

**Appendix A:**  
**Comments Received on DEIS**

**A. LIST OF COMMENTERS****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)
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)

## **AMS Yonkers Downtown Development**

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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)

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**From:** Sara Brody <[sbrody@yonkersdowntown.com](mailto:sbrody@yonkersdowntown.com)>

**Sent:** Tuesday, March 22, 2022 6:33 PM

**To:** Lee Ellman <[lee.ellman@YonkersNY.gov](mailto:lee.ellman@YonkersNY.gov)>

**Subject:** AMS EIS and YDWBID

Good evening Lee,

Thanks for your note and for copying me on the note that went to the City Council. We plan to send out the AMS EIS in our eblast on Tuesday, March 29<sup>th</sup> to try and elicit more comments from interested parties.

I did speak with the YDWBID Board Chair and BID Vice Chair last week about your request. You and I can set up a half hour meeting and come up with ten things to ask that I can send to the Planning email. Or, I can send these types of questions to the planning email -

Will AMS be given any tax incentives?

Will AMS be given a PILOT for any or all of the properties they will be building?

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?

Where will the tenants in the new buildings park?

Has there been any consideration to the rodent population increase during construction? Will AMS be asked to help contain the rodents?

What are the BID landscaping ramifications? I imagine that the three new complexes will require some assistance from the BID for landscaping or not?

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?

Thoughts? Shall I send them along or do you want to meet?

With gratitude,

Sara



**Sara A. Brody**

Executive Director

The Downtown/Waterfront Business Improvement District Inc. of Yonkers

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bonkito.com Mail - Fwd: AMS EIS and YDWBID

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April 28, 2022

**Via Email & Certified Mail Return Receipt Requested: 7008 1300 0002 4119 1623**

Lee J. Ellman  
Deputy Commissioner, Planning & Development  
37 Nepperhan Avenue  
Yonkers, New York 10701

Dear Lee:

This law firm and the law firm Sive Paget & Riesel represents American Sugar Refining, Inc. ("ASR"). This letter follows up on our telephone conversation this morning. I said I had been out of the country and was back in the office this morning and that I would be sending you the comments of ASR to the AMS Yonkers Downtown Development Draft Environmental Impact Statement dated February 9, 2022 ("AMS DEIS"). I said in effect I had made a mistake. (Comments were being "accepted" through April 27, 2022.) You graciously said, "no problem". (You may remember at the April 13, 2022 public hearing of the COY Planning Board regarding the AMS DEIS ("April 13 Public Hearing"), I said ASR might be submitting comments.)

ASR's comments to the AMS DEIS incorporate the attached and enclosed Radin Consulting Inc report to ASR, dated April 25, 2022, entitled "AMS Development Draft Environmental Impact Statement-Traffic Impacts" ("Radin Report").

ASR has one additional comment. In addition to what is said at page 11 of the Radin Report regarding the timing of the implementation of items "1-6", 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.

Very truly yours,  
NOBILE, MAGARIAN & DiSALVO, LLP

  
Louis J. Maggiotto

Performance of Expert Professional Traffic Services  
for American Sugar Refining, Inc.

**AMS DEVELOPMENT DRAFT ENVIRONEMNTAL IMPACT STATEMENT – TRAFFIC IMPACTS**

**April 25, 2022**

Prepared for:  
American Sugar Refining, Inc.

Prepared by:  
RADIN CONSULTING, INC

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# 1 Executive Summary

## 1.1 OVERVIEW

AMS Acquisitions, LLC (the Developer) have engaged AKRF (Consultant) to develop a Draft Environmental Impact Statement (DEIS) for a proposed Transit-Oriented mixed-use development (the Project) at three sites within the downtown of the City of Yonkers. Radin Consulting, Inc. was engaged by American Sugar Refining, Inc. (ASR) to review the traffic portion of the DEIS to ensure it is compliant with current traffic engineering principles and that the mitigation proposed as part of the DEIS meets the needs and safety requirements of the community and traveling public. This report documents Radin's findings on the DEIS dated February 9, 2022 and its Appendices.

## 1.2 FINDINGS

The traffic analysis of the DEIS was found to underestimate the impacts to critical intersections and does not provide sufficient mitigation measures to address impacts. Based on our review, the traffic generated from the proposed development will have adverse effects to critical infrastructure upon the completion of the first phase of development. Recommended mitigation measures presented in the DEIS omits language for the DEIS for the need to physically expand the roadway to accommodate new turning lanes, without which the mitigation could not be implemented. Listed below are those items which the DEIS that were found to be deficient in its analysis. Proper application of these items will change the presented traffic operations and the required mitigation within the project area.

- a) Traffic volumes were developed when the COVID pandemic was at its peak and traffic volumes from other studies were used to establish study area volumes.
- b) Trip credits for the proposed development are unrealistically high and limited documentation has been provided to justify the assigned trip credits.
- c) No pedestrian or bicycle improvements are proposed.
- d) Signal timings presented in the analysis should be verified and the actual signal timing directives be included within the DEIS documentation.
- e) Mitigation measures are not tied to a specific timeline.
- f) Mitigation measures proposed are inadequate and do not resolve the current or future operating conditions at critical locations.

## 1.3 RECOMMENDED MITIGATION MEASURES

Based on the analysis contained within the DEIS, the following mitigation measures are recommended for incorporation into the Final DEIS with caveat these recommendations may fall short when the proper procedures are incorporated into the traffic analysis. These mitigation measures are to be implemented prior to the occupation of the first phase of development:

- Intersection of Riverdale Avenue & Prospect Street:
  - All approaches should be mitigated to Mid-Level-of-Service D.

- Provide geometric improvements developed by the City at the intersection to include physical widening.
  - Provide full actuation to the traffic signal with maximums and minimum green times to improve the efficiency of the traffic signal especially in off peak times.
  - Parking within 250 feet of Prospect Street should be eliminated on the NB (Riverdale Avenue) approach to accommodate the proposed geometric improvements.
  - Ensure proposed improvements are compatible with the high number of pedestrians using the intersection.
  - 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.
- Intersection of Nepperhan/Prospect Street and South Broadway:
    - The intersections at Riverdale Avenue at Prospect Street and Prospect Street/Nepperhan Avenue at S. Broadway should be examined as one intersection. These two intersections shall provide for proper clearances to ensure queuing between intersections does not spill back into the adjacent intersection.
    - Examine the possibility of increasing the roadway width, between Riverdale Avenue and S. Broadway, by reducing the sidewalk and lane widths that could provide for an additional travel lane through this section. East of S. Broadway, Nepperhan Avenue provides three eastbound lanes and this cross section could be matched.
    - Address congestion created by buses stopping in an existing travel lane along Prospect Street.
    - Ensure proposed improvements are compatible with the high number of pedestrians using the intersection.
    - 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.

## 1.4 SUMMARY

If the above mitigation measures cannot be implemented due to physical constraints or the proposed mitigation isn't sufficient when the traffic analysis is rerun with the correct procedures, then the City must consider a reduction in density as a mitigative measure. This illustrates the need for a more comprehensive assessment of alternatives.

## 2 Overall Issues and Deficiencies

For the purposes of this report, the review of the analysis focused on locations that impact ASRs delivery routes. The areas of critical concern are Riverdale Ave at the intersection with Prospect Street and the section of Prospect Street/Nepperhan Avenue from Riverdale Avenue to Fox Terrace/Wasylenko Lane. As documented in the DEIS, because of the estimated increase in traffic volumes under the With -Action condition, increased delays at two intersections within this area have not been mitigated:

- a) Riverdale Avenue & Prospect Street
- b) Nepperhan Avenue & Ashburton Avenue.

The DEIS makes the following recommendations for intersections that are along ASRs delivery route :

- a) **Riverdale Avenue & Prospect Avenue**
  - i. Add a 250-foot turn pocket to the northbound right-turn movement.
  - ii. Adjust signal timing to optimize traffic movements. The DEIS provides specific changes to the existing signal timing and phasing
- b) **Nepperhan Avenue & S. Broadway**
  - a. Add a 200-foot turn pocket to the northbound right-turn movement.
  - b. Adjust signal timing to optimize traffic movements. The DEIS provides specific changes to the existing signal timing and phasing
- c) **Nepperhan Avenue & New Main Street**
  - a. No Mitigation Proposed
- d) **Nepperhan Avenue & New School Street**
  - a. No Mitigation Proposed
- e) **Nepperhan Avenue & Waverly Street**
  - a. Signalize intersection
- f) **Nepperhan Avenue & Elm Steet**
  - a. Add a 250-foot turn pocket to the westbound right-turn movement.
  - b. Adjust signal timing to optimize traffic movements. The DEIS provides specific changes to the existing signal timing and phasing
- g) **Nepperhan Avenue & Copcutt Lane**
  - a. No Mitigation Proposed
- h) **Nepperhan Avenue & Ashburton Avenue**
  - a. Adjust signal timing to optimize traffic movements. The DEIS provides specific changes to the existing signal timing and phasing
- i) **Yonkers Avenue & Walnut Street**
  - a. Adjust signal timing to optimize traffic movements. The DEIS provides specific changes to the existing signal timing and phasing

- j) **Yonkers Avenue & Prescott Street**
  - a. No Mitigation Proposed
- k) **Yonkers Avenue & Ashburton Avenue**
  - a. No Mitigation Proposed
- l) **Yonkers Avenue & Saw Mill River Parkway**
  - a. Signalize intersection with southbound ramps.
  - b. Adjust signal timing to optimize traffic movements. The DEIS provides specific changes to the existing signal timing and phasing
- m) **Yonkers Avenue & Fox Terrace/Wasylenko Lane**
  - a. No Mitigation Proposed

In review of the DEIS, generally we have found these recommendations to be adequate but there is very little detail provided with the physical improvements outlined. Without proper disclosure of how the physical improvements would be implemented there is concerns that the improvements could compromise the safety of the traveling public as proposed. The following sections present the overall findings of our review. These items are applied to all aspects of the study and need to be corrected in the DEIS.

## 2.1 TRAFFIC ENGINEERING DESIGN PRINCIPLES

In review of the DEIS the Traffic Engineering principles established in the following documents have been used to guide the review. These documents present the minimum standard that must be applied when conducting a traffic study as presented in the DEIS.

- Highway Capacity Manual, Sixth Edition; Transportation Research Board, Highway Cooperative Research Program, Washington, D.C. 2016.
- American Association of Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2018, 7<sup>th</sup> Ed. (Green Book)
- New York State Supplement to the Manual on Uniform Traffic Control Devices for Streets and Highways; Effective March 16, 2011.
- FHWA Manual on Uniform Traffic Control Devices (MUTCD), 2009 Ed, with Revisions dated May 2012.
- Institute of Transportation Engineers, Trip Generation Manual 10<sup>th</sup> Ed.
- State Environmental Quality Review (SEQR) Technical Manual 2020, New York State Department of Environmental Conservation.
- New York State Department of Transportation Highway Design Manual, Chapter 5, dated March 16, 2020

## 2.2 TRAFFIC ANALYSIS DEFICIENCIES

As part of the review conducted, the traffic analysis methodology was examined. This task revealed deficiencies that will alter the results of the analysis presented. Below is a description of those items which will impact the operating conditions through the project area. It should be noted that these items are to be applied to all intersections within the study area. Impact to specific intersections is discussed in Section 3 of this report.

### 2.2.1 Development of Traffic Volumes

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 resulted 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.

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.

### 2.2.2 Trip Generation Credits

The DEIS proposes a reduction in automobile trips reducing trips by 25% due to the proximity of the Yonkers Train Station. The DEIS also takes a 5% credit for pedestrian/bicycle usage for all time periods as well as a 3% to 6% reduction for internal trips during the AM peak and a 15% to 17% reduction during the PM and Saturday peak. This equates up to a 36% reduction in the AM peak and a 47% reduction in the PM and Saturday conditions. These reductions, result in a decrease in AM traffic volumes of 437 vehicles, 926 vehicles in the PM peak and 842 during the Saturday peak for the base estimates. These vehicle reductions are excessive, and the following recommendations are provided as a more appropriate trip credit for the proposed development.

- Transit credit of 25% is acceptable – Given the proximity of the Yonkers Train Station with its amenities and frequency of express trains this credit is appropriate.
- 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.
- 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.

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.

### 2.2.3 Traffic Signal Timings

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 means 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 correctly 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-uncoordinated” signal designation. If this is the case, the traffic analysis is likely underestimating the congestion at intersections by using incorrect signal designations.

### 2.2.4 Additional Study Needs

Within the DEIS there are additional study elements that were not included in the analysis. The failure to include these elements does not provide a complete picture of the future traffic operations within the study area. Below is a listing of additional elements that need to be included in the traffic analysis. These elements will impact the overall traffic operations within the study area. They are as follows:

- **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.
- **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.

### 3 Intersection Analysis

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Our review of the DEIS was to evaluate the accuracy of the analysis and the effectiveness of the limited mitigation proposed in the DEIS. This section summarizes our findings of specific intersection deficiencies that were found within the Transportation Section of the DEIS. The review demonstrated that lower than actual adverse impacts are reflected in the DEIS because of fundamental traffic engineering inaccuracies and when these are corrected, the results presented will be degraded and additional mitigation measures may be needed. Two critical intersections are discussed in this section to highlight the deficiencies found with the DEIS. The inaccuracies in the traffic analysis, combined with overestimates of trip credits leads to the conclusion that the DEIS at best minimizes, the actual anticipated impacts of the proposed development. The following is a summary of the shortcomings at the critical intersections.

#### 3.1 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 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.

The intersection of Riverdale Avenue and Prospect Street the DEIS does proposes mitigation at this intersection. 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. See Figures 3-1 and 3-2.



*Figure 3-1 – Existing Truck Turning onto Prospect Street from NB Riverdale Avenue*



*Figure 3-2 – Existing Truck Turning onto Prospect Street from NB Riverdale Avenue*

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. See Figure 3-3 for the proposed layout of the revised intersection that is to accommodate a WB-50 truck with the sweep path staying in its designated lane.



*Figure 3-3 – Existing Truck Turning onto Prospect Street from NB Riverdale Avenue*

#### **To be implemented prior to the completion of Phase 1**

1. All approaches should be mitigated to Mid-Level-of-Service D.
2. Provide geometric improvements to the intersection shown in Figure 3.3.
3. Provide full actuation to the traffic signal with maximums and minimum green times to improve the efficiency of the traffic signal especially in off peak times.
4. Parking within 250 feet of Prospect Street should be eliminated on the NB (Riverdale Avenue) approach to accommodate the proposed geometric improvements.
5. Ensure proposed improvements are compatible with the high number of pedestrians using the intersection.
6. 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.

### 3.2 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. Figure 3-4 shows a photo of queues from South Broadway to Riverdale Avenue.

The analysis included within the DEIS documents a queue for the eastbound through movement 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 this bus stop as buses must stop in the travel lane which creates additional congestion not documented in the DEIS.



*Figure 3-4 – Queuing from South Broadway to Riverdale Avenue along Prospect Street*

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. The following modification to the DGEIS should be included in the traffic analysis.

**Required Changes to the DEIS**

1. The intersections at Riverdale Avenue at 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.
2. Examine to 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 provide three eastbound lanes and this cross section could be matched.
3. Address congestion created by buses stopping in an existing travel lane along Prospect Street.
4. 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.
5. 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.

## 4 Summary

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Based on the review and analysis presented in this document, it can be seen that the traffic analysis performed for the AMS Development does not meet the needs of the community. The traffic analysis results in the DEIS have a number of deficiencies and are summarized as follows:

- Traffic analysis in the DEIS does not accurately capture future traffic conditions in the study area.
- Inaccuracies in the traffic analysis offer better operating conditions than exist now and as part of the future Rezoning. These include:
  - Excessive vehicle credits have been applied
  - Incorrect intersection Control Type used in the analysis
- Mitigation measures proposed by the DEIS do not provide details on how the improvements will be implemented and may present safety concerns as currently proposed.
- Trip credits are too aggressive and should be reduced to fully understand future operating conditions.
- Mitigation measure including geometric improvements to the roadway network are necessary by the completion of the first phase of development.
- No accommodations for pedestrians and bicyclist are provided. With the induced demand for this type of travel, mitigation needs to be provided.
- The DEIS should provide a specific timeline as to the implementation of mitigation measures.

It is recommended that the DEIS be redrafted, and the traffic analysis be revised to include the recommendation discussed within the report and the Draft Environmental Document be resubmitted.

**From:** Jimmy <>

**Sent:** Thursday, March 3, 2022 11:48 AM

**Subject:** RE: City of Yonkers DEIS Notice of Completion for the proposed AMS Yonkers Downtown Development

Thanks Sara,

I hope they get that built ASAP and continue the upgrading of downtown yonkers!

April 27, 2022

Lee J. Ellman, AICP, Deputy Commissioner  
Yonkers Planning Board 87 Nepperhan Ave, Rm 320  
Yonkers, NY 10701

Via email (PlanningInfo@yonkersNY.gov)

Subject: AMS Yonkers Downtown Development – Draft Environmental Impact Statement

Dear Deputy Commissioner Ellman:

At the request of the City of Yonkers Planning Board, BFJ reviewed the Draft Environmental Impact Statement (DEIS) for the proposed AMS Yonkers Downtown Development Project (the “Proposed Action”) submitted by AKRF, Inc. on behalf of AMS Acquisitions, LLC and its affiliates (the “Applicant”) dated February 9, 2022. The Proposed Action, which consists of zoning text and map amendments, amendments to the Riverview Urban Renewal and the Getty Square Urban Renewal plans, amendments to the Downtown Yonkers Master Plan, and site plan approval, would facilitate the development of the Teutonia site, Chicken Island site and North Broadway site in five phases over approximately ten years and include approximately 3,556 residential units, 95,000 square feet of street-level commercial space, 30,000 square feet of commercial and medical office space, and 3,909 parking spaces. All three sites are within a half-mile of the Yonkers Metro North train station.

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.

Given the significance and size of this important project, we offer the following comments and questions on the DEIS for discussion with the Planning Board based on our DEIS review, as well as on comments received by the public and interested and involved agencies during the public review period.

1. Final Environmental Impact Statement (FEIS) – 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

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“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.

2. 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. .
3. Downtown Yonkers Master Plan – 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. 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.
4. Land Use and Zoning – What is the FAR of each of the proposed buildings? 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? How will other sites be impacted, for example, by the proposed amendments to the retail parking ratio (1 space per 300 SF vs. 1 space per 500 sf of retail)? The FEIS should include an analysis of the larger impact of Master Plan and zoning amendments for Downtown Yonkers. Additionally, 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.

5. 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.
6. 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.
  - 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, the Applicant should consider locating the towers farther back on the podium by at least 8-10'.
  - Building Height and Width
    - The proposed 40-story building is very tall especially when considered in the context of existing structures in 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'.

- Westchester County also comments on the height contained in there April 19, 2022 comment letter.
- 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.

## 7. Traffic

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.

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.

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 4<sup>th</sup> leg.

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.

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.

#### 8. 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.

#### 9. Parking Impacts

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  $\frac{1}{4}$  mile from the rail station. As the Chicken Island development is located beyond  $\frac{1}{4}$  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.

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.

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.

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.

## 10. Transit Impacts

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.

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.

11. Infrastructure – 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.

12. Construction Impacts – Parking

- 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. 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. 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.
- Teutonia Site – 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 site and block traffic. Construction deliveries to the site could block traffic flow and cause traffic delays.

13. Alternatives

- Environmental Mitigation Alternative – 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.

We look forward to discussing these comments with the Planning Board at their May 5, 2022 Work Session. In the meantime, should you need clarification on any of the above items, we are happy to discuss at your convenience. I can be reached at 212-353-7375 or [s.yackel@bfjplanning.com](mailto:s.yackel@bfjplanning.com).

Sincerely,



Sarah K. Yackel, AICP  
Principal, Director of Environmental Planning

Georges Jacquemart, PE, AICP  
Principal

Frank S. Fish, FAICP  
Principal

Cc: Zachary Nersinger, Director, Planning Bureau

April 27, 2022

TO: Yonkers Planning Board  
FROM: Yonkers Committee for Smart Development  
RE: AMS DEIS COMMENTS

The Yonkers Committee for Smart Development (YCSD) 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 YCSD raised then have not been addressed in this DEIS.

We therefore request that the Planning Board, particularly its newer members, review our letter of December, 2020, and consider those comments in conjunction with the additional notes we offer herein:

#### RESIDENTIAL DENSITY AND BUILDING HEIGHTS

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, parking, noise, and air pollution present more of a problem in such a confined space.)

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 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. Reducing the number of residential units will help alleviate potential problems related to the major issues of traffic, sewage, water supplies and fire access.

## STEEP SLOPES/REPLACEMENT TREES

In our 2020 notes, YCSD brought up the issue of the Yonkers Steep Slopes ordinance and the preservation and replacement of mature trees at the North Broadway project. We do not believe that the DEIS answers these issues in a satisfactory fashion.

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.

## SUSTAINABILITY MEASURES

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.

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.

Further, the DEIS barely mentions permeable pavement and canopy trees to address storm water management and the heat island effect. Bioswales and other storm water retention options should be considered. Far more than 50% coverage of hardscape surfaces should be permeable pavement.

"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.

The City's Director of Sustainability should be consulted as this project moves through the DEIS and site plan reviews.

## SHADOW STUDIES

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.

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.

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.

## AFFORDABLE HOUSING

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.

## RECREATIONAL SPACES

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.

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.

## WIND

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.

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 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.

#### CULTURAL RESOURCES

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 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.

#### HISTORIC RESOURCES

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 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 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.

The Yonkers IDA could also consider making a Façade Fund a requirement in exchange for PILOTS and tax incentives on the AMS project.

#### COMMUNITY CHARACTER

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.

