers during the 10-year construction period. (Yackel et al_009)

Given the almost continuous construction period in the downtown area between the start and completion of the proposed action there needs to be an

expanded examination of construction period traffic. Unlike most projects with an expected 18–24 month construction period, the proposed action will have a “construction use” for 10 years that was not examined. (Nersinger_031)

Traffic impact mitigation during construction is not discussed and needs to be. This project will have a 10-year multi-phased construction period and the impacts need to be revealed and mitigated. (Nersinger_031)

The DEIS states that the worker and shuttle bus trips would have minimal impact on traffic because it would be “well below number of vehicular trips generated by operation of the proposed project.” Our concern is that these trips would be prior to any mitigation associated with the project and should not be compared to post-completion and post-mitigation settings. Have the construction traffic, worker traffic, and shuttle traffic been studied in relation to pre-project traffic impacts? (Nersinger_031)

The construction traffic routing plan should be prepared now; determine the number of vehicles associated with work force, material delivery, material removal. According to your projections in the following sections, the traffic generated by construction will be significant. (Micka_019)

Section F.2 of Chapter 11, “Traffic and Transportation,” does not analyze or quantify construction related traffic; nor does it discuss any intermediate mitigation related to construction traffic (Micka_019)

For all the examination of vehicular traffic in Chapter 15 of the DEIS, it seems that little consideration has been given to the day-to-day survival of those who currently live and work in areas immediately adjacent to the construction sites, particularly the Queens Daughters Daycare Center at the proposed Teutonia Hall site. The FEIS should include a comprehensive mitigation plan for protecting current residents, pedestrians, and, especially, children. (Hensley_016)

Response 15-10:

In response to comments about how construction worker vehicular traffic may impact the time by which the identified traffic mitigation measures would need to be implemented, the Applicant conducted an analysis that combined peak hour construction worker trips with peak hour project-generated (or, operational) trips. The analysis is presented in Section B.14.c., “Revised Analysis of Construction Worker Traffic” within Chapter 2, “Environmental Analysis,” of this FEIS.

As part of Site Plan review and prior to construction, the Construction Site Logistics Diagrams and Preliminary CMP would be finalized to incorporate measures to mitigate impacts from construction traffic. Typical measures include off-hour deliveries, specified routes for arriving and departing, and staggering of deliveries.

It is important to note the Applicant is committed to working with the City during construction of the Revised Proposed Project to coordinate construction activities between the three Project Sites to minimize adverse impacts.

Comment 15-11: Comments were received regarding the number and timing of construction vehicle/truck trips and the timing thereof.

The assertion is made that "...the greatest number of construction vehicles trips would be expected to occur at the beginning of each individual construction phase when building materials would be transported to the Site." Explain this statement – what does "individual construction phase" mean? At the start of building after demo and excavation? Or at the start of each sub-sub phase meaning, foundation, superstructure, bricks and siding, windows, interiors, etc. Experience shows us that construction deliveries are made "just-in-time" as in other manufacturing industries and are thus constant. Will this be the case for these projects? Fig. 15-1: Using a similar bar chart format show the truck traffic associated with the various phases. Show excavation trucking (export) and materials delivery (import) traffic expected. (Nersinger_031)

The DEIS indicates approximately 1,477 trips for large construction trucks will be required for the proposed volume of earthwork and excavation at the Teutonia Site. Removal of the excavated material is proposed to be spread out over two construction phases. Under Section B.2.d. Phase 1 and Phase 3 include the site work for Teutonia. During each phase what is the expected duration of time to complete the excavation work? For example, during normal construction, how many trips on average would be expected in a day? The associated truck trips may require significant detours for the local residents and this must be explained in as much detail as possible. (Nersinger_031)

Same comment for Chicken Island site regarding the projected figure of 6,620 truck trips for earthwork and excavation. What roads will be impacted and for how long? How many trips could be expected in a day? (Nersinger_031)

Same comment for the North Broadway Site and the projected figure of 2,400 truck trips for earthwork and excavation. Specific to this site, how will construction vehicles enter and exit the site? North Broadway is a one-way street near the site, and Locust Hill Ave, is narrow with a steep rise in grade from Palisade Ave. (Nersinger_031)

There are approximately 9,000 trips attributed to excavation across the three sites. Please provide a chart that shows how these trips are estimated to occur over the construction period and showing any overlap when there might be two sites being excavated at the same time. A more easily understood and visual explanation of the narratives discussing "first part of first phase" etc. (Nersinger_031)

Response 15-11: As discussed in DEIS Chapter 15, "Construction," excavation for Modified Teutonia Project Building 1 would occur over a period of approximately four months in construction year one whereas excavation for Modified Teutonia Project Building 2 would occur over a period of approximately seven months during construction year four. Similarly, excavation at the Chicken Island Site would be spread out over three phases over six years. Excavation for Modified North Broadway Project Building 1 would occur over a period of approximately five months during construction years two and three whereas excavation for the

remainder of the Modified North Broadway Project would occur over a period of approximately five months during construction year four. Removal of excavated material from each Project Site would typically result in up to 25 truck trips per day. There would be overlaps in the number of truck trips across Project Sites on certain days. However, congestion from overlapping truck trips would be confined to the larger roads such as Ashburton Avenue, Nepperhan Avenue, and Yonkers Avenue.

With respect to construction truck trips other than those related to the removal of excavated materials, as stated in Chapter 15, "Construction," of the DEIS, the Applicant anticipates a maximum daily number of construction trucks of 15-20 per day per active site. This maximum number of trucks is more likely at the beginning of each subphase of construction (e.g., superstructure, enclosure, interior, etc.). It is not feasible this far in advance of construction to put together a realistic schedule of truck traffic for all of the Project Sites. The Preliminary CMP (see **Appendix H-1**) lists the measures that will be taken to minimize significant adverse impacts to traffic and transportation, including the pre-purchasing of materials whenever possible to better coordinate deliveries.

Comment 15-12:

Comments were received requesting more detailed information on the routes that construction trucks (e.g., materials, equipment, excavation spoils, etc.) would access the North Broadway Site and what the impacts would be to the land uses surrounding those routes.

How will Locust Hill/Overlook site be accessed? DEIS notes that it will be via Locust Hill Avenue but is silent on what part of Locust Hill Avenue. More likely would be accessing the site via Ashburton Avenue; have the various (traffic, noise, air quality) impacts on Ashburton Avenue, Pitkin Park, and the Martin Luther King Jr. school been addressed? (Nersinger_031)

Discuss impacts and mitigation of impacts upon Martin Luther King Academy due to excavation and construction traffic. (Nersinger_031)

"The surrounding roadways listed above would only be closed for the delivery of large building material." (p.15-9) We feel that this will end up being more often than not. Can large trucks even make the turns to and from the site? At no time will construction vehicles be allowed to travel north on Locust Hill towards Ashburton Ave. (Micka_019)

"The majority of construction-related traffic for the North Broadway Project would arrive and depart from Locust Hill Avenue." (p. 15-9) This may be problematic; Locust Hill is narrow and extremely steep. We need to see some proposed routing plans that will not eventually keep Locust Hill closed throughout the construction of the North Broadway site. How do trucks get to and from the Site via Nepperhan Ave? (Micka_019)

How do the steep conditions on Locust Hill Avenue impact construction? Truck routes for earthwork and deliveries of project materials? (Nersinger_031)

There is mention of the potential need to detour traffic in the case of construction closures of the streets. The topography of this neighborhood and the block layout make detours long and inconvenient. Show a schematic of potential detour routes should they be needed and explain any changes in street direction, parking etc. that might be required to effect a detour. (Nersinger_031)

Hours of operation & Deliveries – the proposed hours of construction operations are noted to be outside of peak traffic hours, but these hours are during the peak hours for the Locust Hill Avenue School and park. Deliveries must pass by the school causing noise, dust and vibration. (Nersinger_031)

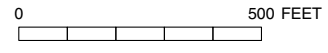
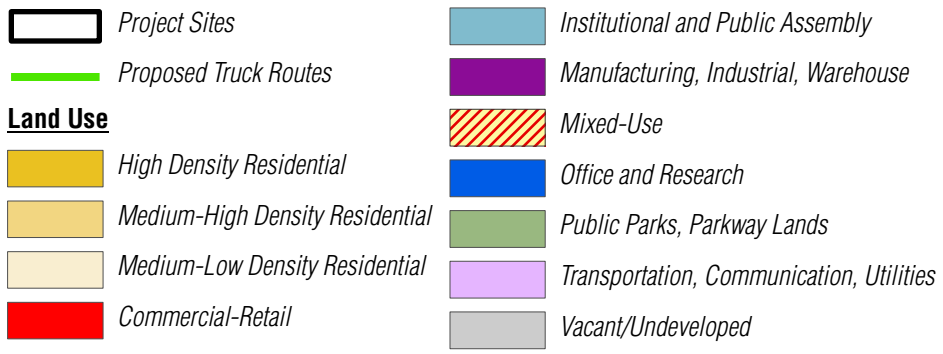
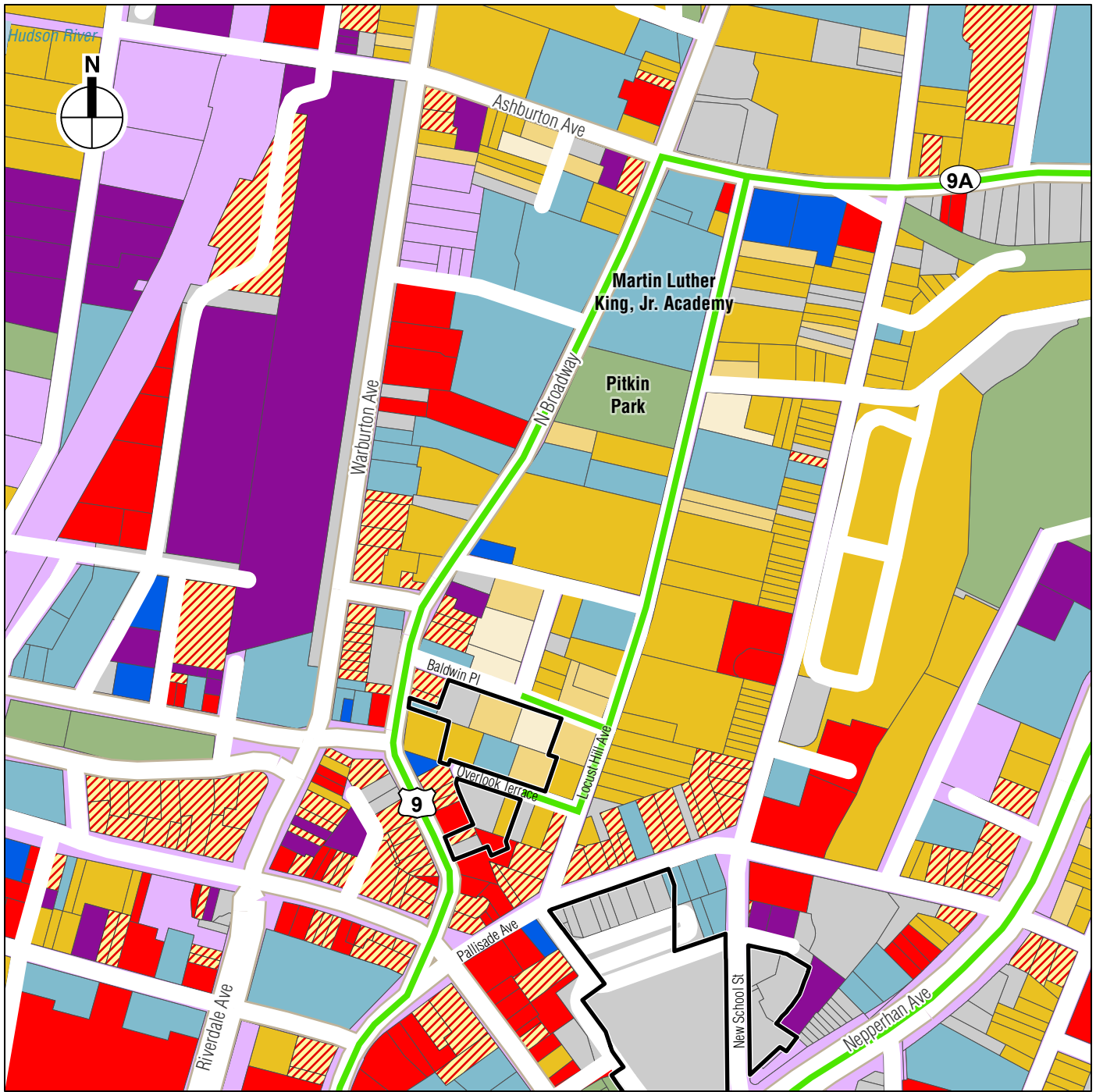
Response 15-12:

See Response to Comment 15-8 with respect to the construction truck routing plans for the North Broadway Site and associated impacts to on-street parking.

Figure 3-16 illustrates the land uses along the construction truck routes to and from the North Broadway Site along Locust Hill Avenue. The predominant land use on Locust Hill Avenue and Palisade Avenue is multifamily residential. The Martin Luther King Jr. Academy public school and Pitkin Park are on the west side of Locust Hill Avenue near its intersection with Ashburton Avenue. Given the location of the North Broadway Site, and the difficulty for large construction trucks of accessing the Site from Palisade Avenue to the south, construction trucks would necessarily have to pass these two community uses. Construction truck turning movements were evaluated for the North Broadway site (see FEIS **Figure 3-15**). Truck size would be limited to a 53-foot tractor trailer on Overlook Terrace and Baldwin Place during North Broadway Phase 1 and a 50-foot tractor trailer on Overlook Terrace during North Broadway Phase 2.

During Site Plan review of the Modified North Broadway Project, the Applicant would meet with the Yonkers Public Schools (“YPS”) and also with the community proximate to these community resources and the North Broadway Site, to discuss anticipated construction activities and solicit input, including on practicable measures to mitigate potential impacts on scheduled community events.

As stated in Chapter 15, “Construction,” of the DEIS, air quality impacts associated with vehicular activity would be minimized by using ultra-low sulfur diesel and by prohibiting idling during unloading. Additionally, trucks would be washed down before leaving the construction site to minimize the tracking of dirt and dust onto the streets and would be required to use truck covers/tarp rollers to keep debris and dust from being expelled.



Land Uses Along North Broadway Truck Routes

As stated in the DEIS, street closures would be limited to the extent necessary to accommodate delivery of large building material or construction equipment. Such closures would be coordinated with the YPD and YFD. If a portion of Locust Hill Avenue proximate to the North Broadway Site were required to be closed, the detour posted could involve traveling on Palisade Avenue to Ashburton Avenue or Elm/New School Streets.

Comment 15-13: School bus routes for elementary students and public bus routes for high school students will be effected by the street closures and construction traffic during the construction period. Show school bus routes and discuss means to mitigate impacts upon schoolchildren transport during construction periods. (Nersinger_031)

Response 15-13: The Applicant would coordinate with YPS prior to, and during, construction to minimize impacts to school bus routes, which vary from year to year. To the extent practicable, the Applicant would seek to avoid construction activities that would require temporary street closures during peak times of school bus activity.

Comment 15-14: Comments were received regarding the potential traffic impacts to Buena Vista Avenue from construction of the Teutonia Project.

Considering the narrowness of Buena Vista Ave, between deliveries, equipment, operations and actual construction of the structures... all seems to be pointing to a lot if not eventually a complete closure of the street. We need to investigate this now and determine whether or not the building can be constructed while keeping Buena Vista open. If not, we need to develop the required plans for a permanent closure during construction. (Micka_019)

Buena Vista Ave notably narrow with on-street parking. What physical roadway improvements are required to facilitate all incoming and outgoing traffic to this project site from Buena Vista Ave? Does the existing road width impact construction? (Nersinger_031)

Conceptually, what local traffic detours will be required, and more importantly, approximately for how long for the various stages and phases?