#####

**YONKERS COMMITTEE FOR SMART DEVELOPMENT**  
**AMS DRAFT SCOPE COMMENTS – DECEMBER 14, 2020**

**NEW SCOPE/EIS CHAPTERS PROPOSED BY YCSD**

**1. NEW EIS CHAPTER: SUSTAINABILITY, ENERGY EFFICIENCY, CLIMATE CHANGE on:**

- a. Alternative Energy Sources in construction and usage
- b. Energy Efficiency in construction and usage
- c. Analysis Loss of direct sunlight on smaller structures which may prevent efficient use of PV systems and results in loss of energy independence for smaller building owners.
- d. “Green” Building Infrastructure – Passive house or meeting the new accelerated NYS building codes that will be instituted shortly.
- e. Sufficient Parkland and open space for increased population.  
<https://www.planning.org/pas/reports/report230/>
- f. Analysis of best post-Covid permanent ventilation systems in building public and private spaces
- g. Canopy tree replacements, particularly on Locust Hill; Steep Slopes Ordinance on this site.
- h. Yonkers Green Building Standards for downtown
- i. Groundwork Hudson Valley heat island study; Greenway path
- j. Stormwater Management
- k. Pervious Pavement around buildings and in any ground level parking lots (stormwater mgt.)
- l. Migratory birds.
- m. Consideration of green roofs or solar installations
- n. Integration of public space pathways into an inclusive flow throughout developments.
- o. Yonkers has been designated a DEC Climate Smart Community. COY should take this seriously and it should be reflected in the AMS Scope.  
*p, BOSCO VERTICAL FOREST BUILDING IN MILAN, ITALY – SEE ATTACHMENT TO THIS DOCUMENT. An example of what could be accomplished with the AMS project.*

**2. NEW EIS CHAPTER: ENVIRONMENTAL JUSTICE**

- a. Affordable Housing as part of the new buildings, not separated
- b. Loss of sunlight for residents – solar trespass
- c. Shadows at ground level
- d. Noise, garbage, traffic increases in central downtown
- e. Residential displacement over a 10 year construction period and the social/cultural implications for the downtown and its current residents.
- f. Loss of affordable retail services in the Getty Square area.
- g. Impact on Ludlow neighborhood of additional sewage load at the Westchester County Sewage Treatment Plant.
- h. Displacement of “Identified Vulnerable Populations” (Page 15 in Scope)
- i. Creation of sufficient parkland, playgrounds and open space for influx of new residents.  
<https://www.planning.org/pas/reports/report230/>

### **3. NEW EIS CHAPTER: BOARD OF EDUCATION AND SCHOOLS**

- a. The developer should participate in the funding of the BOE and a new school if necessary to accommodate the additional students. There are many 2/3 bedroom apartments listed, they are definitely planned for families.
- b. Scope should include an analysis that the developer build new classroom space to offset some of their affordable housing requirements as is done in Long Island City with high rise developments.
- c. How many additional school students, of what ages, are projected from these 3 projects?

### **4. NEW EIS CHAPTER: HISTORIC PRESERVATION**

- a. Core of downtown could be granted an historic preservation overlay zone.
- b. Should consider having the developer rehabilitate facades of buildings that were deemed of historic value during the COY TKS "windshield" survey. In particular focusing on Wheeler Block. Reference to the TKS Study:  
<https://www.yonkersparkingauthority.com/Home/ShowDocument?id=7881>
- c. The original façade of Teutonia hall should be reclaimed or recreated and integrated into the new building on this site, as agreed and promised when Teutonia Hall was demolished for redevelopment.

### **5. FINANCIALS/GAIN FOR YONKERS**

- a. A cost/benefit analysis for Yonkers based on either rental or ownership units at a full build, half build or quarter build of the project, and a determination of which part of these 3 projects would be the most profitable to developers or Yonkers.

## **COMMENTS ON PROPOSED SCOPING DOCUMENT**

**YCSD has observed that the stated building heights do not correspond with the height presented in the Scope renderings. This should be corrected.**

### **1. BUILDING HEIGHTS**

- a. Teutonia Project: This site was already rezoned in 2011 for 25 stories. That itself was an exception to the general downtown standard as a favor to the owners of the site. Scope should address a no further rezoning alternative for this site. Further, the COY Fire Department strongly objected to 40 story buildings when the SFC Project was under consideration, as the Department does not have equipment that can reach those top stories. The Scope should consider the public hazard implications of this building height.

Teutonia is proposed to be 435', which on top of a 40" cliff creates a building height of 475'. Scope should determine scaling suitability for Buena Vista Avenue.

Winter shadow could be 3 times the building height.

This building height is of concern from the Palisades Park.

Stormwater management implications for the MetroNorth tracks and overflow into the Hudson River.

- b. Chicken Island Project:

What is the tallest building and with the height of the land, how high will it actually be including mechanicals? See above a) regarding Fire Department.

- c. North Broadway Project:  
Shadow studies on the downtown  
Views blocked from Locust Hill
- d. Alternative building considerations:  
<https://www.greentechmedia.com/articles/read/getting-building-height-right-for-the-climate>

## **2. AFFORDABLE HOUSING**

### **YONKERS COMMITTEE FOR SMART DEVELOPMENT BELIEVES THAT NEW AFFORDABLE HOUSING SHOULD BE FULLY INCORPORATED INTO THE NEW BUILDINGS IN ORDER TO AVOID SOCIO/ECONOMIC SEGREGATION OF YONKERS DIVERSE POPULATION MIX.**

- a. How much already existing housing stock is being demolished? This number should be ADDED to the approximately 12% additional affordable housing proffered in the Scope. What is the rationale for the 12% versus 15% or 20%, given the dire need for affordable housing in Yonkers?
- b. Scope should consider the implications of putting ALL the affordable housing directly into the new buildings, to avoid socio/economic segregation.
- c. Quality standards for off-site housing: particularly energy efficiency and open space
- d. Distribution of sizes of affordable apartments.
- e. Parking at affordable off-site. Scope offers 1 space per unit, this may not be sufficient.
- f. Where is off-site housing to be located?
- g. Is Westhab definitely committed to building the off-site housing and how much is AMS funding toward that?
- h. In light of previous court decisions concerning the concentration of affordable housing on the city's west side, should any off-site housing be moved to the Yonkers east side and where?
- i. Should there be a formula built into any revised zoning that permits a certain amount of height above current zoning and requires additional affordable housing per additional built floor over current zoning?
- j. Are there potential legal issues for the city if all the additional affordable housing is concentrated on the west side, in light of the Judge Sand decisions?

## **3. LAND USE, ZONING, PUBLIC POLICY:**

- a. Historic Preservation considerations need to be addressed to retain the historic character of downtown.
- b. Part D Public Policy: Add the COY Historic Properties TKS Study to this list.  
<https://www.yonkersparkingauthority.com/Home/ShowDocument?id=7881>

## **4. SOCIOECONOMIC AND FISCAL IMPACTS**

- a. Owner vs. Renter Analysis to determine which creates a more vibrant downtown.
- b. Analysis of data to determine if the proposed number of units, in combination with the existing new units on the waterfront and in the RXR buildings, is an appropriate amount of residential units for the Yonkers downtown.

## **5. AIR QUALITY, TRAFFIC, NOISE:**

- a. All Environmental Justice issues.

- b. Getty Square as the downtown hub: Scope should study the implications of all three of these projects IN CONJUNCTION WITH the new waterfront construction and already existing multi-story housing on the Getty Square shopping area and its ability to absorb all the traffic.

## **6. VISUAL AND COMMUNITY CHARACTER**

- a. Canopy Tree cover should be assessed as part of neighborhood character.
- b. The COY Steep Slopes Ordinance should be considered where trees cover slopes, particularly Locust Hill, and must be retained under this ordinance. Clear cutting not permitted.
- c. Shadow studies and loss of sunlight are also part of community character.

## **7. CULTURAL RESOURCES**

The Yonkers buildings designated as historic by the Historic Resources TKS Windshield Study should be included in this chapter.

<https://www.yonkersparkingauthority.com/Home/ShowDocument?id=7881>

For the Teutonia site, the original Teutonia façade should be reclaimed or recreated and integrated into the proposed new structure, as was originally promised for this site.

Archaeological resources may include references to the Underground Railroad that ran through downtown Yonkers.

## **8. SOLID WASTE AND RECYCLING:**

- a. Developer and COY should determine which agency or private cartage will be handling recycling waste.
- b. If COY is to be responsible, developer should pay into a fund to support pick-up and processing of recyclables.
- c. Dog walk areas and dog waste pickup should be factored into all new buildings, particularly in parks.

## **9. INFRASTRUCTURE AND UTILITIES/ENERGY USAGE**

- a. In light of the continuing Con Ed moratorium on new gas infrastructure, the developer should consider geothermal heating and cooling as an alternative energy source for infrastructure development and on-going use of utilities.
- b. AMS should avail itself of Community Choice Aggregation for its individually metered apartments and for the building structures.
- c. The effect of additional sewage on the Westchester County Wastewater Treatment Plant must be studied, in conjunction with the other new construction along the HR waterfront.

## **10. Alternatives**

- a. Serious Alternate development options must be considered for all 3 sites, not just for Chicken Island
- b. What is meant by a possible alternative for Chicken Island that includes additional city owned property east of City Hall? Does this refer to the city owned parking garage, and/or 87 Nepperhan? 87 Nepperhan is a historically significant building and any redevelopment including it must address that.

The Bosco Verticale / Vertical Forest high-rise complex in Milan, Italy. The plant life, which is said to equal 3 hectares of forests (20,000 sq m), not only moderates the temperature in summer and winter but also converts as much as 30 tons of CO<sub>2</sub> each year. On top of that, it filters out dust particles, protects the residents from noise pollution and creates a microhabitat for insects and birds.

The building itself is self-sufficient by using renewable energy from solar panels and filtered waste water to sustain the buildings' plant life. These green technology systems reduce the overall waste and carbon footprint of the towers. Lead designer Stefano Boeri stated, "It's very important to completely change how these new cities are developing. Urban forestation is one of the biggest issues for me in that context. That means parks, it means gardens, but it also means having buildings with trees."

The design was tested in a wind tunnel to ensure the trees would not topple from gusts of wind. Botanists and horticulturalists were consulted by the engineering team to ensure that the structure could bear the load imposed by the plants.



**Sent:** Tuesday, April 26, 2022 1:57 PM  
**To:** PlanningInfo <[PlanningInfo@yonkersny.gov](mailto:PlanningInfo@yonkersny.gov)>  
**Subject:** AMS DEIS Public Comments

To the Planning Board:

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.

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.

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. 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?

Lastly, I had written to the planning board in year 2020 about prime real estate not being available to the residence 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 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.

Thank you,  
Susy

# Charlie Hensley

---

April 27, 2022

*Via Email*

Lee J. Ellman, AICP  
Deputy Commissioner  
Department of Planning & Development  
87 Nepperhan Avenue, Suite 320  
Yonkers, NY 10701  
[planninginfo@yonkerny.gov](mailto:planninginfo@yonkerny.gov)

Re: AMS Yonkers Downtown Development

Dear Lee:

I write in response to the draft environmental impact statement dated February 9, 2022, published in connection with the above-referenced proposed projects. Clearly, there are some very exciting ideas in the DEIS that, once dosed with a bit of reality, may well help bring the vibrancy we all crave back to our downtown.

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.

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.

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.

Also, 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.

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.

In fact, 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. 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.

Additionally, 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. In that vein, 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.

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. 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.

Like all good developers, AMS has included in the DEIS lots of colorful pictures of happy pretty people on the streets of Yonkers. I would love to see it turn out that way. True revitalization will require even greater vision on the part of these developers as well as professional oversight by serious people in our government. The amazing success of the Saw Mill River daylighting has been diminished by the failures of the Hudson Park and RXR Larkin Plaza developments, with their deadly streetscapes that welcome no one. It seems that projects like these are praised primarily by people who have never lived in a vibrant downtown, and who certainly have no intention of living in downtown Yonkers.

The same risks attach to these proposed projects. 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.

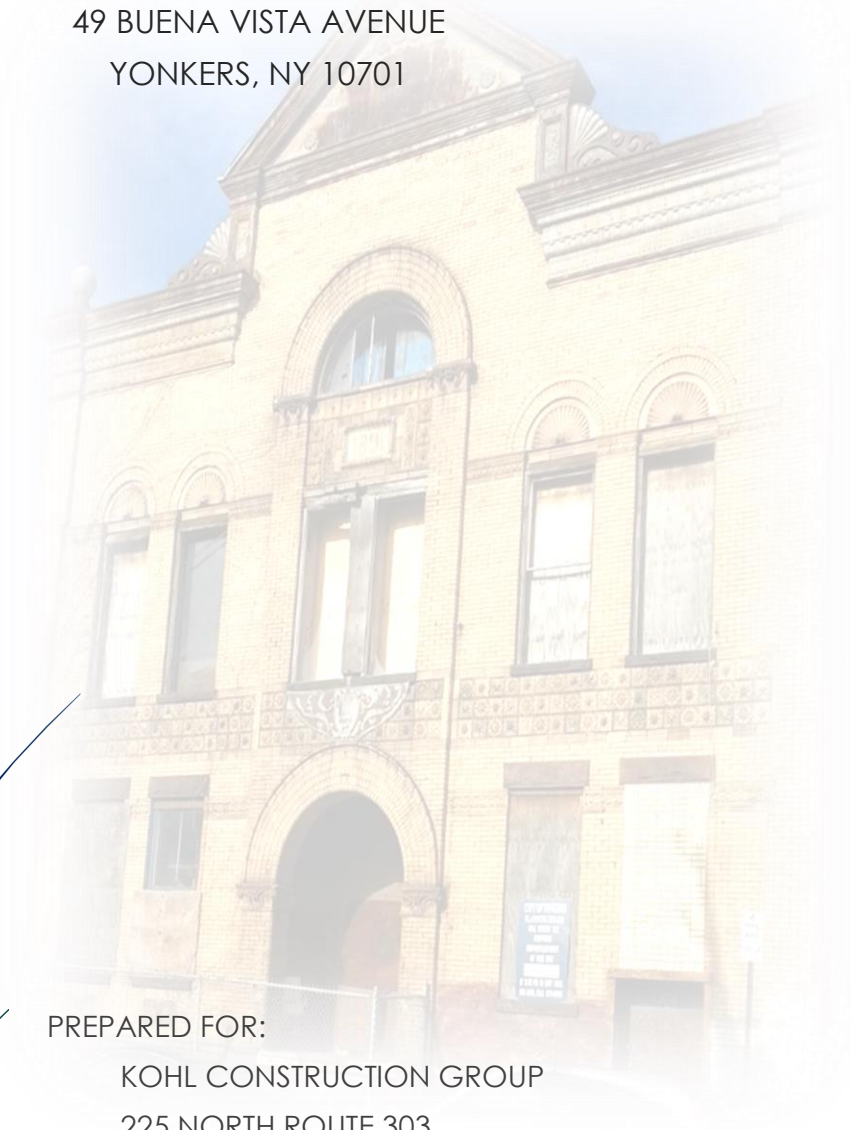
The AMS Yonkers Downtown Development offers some bold and beautiful ideas for our city's future. I invite them to work more closely with the creative, experienced planning professionals who work with you in order to reach a more successful, human-based design in the next phase. We can never forget that 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.

Thank you.

A handwritten signature in black ink that reads "Charlie Hensley". The script is fluid and cursive, with a large, stylized 'C' and 'H'.

# FAÇADE DEMOLITION

49 BUENA VISTA AVENUE  
YONKERS, NY 10701



## PREPARED FOR:

KOHL CONSTRUCTION GROUP  
225 NORTH ROUTE 303  
SUITE 201  
CONGERS, NY 10920

## PREPARED BY:

JVS EXTERIORS  
139 MERRICK ROAD  
LYNBROOK, NY 11563

**INVENTORY SUMARY**

PALET NUMBER	STOCK ITEM - Metal Cornice
Pallet 1	B1
Pallet 2	B8
	A1
	A2
	A3
Pallet 3	C7
Pallet 4	C6-1
	B7-2
	C3
	B3
Pallet 5	B6-1
	C5-2
	B6-2
	C5-1
	B7-1
	C6-2
Pallet 6	B2
	B4-1
	B4-2
	A5
	A6-1; A6-2; A6-3
Pallet 7	C2
	A7-1
	A7-2

**INVENTORY SUMARY**

PALET NUMBER	STOCK ITEM
Pallet 8	NLW1 - NLW 36
Pallet 10	C1-C18
	A
	B
	C
Pallet 11	CE 1 - CE36
Pallet 12	
Pallet 13	

Pallet 14	
Pallet 15	
Pallet 16	NE 1 - NE34
Pallet 17	
Pallet 18	NT 1- NT 9; NB 1- NB17; A, B, C
Pallet 19	
Pallet 20	SE 1 - SE 33
Pallet 21	
Pallet 22	ST 2 - ST 8; SB 1 - SB 16
Pallet 23	
Pallet 24	SLW 1 - SLW 35
Pallet 30	1 - 28
Pallet 31	1 - 63



FAÇADE DEMOLITION  
49 BUENA VISTA AVE, YONKERS, NY



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## FAÇADE INVENTORY DIAGRAM

Date 07.30.14	Sheet 1 OF 14
Scale N.T.S.	



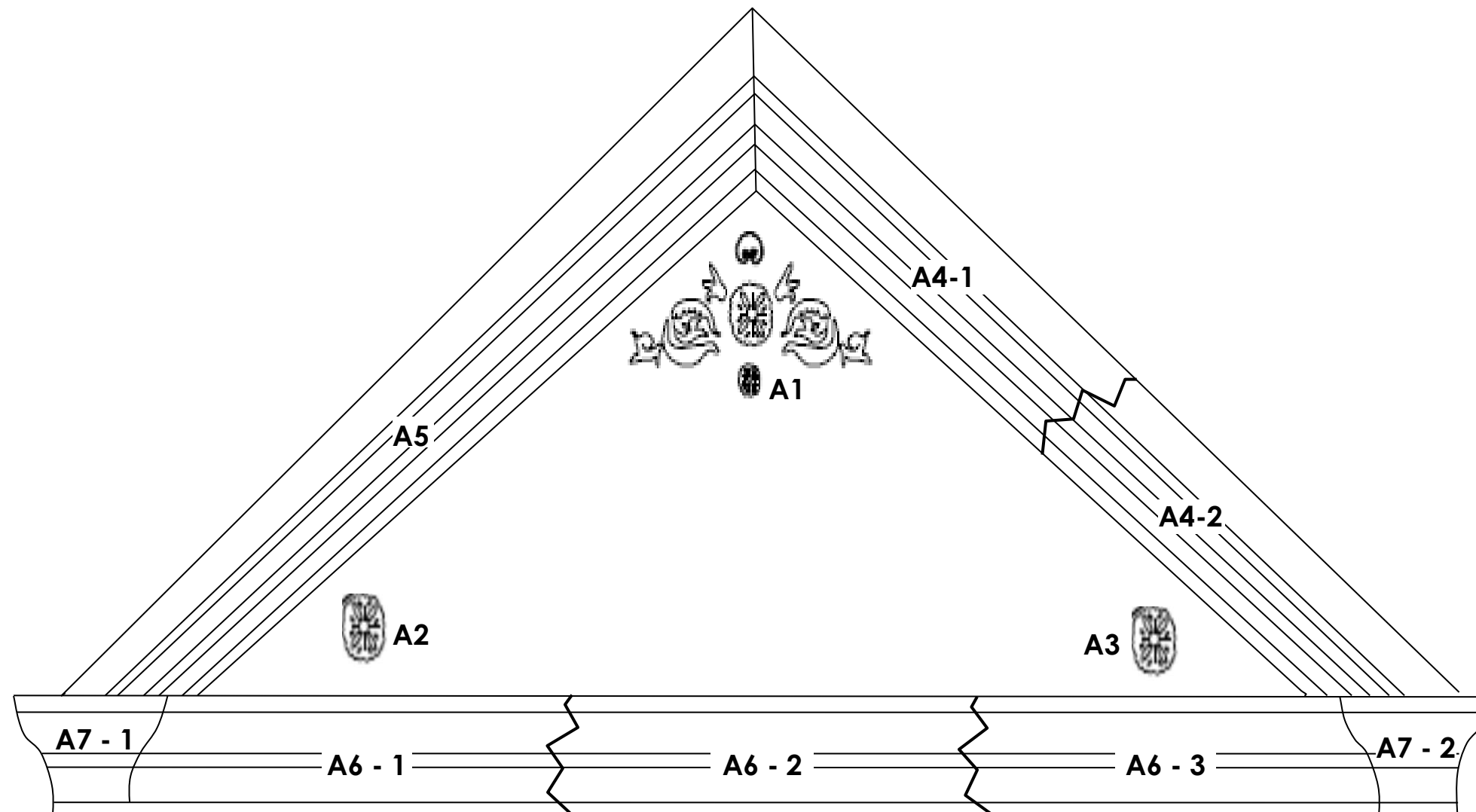
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## SECTION – A