Does the existing road width impact truck routes for earthwork and deliveries of project materials? Buena Vista Avenue is a notably narrow street. Show how larger construction equipment will navigate turns into the site without blocking on-coming lanes of traffic. Same question for larger construction equipment navigating turns into the Chicken Island site. "It is not anticipated that construction ... would result in intersection closure..." Not sure how much closure this actually means. The formal closure of the intersection at Prospect & BVA or leaving that intersection open but reducing BVA to one lane only resulting in a de facto closure of an impassable intersection? Same question for the Chicken Island site. (Nersinger_031)

- Response 15-14:** See Response to Comment 15-8 with respect to the construction truck routing plans for the Teutonia Site and associated impacts to on-street parking.
- There is no plan to completely close Buena Vista Avenue for an extended period of time, although temporary closure may be needed during certain utility work. This would be reassessed as part of Site Plan review.
- Comment 15-15:** Will crane operations be less of an impact to traffic if a tower crane is used? Is such being considered? (Nersinger_031)
- Response 15-15:** Use of a tower crane would result in less impact to traffic and is being considered for the Proposed Project, as indicated in **Appendix H-2** to this FEIS.
- Comment 15-16:** Comments were received regarding construction impacts to existing businesses.
- Discuss the potential secondary displacement impacts upon area businesses and possible mitigation available due to construction related traffic. North Broadway is today at times almost impassible with double parked cars and buses trying to navigate the narrow road. What will construction impacts do to existing business access and ability to continue in business? How can business impacts be mitigated? (Nersinger_031)
- Construction will result in traffic concerns, including impacts to businesses in Getty Square that are already struggling. Will they be compensated in some way? (Landi_022)
- Response 15-16:** See Response to Comment 15-8. On-street parking on a portion of North Broadway may be limited during active construction (e.g., approximately two to four parking spaces), but significant lane closures are not anticipated. As indicated in the **Appendix H-2**, the Applicant anticipates the need to remove parking along the North Broadway frontage of the site to allow access to the parcels. The Applicant intends to maintain sidewalk access during construction and would utilize flagmen, as needed, to ensure pedestrian safety when vehicles/equipment are required to cross the sidewalk. Construction workers would provide patronage to local businesses.
- Comment 15-17:** Comments were received regarding the routes trucks carrying excavated materials would take to reach their destinations.
- Has the Applicant considered where the excavated material will be trucked to if the material is not needed to balance the earthwork at other Project Sites? "Removal of excavated materials would typically result in up to 25 truck trips per day." This equates to 3 truck trips per hour for an 8-hour workday. Describe the route these trucks will take. Show proposed routes

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for excavated materials trucks leaving the three sites and highlight any sensitive buildings or land uses along these routes. (Nersinger_031)

Excavation will result in traffic impacts on quality of life when walking and travelling. Where will excavation spoils be trucked to? Where is it going? (Landi_022)

Response 15-17: Receiving sites for excavation spoils would not be determined until just before the start of construction. See Response to Comment 15-8 regarding construction truck routes in general and Response to Comment 15-12 with respect to construction routes for the North Broadway Site specifically. The predominant land use on Locust Hill Avenue and Palisade Avenue (proximate to the North Broadway Site) is multifamily residential. The Martin Luther King Jr. Academy public school and Pitkin Park are on the west side of Locust Hill Avenue near its intersection with Ashburton Avenue. Given the location of the North Broadway Site, and the difficulty for large construction trucks of accessing the Site from Palisade Avenue to the south, construction trucks would necessarily have to pass these two community uses.

AIR QUALITY, NOISE AND VIBRATION, AND BLASTING

Comment 15-18: Dewatering and the need to use pumps as necessary is mentioned. Given the size of the site and the likelihood of needing dewatering at the Chicken Island site are electric trash pumps for dewatering available? Typical gas powered trash pumps are two-stroke engines that are very noisy and often fairly polluting. (Nersinger_031)

Response 15-18: The Applicant would attempt to use electric pumps. However, given the quantities anticipated to be dewatered, electric pumps may not provide adequate capacity. If this is the case, the pump would be in a sound attenuating enclosure.

Comment 15-19: Fugitive dust production statements (page 15-10, 2nd paragraph) are overly hopeful. Dust production continues until windows are in the building and dust is contained inside. Grinding of concrete and brick finishing materials are common and produce a lot of fine dust. (Nersinger_031)

Response 15-19: When needed and applicable, dust decontamination with a high-efficiency particulate air (HEPA) filter would be erected for construction up to the 5th floor of the new buildings. This would include temporary walls and/or protection created from plastic sheets and water to reduce dust from escaping. This would eliminate fugitive dust impacts to adjacent structures and lots from interior construction of the Revised Proposed Project at the most sensitive elevations.

- Comment 15-20:** Why a limit of over 50 horsepower for non-road vehicles used at the project using “best technology”? Smaller engines are often the most polluting. Is it possible to reduce the horsepower limit and engage better tech for smaller engines? (Nersinger_031)
- Response 15-20:** Requirements for equipment engines above 50 horsepower to reflect that Tier 3 emissions standards were not developed for smaller engines, and that smaller engines are typically specific to the contractor’s means and methods. Furthermore, while smaller engines typically have higher emissions factors than similar larger engines, overall emissions will typically be comparable or lower for the smaller engines due to their size.
- Comment 15-21:** Page 15-11, 1st paragraph. Consistent use of technical terms without explanation such as PM_{2.5}. The DEIS should be readable by laypersons. (Nersinger_031)
- Response 15-21:** Comment noted. PM_{2.5} is defined as particulate matter (PM) less than 2.5 microns in diameter.
- Comment 15-22:** Comments were received regarding potential impacts from noise, vibration, and dust to the nearby properties, including schools/daycares and historic homes.
- How does “prior notice” of extraordinary noise mitigate the impact upon residences, businesses and institutions? What are likely impacts to an operation such as the Queens Daughter’s day care next to the Teutonia site and what mitigation can be offered to such a use? (Nersinger_031)
- Discuss impacts and mitigation of impacts upon Martin Luther King Academy due to noise and dust. (Nersinger_031)
- The North Broadway, actually Overlook Terrace, site is surrounded by sensitive receptors for noise, vibration and dust. A more fully thought out explanation and mitigation needs to be provided to discuss the impacts on the adjacent residences, the historic homes in the Bell Place National Register Historic District, the nearby church, playground and school. All of these buildings and uses need to be monitored for noise, vibration and air quality impacts during construction. (Nersinger_031)
- Response 15-22:** See Response to Comment 15-12. As stated in Chapter 15, “Construction,” of the DEIS, air quality impacts associated with vehicular activity would be minimized by using ultra-low sulfur diesel and by prohibiting idling during unloading. Additionally, trucks would be washed down before leaving the construction site to minimize the tracking of dirt and dust onto the streets and would be required to use truck covers/tarp rollers to keep debris and dust from being expelled.
- A permit from YFD must be obtained for any blasting. If blasting techniques are proposed, YFD would ensure complete compliance with

applicable regulations. A Construction Management Plan (“CMP”) would be developed for construction at each Project Site in order to protect proximate historic resources. The CMP would be developed in coordination with OPRHP and a professional engineer and would be based on New York State and industry standards, as well as federal guidance on protecting historic structures. Specifically, upon final approval of the contract drawings and prior to any construction activity, on a Project Site, a mapping of historic sites within a radius of influence would be completed. The Applicant would then document the conditions of those structures prior to construction. A monitoring plan would be developed for any necessary vibration monitors and or crack measurement devices. The frequency of monitoring and tolerances would be specified in the CMP. Exceedances will be evaluated pursuant to the CMP, and construction techniques would be altered as necessary.

It is anticipated that compliance with measures to minimize fugitive dust and emissions during construction activity as described in Chapter 15, “Construction,” of the DEIS as well as the measures described in this FEIS, air quality monitoring would not be required.

Comment 15-23: Regarding chipping and blasting, what does the pre-construction survey look like? What does it entail? There were problems with previous projects. They took pictures of every foundation of each house before they started blasting, and then they went back, and they took pictures after so that there was a clear description of what the house condition was before the blasting and what it was after. I would like to see if that could be incorporated into that analysis. (Larkin_024)

Response 15-23: Excavation plans have not been finalized. A pre-construction survey typically includes physical inspection and photographs of surrounding properties, including buildings and retaining walls, to establish the current conditions.

POLICE, FIRE, AND EMERGENCY MEDICAL SERVICES

Comment 15-24: Traffic mitigation: The report does not address any impact to emergency services response times resulting from construction activities, lane closures, etc. With the fire department units responding to the project area with approximately 29,000 apparatus responses, the effect of construction on response times must be addressed. Analysis of current times and impact of the project on emergency service response times is required and must include all construction related impacts such as worker vehicle trips, delivery, loading and unloading, lane and road closures, etc. (Pagano et al_017)

The proposed project is unusual because it has a 10-year three-site construction period in a small area of just several city blocks. There is no discussion of this long construction period on the provision of fire services in the downtown. Please consider and discuss how construction street closures and the like will affect emergency service provision. (Nersinger_031)

During construction, there will be a significant increase in the volume of construction traffic in the downtown and the potential for materials parking on city streets as has been seen during other smaller projects. Detail the impacts on police services. (Nersinger_031)

Response 15-24:

An evaluation of current response times and the impact on response times from construction of the Revised Proposed Project is beyond the reasonable scope SEQRA review. It is acknowledged that absent mitigation, certain construction activities during the approximately 10-year build out have the potential to affect emergency response routes and potentially response times. These impacts would vary from construction phase to construction phase as the different sites would be under different levels of construction throughout the build out. To mitigate potential adverse impacts from construction traffic to emergency response times, as part of Site Plan review and prior to construction, the CMP, including Construction Site Logistics Diagrams, would be finalized to address potential impacts on emergency services. The CMP and Construction Logistics Diagrams would be coordinated with the YPD and YFD prior to finalization.

Comment 15-25:

Estimate amount of police service required because of construction in city Right of Way. Estimate the cost of these services in terms of work force and overtime. Will applicant pay for such services? (Nersinger_031)

Flagmen, and maybe even police, will be used to direct traffic when needed. What is the cost of flagmen to the City? I know they've paid for the police overtime, but we pay for their pensions, and that overtime is all part of that salary. (Landi_022)

Response 15-25:

Police services would be required for certain construction activities within the right-of-way. These services would be required at various times throughout the duration of the Revised Proposed Project. Given that the amount of services required is dependent on many factors, including some that cannot be known at this point, it is difficult to estimate with certainty the quantity of police services that would be required for the Revised Proposed Project. There is no cost to the City for flagmen. All flagmen are supplied and paid for by the Applicant's contractor. The potential impact of the Revised Proposed Project on pension costs cannot be determined as it would be dependent on the

individual police officer, their current salary, future salary, and date of retirement.

Comment 15-26: Construction sites with expensive materials and equipment will be present in several locations in the downtown. Will there be any impact on YPD service calls because of these sites? What has the experience been in other similar communities during construction phases? (Nersinger_031)

Response 15-26: A construction fence would be installed and gates would be locked except during working hours. Employees of the general contractor/construction manager would be on-site whenever work is being performed. A third-party site security company would be engaged on an as-needed basis to provide onsite security after normal working hours once the building superstructure is underway, in accordance with Chapter 33 of the New York State Building Code. Therefore, while there may be some impact on YPD services to respond to the Project Sites during construction, any potential impact on YPD service calls because of these sites would be mitigated as described above.

Comment 15-27: Chapter 15 [of the DEIS] does not address the increase demand on fire or other department manpower required for plan review, construction inspections, site safety inspections, permitting and other construction-related enforcement activities as required by NYS. Prior to 2015, staffing levels in the fire prevention division consist of one (1) Assistant Chief, two (2) Lieutenants, and three (3) firefighters. In 2015, however, the number of firefighters assigned to the division was reduced by two and remains at the lower staffing levels through present. This has put a strain on the division and has resulted in necessary funding of overtime just to keep up with required reviews and inspections. While the department is currently seeking to reinstate the two (2) lost positions, this will barely be enough to handle the current workload. With the development of this project, we anticipate a dedicated fire inspector will be required to perform plan review, permitting, site safety and construction inspections once construction of foundations begins. (Pagano et al_017)

Response 15-27: The City's current fiscal year budget includes additional staff for plan review. In addition, the Applicant would pay the City building permit and inspection fees that would offset the cost of additional City staff required to review and inspect the Revised Proposed Project's construction.

Comment 15-28: Are there estimates available for the number of EMS service calls likely for a large and continuous construction project such as the proposed action?

Discuss how street closures or traffic back-ups caused by construction use of area streets will be mitigated for emergency services providers. Can the applicant institute a system with 911 dispatchers or local first responders to notify about street closures, detours or proposed alternate access? (Nersinger_031)

Response 15-28: During a three-year span for construction of the Sawyer Place project, there were a total of 11 calls associated with the project. It is reasonable to assume a similar number and ratio of calls for the Revised Proposed Project. Based on the square footages of each project, it is estimated that the Revised Proposed Project would result in approximately 85 calls over the 10-year construction period. The Applicant would coordinate as required by YPD.

MITIGATION

Comment 15-29: The mitigation section is lacking in specificity. More thought needs to be put into the potential impacts and the necessary mitigation. (Nersinger_031)

Response 15-29: Comment noted. Mitigation measures for significant impacts are addressed in the DEIS and this FEIS and documented in the Preliminary CMP (see **Appendix H-1**).

Comment 15-30: Show a plan of off-site construction projects such as water main replacements, traffic signal installation, and any other infrastructure projects required as a part of the proposed action. Provide a time line that indicates when this work is planned to be done and any extension of the construction phasing. (Nersinger_031)

Response 15-30: The installation of water main replacements is shown on DEIS Appendix I-2, Appendix C-3 (Drawings UT-1 and UT-2), and Appendix C-9 (Drawing C-06). These installations would be scheduled so as not to overlap with the peak periods of construction on each Project Site and so that it meets the requirements of the Yonkers Department of Public Works. Sewer and stormwater replacements are similarly shown on the site plans. As previously noted, implementation of traffic mitigation measures would be the responsibility of the City owing to the Applicant's contribution of a fair share traffic mitigation fee to the City.

Comment 15-31: The 2,000 ft. new water line in Locust Hill Ave. is almost a big enough project to require its own environmental review, yet there is no discussion of the impacts on the public lands and institutions along its route or on the residences along it. Please expand the discussion of the project impact and mitigation. (Nersinger_031)

Response 15-31: Installation of the 2,000 feet of new water line in Locust Hill Avenue would require typical water main trenching. The installation would be scheduled so as not to overlap with the peak periods of North Broadway Site construction and so that it meets the requirements of the Yonkers Department of Public Works. Impacts of this work would include short term restrictions of on-street parking and intermittent lane closures. Typical noise and fugitive dust impacts from excavation activities would also be anticipated.

CHAPTER 16: SUSTAINABILITY

Comment 16-1: Per the Planning Board’s comments at its May 5, 2022 work session meeting, the proposed building designs should incorporate techniques and technologies that have been acceptable and successful in the industry to promote energy efficiency and environmental responsibility as the Projects Sites could become a catalyst in the redevelopment of the downtown. As a catalyst, the Project Sites should serve as an example to other of how to successfully redevelop sites in the Downtown. (Nersinger_031)

Response 16-1: Comment noted. As stated in Chapter 16, “Sustainability,” of the DEIS:

“The Proposed Project includes a number of sustainability measures that exceed the requirements of the Yonkers Green Development Standards. These measures include access to fresh, local foods; proximity to services; access to public transportation; tree plantings; use of recycling, salvaging, or diversion practices to reduce non-hazardous construction and demolition waste by at least 75 percent; and, for the Teutonia Project and Chicken Island Project, brownfield redevelopment.”

The items to which the Applicant has committed in the DEIS are the minimum sustainability measures that would be included in the Revised Proposed Project. During Site Plan review, additional sustainability measures would be incorporated.

Comment 16-2: Comments were received regarding the use of solar, green, sustainable, and alternative energy technologies.