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31.10.13

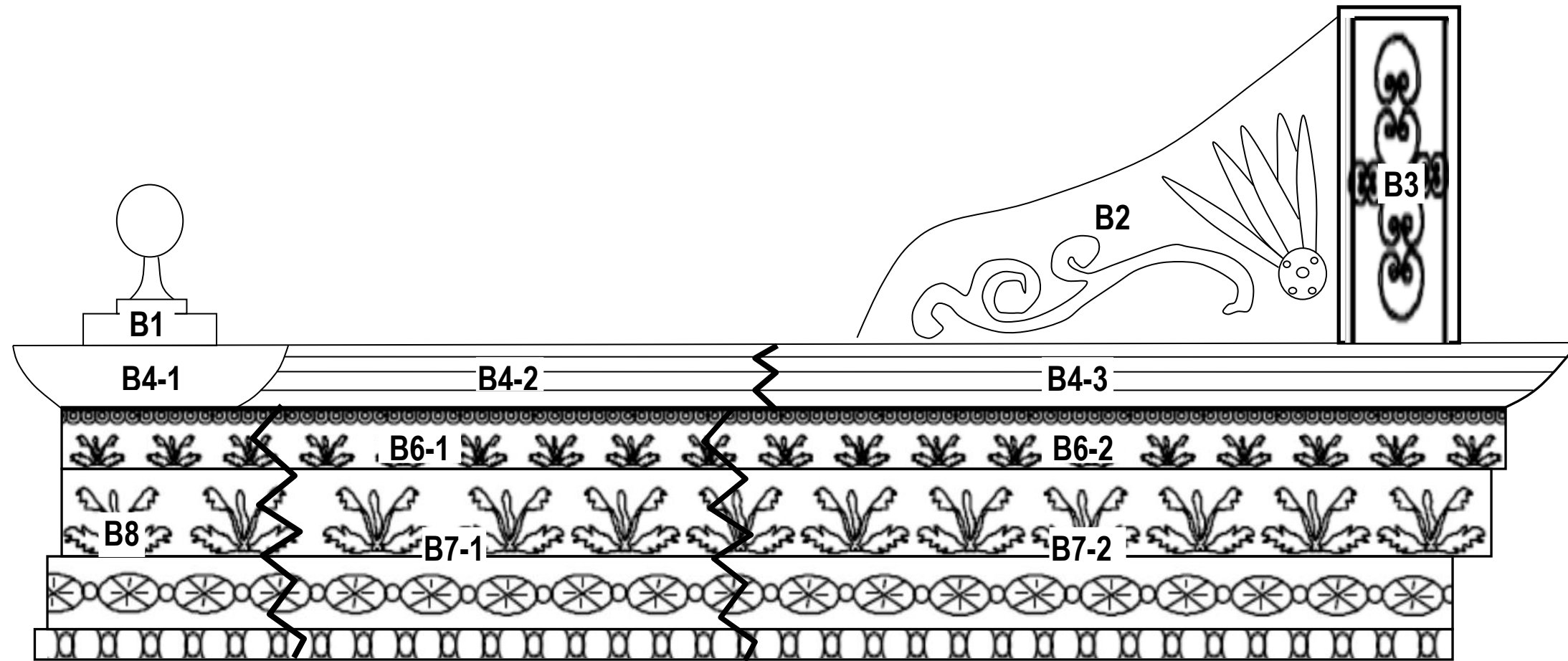
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SECTION - A





SECTION – B



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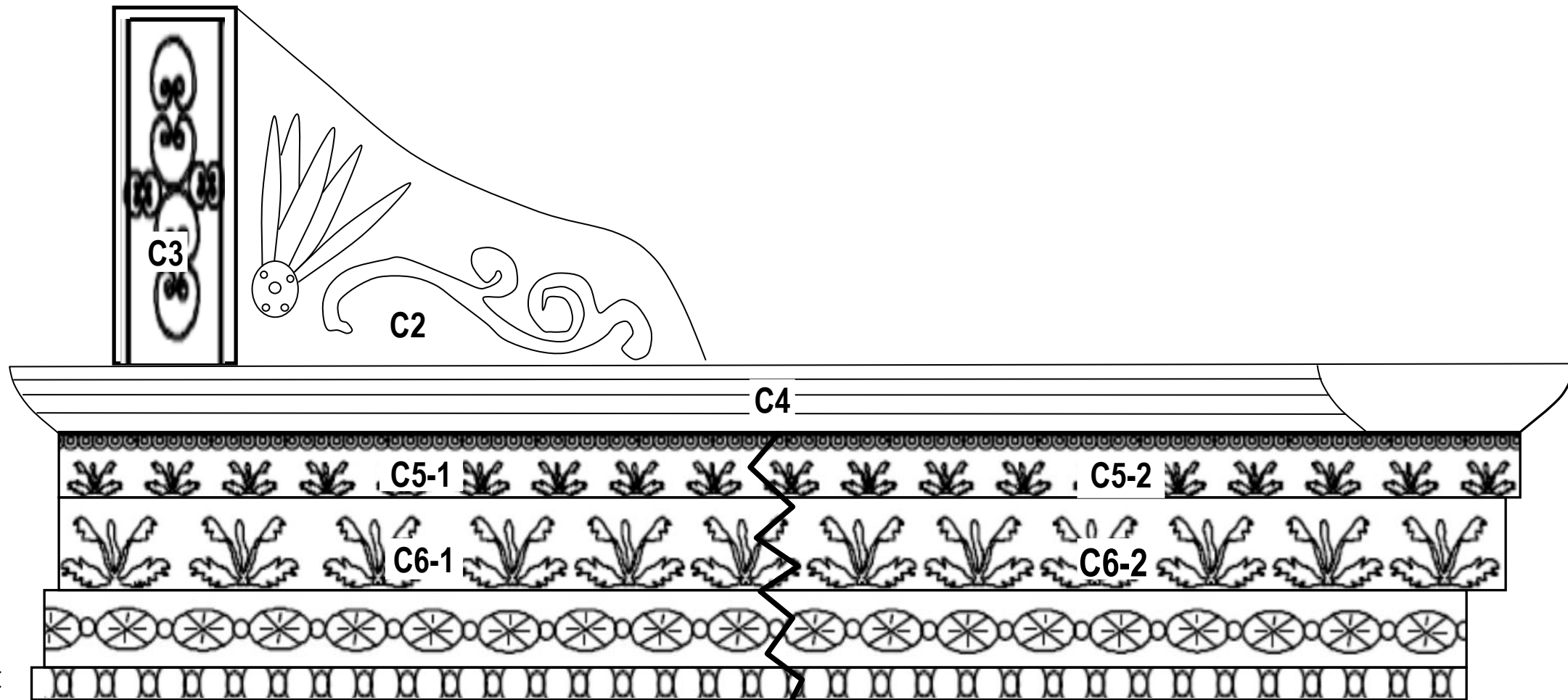


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SECTION – B

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SECTION – C



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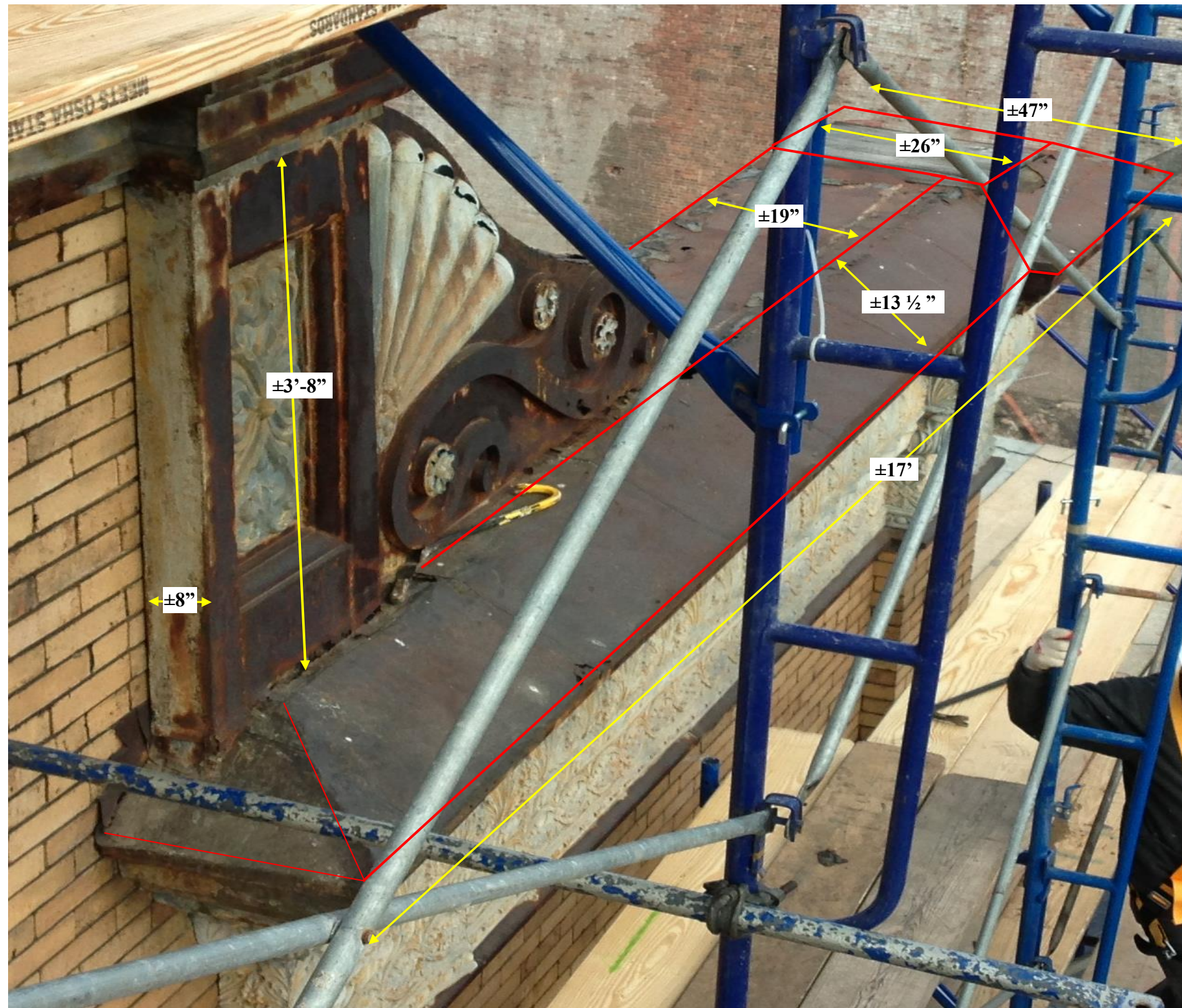
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SECTION – C

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SECTION - C

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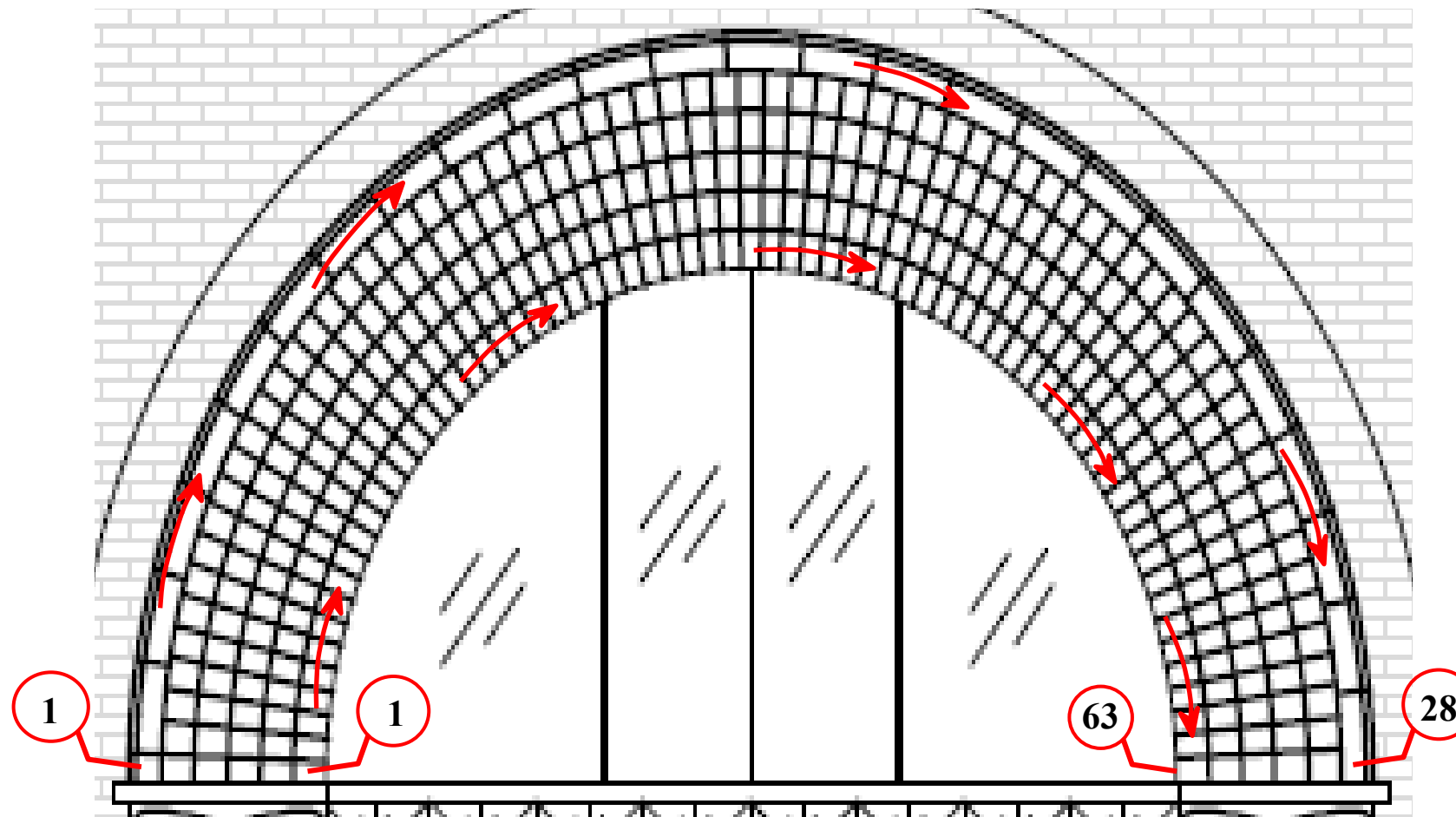


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## SECTION - C

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SECTION - D



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SECTION - D

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SECTION – E



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49 BUENA VISTA AVE, YONKERS, NY



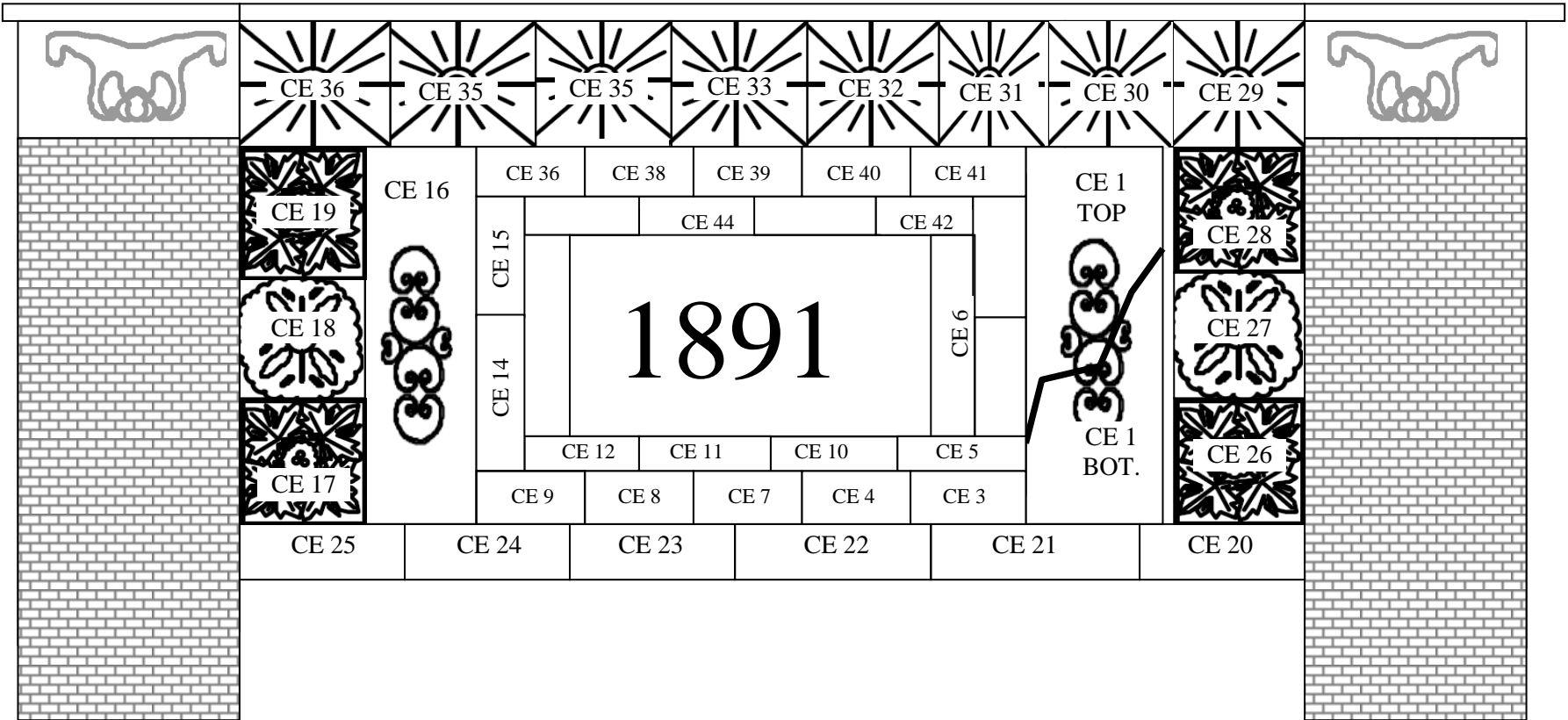
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SECTION – E

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SECTION – F



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SECTION – F

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NE 29	NE 28	NE 27				NE 18	NE 17	NE 16				NE 6	NE 5	NE4	MISSING
NE 34	NE 33	NE 32				NE 31	NE 20	NE 19				NE 10	NE 9	NE 8	NE 7

SECTION – G



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SECTION – G

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C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C
SB 1	SB 2	SB 3	SB 4	SB 5	SB 6	SB 7	SB 8	SB 9	SB 10	SB 11	SB 12	SB 13	SB 14	SB 15	SB 16						

SECTION – H



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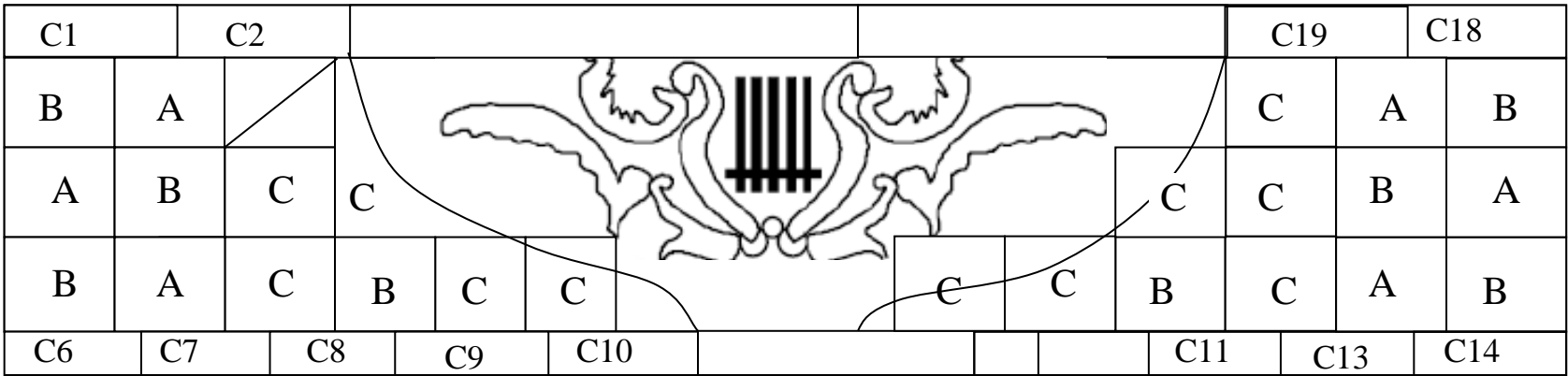
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NB 1	NB 2	NB 3	NB 4	NB 5	NB 6	NB 7	NB 8	NB 9	NB 10	NB 11	NB 12	NB 13	NB 14	NB 15	NB 16	NB 17		

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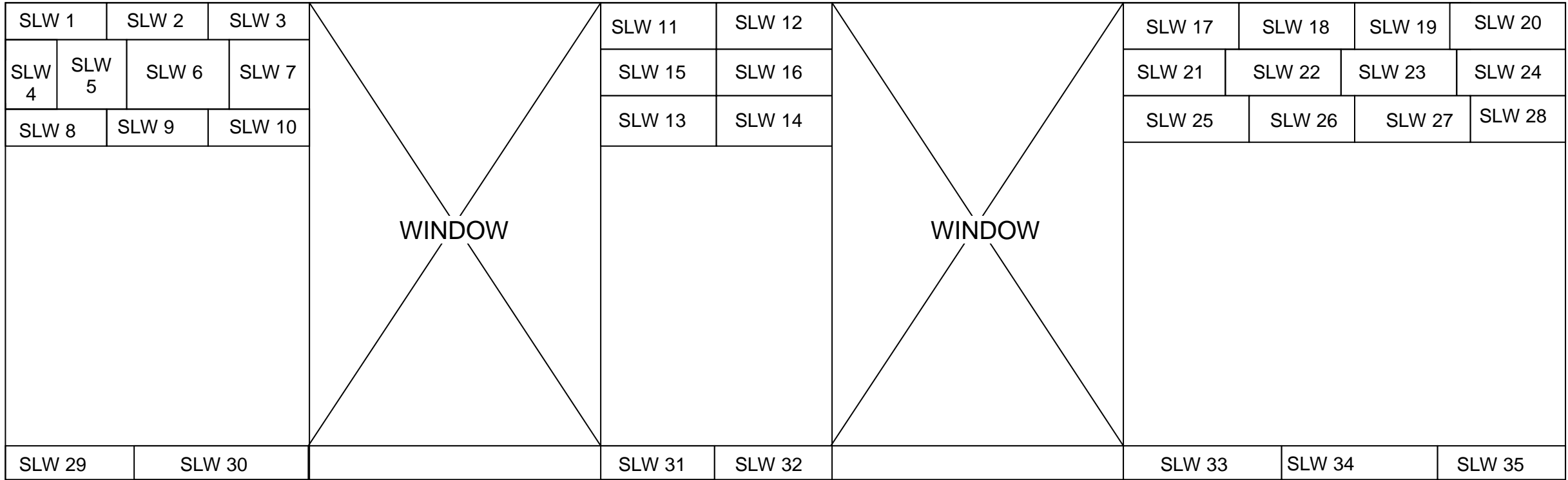
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SECTION – K



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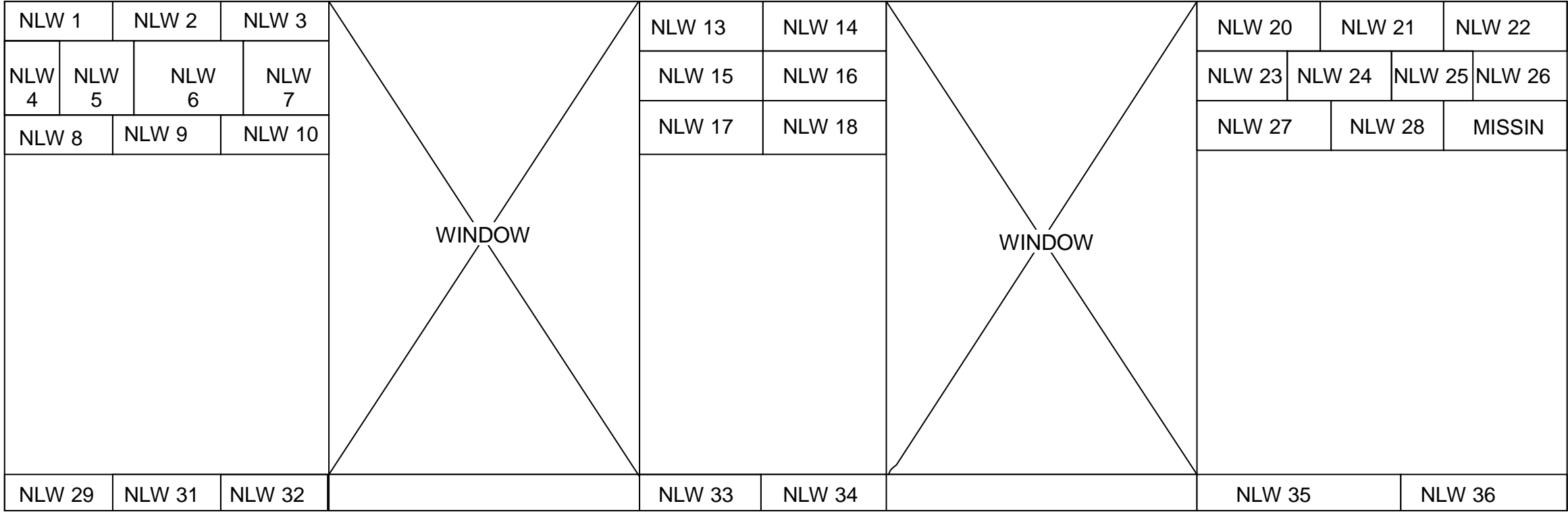
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SECTION – L



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SECTION – L

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Sheet  
14 OF 14



**From:** Klein, Garry R.  
**Sent:** Saturday, March 12, 2022 10:26 AM  
**To:** PlanningInfo  
**Cc:** Sara Brody  
**Subject:** AMS DEIS

Dear Planning Department:

I am writing as a property owner in downtown Yonkers, member of the Downtown BID Board and real estate broker active in sales, leasing and the overall promotion of Yonkers and the CBD.