We note the DEIS states the Applicant would follow the Yonkers Green Development Standards, and proposes to include green roofs into the design of the buildings. We encourage the Applicant to include as much additional green, or sustainable building technology as possible within the proposed development, including solar arrays on the building roofs, and solar canopies over the top floors of the garages. The Applicant states that as natural gas usage for the sites would be increased, Con Edison moratorium policies would apply and the buildings would be required to incorporate

interruptible gas service. The Applicant is considering heating oil as a backup fuel source, but we recommend that green energy solutions be explored for these large sites. (Drummond_007)

It is extremely important to pay attention to the fact that the City of Yonkers has a timetable for reduction of greenhouse gases and improvements to its overall environmental status. Developments on the scale of the proposed AMS Project must be incorporated into the City's sustainability plans or the City will never reach its goals. The Lead Agency and the Planning Department must engage NOW with developers around these topics. The AMS Project will have the most significant effect on the City's sustainability goals of any other proposed development in the city. For example, the AMS DEIS does not address the downtown heat island effect in more than a cursory fashion. The Lead Agency should engage the AMS team in a thorough analysis of the potential of solar, white roofs, or green roofs on all of the buildings that comprise the entire project. Yonkers is soon to consider legislation regarding white or green roofs, and has already made strides in the introduction of various ways that solar can be implemented on public and private rooftops. (YCSD_013)

The DEIS mentions that it will consider alternative energy sources for the AMS buildings. It is the responsibility of the Lead Agency to insist that AMS do more than consider such methods; there is ample opportunity here to actually devise and insist that such methods be implemented. (YCSD_013)

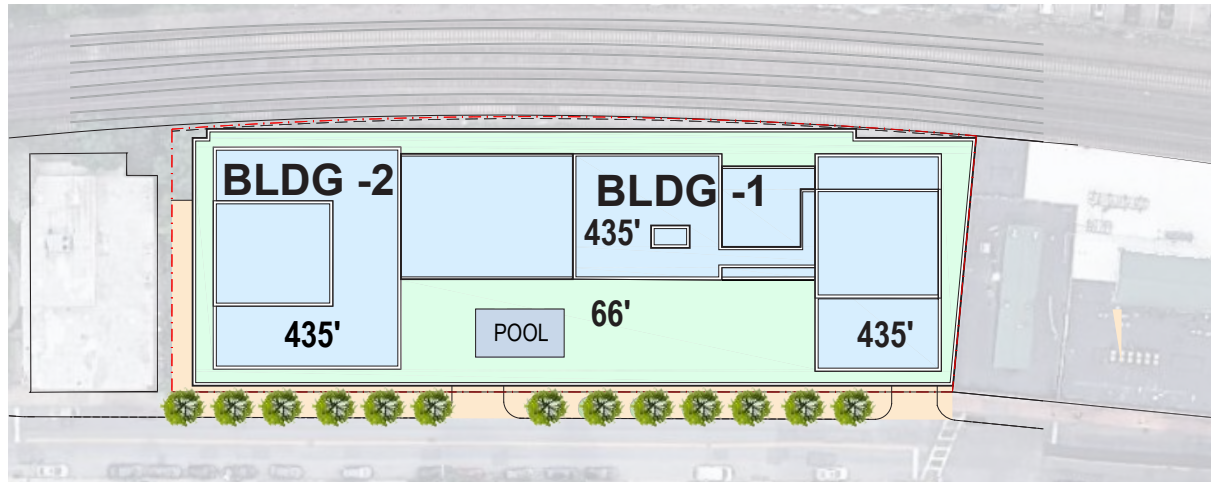
- Response 16-2:** The Applicant would evaluate solar, green, sustainable, and alternative energy technologies on a building-by-building basis during the Site Plan review process. Given the rapidly advancing nature of these technologies, it would not be prudent to conduct a thorough analysis during the FEIS stage. At a minimum, the Revised Proposed Project would include white roofs on each building. See also Response to Comment 16-1.
- Comment 16-3:** We recommend that the DEIS include recommendations for electric vehicle charging stations within the garages. (Drummond_007)
- Response 16-3:** Comment noted. A minimum of 5 percent electric vehicle charging stations would be provided. During Site Plan review, it would be determined if more are warranted.
- Comment 16-4:** The City's Director of Sustainability should be consulted as this project moves through the DEIS and site plan reviews. (YCSD_013)
- Response 16-4:** Comment noted.
- Comment 16-5:** There are inconsistencies in City codes versus other energy codes. Further detail should be provided on NYSERDA programs for new developments; this can be discussed during the site plan phase as well. (Forsberg_021)

AMS Yonkers Downtown Development





- Response 16-5:** Comment noted. Site Plan approval applications for the Revised Proposed Project would comply with the Yonkers Green Building Code in effect at the time of application.
- Comment 16-6:** Tree plantings should be provided. (Landi_022)
- Response 16-6:** Street trees are proposed for each Project Site (see **Figures 3-4, 3-17, and 3-18**).
- Comment 16-7:** The DEIS barely mentions permeable pavement and canopy trees to address storm water management and the heat island effect. (YCSD_013)
- Response 16-7:** The Applicant is proposing street trees for each Project Site.
With respect to permeable pavement, see Response to Comment 9-2.
- Comment 16-8:** Comments were received regarding the Project’s impacts to mature trees.

There are numerous references in the DEIS to mature trees on vacant lots that would be replaced by hardscape. It is probable that many of these are weed trees; however, they still provide habitat and cover for bird and insect species and should be replaced with native species at all building sites. (YCSD_013)

In our 2020 notes, YCSD brought up the issue of the preservation and replacement of mature trees at the North Broadway project. We do not believe that the DEIS answers this issue in a satisfactory fashion. (YCSD_013)
- Response 16-8:** The Modified North Broadway Project would require the removal of 16 trees, based on the current survey. The balance of the vegetation removal consists of landscape material and shrubs. A more detailed tree survey will be prepared during Site Plan review. Street trees, as well as other landscape material, would be planted to mitigate for the loss of the existing on-site trees. Landscape/planting plans would be further developed and designed during Site Plan review and would comply with chapter 80, “Shade Trees,” of the City of Yonkers Code.
- Comment 16-9:** “Street trees” are mentioned in several chapters. A definition of “street” should be asked of the developer, and potential trees should be reviewed by the city arborist to be sure that these are trees that can survive in an urban setting and will add sufficient shade and cooling to the streets and passersby. (YCSD_013)
- Response 16-9:** Comment noted. The species of trees, as well as other planting details, would be confirmed by the Planning Board during Site Plan review and would comply with chapter 80, “Shade Trees,” of the City of Yonkers Code.

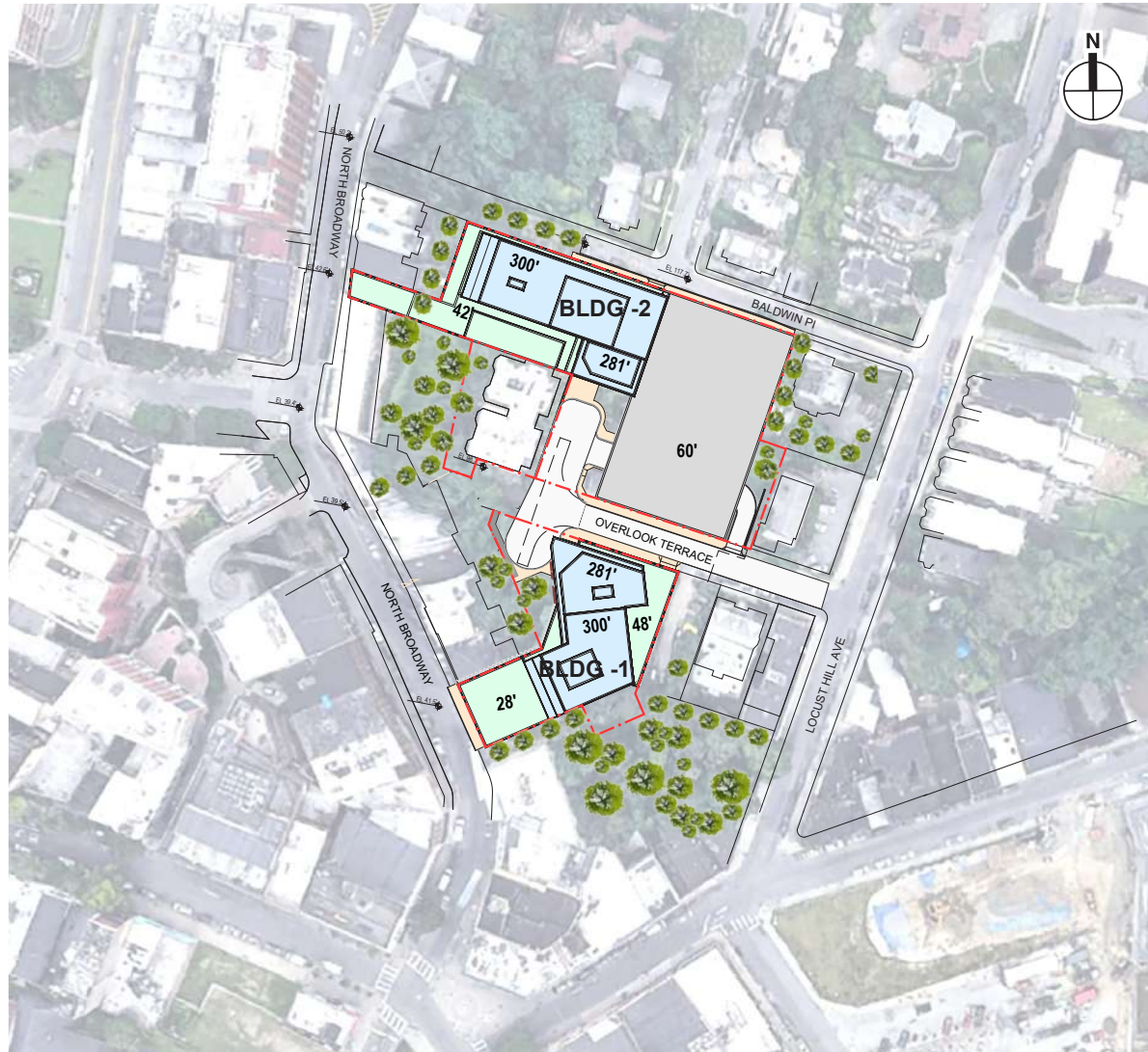


Source: S9 Architecture

-  *Project Site*
-  *Residential Tower*
-  *Podium*
-  *Sidewalk*

*Numbers indicate the building height
 *The following concept drawings are for planning purposes only

Source: S9 Architecture



- Project Site
- Residential Tower
- Podium
- Sidewalk
- Parking Structure

*Numbers indicate the building height
 *The following concept drawings are for planning purposes only

CHAPTER 17: ALTERNATIVES

Comment 17-1: The Applicant did not present an Environmental Mitigation Alternative in the DEIS as it did not feel one was appropriate. Per the Scoping Document, the Environmental Mitigation Alternative, was to be developed by the Applicant in consultation with the Lead Agency and its representatives to mitigate to the maximum extent practicable any potential significant adverse impacts of the Proposed Action. We recommend that the Applicant now develop this alternative in consideration of the comments contained herein, as well as those received by others during the public comment period. At a minimum, the Environmental Mitigation Alternative should address the proposed height, tower setback and width, and sidewalk conditions at the Teutonia site, as well as pedestrian connectivity, traffic and construction impacts should be addressed. (Yackel et al_009)

Response 17-1: Comment noted. Although an Environmental Mitigation Alternative has not been prepared, in response to comments received, the Revised Proposed Project incorporates changes to further mitigate certain potential impacts, as described in Chapter 1 of this FEIS. The retail building at 28 North Broadway and the stairs have been eliminated to reduce impacts to existing buildings along North Broadway, as well as to eliminate potential safety concerns associated with the stairs. The sidewalk in front of the Modified Teutonia Project building has been expanded and the residential towers further set back on the building podium by an additional two feet, for a total setback of 7 feet for Building 1 and 7 feet 5 inches for Building 2. Both of these design elements, together with the changes to the podium's façade, enhance the street-level character of the Teutonia Site.

Comment 17-2: We note that the proposed construction of Chicken Island Phase 4 continues to keep the Saw Mill River in a culvert beneath the new building. Since it would be preferable to build on the success of earlier phases of the Saw Mill River daylighting, we encourage the City to work with the Applicant on alternative design plans that could perhaps daylight this segment of the river. (Drummond_007)

Response 17-2: Comment noted. The Applicant is willing to continue working with the City to advance the potential daylighting.

Comment 17-3: Is there a diagram showing Teutonia as two sites with 12,000 sq. ft. tower on each site? (Nersinger_031)

Response 17-3: An alternative site plan that has two 12,000-sf residential towers has not been prepared. See Response to Comment 3-5. The DEIS contains an

extensive analysis of the visual impacts of the Proposed Project, including photosimulations from 18 vantage points throughout the City (and across the Hudson River), in the locations required by the adopted DEIS Scope. These analyses evaluate the change in visibility that would occur as a result of the Proposed Project, including the Teutonia Project proposed towers. The analysis and conclusions are the same for the Revised Proposed Project.

With respect to tower separation, current zoning requires a minimum distance between towers of 60 feet. As proposed, the Teutonia Project towers would be separated by 80 feet. Under existing zoning, the maximum tower footprint above the first 66 feet is 12,000 square feet for residential use; the revised Proposed Zoning Amendments would allow a maximum aggregate residential tower footprint of 24,000 square feet in two towers for lots in the maximum height district that are 1 acre or greater and located within 1/8-mile walking distance to the Yonkers Train Station.

Comment 17-4: Table 17-2 Please check all figures as it is believed that the percentage increase has been calculated incorrectly. If the new project is larger than the “original/permitted” project the number of units and the percent has to be positive. For example, the original number of units at the Teutonia site under existing zoning is 460, the proposed number is 906, with a delta of 466. $460/466=103\%$ of original zoning number. (Nersinger_031)

Response 17-4: Table 17-2 of the DEIS presents the Existing Zoning Alternative as compared to the Proposed Project. With the Existing Zoning Alternative, the number of residential units at both the Teutonia and North Broadway Sites would be less than the number of residential units with the Proposed Project. The number of residential units at the Chicken Island Site under the Existing Zoning Alternative would be greater than the Proposed Project. The analysis and conclusions are the same for the Revised Proposed Project.

Comment 17-5: As the downtown zoning and the master plan that supports it were based upon a form based zoning scheme it is believed that each of the development sites needs to be included in the proposed amendments to the master plan. (Nersinger_031)

Response 17-5: Comment noted. As part of the Proposed Action, the Applicant would request adoption of amendments to the 2010 Downtown Master Plan, which served as the basis for the City’s downtown form-based zoning districts. The proposed amendments to the Downtown Master Plan are included as DEIS Appendix A-5.

CHAPTER 18: MITIGATION

Comment 18-1: Visual and Community character (shadow) – Add Yonkers Planning Board as a responsible agency as some mitigation can be handled during site plan review. (Nersinger_031)

Response 18-1: Comment noted. Yonkers Planning Board has been added as a responsible agency as shown in **Table 3-12**.

Comment 18-2: Socioeconomic – The MHA is not responsible for AHO affordable housing, that would be the Planning Board as a part of site plan review and the Dept of Planning & Development for on-going monitoring and administration. (Nersinger_031)

Response 18-2: Comment noted. Yonkers Planning Board and the Department of Planning & Development have been added as responsible agencies as shown in **Table 3-12**.

Comment 18-3: The chart should be updated to incorporate mitigation needs brought up during the review of the DEIS such as construction period particulate matter air quality issues and the agency responsible for monitoring and mitigation. (Nersinger_031)

Response 18-3: Responsibility for monitoring compliance with the Construction Management Plan (“CMP”) is included in **Table 3-12**.

Table 3-12
Mitigation

Chapter/Impact Category	Proposed Mitigation	Responsible Entity/Agency
2 / Land Use and Zoning	The Revised Proposed Project would not result in significant adverse effects with respect to land use, zoning and/or public policy. Therefore, no mitigation measures are required.	
2 / Public Policy: New York State Coastal Management Program – Local Waterfront Revitalization Plan/Policy #7	<ol style="list-style-type: none"> The Modified Teutonia Project incorporates bird-safe glass, limited indoor and outdoor lighting, and flashing white rooftop obstruction lighting to reduce the potential for bird collision. 	City of Yonkers Planning Board
3 / Visual and Community Character: Community Character and Visual Resources	<p>The Revised Proposed Project would not result in a significant adverse visual impact; No mitigation measures are required. However,</p> <ol style="list-style-type: none"> Buena Vista sidewalk widened from Prospect Street to Main Street. Façade of Modified Teutonia Project podium to emulate the former Teutonia Hall façade. 	City of Yonkers Planning Board
3 / Visual and Community Character: Shadows	<p>Applicant would consult with the Mt. Carmel Baptist Church to offset impacts of incremental shadows to the stained glass windows. Measures to be explored include cleaning of the interior/exterior of the windows or of any protective covering if present; replacement of any protective covering if present with a more translucent material; and installation of artificial lighting, which could simulate the effect of direct sunlight on the stained-glass windows.</p> <ol style="list-style-type: none"> The Applicant would work with MNR to evaluate its specific concerns related to shadowing of the right-of-way as site and building design progresses. 	If necessary, Coordination with the NYS OPRHP City of Yonkers Planning Board
3 / Visual and Community Character: Wind	<ol style="list-style-type: none"> Landscaping, wind screens, and canopies would be used to mitigate wind speeds within the vicinity of the Modified Chicken Island Project and Modified North Broadway Project. Recessing the Modified Teutonia Project’s north residential entrance and the affected entrances for the Modified Chicken Island Project and Modified North Broadway Project by at least five feet would result in wind speeds comfortable for the intended use. Mitigation options to achieve lower wind speeds at localized areas on the Modified Teutonia Project terraces include the addition of trellises, wind screens, or landscaping. Additional wind evaluations may be conducted as building designs are finalized during the Site Plan review process, with a focus on the pedestrian environment immediately proximate to the proposed buildings. The Applicant will coordinate with the adjacent Queens Daughters daycare to incorporate appropriate wind control measures, such as canopies and trellises. 	City of Yonkers Planning Board (Site Plan Review)
4 / Cultural Resources: Archaeological Resources	<p>The Revised Proposed Project would not result in significant adverse impacts to archeological resources; therefore, no mitigation measures are required. However, for Chicken Island:</p> <ol style="list-style-type: none"> The Applicant would prepare an Unanticipated Discoveries Plan, which would describe the procedures to be implemented in the event that significant unanticipated archaeological resources are encountered during construction. 	NYS OPRHP City of Yonkers Planning Board