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.

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.

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.

Thank you for your attention to this matter.

Sincerely,

Garry Klein

From: Chris Morel

Date: 3/29/22 6:21 PM (GMT-05:00)

To: PlanningInfo <[PlanningInfo@yonkersny.gov](mailto:PlanningInfo@yonkersny.gov)>

Subject: AMS Yonkers Downtown Development Comments

Hello Planning board,

I like the plans for the redevelopment of downtown Yonkers. 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. 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 developments will be designed in a way that does not take into consideration the historic value of the area. 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. 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.

Thank You,

George Latimer  
County Executive

April 19, 2022

Lee J. Ellman, AICP, Deputy Commissioner  
City of Yonkers Planning Bureau  
87 Nepperhan Avenue, Suite 320  
Yonkers, New York 10701

**County Planning Board Referral File YON 22-002 – AMS Yonkers Downtown Redevelopment  
Zoning Text and Map Amendments, Urban Renewal Plan Amendments, Downtown Master Plan  
Amendments, Site Plan Approval – Draft Environmental Impact Statement**

Dear Mr. Ellman:

The Westchester County Planning Board has received a draft environmental impact statement (DEIS) (dated accepted February 9, 2022) for the proposed development of three sites in downtown Yonkers with mixed-use transit oriented development. These developments would be implemented in several phases over approximately ten years and include approximately 3,556 residential units, 95,000 square feet of street-level commercial space, 30,000 square feet of commercial and medical office space, and 3,909 parking spaces. All three sites are within a half-mile of the Yonkers Metro North train station. The applicant also proposes between 178 to 356 on-site affordable residential units, depending on their ability to leverage a provision in the City's existing zoning to make a payment-in-lieu instead of providing half of the affordable units. The three development sites under consideration include:

- ***Teutonia site.*** This is an undeveloped site that was the subject of remedial work under the NYS Brownfield Cleanup Program (BCP). The site is 1.14 acres, located at 41 Buena Vista Avenue within the D-MX – Downtown Mixed Use district. The applicant is proposing two residential towers up to 435 feet (41 stories) in height containing 906 rental apartments (between 45 and 91 of which would be affordable). The towers would rise above a six story podium containing 956 parking spaces and 10,000 square feet of ground floor retail space.
- ***Chicken Island site.*** This is a 5.25-acre site located adjacent to Getty Square within the D-MX district that currently contains a municipal parking lot as well as portions of two privately owned streets (Henry Hertz Street and John Street). The site also includes a vacant lot on the eastern side of New School Street that is bisected by the Saw Mill River. This site was subject to remedial work under the BCP. The applicant is proposing five residential towers of varying heights containing 2,000 rental apartments (between 100 and 200 of which would be affordable). These towers would range between 250 to 400 feet (23 to 38 stories) tall. Podium sections below the towers would contain 70,000 square feet of ground floor commercial space, 17,000 square feet of office space and 2,200 parking spaces. A new street, connecting Ann Street to Palisade Avenue, would run through the site and include an intersection with John Street. James Street, which runs alongside the western edge of the site, would be formalized and connected to Ann Street, and Henry Hertz Street, which runs through the site, would be closed. The vehicular

connection between John Street and James Street would be closed and replaced with a pedestrian plaza.

- **North Broadway site.** This is a 2.13-acre site comprised of 13 full tax lots and one partial lot. Three arms of the site would front the east side of North Broadway (US Route 9) at 16-18, 28-32, and 50 North Broadway, while the rest of the site has frontage along the eastern ends of Baldwin Place and Overlook Terrace. These lots currently contain a mix of residential and commercial uses and are split between the D-MX and A – Elevator Apartment, High Density zones. The applicant is proposing to demolish most of the site's structures and construct two 25-story towers and a row of townhouses containing 650 rental apartments (between 33 and 65 of which would be affordable). These towers would be located above a podium that, due to the site's topography, would be terraced down the hillside to connect to North Broadway along the site's three frontages. 15,000 square feet of street level commercial uses and 13,000 square feet of office space would be included within these structures. A publicly-accessible staircase would run through the site to connect North Broadway and Overlook Terrace, and provide additional "street frontage" for commercial usage. Accessible rooftop terraces along the set-backed structures would be prevalent among the North Broadway frontages. A six story parking garage connecting to Overlook Terrace would provide 768 parking spaces for the site. One existing multifamily building located within the site, 23 Overlook Terrace, would be retained. Overlook Terrace would be augmented with two extensions to the north and south at the end of the street, functioning as a turn-around and providing an entrance to the parking garage.

This application will require site plan approvals for the development program, expected to consist of 13 components constructed over five phases. In addition, a series of zoning text and map amendments, and amendments to the Riverview Urban Renewal Area and the Getty Square Urban Renewal Area plans, are required. The City's Downtown Master Plan would also need to be amended. These proposed amendments generally relate to a requested increase in permitted heights and footprints for the buildings, as well as parking reductions and a rezoning of the properties within the North Broadway site from A to D-MX. The applicant is also requesting changes to the Designated Development Site regulations, and to remove references to the River Park Center development that was previously proposed for these sites in 2008.

We previously reviewed the draft scoping document and responded with a letter dated December 14, 2020. We have reviewed this DEIS under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comments:

### **1. Consistency with County Planning Board Policies.**

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.

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.

*a. Bicycle and pedestrian circulation.*

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.

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-separated 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 (transit access is discussed in more detail below).

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.

*b. Bee-Line bus service.*

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 get to this goal.

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 the County's [Bus Stop Planning, Design and Placement Guidelines](#).

*c. Infrastructure upgrades.*

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 large-scale 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.

## **2. Affirmatively furthering fair housing (AFFH).**

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.

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.

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 Provisions](#) 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.

## **3. Building height and width.**

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 72<sup>nd</sup> 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.

## **4. Historical assets.**

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.

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.

## **5. County sewer impacts.**

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.

## **6. Stormwater management.**

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.

We also 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.

## **7. Green building technology.**

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.

We also recommend that the DEIS include recommendations for electric vehicle charging stations within the garages.

**8. Universal design.**

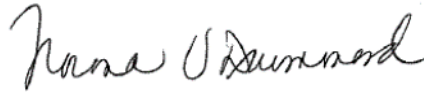
We commend the applicant for discussing universal design within the DEIS, and encourage the City to continue to promote universal design standards that allow all residents and visitors to fully engage in our public spaces.

Please inform us of the City's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

By:

A handwritten signature in black ink, appearing to read "Norma V. Drummond".

Norma V. Drummond  
Commissioner

NVD/MV



**VIA EMAIL**

April 28, 2022

Mr. Lee J. Ellman, AICP  
Planning Director  
**CITY OF YONKERS**  
87 Nepperhan Avenue, Suite 320  
Yonkers, NY 10701

**RE: AMS Yonkers Downtown Redevelopment- SEQRA DRAFT ENVIRONMENTAL  
IMPACT STATEMENT (DEIS)**

Dear Mr. Ellman:

Metro-North Commuter Railroad Company (Metro-North) is in receipt of the SEQRA DEIS for the above referenced proposal partially located along Metro-North's right-of-way and identified as being within ½ mile of Metro-North's Yonkers Station.

Metro-North works with local communities and developers to encourage mixed use development and Transit Oriented Development (TOD). Coordination with local communities who plan and implement mixed use and TODs benefits Metro-North, as the proximity of these projects to our service promotes environmentally sustainable development and increased rail ridership.

As adjacent landowner and transportation service provider, we look forward to continuing to review the SEQRA documentation and future plans being prepared for the above referenced proposal as well as any others that are in the Metro-North commuter shed within and adjacent to the City of Yonkers. Please continue to keep us apprised of other SEQRA related activities and site plan reviews associated with this proposal. Metro-North welcomes the opportunity to work with the City to ensure the proposal is weaved into the Yonkers Station area.

The well-being of a development depends on good accessibility to transit. As described in the received documentation, this ambitious proposal outlines the potential for two towers with a total building height of 435 feet adjacent to our Hudson Line (south of Yonkers Station). Additionally, this proposal, as described would provide:

- Approximately 3,556 residential units (906 of which will be adjacent to the Hudson Line south of Yonkers Station)
- Approximately 102,000 sf of retail space (15,000 adjacent to the Hudson Line south of Yonkers Station)
- Approximately 3,906 new parking spaces (956 adjacent to the Hudson Line south of Yonkers Station)

Letter To L. Ellman  
April 28, 2022  
Page 2

Metro-North provided comments to the City of Yonkers regarding the DRAFT Scoping Document and EAF for the AMS proposal on December 21, 2020 which are attached for your convenience.

Please find Metro-North's comments on the AMS Proposal DEIS below:

Table S-7 – **Approvals** should be revised to include the "Light and Air Easement" that is required of the developer to obtain from the MTA for the Tuetonia Hall site.

Chapter 3: **Visual and Community Character**, Introduction and Summary of Findings:

*"The Proposed Project would cast new incremental shadows on a number of parks, plazas, sunlight-sensitive 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 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 historic resources, the ability of the public to appreciate their historic or architectural significance."*

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 Tuetonia Hall towers. Table S-21 (mitigation) on page S-84 does not indicate any potential shadow impacts to these resources.

Per our December 21, 2020 comments on the Scoping Document and EAF, kindly provide the data or shadow analysis/diagram specific to the Yonkers Station building and the Metro-North active right-of-way.

Chapter 5- **Geology, Soils and Topography** and Chapter 15- **Construction**

The description of the construction of the Tuetonia 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 Tuetonia 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 Tuetonia 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 Tuetonia Hall site.

#### Chapter 11—**Traffic and Transportation**

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.

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.

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.

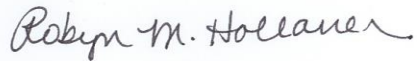
It is also unclear if any of the proposed "shared parking" as indicated in the EAF will be available for Metro-North customer parking. As indicated in the Metro-North letter dated December 21, 2020, Metro-North would be interested in understanding if any of these spaces would be available for AM peak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

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.

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April 28, 2022  
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Should you have any questions, or if you require any further information, please do not hesitate to contact me at 646-671-2907. Thank you for your consideration of these comments and we look forward to continuing to work together.

Sincerely,

A handwritten signature in dark ink, reading "Robyn M. Hollander". The signature is written in a cursive style with a horizontal line at the end.

Robyn M. Hollander, AICP  
Deputy Director, Station Area Planning and Transit Oriented Development



## Parks, Recreation, and Historic Preservation

KATHY HOCHUL  
Governor

ERIK KULLESEID  
Commissioner

April 1, 2022

Claudia Cooney  
Sr. Vice President  
AKRF, Inc.  
440 Park Avenue South  
7th floor  
New York, NY 10016

Re: DEC  
AMS Yonkers Downtown Redevelopment  
20PR07275

Dear Claudia Cooney:

Thank you for continuing to consult with the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

We 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.

If you have any questions, please feel free to reach out via email.

Sincerely,

A handwritten signature in cursive script that reads "Sara McIvor".

Sara McIvor  
Historic Preservation Technical Specialist  
E-mail: [sara.mcivor@parks.ny.gov](mailto:sara.mcivor@parks.ny.gov)

cc: T. Bigelow – OPRHP  
C. Vandreï - DEC

**From:** Zachary Nersinger <>  
**Sent:** Wednesday, May 18, 2022 3:04 PM  
**Subject:** AMS DEIS Comments, Yonkers Traffic Engineering

Mark, Nina & Peter.

Attached for your review are three (3) PDFs containing a summary comments for Chapters 11 and 15, and Appendix L-6 of the DEIS from the Yonkers Traffic Engineering department regarding the DEIS for the AMS Yonkers Downtown Redevelopment project.

A copy of these comments will also be provided to the Planning Board for its review.

Please contact us with any questions.

Regards,

--

**Zachary J. Nersinger**

**Director, Planning Bureau**

City of Yonkers Department of Planning & Development

1 The Applicant would prepare a detailed Construction Management Plan (“CMP”) for City approval, which would establish construction management protocols and measures to mitigate potential adverse impacts. Although there may be adverse impacts associated with construction activities, they will be temporary in nature and minimized with control measures and are therefore not expected to be significant.

The Proposed Project would include certain off-site improvements, including public water and sewer extensions and replacements. These improvements would be coordinated with the City Engineering Department and the Westchester County Department of Health (WCDOH). Appropriate road closure and street opening permits would be obtained. There would be minimal disruption of service when reconnecting property owner connections to the new water mains.

A New York State Department of Environmental Conservation (NYSDEC) General Permit for Stormwater Discharges from a Construction Activity (GP-0-20-001) would be required for each Project Site. The permit would require preparation of a stormwater pollution prevention plan (SWPPP) for each Project Site (see also Chapter 9, “Stormwater Management”). The Proposed Project would incorporate measures to protect the existing Saw Mill River culvert and daylighted area within the area of disturbance of the Proposed Project. A structural evaluation of the existing culvert, which is located within the footprint of proposed Chicken Island Building 4, would be conducted to determine any necessary modifications, repairs, or replacement.

## **B. OVERVIEW OF CONSTRUCTION ACTIVITIES**

Construction of the Proposed Project would require at least the following equipment: excavators, bulldozers, backhoes, grader, dump trucks, cranes, and hoists. Material loading and unloading would occur in designated on-site staging areas, typically adjacent to the area of construction. The staging areas would be screened by a berm or construction fencing with screens to prevent headlights from shining into neighboring properties. Sidewalk closings and pedestrian diversions would be implemented as needed throughout all phases of construction.

The Proposed Project is anticipated to be constructed in five phases that would occur over 10 years; each of the five phases would have roughly seven subphases of activity, as described in this chapter.

### **B.1. CONSTRUCTION PHASING**

Phase 1 would involve construction activities on the Teutonia Site and Chicken Island Site and is anticipated to have an overall duration of 38 months. Phase 2 would involve construction activities on the North Broadway Site and is anticipated to have an overall duration of 33 months. Phase 3 would involve construction activities on the North Broadway Site and Teutonia Site with an overall duration of 41 months. Phases 4 and 5 would both involve construction activities on the Chicken Island Site and are anticipated to have overall durations of 35 months and 33 months, respectively.

The five principal phases of the Proposed Project are summarized in **Table 15-1**.

# Summary of Comments on Chapter 15 Construction, AMS DEIS, DMicka Comments.pdf

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Author: DMicka

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Number: 1      Page: 2      Subject: Highlight      Date: 5/18/2022 9:17:55 AM

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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.

Interior construction would then conclude with painting, interior finishes, cabinetry, and installation of electrical and plumbing fixtures and appliances.

Subphase 6 would require a workforce of between 300 and 350 persons.

*B.2.g. Subphase 7 – Site Work, Landscaping, and Occupancy*

Completion of the building interior during Subphase 6 would occur simultaneously with portions of Subphase 7 activities, including landscaping, paving, and site lighting. Subphase 7 would also involve completion of the rooftop and the surrounding landscape. Subphase 7 would conclude with building commissioning and occupancy.

Subphase 7 would require a workforce of between 30 and 50 persons.

## C. POTENTIAL CONSTRUCTION IMPACTS

This section describes the Proposed Project's potential construction related impacts with regard to sediment and erosion control, traffic, air quality, noise and vibration, blasting and subsurface investigations, stormwater, and infrastructure and utilities.

### C.1. TRAFFIC AND TRANSPORTATION

Construction of the Proposed Project would create daily construction-related traffic to and from the Project Sites. Construction-related traffic would include material delivery, construction vehicles transported to and from the Project Sites, material and waste disposal (excess material, packaging, scrap materials, dewatering fluids, etc.), disposal of excess excavated soil, and potentially contractor shuttle busses. The number of vehicles and type of construction-related traffic would vary considerably, depending on the subphase of construction.

The maximum number of workers on-site would be approximately 2,190 and would occur over a relatively brief, three-week period when Phases 2 and 3 overlap during construction month 49 (see **Figure 15-1**). However, the maximum number of on-site workers would be approximately 1,600 or more for durations of at least two to three months in multiple years throughout the 10-year construction period. This would occur for a 3.5-month period during Phases 1 and 2 between construction months 24 and 27, for a 4.5-month period during Phases 2 and 3 between construction months 45 and 50, and for a 2-month period during Phase 5 between construction months 93 and 95. It is important to note, however, that as the site plans for the Proposed Project are finalized and specific construction plans for each Project Site advanced, the Applicant would refine the phasing and staging schedule to "smooth out" short-duration variations in the number of construction workers so that potential impacts to traffic and transportation are also reduced.

Estimates of the minimum and maximum number of workers on-site simultaneously during each year is shown in **Table 15-2**.

<sup>1</sup> construction traffic routing plan would be finalized in consultation with the City Engineering Department, Traffic Engineering Division. To limit impacts to the roadway levels of service in the vicinity of each Project Site, deliveries of construction material would be scheduled to avoid peak hour traffic periods to the maximum extent practicable.



This 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

Every effort would be made to ensure public access on streets adjacent to the Project Sites. The Applicant would maintain these adjacent streets during construction.

**Table 15-2  
Construction Workers by Year**

Year	Phase(s)	Minimum Manpower	Maximum Manpower
1	1	6	608
2	1	138	1,650
3	1,2	528	1,978
4	1,2,3	766	2,019
5	2,3	1,120	2,190
6	3,4	790	1,350
7	3,4	330	1,360
8	4,5	16	1,421
9	5	848	2,018
10	5	8	1,518

**Source:** Manpower estimates provided by Hudson Meridian on June 15, 2021.

The Applicant would prohibit<sup>1</sup> 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. The Applicant would accommodate construction worker parking in several ways, depending on the construction phases. At the outset of construction, the Applicant would utilize the New School Street Parcel and the southern portion of the Palisade Avenue Parcel for construction worker parking. Workers at the Chicken Island Site would walk to work, while workers at the Teutonia Site and North Broadway Site would be shuttled to the Sites. Parking on both parcels would be by valet to maximize the number of spaces. The<sup>2</sup> New School Street Parcel could accommodate 100 vehicles, while the southern portion of the Palisade Avenue Parcel could accommodate 492 vehicles. After Chicken Island Stage 1 construction is complete (with the construction of the new Centre Street and the temporary retail building), the Palisade Avenue Parcel could accommodate 315 vehicles. To supplement this surface parking, the Applicant would utilize the new structured parking garages on a Project Site to accommodate parking for construction workers at that Project Site (and potentially on at the other Project Sites), while the balance of the building (e.g., the residential tower) is constructed and fitted out. As the largest number of construction workers would be present on each Project Site after the parking structure is complete and the balance of the building is being constructed, garage parking would be available to meet peak parking demand. Finally, the<sup>3</sup> 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, pursuant to the CMP. The City would condition approval of temporary satellite parking on reasonable conditions required to assure adequate traffic operation and safety. The need for, and size of, the satellite lots would be vary during the approximately ten-year build out.

The potential construction worker and shuttle bus trips would have minimal impact on traffic surrounding the Project Sites, as the number of shuttle trips would be well below number of vehicular trips generated by operation of the Proposed Project<sup>4</sup> (see Section F.2 of Chapter 11, "Traffic and Transportation").



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We disagree with this assumption and feel that only a small percent of workers will use public transportation.



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



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Where are these satellite locations?



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Section F.2 does not analyze or quantify construction related traffic; nor does it discuss any intermediate mitigation related to construction traffic

*C.1.a. Teutonia Project*

Construction-related traffic would arrive and depart from Buena Vista Avenue, which is the only street that provides public access to the Teutonia Site. A construction entrance would be installed along Buena Vista Avenue and large construction trucks would be <sup>1</sup>directed to use Buena Vista Avenue for staging.

Construction traffic would be coordinated with child drop-off and pickup at the adjacent Queen's Daughter's Daycare, located immediately south of the Site. If practical, material or large equipment deliveries would be scheduled between 9:00 AM and 3:00 PM to avoid conflicts with drop-off and pickup times at the facility. If material deliveries or large construction equipment deliveries would be necessary between the hours of 7:00 AM and 9:00 AM or 3:00 PM and 5:00 PM, then a flagman would be used near the intersection of Buena Vista Avenue and Prospect Street at the front of the facility. It is not anticipated that the construction in front of the facility would result in intersection closure, but a flagman would assist in moving traffic through the intersection in an efficient manner.


<sup>2</sup>Police may be required on a short-term basis during any required street closures of Buena Vista Avenue. Street closures would occur during utility street work and/or certain crane operations, if any. Although the number of closures due to crane operations cannot be estimated at this time, it is anticipated that approximately 12 temporary street closures would occur for utility street work. Traffic would be rerouted with detour signs, placed in consultation with the City Traffic Engineering Division. Buena Vista Avenue would only be closed for the delivery of large building material, such as steel or the arrival and staging of large construction equipment, such as a construction crane. Any request for police assistance would be scheduled in advance in accordance with City policy.

After excavation and grading activities are completed, the greatest number of construction vehicle trips (approximately 15 to 20 per day) would be expected to occur at the beginning of each individual construction phase when building materials would be transported to the Site.

Approximately 1,477 truck trips would be required to remove the approximately 22,150 cubic yards of material from the Teutonia Site, based on 15 cubic yards per truck. These truck trips would be spread out over two construction phases, over several years, limiting the traffic impact to the surrounding area. As currently anticipated, excavation for Building 1 would occur over a period of approximately four months during Phase 1 in construction year one whereas excavation for Building 2 would occur over a period of approximately seven months during Phase 3 in construction year four. Removal of excavated material would typically result in up to 25 truck trips per day.

*C.1.b. Chicken Island Project*

Construction-related traffic would arrive and depart from John Street and the Project Site entrance along Nepperhan Avenue (i.e., the extension of Henry Herz Street) as the street provides the only public access to the Chicken Island Site. A construction entrance would be installed along John Street and Ann Street. Large construction trucks would be directed to use New School Street for access.

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

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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 keepinf Buena Vista open. If not, we need to develop the required plans for a permanent closure during construction.

**C.1.c. North Broadway Project**

**1**he majority of construction-related traffic for the North Broadway Project would arrive and depart from Locust Hill Avenue. Some construction-related traffic would arrive and depart from North Broadway for construction activities on the North Broadway-fronting lots. A construction entrance would be installed along North Broadway, Overlook Terrace, and Baldwin Place. The entrances on Overlook Terrace and Baldwin Place would be accessed via Locust Hill Avenue. Large construction trucks would be directed to use North Broadway and Locust Hill Avenue for access and/or staging, earth export, and material deliveries.

Construction traffic would be coordinated with the existing storefronts along North Broadway to the west of the North Broadway Site. If practical, material, or large equipment deliveries would be scheduled between 9:00 AM and 3:00 PM to avoid conflicts with peak parking times and potential delivery hours to nearby businesses. If material deliveries or construction traffic would be necessary between the hours of 7:00 AM and 9:00 AM or 3:00 PM and 5:00 PM, then a flagman would be used at the roadways surrounding the Site. It is not anticipated that the construction within the Site would result in intersection closure, but a flagman would assist in moving traffic through any intersection in an efficient manner.

Police may be required on a short-term basis during any required street closures of the surrounding roadways, particularly North Broadway and Locust Hill Avenue. Traffic would be rerouted with detour signs, placed in consultation with the City Traffic Engineering Division. **2**he surrounding roadways listed above would only be closed for the delivery of large building material, such as steel or the arrival and staging of large construction equipment, such as a construction crane. Any request for police assistance would be scheduled in advance in accordance with City policy.

After the excavation and grading activities are completed, the greatest number of construction vehicle trips would be expected to occur at the beginning of each individual construction phase when building materials would be transported to the Site.

Approximately 2,400 truck trips would be required to remove the approximately 36,000 cubic yards of material from the North Broadway Site, based on 15 cubic yards per truck. These truck trips would be spread out over multiple construction phases over several years. As currently anticipated, excavation for "Building 1" would occur over a period of approximately five months during Phase 2 in construction years two and three whereas excavation for the remainder of the North Broadway work would occur over a period of approximately five months during Phases 2 and 3 in construction year four. Removal of excavated material would typically result in up to 25 truck trips per day.

**C.2. AIR QUALITY**

Construction of the Proposed Project requires the use of both non-road construction equipment and on-road vehicles. Non-road construction equipment includes equipment operating on-site such as cranes, loaders, and excavators. On-road vehicles include construction delivery trucks, dump trucks, and potentially, contractor shuttle buses

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Again, 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?

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Again, we feel that this will end up being more often then 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 Lucust Hill towards Ashburton Ave.

*C.4.c. North Broadway Site*

Based on the “Preliminary Geotechnical Letter Report,” prepared by Geotechnical Engineering Services, P.C. and dated April 22, 2019 (see **Appendix G-6**), bedrock was found as shallow as 4 to 25 feet below ground surface elevations. As the topography of the Site is heavily sloped, rock outcroppings may be encountered within the areas of excavation. As such, a further investigation and evaluation of existing rock within the North Broadway Site would be performed to enhance foundation recommendations for the North Broadway Project. Rock removal techniques including chipping and/or blasting may be employed utilizing mitigating measures and vibration monitoring. Blasting would be subject to the City Blasting Regulations. If needed, these activities would occur during Phases 2 and 3.

**C.5. CONSTRUCTION MANAGEMENT PROTOCOL**

Adverse impacts from construction of the Proposed Project would be avoided and minimized through the implementation of a detailed CMP prepared for each Project Site. The CMP would be prepared by the Applicant and would be approved as part of the first application for site plan approval and be made a condition thereof. The City would, therefore, be able to enforce the provisions of the CMP throughout the construction process across all three Project Sites. It is anticipated that the City would enforce compliance with the CMP through their inspection activities, which would be funded through permit fees paid by the Applicant. The CMP would provide for implementation of the SWPPP and SESC Plan for each Project Site during each phase of construction, as well as the measures to avoid impacts to traffic, air quality, noise and vibration, and blasting and subsurface investigations.

At a minimum, the CMP would include the following protocols:

- **Hours of Operation**—Construction activities would occur between 8:00 AM–6:00 PM on weekdays, in accordance with Section 66-4.F of the City Noise Code or otherwise permitted by a noise variance as described above in Section C.3. The typical work week would be from 8:00 AM to 6:00 PM on weekdays.
- **Deliveries**—Loading or unloading of vehicles would occur only between 8:00 AM–6:00 PM, which would be in compliance with Section 66-4.D of the City Noise Code. Loading, unloading, opening, closing, or other handling of boxes, crates, etc. between the hours of 10:00 PM and 7:00 AM when the sound creates a noise disturbance across from a residential property line is prohibited. When practical, material or large equipment deliveries would be scheduled between 9:00 AM and 3:00 PM. Deliveries to the Project Sites would utilize the Teutonia Site’s entrance on Buena Vista Avenue, the Chicken Island Site’s entrances on John Street, Palisade Avenue, and Nepperhan Avenue, Ann Street, and New School Street (depending on the phase of construction), and the North Broadway Site’s entrances on North Broadway and on Baldwin Place and Overlook Terrace, which are accessed via Locust Hill Avenue. The majority of construction material for the North Broadway Site would arrive via Locust Hill Avenue, either via Palisade Avenue or Ashburton Avenue.
- **Parking**—It is anticipated that the majority of the construction workers would utilize mass transit. Construction worker parking would be provided on the Chicken Island Site, south John Street and east of New School Street. This parking would serve all



This will not be the case. You are seriously overestimating the number of workers driving to the sites

## This Memo

This memo provides a summary of findings for the following aspects of parking-demand projection, and optimal parking supply ratios/measures for the above-described properties:

- Residential Parking Demand – Measures of peak per-unit ratios of parking demand generation, based on industry standard measures, peak-demand measures from comparable developments, and per-unit zoning-code parking requirement ratios defined for comparable development contexts
- Shared Parking Demand – Time of Day projections of parking demand for all proposed uses, to identify the peak parking supply needs for the full project – and specifically if the non-residential parking needs will require supply beyond what is provided to meet peak residential parking demand.

## Residential Parking Demand

### Potential Per-Unit Demand-Generation Ratios

#### Industry Standard Published Measures

The *Parking Generation Manual* published by the Institute for Transportation Engineers provides a comprehensive set parking-generation ratios specific to common land use categories. These ratios are a common source for parking demand and supply calculations, including those used to establish minimum parking requirements within zoning codes. The ITE Land Use Category most appropriate for the residential components of proposed developments is **1 Multifamily Housing Mid-Rise (221)**. The ITE development context most appropriate for all three proposed sites is “Dense Multi-Use Urban” to reflect the walkable, urban, and transit-served location of each site.

Figure 3 Industry-Standard Sourced Parking-Generation Rates

Proposed Land Use	ITE Land Use Category	Dense Multi-Use Urban Ratio
Residential Dwelling Units	Multifamily Housing Mid-Rise (221)	0.71/Dwelling Unit

#### Measures from Comparable Westchester County Properties

Occupancy counts completed during overnight counts at the Hudson Park development provide a useful source of local demand-generation data for residential units that are comparable to the proposed development, in terms of type of units offered, resident tenant markets, and location within the walkable urban context of central Yonkers, including comparable proximity to the main Yonker train station. The table below provides a summary of counts from **2 2008 and 2012**.

The table below presents parking demand findings the Hudson Park development, as provided by the City’s transportation consultant BFJ Planning. Data is included from set of overnight counts completed in 2008 and 2012.

# Summary of Comments on Chapter 11, Appendix L-6\_Shared Parking Analysis, AMS DEIS, DMicka Comments.pdf

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Author: DMicka

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Explain why this is the most appropriate



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This data is old

## Parking Analysis Summary

AMS Acquisitions Yonkers Master Plan

**Figure 4 Past Parking Generation Measures from the Hudson Park Development**

Hudson Park Buildings	Residential Units	Peak (3 am) Occupancy	Peak Occupancy/Unit
The North River - C (2012)	294	266	0.90
The Phoenix – E (2012)	126	126	1.00
The Clermont - F (2012)	140	111	0.79
<b>Hudson Park – North (2012)</b>	<b>560</b>	<b>503</b>	<b>0.90</b>
The Phoenix - E (2008)	126	114	0.90
The Clermont - F (2008)	140	109	0.78
<b>Hudson Park – South (2008)</b>	<b>266</b>	<b>223</b>	<b>0.84</b>

As shown, an initial demand-generation rate of 0.84 occupied spaces per residential unit in 2008 rose slightly to 0.9 occupied spaces per unit in 2012. To address any potential changes that might affect this ratio, including the impact of COVID-19 on the vehicle ownership rates among those living in these types of development, the Hudson Park counts were updated, and two additional comparable developments were surveyed <sup>1</sup> create a new set of demand-generation ratios.

Findings from all properties are summarized in the table below. To err on the side of fully capturing peak resident demand, the measures in this table represent the number of resident permits issued, rather than an overnight count. This is likely the reason that the estimated peak occupancy levels identified for Hudson Park increased significantly compared to overnight occupancy counts in past years. Despite this, with the inclusion of the additional properties, the average peak demand per unit is just 0.95 occupied spaces per unit.

**Figure 5 Peak Overnight Parking Generation Measures from Comparable Developments**

Properties	Residential Units	Peak Demand Measure	Occupancy/Unit
360 Huguenot, New Rochelle	280	185	0.66
Sawyer Place, Yonkers	438	262	0.60
Hudson Park South	266	426	<sup>2</sup> 0.60
Hudson Park North	560	592	<sup>4</sup> 0.66 <sup>3</sup>
<b>Combined</b>	<b>1,544</b>	<b>1,465</b>	<b>0.95</b>

## Parking-Requirement Ratio Case Studies

Another means of projecting parking needs for new residential dwelling units is to survey parking requirements established specifically to reflect the relationship between such units and parking demand in comparable development contexts. Following is a brief survey of such requirements, as established in municipal zoning codes for districts that encourage transit-oriented development in a local and regional context that combines both urban and suburban mobility patterns.

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

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These ratios 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?

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## Parking Standards in Growth Districts<sup>1</sup>

In several of the city's more densely developed, mixed-use, and multimodal zoning districts (CAC-2, TOD-UC, TOD-NC, TOD-CC, TOD-TR, RAC, UC, UE), many of which do not have rail transit, the following parking standards apply:

- Minimum Requirement: 1 space per dwelling unit
- Maximum Parking: 1 space per bedroom

## Public Parking Credit

In all districts, public parking facilities located within 1,000 feet walking distance of the development site may be credited toward the minimum parking requirement at a rate of one space for every five public parking spaces. Public parking facilities must be owned or operated by a government agency or municipal service district, or developed as a public-private partnership, but do not include "park and ride" facilities for public transit.

## San Antonio, TX<sup>2</sup>

### Parking Standards for Transit-Proximate Sites

- No parking requirements for projects within 500 feet of public transit stops
- Parking requirements are halved for projects within ¼-mile of public transit stops
- Parking requirements are reduced by 25% for projects located between 1/4-mile and ½-mile of public transit stops

The City establishes TODs via "Special Districts" overlaid onto existing districts to encourage mixed-use development around public transit stops. Properties within a quarter-mile of public transit stops are zoned as "TOD-C," and those between a quarter and a half-mile are labeled "TOD-P." Properties in TOD-P districts are required to provide only 75 percent of the minimum parking requirements for the underlying district. Properties within TOD-C districts need provide no more than 50 percent of the same minimum parking requirement. Properties that are within 500 feet of a transit stop have no parking requirements.

## Redmond, WA

### Parking Standards Based on Demonstrated Demand

The City of Redmond used reduced parking requirements to incentivize TOD around the Redmond **3 Downtown Transit Center**. Beginning in 1993, Redmond reduced parking requirements around the Transit Center from an average of two spaces per unit to 1.25 spaces alongside a corresponding increase in the allowed density of development. This allowed developers to build a greater mix of uses and increase residential density near the Transit Center. **Following the success of this policy, in 2013 parking requirements were further reduced to 0.94 spaces per unit.** The success of Redmond's TOD inspired further mixed-use development in downtown Redmond. As of 2015,

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<sup>1</sup> <https://charlotteudo.org/>

<sup>2</sup> <https://perma.cc/Q5ZR-NGT6>



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The City of Charlotte has an advanced light rail system in all directions; not exactly similar to Yonkers at all.



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Again, Yonkers does not have a transit center and Redmond's is a future link to a light rail system

**Parking Analysis Summary**  
AMS Acquisitions Yonkers Master Plan

residential units in the TOD were almost fully leased. This success was only possible due to the City's decision to lower parking requirements to a level that enabled effective TOD.

## **Proposed Per-Unit Demand-Generation Ratio**

<sup>1</sup>Based on the above findings, a projected supply-need ratio of 1 space per residential dwelling developed is proposed. Such a ratio would comfortably exceed demand projected by the most suitable ITE standard ratio, while reflecting most available data on parking-generation rates among comparable Yonkers/Westchester developments. It also aligns well with the zoning code requirements profiled above.



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

Figure 8 Industry Standard Sourced Parking-Generation Rates

Proposed Land Use	Modeled Demand-Generation Ratio
Residential Dwelling Units	1/Dwelling Unit
Commercial/Retail	4/1000 GSF
Office	2.39/1000 GSF

## Shared-Parking Model Demand Projections

The land use measures and parking-generation ratios presented in the table above were entered into a shared-parking model which was provided by BFJ Planning. This model uses “percent of peak” projections to estimate parking demand, based on peak measures, for five distinct weekday time periods:

1. Mid-Morning (10am–11am)
  - Residential demand is 45% of peak
  - Retail demand is 70% of peak
  - Office is 100% of peak
2. Early Afternoon (12pm–2pm)
  - Residential demand is 45% of peak
  - Retail demand is 75% of peak
  - Office is 90% of peak
3. Late Afternoon (3pm–4pm)
  - Residential demand is 70% of peak
  - Retail demand is 80% of peak
  - 1 Office is 10% of peak 2
4. Evening (7pm–8pm)
  - Residential demand is 65% of peak
  - Retail demand is 70% of peak
  - 3 Office is 100% of peak 4
5. Overnight (11pm–6am)
  - Residential demand is 100% of peak
  - Retail demand is 0% of peak
  - Office is 5% of peak
6. Saturday Midday (12-2PM)
  - Residential demand is 60% of peak
  - Retail demand is 100% of peak
  - Office is 20% of peak
  -

The resulting projections are summarized below.



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This is incorrect, should be much higher



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This is incorrect, should be lower

## AMS Yonkers Downtown Development

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- Nepperhan Avenue and Elm Street
- Walnut Street and Yonkers Avenue
- Prescott Street and Yonkers Avenue
- Ashburton Avenue and Yonkers Avenue

Additionally, the following three locations have are identified as high injury or fatality locations (excluding high crash locations):

- Fox Terrace / Wasylenko Lane and Yonkers Avenue
- Midland Avenue (East) and Yonkers Avenue
- Oak Street and Yonkers Avenue

The high crash, high injury, and fatality locations are discussed in detail in this section, including a summary of crash types, severity, and trends that could be addressed with safety improvement measures.

### D.1.a. **1** Riverdale Avenue and Prospect Street

As shown in **Table 11-6**, during the three-year period, 55 crashes occurred at the Riverdale Avenue and Prospect Street intersection, resulting in 43 injuries including three serious injuries.

As shown in **Table 11-7**, the predominant crash type at the intersection is a rear end collision with pedestrian crashes secondary. In addition, dark-road lighted conditions (20 percent of the total crashes) and wet road surface conditions (25 percent of total crashes) were common contributing environmental conditions. Sixty-nine percent of the crashes at the intersection were attributed to driver error.

**Table 11-7**  
**Riverdale Avenue and Prospect Street Crash Types**

Crash Type	Number	Percentage
Rear End	12	22%
Right Turn	7	13%
Left Turn	8	15%
Sideswipe	1	2%
Right Angle	4	7%
Overtaking	8	15%
Fixed Object	0	0%
Head On	0	0%
Pedestrian	9	16%
Bicycle	3	5%
Other/Unknown	3	5%
<b>Total</b>	<b>55</b>	<b>-</b>

**Source:** NYSDOT, February 1, 2017 through January 31, 2020 crash data.

### D.1.a.i **2** Potential Safety Improvements


- Install yellow retroreflective signal backplates to improve signal visibility
- Add leading pedestrian intervals for pedestrian crossings

# Summary of Comments on Chapter 11, Traffic and Transportation, AMS DEIS, DMicka Comments.pdf

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Author: DMicka

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This 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.

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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.

- Install lane line extensions through the intersection to delineate space for left turning vehicles
- Improve roadway lighting at the intersection

D.1.b. **1 South Broadway and Nepperhan Avenue**

As shown in **Table 11-6**, during the three-year period, 18 crashes occurred at the South Broadway and Nepperhan Avenue intersection, resulting in 15 injuries including two serious injuries.

As shown in **Table 11-8**, the predominant crash type at the intersection is a pedestrian collision with rear end and left turn crashes secondary. In addition, dark-road lighted conditions (17 percent of the total crashes) and wet road surface conditions (17 percent of total crashes) were common contributing environmental conditions. Fifty percent of the crashes at the intersection were attributed to driver error.

**Table 11-8**  
**South Broadway and Nepperhan Avenue Crash Types**

Crash Type	Number	Percentage
Rear End	4	22%
Right Turn	0	0%
Left Turn	4	22%
Sideswipe	0	0%
Right Angle	0	0%
Overtaking	3	17%
Fixed Object	0	0%
Head On	0	0%
Pedestrian	5	28%
Bicycle	0	0%
Other/Unknown	2	11%
<b>Total</b>	<b>18</b>	<b>-</b>

**Source:** NYSDOT, February 1, 2017 through January 31, 2020 crash data.




D.1.b.i *Potential Safety Improvements*

- Add leading pedestrian intervals for pedestrian crossings
- Install left turn flashing yellow arrow signals for permitted left turns with supplemental traffic signs with text “Left Turn Yield on Flashing Yellow Arrow”
- Install lane line extensions through the intersection to delineate space for left turning vehicles
- Install yellow retroreflective signal backplates to improve signal visibility
- Improve roadway lighting at the intersection


D.1.c. *New Main Street and Nepperhan Avenue*

As shown in **Table 11-6**, during the three-year period, 23 crashes occurred at the New Main Street and Nepperhan Avenue intersection, resulting in 21 injuries including one serious injury.

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This intersection would also 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.

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

## F.5. PARKING CONDITIONS

### F.5.a. Proposed Amendments to Parking Requirements and Parking Supply

The Applicant proposes the following amendments to the parking requirements of the Zoning Ordinance:

- **1** 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 mile (from one per unit within 0.25 mile of a train station and 1 per unit plus 0.33 per bedroom beyond 0.25 mile)

It is noted that the Teutonia and North Broadway Sites are within ¼ mile of the Yonkers Train Station and thus are currently subject to the 1 space per unit apartment parking requirement. The proposed Zoning Amendments would allow attended or valet parking to satisfy the minimum off-street parking requirements.

The Project’s proposed residential parking rates are similar to those applied in urban environments in Westchester County. **Table 11-24** compares the Project’s proposed parking requirements with those in the City of New Rochelle and the City of White Plains, both of which include developments within a ½-mile of a MNR train station.