Table 3-12 (cont'd)
Mitigation

Chapter/Impact Category	Proposed Mitigation	Responsible Entity/Agency
<p>4 / Cultural Resources: Historic Resources</p>	<p>Teutonia Site:</p> <ol style="list-style-type: none"> 1. The Buena Vista Avenue façade of the former Teutonia Hall was dismantled and palletized by the Site's previous owner, and was subsequently inventoried and moved off site to a storage facility. Although Teutonia Hall was demolished by an unrelated prior owner of the Teutonia Hall Site, the Applicant would emulate the former Teutonia Hall façade on the building's podium, including reuse of certain original materials and recreation of others as partial mitigation for the prior demolition. <p>Chicken Island Site:</p> <ol style="list-style-type: none"> 2. Mt. Carmel Baptist Church at 175 Nepperhan Avenue is in proximity to the Chicken Island Site. A Construction Management Plan (CMP) would be developed and implemented by the Applicant to avoid inadvertent construction-related impacts. 3. Applicant to consult with Mt. Carmel Baptist church to offset impacts of incremental shadows to the stained glass windows. 4. The Applicant would prepare an Unanticipated Discoveries Plan for the Chicken Island Site, which would describe the procedures to be implemented in the event that significant unanticipated archaeological resources are encountered during construction. <p>North Broadway Site:</p> <ol style="list-style-type: none"> 5. Four lots of the Modified North Broadway Site are within the Yonkers Downtown Historic District. One of the lots—50 North Broadway (Tax Lot 67)—is identified by OPRHP as contributing to the significance of the historic district but are proposed to be demolished. Demolition of this S/NR-eligible contributing property would constitute an adverse impact on historic resources under Section 14.09 of the New York State Historic Preservation Act (SHPA). Therefore, the Applicant would prepare an "Alternatives Analysis" to evaluate whether given the objectives of the Modified North Broadway Project, there are any feasible and prudent alternatives to demolishing the building, and would develop mitigation measures in consultation with OPRHP, which would be set forth in a Letter of Resolution to be executed between the Applicant, OPRHP, and the New York State Department of Environmental Conservation pursuant to Section 14.09 of the SHPA. Anticipated mitigation measures include Historic American Buildings Survey (HABS) documentation of the property. 	<p>NYS OPRHP City of Yonkers Landmarks Preservation Board City of Yonkers Planning Board</p>
<p>5 / Geology, Soils, and Topography</p>	<ol style="list-style-type: none"> 1. A Soil Erosion and Sediment Control Plan (SESC) Plan would be implemented to mitigate potential soil erosion impacts during construction (DEIS Chapter 15, "Construction," summarizes the measures that would be implemented). 2. Additional mitigation measures would be implemented in connection with disturbances to soils in areas that are subject to State Brownfield Cleanup Program requirements (see DEIS Chapter 14, "Hazardous Materials"). 	<p>NYSDEC City of Yonkers Planning Board City of Yonkers Department of Engineering</p>

Table 3-12 (cont'd)
Mitigation

Chapter/Impact Category	Proposed Mitigation	Responsible Entity/Agency
6 / Socioeconomic, Fiscal Impacts, and Environmental Justice	<p>The Revised Proposed Project's residential socioeconomic and market influence mirrors ongoing trends toward higher rents and incomes, possibly contributing to displacement pressures. The Revised Proposed Project would provide the City's required affordable housing and/or contribution toward provision of affordable housing. As there would not be disproportionate significant adverse effects on minority or low-income populations, no environmental justice concerns associated with the Revised Proposed Project, and no mitigation measures are required.</p> <ol style="list-style-type: none"> 1. Existing commercial tenants at the Project Sites in good standing would be offered space in the Revised Proposed Project at market rate rents. 2. The Applicant would provide relocation assistance for displaced commercial and residential tenants and up to \$5,000 per displaced residential unit in financial assistance to offset relocation costs. 	City of Yonkers Planning Board City of Yonkers Department of Planning & Development
7 / Community Facilities: Financial Costs of City Services	Revised Proposed Project would not result in a significant adverse impact; No mitigation measures are required.	
7 / Community Facilities: Police Protection	Revised Proposed Project would not result in a significant adverse visual; No mitigation measures are required.	
7 / Community Facilities: Fire Protection	Revised Proposed Project would not result in a significant adverse impact; No mitigation measures are required.	
7 / Community Facilities: Emergency Medical Services	Revised Proposed Project would not result in a significant adverse impact; No mitigation measures are required.	
7 / Community Facilities: Public Schools	Revised Proposed Project would not result in a significant adverse impact; No mitigation measures are required.	
7 / Community Facilities: Parks, Recreation, and Open Space	Revised Proposed Project would not result in a significant adverse impact; No mitigation measures are required.	
7 / Community Facilities: Solid Waste and Recycling	Revised Proposed Project would not result in a significant adverse impact; No mitigation measures are required.	

Table 3-12 (cont'd)
Mitigation

Chapter/Impact Category	Proposed Mitigation	Responsible Entity/Agency
<p>8 / Infrastructure and Utilities: Water Supply</p>	<p>Teutonia Site:</p> <ol style="list-style-type: none"> 1. Extend the existing 12-inch water main starting at the intersection of Prospect Street and Hawthorne Avenue to the Teutonia Site. 2. Pumps on both fire and domestic water services would be installed as needed to augment the pressure and volume to the buildings. 3. New fire hydrants and valves would be installed as specified and located by the Yonkers Water Bureau. <p>Chicken Island Site:</p> <ol style="list-style-type: none"> 4. Upgrade the water main in James Street, currently a 6-inch ductile iron pipe (DIP), to an 8-inch DIP to complete the overall water service loop that is proposed to be constructed as part of the Modified Chicken Island Project. This upgrade would include the construction of a new 12-inch water main in both John Street and James Street. 5. The existing 8 inch and 6 inch mains in John Street will be properly abandoned at the existing connection to the School Street water main. 6. Pumps on both fire and domestic water services would be installed as needed to augment the pressure and volume to the buildings. 7. New fire hydrants and valves would be installed as specified and located by the Yonkers Water Bureau. <p>North Broadway Site:</p> <ol style="list-style-type: none"> 8. Install approximately 2,000 linear feet of new water main in Locust Hill Avenue from Ashburton Avenue to Palisade Avenue. 9. Pumps on both fire and domestic water services would be installed as needed to augment the pressure and volume to the buildings. 10. New fire hydrants and valves would be installed as specified and located by the Yonkers Water Bureau. 	<p>City of Yonkers Department of Engineering, Water, Public Works City of Yonkers Planning Board</p>