**Table 11-24**  
**Parking Requirement Comparison**

Land Use	Proposed Amended Rates	City of New Rochelle <sup>1</sup>	City of White Plains <sup>1</sup>
Residential	1 space/unit <sup>2</sup>	1 space/unit	1 space/unit
Retail / Commercial	1 space per 300 sf	1 space per 400 sf	1.65 spaces per 500 sf
Office	1 space per 500 sf	1 space per 500 sf	1 space per 500 sf
<b>Notes:</b> sf = square feet <sup>1</sup> Within the Central Parking Area. Allows payments in lieu of providing off-street parking <sup>2</sup> Expanded from ¼-mile to ½-mile of train station			


The proposed one parking space per dwelling unit is also supported by recent parking trends at similar developments located near train stations in downtown environments. A residential parking demand study was conducted in November 2021 which compared the number of residential units to the overnight parking demand and residential parking permits issues at four locations:

- Sawyer Place (Yonkers, NY)
- Hudson Park South (Yonkers, NY)
- Hudson Park North (Yonkers, NY)
- 360 Huguenot Street (New Rochelle, NY)

**2** 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. **Appendix L-6** provides the detailed parking study which includes the surveyed locations and national trends.




**Tables 11-25, 11-26, and 11-27** present the parking that would be required and provided within the proposed amended rates for each of the three Project Sites. As shown, the parking supply, provided with a combination of self-park and valet


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This amendment to the Zoning Code will have a large affect on other areas City-wide that are within .5 mile from a train station... not just the Yonkers Train Station

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The parking study shows the following:

Occupied spaces per dwelling unit is on the rise and  
two of the four residential buildings studied had a ratio greater than one.  
How does this support your proposal?

parking operations, would exceed the proposed requirement at each Project Site with the exception of Chicken Island, which would have a **parking deficiency of approximately 87 parking spaces** once fully built. This parking shortfall would be offset by allowing shared parking between complimentary land uses (i.e., a parked residential vehicle leaving during the morning will free a parking space for an incoming retail or office vehicle). The parking study provided in **Appendix L-6** provides a shared parking analysis for Chicken Island.



**Table 11-25  
Chicken Island Site Parking Requirements**

Phase	Land Use	Size	Parking Spaces Required	Approx. Parking Supply Provided
Phase 1	Residential	650 units	650	903
	Retail	39 ksf	130	
	Office	17ksf	34	
	<b>Total</b>		<b>814</b>	
Phase 2	Residential	425 units	425	403
	Retail	10 ksf	33	
	Office	0 ksf	0	
	<b>Total</b>		<b>458</b>	
Phase 3	Residential	425 units	425	604
	Retail	6 ksf	20	
	Office	0 ksf	0	
	<b>Total</b>		<b>445</b>	
Phase 4	Residential	250 units	250	-
	Retail	10 ksf	33	
	Office	0 ksf	0	
	<b>Total</b>		<b>284</b>	
Phase 5	Residential	250 units	250	270
	Retail	5 ksf	17	
	Office	0 ksf	0	
	<b>Total</b>		<b>267</b>	
<b>Total</b>	<b>Residential</b>	<b>2,000 units</b>	<b>2,000</b>	<b>2,180</b>
	<b>Retail</b>	<b>70 ksf</b>	<b>233</b>	
	<b>Office</b>	<b>17 ksf</b>	<b>34</b>	
	<b>Total</b>		<b>2,267</b>	

**Table 11-26  
Teutonia Site Parking Requirements**

Phase	Land Use	Size	Parking Spaces Required	Approx. Parking Supply Provided
Phase 1	Residential	510 units	510	556
	Retail	5 ksf	17	
	<b>Total</b>		<b>527</b>	
Phase 2	Residential	396 units	396	400
	Retail	5 ksf	17	
	<b>Total</b>		<b>413</b>	
<b>Total</b>	<b>Residential</b>	<b>906 units</b>	<b>906</b>	<b>956</b>
	<b>Retail</b>	<b>10 ksf</b>	<b>34</b>	
	<b>Total</b>		<b>940</b>	





So the proposal does not even provide the sought after zoning change of a 1 to 1 ratio? Also, 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 this section.

Table 11-27

**North Broadway Site Parking Requirements**

Phase	Land Use	Size	Parking Spaces Required	Approx. Parking Supply Provided
Phase 1	Residential	300 units	300	
	Retail	15 ksf	50	
	Office	13 ksf	26	
	<b>Total</b>		<b>376</b>	
Phase 2	Residential	350 units	350	
	Retail	2 ksf	7	
	Office	8 ksf	16	
	<b>Total</b>		<b>373</b>	
<b>Total</b>	<b>Residential</b>	<b>650 units</b>	<b>650</b>	
	<b>Retail</b>	<b>17 ksf</b>	<b>57</b>	
	<b>Office</b>	<b>21 ksf</b>	<b>42</b>	
	<b>Total</b>		<b>749</b>	
				<b>750</b>

*F.5.b. Changes to Existing Parking Supply*

While all three Project Sites would provide off-street parking, existing off-street and/or on street parking facilities would be affected by the Chicken Island Project and North Broadway Project.

*F.5.b.i Chicken Island Site*


The 18 on-street parking spaces on Henry Herz Street would be removed; however, on-street parking facilities would be provided on the internal roadways.

In addition, the two existing, privately owned off-street surface lots would be eliminated. This includes the 287-parking space Getty Square lot and the 77-parking space Engine Place lot. It should be noted that the 2020 City of Yonkers Parking Needs Assessment identifies the City's preferred method of accommodating this displaced parking as construction of a new parking structure on the Cacace Justice Center site and relocation of City staff parking from the Government Center garage to the new garage, which would allow for the displaced Chicken Island Site parking to be accommodated in the Government Center garage (see **Appendix H-4**).

*F.5.b.ii North Broadway Site*

On-street parking along Overlook Terrace would be removed to facilitate vehicle access to the North Broadway Project parking garage. On-street parking would be removed on Baldwin Place to facilitate loading dock operations.

**F.6. 1 PEDESTRIAN AND BICYCLE CONDITIONS**

This section summarizes improvements to the pedestrian  and bicycle environment included as part of the Proposed Project.



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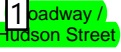

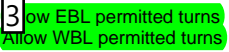
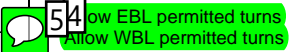
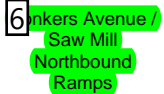

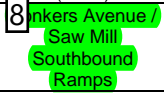



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All three sites should investigate how to connect via pedestrian/bicycle to the proposed Greenway thru the downtown.


Table 11-28 (cont'd)  
Proposed Mitigation Measures

Intersection		Weekday AM		Weekday PM		Saturday
Riverdale Avenue / Prospect Street	WBL	Add NBR 250-foot pocket Relocate EB bus stop to far side Relocate WB bus stop to far side Add NBR overlap phase Reduce Phase 1/2 by 3s Reduce Phase 5 by 1s Reduce Phase 6 by 5s Reduce Phase 7 by 2s Increase Phase 3 by 6s Increase Phase 8 by 8s	EBLTR WBL WBT	Add NBR 250-foot pocket Relocate EB bus stop to far side Relocate WB bus stop to far side Add NBR overlap phase Reduce Phase 1/2 by 4s Reduce Phase 5 by 3s Reduce Phase 6 by 5s Reduce Phase 7 by 4s Increase Phase 3 by 8s Increase Phase 8 by 4s	Not Impacted	N/A
 Broadway / Hudson Street	Not Impacted	N/A	 EBLR	Add EBR 75-foot pocket Relocate EB bus stop to Broadway/Main	Not Impacted	N/A
South Broadway / Prospect Street / Nepperhan Avenue	EBTR WBL SBL	Add NBR 200-foot pocket Relocate NB bus stop to far side Reduce Phase 3 by 3s Reduce Phase 5 by 3s Increase Phase 1 by 1s Increase Phase 2 by 2s Increase Phase 6 by 6s Adjust signal offset to 16s	WBL NBTR SBL	Add NBR 200-foot pocket Relocate NB bus stop to far side Reduce Phase 1 by 1s Reduce Phase 3 by 2s Reduce Phase 5 by 3s Increase Phase 2 by 3s Increase Phase 6 by 5s Adjust signal offset to 18s	EBTR	Add NBR 200-foot pocket Relocate NB bus stop to far side Reduce Phase 2 by 5s Increase Phase 1 by 5s
South Broadway / Vark Street / Park Hill Avenue	Not Impacted	N/A	NBLTR	Add NBR 50-foot pocket		
New Main Street / Nepperhan Avenue	Not Impacted	N/A	Not Impacted	N/A	WBL NBLTR	Add NBR 200-foot pocket Add NBR overlap phase Reduce Phase 2/6 by 2s Increase Phase 1/5 by 2s
Waverly Street / Nepperhan Avenue	NBLR	Signalize intersection	NBLR	Signalize intersection	NBLR	Signalize intersection
Nepperhan Avenue / Ashburton Avenue	EBL	 Low EBL permitted turns Allow WBL permitted turns	EBL	 Low EBL permitted turns Allow WBL permitted turns		
Nepperhan Avenue / Elm Street	EBL	Add WBR 50-foot pocket Add WBR overlap phase Reduce Phase 1 by 4s Increase Phase 2 by 4s	EBL NBTR	Add WBR 50-foot pocket Add WBR overlap phase Reduce Phase 1 by 4s Increase Phase 2 by 4s	EBL	Add WBR 50-foot pocket Add WBR overlap phase Reduce Phase 1 by 4s Increase Phase 2 by 4s
Walnut Street / Yonkers Avenue	Not Impacted	N/A	EBL	Reduce Phase 2/6 by 3s Increase Phase 1/5 by 3s		
 Yonkers Avenue / Saw Mill Northbound Ramps	EBL	Reduce Phase 2 by 4s Increase Phase 1 by 4s Adjust signal offset to 101s	EBL WBT	Reduce Phase 2 by 8s Reduce Phase 3 by 4s Increase Phase 1 by 12s Increase Phase 6 by 4s Adjust signal offset to 101s		
Yonkers Avenue / Midland Avenue (West)	SBL	Reduce Phase 2 by 3s Increase Phase 1 by 3s	Not Impacted	N/A		
 Yonkers Avenue / Saw Mill Southbound Ramps	SBR	Signalize intersection	SBR	Signalize intersection		
Yonkers Avenue / Cross County Parkway On-Ramp / Midland Avenue (East)	SBTR	Reduce Phase 1 by 5s Increase Phase 2 by 5s	Not Impacted	N/A		
Hawthorne Avenue / Prospect Street	Not Impacted	N/A	WBL	Signalize intersection	Not Impacted	N/A
Locust Hill Avenue / Ashburton Avenue	Not Impacted	N/A	NBLR	Unmitigated		


Notes: L = Left Turn, T = Through, R = Right Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound, N/A = Not Applicable, s = seconds

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It appears that this intersection should be signalized with 2032 with action.


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 Number: 5    Page: 41    Subject: Sticky Note    Date: 5/16/2022 2:18:01 PM  
Explain further, what does this mean?


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 Number: 7    Page: 41    Subject: Sticky Note    Date: 5/16/2022 2:02:34 PM  
The northbound exit ramp shall be analyzed for a second right turn lane


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 Number: 9    Page: 41    Subject: Sticky Note    Date: 5/16/2022 2:03:19 PM  
What about geometric improvements? Also 2 lanes on this exit ramp

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 Number: 10    Page: 41    Subject: Sticky Note    Date: 5/16/2022 2:00:04 PM  
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.



**Mayor Mike Spano**

**CITY OF YONKERS**

**Christopher Sapienza**  
Police Commissioner

**YONKERS POLICE DEPARTMENT**  
**Robert W. Cacace Justice Center**  
104 South Broadway  
Yonkers, NY 10701  
Tel. 914.377.7200

Thursday May 26th, 2022

Mr. Lee J. Ellman, AICP  
Deputy Commissioner  
Planning & Development  
87 Nepperhan Ave  
Yonkers, NY 10701

Dear Mr. Ellman,

In consideration of the AMS Downtown Development Proposal, my staff and I have reviewed the environmental impact statement that your office provided and have come to the conclusion that the proposed development would place a considerable strain on our 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.

Sincerely,

Joseph Monaco  
Acting Police Commissioner  
City of Yonkers Police Department  
104 S. Broadway  
Yonkers, NY 10701



## EXECUTIVE SUMMARY

1. 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.

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?

2. 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.
3. Page S-4, Section A.1.a.: 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.

## B.2. Project Description

4. Page S-8, Section B.2.a.: Teutonia
  - a. Sidewalk rehabilitation/reconstruction beyond the frontage of the project site recommended to support the needs of commuters to the train station.
  - b. 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.
5. Page S-9, Section B.2.a.: 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.?
  - a. 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 Locust Hill Ave?
  - b. Does the existing road width impact construction? Truck routes for earthwork and deliveries of project materials?
  - c. Where will workers park for the Teutonia site for the multiples stages of construction?
  - d. Conceptually, what local traffic detours will be required, and more importantly, approximately for how long for the various stages and phases?
6. 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.
7. Figure 1-15 – 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 show the Yonkers Fire Department Station on New School Street.

8. Table S-3: 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?
9. Figure 1-17: Update aerial base map to more current imagery.
  - a. Please apply the same to all applicable Figures with an aerial base map.
  - b. Review all maps for readable street name labels.
10. Page S-15, Section A.1.c.v.: 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?
11. Page S-17, Section B.2.c.: North Broadway Project:
  - a. Locust Hill Ave is notably steep from Palisade leading up to Overlook Terrace and continuing North. What physical roadway improvements are required to facility all incoming and outgoing traffic to this project site from Locust Hill Ave.
  - b. How do these conditions impact construction? Truck routes for earthwork and deliveries of project materials?
  - c. Where will workers park for the North Broadway site?
  - d. Conceptually, what local traffic detours will be required, and more importantly, approximately for how long for the various stages and phases?

### **B.3 Proposed Zoning Amendments**

12. Intro Paragraph: 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. 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?
13. Page S-21, Section A.1.e.: This section should clarify if the project proposes any amendments to parking requirements for retail/commercial and office uses. 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?
14. Page S-21, Section A.1.: Confirm if any changes to Downtown Loading Space ratios is proposed.

15. Page S-21/S-22, Section A.1.f.: 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.
16. Page S-22, Section A.1.f.: 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 require*", 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.
17. General comment: 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.
18. Page S-22, Section A.1.g.: Provide the reader with the current definition of a "Designated Development Site" under Section 43-8 of the Zoning Ordinance.
19. Page S-23, Section A.1.h.:
  - a. What other potential off-site impacts could be discussed other than parking when reviewing the Proposed Zoning Amendments? Pedestrian friendly designs, greenspace, etc.
20. Page S-23, Section A.1.h.: This comment is less about off-site impacts, but rather more directed towards on-site parking design alternatives to achieve zoning compliant parking. **Comment:** 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.
21. Page S-25, Section C. Purpose and Need: 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.

## SUMMARY OF IMPACTS AND MITIGATION

### E.2. Land Use, Zoning and Public Policy

22. Page S-27, Section E.2.a.: 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.

23. Page S-28, Section E.2.a.i.: As mentioned previously, 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 setback 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.
24. Page S-29, Section E.2.a.iii.: 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.
25. Page S-32, Section E.2.c.v.: Per the Westchester County Planning Board Response Letter, YON 22-002, dated April 18, 2022, there is a noted a 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.

### **E.3 Visual Community Character**

26. Page S-34 and S-35: In reviewing Chapter 3 of the DEIS, the associated figures, and the statements in the Executive Summary regarding potential visual and community character impacts, the applicant should address the following:
  - a. 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 Figure 3-9a & 3-9l.
  - b. 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.
  - c. 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.
  - d. If the proposed zoning amendments were applied to other sites substantial 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?
27. Page S-41, Section E.3.c.: 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.

**E.4 Cultural Resources**

28. Page S-41, Section E.4.a.: 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.
29. Page S-42, Section E.4.b.i.: 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.
30. Page S-44, Section E.4.b.iv.: 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?

**E.5 Geology, Soils, and Topography**

31. Page S-45, Section E.5.a.: 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.
32. Page S-46, Section E.5.b.: 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?
33. Page S-46, Section E.5.c.: 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.
34. General comment: 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?

**E.6 Socioeconomics, Fiscal Impacts, and Environmental Justice**

35. Page S-52, Section E.6.b.: 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?
36. Page 553, Section E.6.d.: 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.

**E.10 Energy Usage**

37. 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.

**E.11 Traffic and Transportation & E.15 Construction**

38. See Traffic Engineering comments provided on May 18, 2022, and the BFJ Planning Letter to the Planning Board dated April 27, 2022.

## Chapter 1 Project Description

## General Comments:

1. 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.
2. 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.
3. 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.
4. 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.

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.

Page 1-7 Putting Cromwell Towers that is an outlier from the 1970’s that may have been built via outside agency supra-zoning powers and the RXR development on Main Street into the same basket is inappropriate. RXR was a thoughtful concession to an existing stakeholder during a long community planning process while Cromwell Towers was, to the best of information, forced upon the city.

- The DM-X zone does not allow 100% lot coverage for residential uses.

Page 1-10 How much of the Teutonia Hall façade remains available, usable and where is it currently stored?

Page 1-15 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.

Page 1-19

1. The proposed stairway from North Broadway to the Locust Hill/Bell Place neighborhood is understandable from an architects 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.
2. Table 1-4 should contain an additional column showing parking required under existing zoning allowing the reader to compare the proposed actions request.

Page 1-21 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.

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.

Page 1-24

1. 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.
2. Is there any analysis of the requested changes to the retail parking ratios and impacts on downtown traffic and parking?
3. Is there a diagram showing Teutonia as two sites with 12,000 sq. ft. tower on each site?

Page 1-27 Stacker and attended parking. 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?

Page 1-30 Table 1-7 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?

## Chapter 2 Land Use, Zoning and Public Policy

## General Comments:

1. 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?

## Page 2-3

1. 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 the north the boundary of the site are the rear property lines of the lots facing New Main Street.

## Page 2.4

1. Nepperhan Avenue and Riverdale Avenue are more properly noted as urban renewal.
2. Industrial uses on School Street? Automotive and retail, there is a cinematographer’s studio, but to characterize School Street as industrial is incorrect.
3. B1.c – It is Locust Hill Avenue not Locust Avenue

## Page 2.5

1. 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.
2. Bell Place is a National Register Historic District and has not received local designation under the Yonkers Landmarks Preservation ordinance.
3. 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.
4. It is important to note that the “large government office building” is a low-rise building.

## Page 2-6

1. B.2 Future without the project – 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.

## Page 2-7

1. There are a number of updates for Table 2-1:
  - a. Avalon Bay is complete
  - b. GDC (2) has been reduced to 356 DU
  - c. Alma Realty is in construction

- d. Lionsgate Studios are largely complete at the iPark site; there are two new studios recently approved at a lot across the street on Warburton Avenue.
- e. Westhab II is complete
- f. Conifer is in construction
- g. St. Denis school is in construction
- h. 44 Hudson variances were granted
- i. Adira Rehab zone change was granted; site plans expected.
- j. Chicken Island Brewery site plan approval recently extended
- k. 70 Ashburton occupied
- l. 10 St. Casimir Avenue ZBA approvals granted.

## Page 2-8

1. How do “brick “grid” elements” work to reduce the actual width the two proposed towers take up in the visual plane?

## Page 2.9

1. 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.

## Page 2-10

1. The proposed public staircase to the bulk of the site is problematic in several ways. The dogleg design violates principles of defensible space, as a user cannot see from the beginning to the end of the staircase. Several similar stair streets, owned by the public, have been closed down in recent years because of safety and maintenance 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.
2. 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.
3. 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 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.

## Page 2-12

1. 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.

## Page 2-13

1. 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.

## Page 2-16

1. C.3 – 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.
2. It is not clear what the "greater design flexibility" is or what it accomplishes on the Chicken Island site.

## Page 2-17

1. 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.
2. C.3.a – 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.
3. 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.
4. 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.

## Page 2-18

1. C.3.b – 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?

## Page 2-20

1. C.3.d – 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.

## Page 2-21

1. 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.
2. 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.

## Page 2-22

1. 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.

## Page 2-27

1. 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.

## Page 2-8 Future with proposed project

1. 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.

## Page 2-10

1. 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?
2. 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.

## Pages 2-16 – 2-17

1. The applicant is proposing an approximate 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.

2. 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.

Page 2-16

1. Proposed amendments to Parking requirements: 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 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.
2. Proposed amendments to tower footprint size:
  - a. 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.
  - b. 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".

Page 2-20 Proposed Amendments to Designated Development sites: Please provide a project-based explanation of exactly what impacts/changes to the sites would occur with the proposed zoning amendment. Real world, site based explanation because the paragraph supplied does not explain what happens if the DD is put into use.

Page 2-21 Potential Off-Site impacts:

1. 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.

Page 2-24 Hudson River Valley Greenway...Strategic Plan: 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.

Page 2-26 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.

Page 2-30 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?

## Chapter 03 Visual and Community Character

Page 3-2 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.

## Page 3-61 Wind

1. Wind that exceeded safety categories is predicted at several important locations but there was only a brief discussion about how to mitigate these impacts or what issues the wind impacts would have.
  - a. 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?
  - b. 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 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.

## Chapter 4 Cultural Resources

## Archeological Resources

1. Page 4-10 Future with the site Teutonia Site: 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.
2. B.1 “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.
3. 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.
4. Page 4-11 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.
5. Page 4-11 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 Proctor Theater and the Trolley Barn.
6. Page 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.
7. Page 4-14 2<sup>nd</sup> full paragraph. 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.
8. Page 4-14 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.

## Chapter 5 Geology, Soils and Topography

Future with the project.

1. Page 5-7 - 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.
2. Various cites – 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.
3. Various cites – show proposed routes for excavated materials trucks leaving the three sites and highlight any sensitive buildings or land uses along these routes.

## Chapter 6 Socioeconomics &amp; Fiscal Impact

## Page 6-3 Indirect Residential Displacement:

1. Page 6-3 This section 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?
2. Page 6-5 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?
3. Page 6-5 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".
4. Fiscal impacts – Page 6-6
  - a. "Proposed project is estimated to generate approximately \$27 million more in tax revenue per year..." Is this a pre- or post-PILOT figure?
  - b. "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.
  - c. 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?