Table 3-12 (cont'd)
Mitigation

Chapter/Impact Category	Proposed Mitigation	Responsible Entity/Agency
8 / Infrastructure and Utilities: Sanitary Sewer	<p>1. Mitigation measures to address capacity constraints and pipe conditions are anticipated to include replacement and/or upsizing of portions of the combined sewer within Buena Vista Avenue, Locust Hill Avenue, Baldwin Place, James Street, John Street, and New School Street. Flow monitoring program of the surrounding collection sewers, developed with the City's Engineering Department, was completed. TV inspection is underway.</p> <p>2. For the stormwater flow that would still be connected to the combined sewer system, the detention provided for on-site runoff will provide a measured reduction to overall flows reaching the combined sewer.</p> <p>3. To further mitigate the increased flow, additional I&I mitigation would be provided at a three-to-one ratio, in accordance with Westchester County policy. This would be accomplished by a combination of relining lengths of existing sewers as directed by the City and payment to the City of a fee in lieu of improvements in the amount of the cost of any required I&I work not being performed by the Applicant, for implementation by the City of other City-wide improvements.</p> <p>Chicken Island Site:</p> <p>4. The 24-inch diameter pipe at Ann Street that discharges stormwater to the Saw Mill River will be replaced with a larger diameter pipe.</p> <p>5. To mitigate the increased sanitary sewer flow from the Revised Proposed Project, the Applicant will separate stormwater runoff from the combined sewer system where practical. The stormwater runoff from the Chicken Island Site and from some of the surrounding roadways will be separated from the combined sewer system and would be conveyed to the nearby Saw Mill River, reducing approximately 2.26 acres of drainage area runoff from the combined sewer.</p> <p>North Broadway Site:</p> <p>6. Any mitigation required for connection to the combined sewer system in Locust Hill Avenue would be further evaluated with the City Engineering Department during Site Plan review.</p>	City of Yonkers Planning Board, Department of Engineering
9 / Stormwater Management	<p>1. Permanent measures to mitigate impacts to downstream flooding conditions include a detention system at the Teutonia Site, manufactured treatment devices and detention systems at the Chicken Island Site, and a manufactured treatment device and detention system at the North Broadway Site.</p> <p>2. Additional green infrastructure techniques for stormwater management, including permeable pavement where practicable, would be considered during Site Plan review.</p>	City of Yonkers Planning Board, Department of Engineering
10 / Energy Usage	The Revised Proposed Project incorporates energy reducing design features that would reduce long-term operational energy use. The Revised Proposed Project would not result in significant adverse impacts. Therefore, no mitigation measures are required.	

Table 3-12 (cont'd)
Mitigation

Chapter/Impact Category	Proposed Mitigation	Responsible Entity/Agency
11 / Traffic and Transportation	<ol style="list-style-type: none"> 1. Mitigation measures to address potential traffic impacts are identified in DEIS Table 11-16 in Chapter 11. 2. The Applicant would pay a \$650 per dwelling unit “fair share traffic mitigation fee” in proportional installments at the time a Certificate of Occupancy is issued for a building of the Revised Proposed Project. <p>As to parking, the Revised Proposed Project would not result in a significant adverse impact (the Revised Proposed Project provides sufficient parking to replace lost on- and off-street parking at the Chicken Island and North Broadway Sites) and thus no additional mitigation measures are required.</p>	City of Yonkers Planning Board, Department of Engineering New York State Department of Transportation – Region 8
12 / Air Quality	The Revised Proposed Project would not result in potential significant adverse air quality impacts from stationary sources. Traffic generated by the Revised Proposed Project does not exceed NYSDOT’s screening criteria, indicating no significant adverse air quality impact from project-generated traffic. Therefore, no mitigation measures are required. Nevertheless, the Revised Proposed Project design incorporates restrictions on exhaust stack placement to locate them away from potential receptors.	City of Yonkers Planning Board
13 / Noise	The Revised Proposed Project would not result in a significant adverse impact from noise. Therefore, no mitigation measures are required.	
14 / Hazardous Materials	Although the potential for subsurface contamination has been identified in some areas of the Teutonia Site and Chicken Island Site, the Revised Proposed Project is not anticipated to result in significant adverse hazardous materials impacts.	NYS DEC City of Yonkers Planning Board
15 / Construction	<ol style="list-style-type: none"> 1. The Applicant would revise/finalize the detailed Construction Management Plan (CMP) provided as FEIS Appendix H-1, which would establish construction management protocols and measures to mitigate potential adverse impacts. 2. A Soil Erosion and Sediment Control Plan (SESC) would be implemented to avoid and mitigate potential impacts associated with the off-site migration of sediment during construction. 3. Excavation side walls would be adequately braced to mitigate potential steep slope issues during construction. 4. Steep slopes remaining following construction would be secured with structural methods or would be properly stabilized. 5. Measures would be taken during construction to avoid, minimize, and mitigate potential adverse impacts from subsurface environmental conditions on the Teutonia Site and Chicken Island Site (see DEIS Chapter 14, “Hazardous Materials”) and mitigation measures on the Teutonia Site include a vapor barrier and passive sub-slab depressurization system. 6. Construction vehicle emissions will be minimized through: <ol style="list-style-type: none"> a. Use of ultra-low sulfur diesel fuel for all on-site construction equipment and delivery trucks; b. Limiting internal combustion engine-powered construction equipment to late model (1998 and newer) unless otherwise approved by the Commissioner of Building; and c. All non-road vehicles over 50HP used with regard to the Revised Proposed Project are to utilize the best technology available for reducing the emission of pollutants, including, but not 	City of Yonkers Planning Board, Department of Engineering

Table 3-12 (cont'd)
Mitigation

Chapter/Impact Category	Proposed Mitigation	Responsible Entity/Agency
	<p>limited to, retrofitting such non-road vehicles with oxidation catalysts, particulate filters, and/or technology with comparable or better effectiveness. All construction equipment will include PM_{2.5} emission controls.</p> <ol style="list-style-type: none"> 7. Valet parking for construction workers would be provided on the Chicken Island Site and, if needed, at the Government Center garage, ShopRite lot, and the newly built structured parking under the actively being constructed residential towers. Shuttles would take workers to and from the Teutonia Site and North Broadway Site. 8. The Applicant's construction manager will provide incentives for subcontractors to utilize vans and public transportation to minimize the number of parked vehicles. 9. The CMP and Construction Logistics Diagrams will be coordinated with the Yonkers Police Department and the Yonkers Fire Department during Site Plan review. 10. The contractor will work with the City of Yonkers, Yonkers Public Schools (specifically including Martin Luther King, Jr. Academy), and surrounding neighborhood associations to schedule periodic meetings to inform the neighbors of scheduled Project construction and anticipated neighborhood impacts and to solicit input, including on practicable measures to mitigate potential impacts on scheduled community events. 11. The Applicant will provide flagmen as needed during the Queens Daughters Daycare drop-off and pick-up times. 12. The Applicant will require its Construction Manager and all sub-contractors to limit the size of construction trucks for the North Broadway Project to match the available roadway geometry in this area. Truck size would be limited to a 53-foot tractor trailer on Overlook Terrace and Baldwin Place during North Broadway Project Phase 1 and a 50-foot tractor trailer on Overlook Terrace during North Broadway Project Phase 2. 13. The Applicant will require its General Manager and all sub-contractors to limit construction trucks on North Broadway during later stages of construction (i.e., Stage 6 Interior Finishes) to smaller vans and box trucks only. 14. Dust decontamination with a high-efficiency particulate air (HEPA) filter will be erected for construction up to the 5th floor of new buildings when needed and applicable. 15. A third-party site security company would be engaged on an as-needed basis to provide onsite security after normal working hours once the building superstructure is underway. 	
16 / Sustainability	<p>The Revised Proposed Project includes sustainability measures that exceed the requirements of the Yonkers Green Development Standards.</p> <ol style="list-style-type: none"> 1. Each building at each Project Site will include a white roof. 2. The Applicant will provide a minimum of 5 percent electric vehicle charging stations in each garage at each Project Site. 	City of Yonkers Planning Board, Department of Engineering

CHAPTER 19: GROWTH-INDUCING ASPECTS

No comments were received on this chapter.

CHAPTER 20: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

No comments were received on this chapter.

CHAPTER 21: UNAVOIDABLE ADVERSE IMPACTS

No comments were received on this chapter.

APPENDIX D: DETAILED BIRD IMPACT ANALYSIS

Comment D-1: I am glad flashing white lights for migratory birds were included for consistency with the coastal management program, but more detail should be provided. (Forsberg_021)

Response D-1: As discussed in DEIS Appendix D-1, “Detailed Bird Impact Analysis,” the Proposed Project would limit the use of unnecessary indoor and outdoor lighting at night (particularly during spring and fall migration) and use flashing, white obstruction lights rather than steady-burning, red obstruction lights on their roofs. This would minimize the chances of nighttime bird collisions by reducing the potential of the proposed buildings to have attractive or disorienting effects on migrating birds. With such measures in place, and with building heights that would not extend into the range of air space most commonly used by migrating birds, the Proposed Project would not be expected to result in significant numbers of nighttime bird collisions.

*