## Economic Benefits

- a) 1,400 jobs are estimated to be generated by the project. How many of these jobs are likely to accrue to Yonkers residents?
- b) 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?
- c) How was the 658 direct job number arrived at? What kinds of jobs are anticipated?
- d) How would the 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?

## Chapter 7 Public Services

Page 7-1 3<sup>rd</sup> Paragraph – Tax generation numbers are different here than on page 6-6 Fiscal Impact. Please justify the two values.

Page 7-2

1. 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.
2. Show on each site plan the areas considered “publically accessible open space”.
3. 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.

### Police

The DEIS does not discuss any potential impacts that may require police services during the construction phases of the project and before any tax increments may be available to fund increase in police services.

1. 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?
2. 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.
3. 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?

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?

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

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?

### Fire Protection

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.

**Emergency Medical Services**

Page 7-14

1. Are there estimates available for the number of EMS service calls likely for a large and continuous construction project such as the proposed action?
2. 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?
3. 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/>
4. Can the applicant provide their own rapid response coverage for medical issues related to their projects?

**Public Schools**

As with other Community Services the length of the construction period and the interaction of the three sites upon one another and the Getty Square neighborhood was not discussed in the DEIS.

1. Discuss impacts and mitigation of impacts upon Martin Luther King Academy due to excavation and construction traffic, noise and dust.
2. 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.

**Parks and Recreation**

1. 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.

**Solid Waste and Recycling**

1. 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?
2. 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.
3. 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.

## Chapter 15 Construction

## Construction worker parking and traffic –

- 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?

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.

- 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?

Page 15-2 in B – 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.

Page 15-3 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?

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?

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?

## C1a Teutonia –

- “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.
- BVA is a notably narrow street. Show how larger construction equipment will navigate turns into the site without blocking on-coming lanes of traffic.
- Will all parking on BVA need to be prohibited during construction?
- “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?

- Will crane operations be less of an impact to traffic if a tower crane is used? Is such being considered?
- “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;

C1b Same questions as above for the Teutonia Site.

C1c North Broadway site

- 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?
- In this section, and others, 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.
- In this and earlier sections, 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?

C2 Air quality impacts

- Fugitive dust production statements (page 15-10, 2<sup>nd</sup> 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.
- 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?
- Page 15-11, 1<sup>st</sup> paragraph. Consistent use of technical terms without explanation such as PM<sub>2.5</sub>. The DEIS should be readable by laypersons.

C3 Noise and Vibration

- 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?
- 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.

#### C5 Construction Management Protocols

- 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.
- Parking – 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.
- Explain how a Construction management plan sets aside site plan review under the Zoning Ordinance for newly created parking areas for ASR project workers?

#### C6b Chicken Island

- 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?
- Pumps for dewatering are mentioned. These “trash pumps” are usually gas powered and noisy. Can electric pumps be used to reduce noise and air quality impacts?

#### D Mitigation

- 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.
- The mitigation section is lacking in specificity. More thought needs to be put into the potential impacts and the necessary mitigation.
- 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.
- 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.
- 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.

## Chapter 17 Alternatives

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.

Page 17-7 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.

## Chapter 18 Mitigation

### Table 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

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.

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.

## FIGURES

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.

Explain full story bulkhead shown on two of the three towers at this location and the bulkheads shown on each of the other structures in the proposed action.

Fig. 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.

Fig. 1-16 Rendering does not show what community would see. It appears that the rendering is taken from a 30 story height.

Fig. 1-18 Will “Centre Street” be a public street? How will building be built over a public ROW if so?

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.

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.

Fig 1-48 Important to note that “BOH” – Back of House – is parked at same rate as the use that it is associated with.

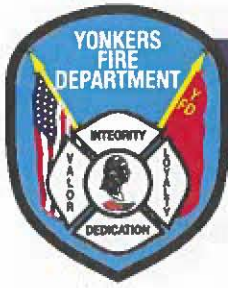
Fig 1-74 Show distance in feet/fractions of mile in addition to colored lines. Fire House site is a separate site from the remainder of Chicken Island separated by a city street – show walking distance from entry to train station. What is site on corner on Prospect and S. Broadway and what relation does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

Fig. 3-9a Foreshortened illustrations of building height are unacceptable. Figure 3-9b is a better, truer depiction for a DEIS

Fig. 3-9k The “after” rendering seems to be moved to the north versus the wire frame middle illustration.

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.

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.



**Mayor Mike Spano**

**Anthony Pagano**  
Fire Commissioner

**CITY OF YONKERS**

**YONKERS FIRE DEPARTMENT**  
**470 Nepperhan Avenue**  
Second Floor  
Yonkers, NY 10701  
Tel. 914.377.7500  
Fax. 914.377.7560

April 29, 2022

Mr. Zachary Nersinger  
City of Yonkers - Planning Director  
87 Nepperhan Avenue  
Yonkers, New York 10701  
(914) 377-6555

**RE: Draft Environmental Impact Statement (DEIS) AMS Yonkers Downtown Development  
Yonkers, New York 10701**

Dear Mr. Nersinger,

We have reviewed the DEIS dated 02/09/2022 and offer the following comments:

- 1) 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.
- 2) 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. Citywide 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.



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- 3) 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.
- 4) 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.
- 5) 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.
- 6) 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, land and road closures, etc.
- 7) 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.
- 8) 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.
- 9) Chapter 15 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) firefighter. 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.

- 10) 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 area 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.

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 amounts 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.

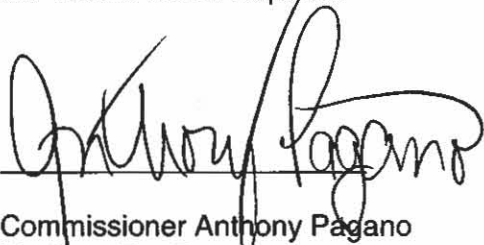
Firefighting in high-rise structures are manpower intensive and require careful coordination of tactics to protect life and property. The risk to firefighters and occupants increases in proportion to the height of the building and the height of the fire above ground level. When firefighters are operating 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 heavily 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.

In the 1980's 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.

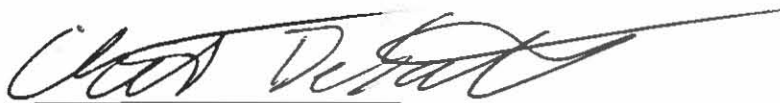
Over the past decade, the City of Yonkers has approved numerous large residential developments totaling approximately 6900 units. The 3,556 residential units proposed by this DEIS equates to approximately 50% of

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.

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 tax the 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 of one of the companies which had served the project area but was closed during the 1980's will be required.

A handwritten signature in black ink, appearing to read 'Anthony Pagano', written over a horizontal line.

Commissioner Anthony Pagano  
Yonkers Fire Department  
470 Nepperhan Avenue, 2<sup>nd</sup> Floor  
Yonkers, New York 10701  
(914) 377-7500

A handwritten signature in black ink, appearing to read 'Christopher DeSantis', written over a horizontal line.

Deputy Chief Christopher DeSantis, PE, CFPS  
Yonkers Fire Department  
470 Nepperhan Avenue, 2<sup>nd</sup> Floor  
Yonkers, New York 10701  
(914) 377-7532

Mike Spano  
Mayor

Thomas Meier  
Commissioner of DPW



John P. Speight  
Superintendent of Water

Kamal Marjieh  
Assistant Superintendent of Water

## CITY OF YONKERS WATER REPAIR SHOP

170 Saw Mill River Road Yonkers, New York 10701 (914) 377-6737 Fax (914) 377-6768

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April 20, 2022

Lee Ellman

Re: Comments for DEIS AMS Yonkers Downtown Development

Chicken Island

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.

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.

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.

Locations of new fire hydrants and valves to be installed as specified by the Yonkers Water Bureau.

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.

#### North Broadway Site

##### 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

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 storey 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.

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 palisades 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.

##### Teutonia Site – Buena Vista Avenue site – Existing Water Supply Infrastructure.

Buena Vista Avenue- 6 inch CIP

Results 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 storey 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.

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.

\ Chapter 8, Section B - Existing Conditions:

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...”

Please submit maximum estimated fire flow demand anticipated for each building at all three sites as per NFPA requirements.

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.

John Speight  
Superintendent of Water

1 STATE OF NEW YORK  
2 CITY OF YONKERS

-----X

3 MINUTES OF  
4 THE CITY OF YONKERS PLANNING BOARD

5 MAY 5, 2022 - 5:51 P.M.

6 at

7 YONKERS CITY HALL  
8 40 SOUTH BROADWAY  
YONKERS, NEW YORK

9 -----X

10  
11 B E F O R E:

12 ROMAN KOZICKY, CHAIRMAN  
13 MACKENZIE FORSBERG, MEMBER  
14 ADELIA LANDI, MEMBER  
JOHN LARKIN, MEMBER  
15 BECKY NOVA, MEMBER

16 P R E S E N T:

17 LEE ELLMAN, DEPUTY COMMISSIONER  
18 ZACHARY NERSINGER, PLANNING DIRECTOR  
19 CHRISTINE CARNEY, SENIOR PLANNER  
ALAIN NATCHEV, ASSISTANT CORP. COUNSEL  
DIDER MONTEIRO, PLANNING TECHNICIAN

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22

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1                   THE CHAIRMAN:   All right, good evening  
2                   everyone.   This is a work session meeting of the  
3                   Yonkers Planning Board being held Thursday, May 5,  
4                   2022.   It is 5:50 p.m., and we are in the Mayor's  
5                   conference room on the second floor of City Hall in  
6                   Yonkers, New York.

7                   This is a public meeting for observation  
8                   only, and the meeting minutes will be available on the  
9                   city website after the meeting.   For information,  
10                  please visit [www.yonkersny.gov](http://www.yonkersny.gov).

11                  Item number 1, and the only item on for this  
12                  evening, is a SEQRA DEIS review for AMS Yonkers  
13                  Downtown project zoning petition referral from the  
14                  Yonkers City Council for amendments to the Zoning Map  
15                  and Zoning Ordinance affecting the real properties  
16                  commonly known as the "Teutonia Hall Site", the  
17                  "Chicken Island Site", and the "North Broadway Site"  
18                  as designated by a whole laundry list of tax maps,  
19                  blocks, and lots, I'm not going to go over them.

20                  We do have the representative here, Mr.  
21                  Weingarten, as representative for the proposal.   I  
22                  believe, though, tonight's session is for the Board  
23                  and our consultants to put things on the record and to  
24                  get our final questions out of what we would like to  
25                  see in the DEIS; is that correct?

1 MR. NERSINGER: Yes.

2 THE CHAIRMAN: Final DEIS, excuse me.

3 So, I open the floor first to staff or --

4 MR. ELLMAN: Well, I think you really  
5 encapsulated everything that we're going to do. It's  
6 an enormous document, we are happy that the Board is  
7 working its way through it. Zach, Christine, and I  
8 are here to answer any questions that you may have  
9 about the process.

10 What we are really hoping for is as much as  
11 comment as the Board can give us, public comment, and  
12 especially lead agency comment in an Environmental  
13 Impact Statement process, the golden standard. To not  
14 comment is not only not one's duty as a lead agency,  
15 but it is important to the applicant, as well, for the  
16 safety of the process. If a Planning Board does not  
17 put comments on record, does not show that the Board  
18 has done its homework, has taken a hard look, then it  
19 kind of puts things in jeopardy should somebody decide  
20 to bring an Article 78.

21 And, so, it's important to both sides, it's  
22 important to us to make sure that the Board's concerns  
23 are fully recognized and, in turn, it's important to  
24 the applicant because, even though they may have to  
25 answer more questions, it solidifies the process in a

1 very important way.

2 THE CHAIRMAN: Okay. Mackenzie, did you  
3 have your hand up?

4 MS. FORSBERG: No.

5 MR. NERSINGER: So, before you guys get  
6 started, obviously, I have the materials, I also have  
7 everything available electronically, so if there's  
8 something that comes up during the conversation,  
9 something you want to point to, refer to, look at it  
10 on the big standard television, we can do that, just  
11 let me know and I'll go find it and bring it up for  
12 conversation.

13 MR. ELLMAN: And I think, this is really a  
14 kind of a word that Zach used, is really right, this  
15 is a conversation between the Board members. I guess  
16 the only thing is just have a conversation, but make  
17 sure Catherine can catch it, so don't be like Kentucky  
18 auctioneers.

19 THE CHAIRMAN: That's it from staff.  
20 Members of the Board, anybody want to start us off  
21 with their concerns?

22 By the way, you should have received --

23 MR. NERSINGER: I was going to say --

24 THE CHAIRMAN: -- you should have received,  
25 whether through e-mail or in your packages, the

1 feedback that we had from the last two sessions, both  
2 from the public, some items were e-mailed in, I  
3 believe, in addition to that, which we've got copies  
4 of, and we did get most recently, the report from our  
5 consultant, which you should have had.

6 MR. NERSINGER: It's printed.

7 THE CHAIRMAN: You have it printed for you  
8 here and we received an e-mail this morning. You may  
9 not have had a chance to review that because it came  
10 today, but it was very, I thought it was pretty  
11 thorough, a lot of good points.

12 MR. ELLMAN: Those comments are really  
13 initial talking points to help the Board get a broad  
14 view of the process of the EIS. Both BFJ and the  
15 Planning staff and other departments in the City are  
16 still getting their direct comments on issues within  
17 the document.

18 And we should be a little more personal in  
19 speaking about BFJ, as if they were not here, maybe a  
20 little bit better. Sarah Yackel is here.

21 MS. YACKEL: Hi.

22 MR. ELLMAN: Who is a partner with BFJ and  
23 the lead environmental person, and Georges Jacquemart,  
24 partner at BFJ in the Traffic Department. We've  
25 worked with BFJ since the days of the first downtown

1 waterfront, the one that didn't get done. So, BFJ  
2 really knows Yonkers very well and makes the work in  
3 Yonkers easier for them and really good for us.

4 THE CHAIRMAN: Okay, if nobody wants to  
5 start off specifically, I think a lot of the items  
6 that we're talking about here is the items that are  
7 concerning impacts tied to the scope. It's just these  
8 are three very large buildings, bigger than buildings  
9 that we have down there, and there's a lot. And  
10 because of that, it's going to have a tremendous  
11 impact, we know that. That doesn't mean that it's not  
12 a good thing, it just means that it has to be  
13 addressed.

14 I saw in several of the comments that we  
15 had, obviously, there's going to be the issue of  
16 traffic, as there always is, and parking. And those  
17 are things that Traffic and Engineering ultimately  
18 work through. However, I noticed, I'll start with a  
19 single thread, because a lot of the emphasis is on the  
20 fact that it's within that one-quarter mile range of  
21 the mass transit, I think there is going to be a lot  
22 of emphasis placed on pedestrian traffic going to and  
23 from the Metro North. I think Metro North brings that  
24 up, our consultants bring it up and I certainly would  
25 have brought it up if they didn't, but I would be

1 surprised if they didn't.

2 That's a concern that I have because that's  
3 something that we hope happens, you know, sometimes we  
4 try, we address things that are problematic and things  
5 that are unforeseen, this is something that we hope  
6 will happen, there will be a lot of traffic.

7 And I have a concern the way things are set  
8 up, the narrow streets, especially right in front of  
9 the Teutonia site, don't lend themselves to the type  
10 of traffic, pedestrian traffic. Going down, there was  
11 mention about bike lanes being extended, or put in, I  
12 think the County of Westchester mentioned that, but  
13 they always do.

14 MR. NERSINGER: Correct. If you didn't say  
15 that, I would have.

16 THE CHAIRMAN: But in this case, I think  
17 they're right, even something as close as that we call  
18 walking distance, I think bike traffic would be  
19 something that should be encouraged to the station and  
20 back so accommodations both through street scape and  
21 through being able to keep the bikes, I guess, at the  
22 stations would be a good idea. Street scape-wise and  
23 the sidewalks probably should be addressed.

24 And then there's this general idea, and I  
25 think that our consultants brought this up, the height

1 of the building and the setback from the narrow street  
 2 is a very imposing city scape, especially what we're  
 3 not used to in downtown Yonkers. It might be  
 4 something that you're used to in the City of New York  
 5 where buildings are straight in your face up and down.  
 6 Here, I thought there was a good idea of possibly  
 7 scaling back as much as possible off the front of the  
 8 street to allow for the less of that imposing  
 9 structure.

10 I also had a -- stop me if you have  
 11 anything.

12 MS. FORSBERG: No, I think this is a good  
 13 starting point, that way we can kind of just build off  
 14 it.

15 THE CHAIRMAN: If you want to build off it,  
 16 let's stay with that because I have other --

17 MS. FORSBERG: Specific chapters.

18 THE CHAIRMAN: -- specific things that  
 19 we'll be going into. But if anyone wants to go upon  
 20 the street scape and pedestrian traffic and the fact  
 21 that there are specific issues that rise from their  
 22 trying to take advantage of the benefits of having it  
 23 be in the DEIS.

24 MR. ELLMAN: Which, by the way, everybody  
 25 talks about it being simply brand new, but everything

1 around Yonkers stations for over 50 years has been  
2 TOD. Crestwood is a TOD, people walk to the station.

3 THE CHAIRMAN: I thought Mt. Vernon was  
4 TOD. I don't think we had a request for --

5 MR. ELLMAN: We have a single TOD over  
6 there. TOD does not have to be big, it's just a throw  
7 in --

8 THE CHAIRMAN: Okay, let's go down the  
9 line. And I don't want to put anybody on the spot,  
10 but if you have anything to say on that item, please  
11 let's hear it.

12 MR. ELLMAN: Mackenzie, you have tabs on  
13 there.

14 MS. FORSBERG: Leave me alone. I have,  
15 also, I'm just looking at the comments that I was  
16 writing in the beginning of the review and seeing if  
17 they could be, categorically be, placed in chapters as  
18 you were talking a little bit.

19 Some of the general scope comments that I  
20 had is one, there was something that's in the  
21 beginning of the, you know, I'm going to touch about  
22 the land use section first before we go into it, but  
23 there is a chart that references future and pending  
24 and in-progress developments, and they kind of use it  
25 in relation to this project. And then it doesn't so

1 much get mentioned in other chapters, but I think for  
 2 reference, in reviewing each chapter of the scope, and  
 3 if I were the public looking at this project, I would  
 4 want to kind of use charts that include those other  
 5 projects for reference. It's not the applicant's  
 6 responsibility to study or conduct anything related to  
 7 those developments, but to just use those projects in  
 8 tandem with reviewing this project for reference with  
 9 some of the chapters.

10 So, for example, they speak about height,  
 11 you know, they're seeking changes in the Zoning  
 12 Ordinances for height, and the amount of stories  
 13 doubles and triples in comparison to what's currently  
 14 there, even the highest building with the most stories  
 15 in Yonkers.

16 I think it would help the applicant and also  
 17 help the public review the scope of some of these  
 18 chapters if we were to see tables with those other  
 19 pending and in-progress developments in those other  
 20 chapters, as well, instead of picking and choosing one  
 21 when you're going to use those other projects. It's  
 22 in some of the renderings, oh, this project is going  
 23 to be here, this other project is going to be there.  
 24 It helps the applicant in terms of when you speak of  
 25 those projects in other chapters, as well.

1 I'm going to use the height Zoning Ordinance  
2 change as one of the examples, but I think there  
3 should be more tables that include point of references  
4 as those other developments.

5 In the beginning, in the general narrative,  
6 they speak about involved agencies. I don't know if  
7 there's reason, but I didn't see Yonkers Fire, that  
8 might be more site plan, but I didn't see that listed  
9 there. And Yonkers Parks and Recs, I know there's  
10 Westchester County Parks and there's other comparable  
11 agencies that are interested and involved, but I  
12 didn't see those specifically, so I'm not sure if  
13 those should be on there.

14 MRS. LANDI: They were.

15 MR. ELLMAN: Quick answer to that.  
16 Typically, the lead agency, we're the lead agency, in  
17 a sense, all of the City Departments are involved, or  
18 rather interested in.

19 MS. FORSBERG: Yes.

20 MR. ELLMAN: If there is no permission  
21 needed, then they're not involved.

22 MS. FORSBERG: Okay.

23 MR. ELLMAN: So, you can be an interested  
24 agency, you can be a public citizen, you have an  
25 ability to comment, but you won't be listed in that

1 column.

2 MS. FORSBERG: Because, obviously, Fire  
3 would be a part of it, there are stations that are  
4 part of the process.

5 MR. ELLMAN: Yes.

6 MS. FORSBERG: I was thinking Yonkers  
7 Parks, but I guess it would be permission from  
8 Westchester County and the State more so than Yonkers  
9 public use and --

10 MR. ELLMAN: Yeah, I would have to see the  
11 section that you were talking about.

12 MS. FORSBERG: Okay. I think the rest  
13 pertains to each chapter, as well.

14 Oh, one more general comment. There are  
15 large swings from my 2020 notes about the scope to now  
16 in commercial space. It would help in reviewing  
17 partly, whether it's the public or us or other City  
18 Departments, to understand what went on maybe from the  
19 Bureau and the dialogue with the applicant on why  
20 there were such large swings in thousands of square  
21 feet of commercial, you know, what's going on in the  
22 planning process.

23 I know that there's a lot more swinging that  
24 will be done from the commercial square footage  
25 perspective just because it's that financing, as well,

1 but it's helpful to know where the applicant's mind is  
2 at for the past two years in the planning process of  
3 the changes in commercial square footage.

4 THE CHAIRMAN: Actually, if I could piggy-  
5 back off that for one second to go further. I noticed  
6 a large portion of the construction is going to be  
7 office use. And I notice in general in Westchester,  
8 Yonkers, even in the Westchester, South Westchester  
9 Executive Park, office space is getting tremendously  
10 limited, not in availability, but in people desiring  
11 office space to the point where they're now pushing  
12 warehouses.

13 And I'm wondering, with all of this new  
14 office space being called for, is there a study that  
15 supports that over the next several years? Because we  
16 don't want to see vacant offices in this area. And a  
17 significant number of square footage has been  
18 allocated towards street scape, commercial. I could  
19 see that working, but I'm talking about the commercial  
20 leasing space for offices.

21 MR. ELLMAN: Is it 30,000 square feet?

22 THE CHAIRMAN: 30,000, which I don't see  
23 that justified today in Westchester County or Yonkers.  
24 So, what makes them believe in the next 10 years that  
25 there's going to be a need for that?

1                   MR. ELLMAN:    This is a question that we get  
2                   with lots of projects, DEIS or not.  I mean, we've  
3                   heard ourselves, we've heard the public ask these  
4                   kinds of questions.  And I think the only answer I can  
5                   give is that the process is that the applicant gets to  
6                   take their shot, to put it simply.

7                   We generally don't, we're not planners, lay  
8                   professionals, in the sense that we are saying that we  
9                   think that you got to hit that number.  We're free-  
10                  market planners and we kind of look at the potential  
11                  impacts of the project that they are proposing.

12                  If that project changes in a really  
13                  significant way and, let's say, at some point in phase  
14                  X, a project comes back and the question is, or the  
15                  request is, we just don't see a world where there's  
16                  going to be 30,000 square feet of office use, we want  
17                  to amend that to X number of new apartments.  At that  
18                  point, we, the City, Planning Board, looks at that  
19                  project and makes the determination does that need a  
20                  new EIS or not, does that need a separate review, and  
21                  we look at the changes.

22                  THE CHAIRMAN:    I see that and I agree with  
23                  it to the point where if it was built as a right and  
24                  you take your swing at it, I'm just building and I  
25                  want to make it all office space, if it works, it

1 works, if it doesn't, it's on me. But what's  
2 happening here is I don't want this, I want something  
3 twice the size, and I'm going to make the second half  
4 to make even more office space.

5 We're being asked, or the City is being  
6 asked, for zoning variances to allow for more of  
7 something possibly that I think that we then do have  
8 the opportunity of saying is that really necessary.

9 MR. ELLMAN: There's certainly nothing that  
10 says that the Board, the lead agency, can't ask those  
11 kind of questions. But I'm saying in a general way,  
12 as you were saying, someone wants to take their time  
13 at bat and, if it doesn't work. What we do have here  
14 though are all of the uses that are proposed are  
15 permitted uses in the downtown.

16 The question that you're raising is quantity  
17 and if quantity doesn't work out and it is either  
18 scaled back, well, then that's inside the bubble, or  
19 if the quantity is changed in a way that pushes up one  
20 part of the project, then the City looks at it and  
21 says well, you know, you had 3,500 apartments, now you  
22 want to convert 30,000 square feet into 300 new  
23 apartments, and does that have any bats, we would look  
24 at those changes at that time.

25 THE CHAIRMAN: Is it something we could ask

1           them to tell us what the impact would be if they did  
2           all change to residential?

3                       MR. ELLMAN:    Yes.  Yeah, I'm saying the  
4           questions are reasonable, I'm just talking around the  
5           edges with you.

6                       MR. WEINGARTEN:  Mr. Chairman, can I make a  
7           point of information?  It's not about your question,  
8           it's just giving information so you understand the  
9           proposal.

10                      I want to be clear, the office space that  
11           we're proposing is not additional office space, all it  
12           is is co-working space.  We find it to be an amenity  
13           for residential because we believe that there are  
14           going to be people living at these apartments who want  
15           co-working space available.  We don't plan on making a  
16           lot of money, for me, it would be an offer here, but  
17           we think we need to provide it to attract people to  
18           the area because that doesn't exist.

19                      So, right now, it's not a condition of  
20           walking through your building, this is the use, this  
21           is the complex, we just think it's going to work.

22                      MS. NOVA:    The whole space will be co-  
23           working space?

24                      MR. WEINGARTEN:  That is the plan.

25                      MS. NOVA:    So, it's going to be --

1 MRS. LANDI: An amenity near the building  
2 for the tenants, is that what you're saying?

3 MR. WEINGARTEN: Nearby, right.

4 MS. FORSBERG: It could be a pay-to-play  
5 use, as well, like Compass has a product that they're  
6 marketing now where it's one co-working space, but  
7 it's a fee. Instead of leasing to the one company  
8 that wants to use that for their office, then an  
9 individual, like smaller groups of people, who want to  
10 use that space can lease it month-to-month or they can  
11 break it up in different ways, as well.

12 THE CHAIRMAN: I appreciate the answer  
13 because, obviously, it answers the question I had, but  
14 what I prefer is to see it in the plans and not  
15 through a discussion.

16 MRS. LANDI: Yeah.

17 THE CHAIRMAN: Today we're not really here  
18 to discuss with the applicant, we're bringing up these  
19 items, please address it in your followup to say that  
20 that is the plan. Maybe it was in your minds up to  
21 that point, but it certainly wasn't clear to me, it  
22 would be good to have in the plans.

23 Let's go further down the line. I'm sorry.

24 MRS. LANDI: No, no, go down the line.

25 THE CHAIRMAN: I'm just going clockwise,

1 but, go ahead.

2 MRS. LANDI: I guess there were a few  
3 things that I was concerned about. The streets, the  
4 back- ups, the construction sites. I was looking, but  
5 I believe the date was March 21st that they did the  
6 peak traffic on certain roads. And I can tell you, I  
7 drive those roads now and they're jammed. If I go  
8 from Ashburton to Yonkers Avenue, I bet I miss, I have  
9 to sit there at least two or three lights before I can  
10 get to, you know, to Yonkers Avenue, when they said  
11 there was no problem there. So, there were a few  
12 questions or concerns I had about traffic.

13 I also had a concern about green space. You  
14 spoke about Yonkers parks. There was a big chart here  
15 with Yonkers parks, but I just would like to see green  
16 space in the development. I mean, if we're talking  
17 two- and three-bedroom apartments, we're talking  
18 children, and there's no way a child can go from point  
19 A to point B and be in a park where there might be  
20 playground equipment, some of them are just benches.  
21 I mean, how suitable is that? Or watching the  
22 daylighting, that was another concern I had, I just  
23 feel it wasn't suitable.

24 And another concern I had was the fire, when  
25 they spoke about fighting the fire now and fighting a

1 fire in a high-rise is similar, I take objection to  
2 that. I know there are no ladders that can reach the  
3 height of that existing new structure, but what  
4 happens, I believe, presently is the ladder drops off  
5 the firefighters at the tenth floor, whatever it is,  
6 and that firefighter has to travel up manually if the  
7 elevators are off, obviously, and put out that fire.  
8 So, it might be 10 stories. So, by the time he gets  
9 there, he's pooped out, he has to wait. So, if he has  
10 to go up to 40 stories, I think it's a considerable  
11 height difference.

12 And there's also a concern I had with wind  
13 velocity, it's considerably different fighting a fire  
14 higher versus a fire lower level, and perhaps we  
15 should have a wind study involved there.

16 And my last recommendation with fire would  
17 be perhaps they spoke about all of these different  
18 fire stations and houses that would be suitable to put  
19 out the fires, which I understand, but there is also a  
20 timeframe, and if our fire stations from Vark Street  
21 and School Street are fighting fires in our downtown  
22 areas, where most of them are taking place now, they  
23 will not be able to put out a fire or assist on North  
24 Broadway or Chicken Island, or something, and, you  
25 know, that could be a problem. And for other

1 companies to get there, it won't be as time efficient  
2 as it would be if it were closer.

3 The construction trucks and all of that, I  
4 can't, I mean, I see right now what I'm going through,  
5 and I don't drive a lot in Yonkers, but if I go to  
6 Eastchester and drive on Tuckahoe Road, what Con  
7 Edison is doing there, and that's only one lane that  
8 they're obstructing, I can't tell you how long it  
9 takes me to go from point A Central Avenue to Tuckahoe  
10 because of Con Edison. And this is going to be going  
11 on all over the city, this new development.

12 MS. FORSBERG: I have a few comments also  
13 to build off of three of your points. For the park-  
14 land, it's clear that, especially the Teutonia Hall  
15 site, you know, the applicant is clear that they don't  
16 have the room for certain parkland, but they intend to  
17 arrange with the City a payment in lieu of arrangement  
18 in order for them to build parkland nearby.

19 I think it would be beneficial for the  
20 applicant to include what that would look like, maybe  
21 a case study on a past developer who has made an  
22 arrangement of such with the City just to give an  
23 example so that the reviewing and involved agencies  
24 and the public can see in an example what that looks  
25 like, because there are a lot of people who may think

1 the same as you, Adelia, who want to see that, and if  
2 they elaborate a little more, I think that that would  
3 be helpful in the scope.

4 In terms of the fire, just the amount of tax  
5 revenue that will come in that's quantified in this  
6 DEIS would, I'm assuming, I don't want to assume, I  
7 guess, but the applicant and the City would be in  
8 agreement and intending for it to go to public  
9 resources in the City of Yonkers, such as fire.

10 And the wind velocity is a really good  
11 point. I know that they did do a wind study, but I  
12 don't believe that it touched on the velocity of wind  
13 in relation to fighting a fire. So, I think that's a  
14 good point.

15 MRS. LANDI: Yeah, they did on some things.  
16 I just feel that if they answer the problems of the  
17 fire, which is, to me, monumental because it's talking  
18 about safety and protecting the occupants of their  
19 project, as well, we need more people. Yes, they keep  
20 talking about all of that tax money that's going to  
21 come in, but I also think we would also need a new  
22 house.

23 MS. FORSBERG: A new fire station.

24 MRS. LANDI: A new fire station, yes.

25 MS. FORSBERG: I believe also training. I

1 don't know the difference between the firefighters'  
2 training in Yonkers versus the firefighters' training  
3 in New York City, but the firefighters in Yonkers  
4 could have been trained the same way as New York City  
5 firefighters, perhaps they had that flight of  
6 stairs --

7 MRS. LANDI: Well, they know how to fight  
8 fires, they've been trained, that they have, but it's  
9 just not the same.

10 MS. FORSBERG: Yeah, that's a good point.

11 THE CHAIRMAN: John.

12 MR. LARKIN: I don't have particular  
13 categories, I went through the thing and I had written  
14 some things, so if I could go right through.

15 MRS. LANDI: Can I do this? (Indicating.)

16 MR. LARKIN: That, yeah.

17 THE CHAIRMAN: Catherine is not going to  
18 get this.

19 MRS. LANDI: Oh, this. Not anything  
20 obscene. (Indicating.)

21 MR. LARKIN: First thing I read, I was  
22 concerned because I was around when we were discussing  
23 destroying Teutonia Hall. And the idea back then was  
24 to actually restore the building, but what happened  
25 was the previous developer took the beginning of the

1 facade down and, you know, secured it so that when  
2 they were to rebuild, they were going to replace the  
3 front of the building. So, what I found a little  
4 disconcerting in this was it said, they stated some  
5 elements from the former Teutonia Hall facade would be  
6 incorporated.

7 I would like to know exactly what they mean  
8 when they say that. To me, it sounds like they're  
9 going to take two little things and put it up and say  
10 that's it. I think the premise when they originally  
11 took the building down was that they were going to  
12 restore the front with that facade.

13 So, I think, hopefully, since it's all  
14 stored, all categorized, all numbered, that hopefully  
15 they can take the whole entire thing and somehow  
16 incorporate that into Teutonia Hall. The history  
17 involved here is important.

18 MRS. LANDI: Yes, and they have two  
19 buildings.

20 MR. LARKIN: Yeah. The other thing is, I  
21 went down chapter by chapter, I didn't mark what they  
22 were. Chipping and blasting. I know in the past,  
23 some development that we've had, we had problems. We  
24 had specific problems with South Westchester Executive  
25 Park with the people from Odell Avenue and north who

1       were concerned that they were going to do blasting  
2       when they were building the rest of the Elizabeth  
3       Seton Pediatric.

4               So, I know they say that they have a survey  
5       that they will take before. I would like to stand up  
6       at a survey, actually, and see how they're going to do  
7       north. They took pictures of every foundation of each  
8       house before they started the blasting, and then they  
9       went back and they took pictures after so that there  
10      was a clear description of what the house condition  
11      was before the blasting and what it was after. So, I  
12      would like to see if that could be incorporated into  
13      that analysis.

14             It talked about full property tax. They  
15      said it would be 27 million more generated. Now, I  
16      know in the documents it's talking about that they are  
17      probably going to seek a PILT, payment in lieu of  
18      taxes. My concern is they said one or more PILT  
19      agreements. I would like to know what they mean by  
20      one or more. Is it each particular building that  
21      they're talking about getting PILT for? And if they  
22      are, how would the PILT used allow for the use and  
23      cost of services that the City will have to provide?

24             In the past, I know when they've done PILT  
25      agreements, it's usually a 10-year period, 20-year

1 period, it's a set amount, sometimes it's a small  
2 amount, but I don't know what the analysis would be if  
3 you're talking here 3,500 apartments, it's at least  
4 9,000, 10,000 people at a minimum, it could be a  
5 little higher. I would like to understand what the  
6 cost would be for fire, police, so forth, and how  
7 they're equating this in the PILTs and how much is the  
8 tax payer going to benefit from this.

9 I understand the need for PILTs to attract  
10 businesses to the city but, in the past, many times  
11 those PILTs were for 25 years. Now, you got us dead  
12 and buried, hopefully not, now they're usually 10 or  
13 20 years. I would like to understand that.

14 I know they say usually sometimes those PILT  
15 agreements don't come into until after the approval of  
16 the project. It would be nice to understand exactly  
17 what they're looking for. I have no problem when they  
18 want to go for tax abatements on the cost of  
19 construction, and so forth, that's not a problem.

20 Fire department, I thought, I, too, have the  
21 same concern about high-rise buildings. I remember  
22 when we were discussing the plans for the downtown  
23 area the last time, they were concerned about how  
24 firefighters were going to reach the top floors, you  
25 know, what type of equipment they will need. I didn't

1 get a clear understanding from what it is the Fire  
2 Department would be requiring in order to facilitate  
3 fighting fires in these three different locations.

4 And, you know, I remember during the time of  
5 Ridge Hill, there was a need, they said at the time,  
6 for an additional firehouse, which never occurred.  
7 But the cost back then was \$10 million, okay, and that  
8 was not including salaries. So, it's quite a large  
9 undertaking to understand if you're going to require  
10 another firehouse, we should understand what the cost  
11 of that is because it's not only the cost of building  
12 the firehouse, it's manning the firehouse, the  
13 equipment that's needed.

14 So, those things are important and maybe  
15 that's where the Fire Department should be giving us  
16 some clear understanding what it is that they will  
17 require, as well as the police, you know. They, at  
18 one point, thought they were going to have a mini  
19 precinct up in Ridge Hill, have something, but  
20 nothing happened. But, neither here nor there, my  
21 concern is that, you know, like I said, that we  
22 adequately are covering the increased cost for the  
23 services that the City is going to have to provide.

24 Solid waste, collections, it was still  
25 undetermined whether it's going to be City or is it

1 going to be private. I think before we approve a  
2 project like this, that we should understand is it  
3 going to be City services that provide that or is it a  
4 private corporation, company.

5 Sanitary sewer. You know, I found this  
6 interesting, okay, because I was involved back with  
7 the, and I'm dating myself, the Alexander Street  
8 Master Plan, which never really came to fruition, but  
9 it was talking there about the millions of gallons per  
10 day for sewage. And in Chapter 11 of the findings for  
11 the Alexander Street Master Plan, it talked about, and  
12 this was in 2001, that the plan presently creates,  
13 this is the local Westchester-Yonkers Water Treatment  
14 Plant, it treats 96 million gallons daily on an  
15 average. That was in 2001. That's 96 million MGD in  
16 2001. Here in this book, it's talking about that it's  
17 going to state the flow of 84.8 MGD, which is less  
18 than 2001.

19 I'm not sure how that's possible. I mean,  
20 we've had development since then in numerous areas and  
21 now we're saying we're going to be treating less  
22 millions of gallons daily. You know, that's 2001 that  
23 it was 96, and the 2019 report it's stating, and it  
24 was in the book, it's stating the flow was 84.8. I  
25 would like to understand why there is that

1       discrepancy, why there is such a discrepancy, why it's  
2       so much lower, 20 years later.

3               Traffic. I sit all through the  
4       intersections that operate at a LOS of service D,  
5       which generally sometimes could be a little  
6       frustrating if you're sitting at a light for up to 55  
7       seconds, that's a lot. Two of the others are up to 80  
8       seconds, that's a minute-and-a-half sitting at a  
9       traffic light.

10              It says mitigation measures would be  
11       implemented prior to illustrate from which the impact  
12       occurs. Post-construction monitoring conducted to  
13       determine adequacy of mitigation measures.

14              Who pays for the additional mitigation  
15       measures needed directly if conditions were to occur,  
16       when and how is it done? So, it's the kind of  
17       questions I think that needs to be answered. Who's  
18       doing this monitoring after the fact to see that what  
19       was actually proposed is adequately being addressed?

20              I know the one thing that we read that the  
21       owners had given us was construction parking, most  
22       workers will take mass transit. I find that highly  
23       unbelievable when construction is required all over  
24       the place. I would like to understand where, if that  
25       is the case, that they feel, I don't know how they're

1 coming across that, where are these workers coming  
 2 from that they're all going to be on mass transit?  
 3 And if they're not, where are they parking? Because  
 4 the only place that it seems was closest to Chicken  
 5 Island that has an area that they could provide  
 6 parking. And it didn't make sense to me.

7 And I think looking at the traffic study for  
 8 the hours, weekdays it was 7:00 to 8:00 a.m. time and  
 9 p.m. was 5:00 to 6:00, Saturday midday 1:00 to 2:00.  
 10 I don't think there's a problem with the midday on  
 11 Saturday 1:00 to 2:00, but I think the weekday  
 12 shouldn't be one hour, 7:00 to 8:00. It should be  
 13 7:00 to 9:00 because during that time, you have kids  
 14 getting on the school bus, people going to work. So,  
 15 I think it should have been a two-hour period, 7:00  
 16 to 9:00. And then in the evening, it should have been  
 17 5:00 to 7:00.

18 MS. NOVA: Was it done during the school  
 19 year?

20 MR. LARKIN: I don't know. It was March,  
 21 wasn't it?

22 MRS. LANDI: It was March, I think it was  
 23 during COVID, also, 2021.

24 MR. LARKIN: I think it's important because  
 25 as we've seen, and I think anybody who has driven in

1           Yonkers knows, that all the children that are on  
2           school buses, what that's like when you're sitting and  
3           waiting to try to get through.

4                   MS. FORSBERG:   Especially when you have  
5           children that have to also get to school.

6                   MR. LARKIN:    Yeah, that are on that bus  
7           that you're behind.

8                   That's just some of my quick observations.  
9           I'm sorry I took that long, but I figured maybe it's  
10          best that we each just go through it, so thank you.

11                  MRS. LANDI:    I had another concern and it  
12          was kind of piggybacking on the workers. I mean, I  
13          did read how the workers would park, they would do  
14          mass transit, but they could also park in Chicken  
15          Island, and when some of the garages were complete,  
16          they would be able to park there. But my concern is  
17          the additional traffic, the additional trucks and  
18          bulldozers, and everything else, and I'm concerned  
19          about the impact to Getty Square.

20                  And they've had, there were, I think, four  
21          office spaces and 13 residents would be losing their  
22          rentals due to the demolition on North Broadway. And  
23          they didn't seem to say they would be replacing or  
24          looking for a spot for them. So, if they're not that  
25          sensitive to that, my concern is what happens to all

1 of those new businesses in Getty Square that are  
 2 trying to survive and now we're going to be going --  
 3 and one of their ways of getting up to North Broadway  
 4 was Palisade and Locust Hill, so that's right there in  
 5 the middle of Getty Square.

6 I mean, I just feel that these businesses  
 7 have been struggling and now they're under, you know,  
 8 a lot is going on down there now with Con Edison and  
 9 now the impact of all of this. Will they be  
 10 compensated in some way? I mean, I don't know, it  
 11 just seems like a hard thing for them to be able to  
 12 deal with.

13 MS. NOVA: A lot of my concern kind of came  
 14 from that same space, kind of through that  
 15 construction space. As someone who lives in this  
 16 area, already, with all of the construction going on,  
 17 at any time, I'm driving in traffic. But as a person  
 18 that actually walked here, I have to keep crossing  
 19 sides of the street because there's no sidewalks,  
 20 there's construction on this side of the street and  
 21 there's construction on this side of the street. It  
 22 makes it very difficult to get to some of the local  
 23 businesses, and even to get to my own home right now.

24 So, as a person who lives on the same street  
 25 as where Teutonia Hall will be, very close to it, it's

1 living in that while all the construction is going on  
2 now, it is very difficult to safely walk around the  
3 streets. I'm actually very excited for a traffic  
4 light to be put in on Buena Vista and Hudson.

5 MRS. LANDI: And Hudson, yeah.

6 MS. NOVA: I've been asking for that for  
7 years, so I'm very happy to see that, but I think  
8 there does need to be a thought if we're going to add  
9 more, conceivably more, construction, how do the  
10 people that live there currently continue to be able  
11 to live?

12 That comes, a lot of the studies they talked  
13 about like the noise, the air quality, didn't really  
14 mention what was going to be happening during that  
15 construction time. It more talked about what it will  
16 be like after, not living in that construction zone,  
17 what that's really going to be like for us.

18 What was the other thing I was going to say?

19 MRS. LANDI: And that's a quality of life  
20 issue.

21 MS. NOVA: Yeah. And, also, there are a  
22 lot of newer projects already in this downtown area,  
23 having so much more construction in the area, having a  
24 lot of people move into this area, but now we have to  
25 take away some of the street parking because now

1           there's going to be construction cones there.

2                       Now, people that are going to be moving into  
3           the apartments that are new might not want to live in  
4           a downtown area that's going to be a complete  
5           construction zone. And I think that we have to make  
6           sure that the people that are currently living here or  
7           that will be living here, moving here, into the  
8           construction projects that are already active, will  
9           want to stay here. Because, otherwise, when these  
10          projects are done, the downtown area might just be a  
11          ghost town.

12                     THE CHAIRMAN:    If I can go over that, I  
13          think the operative word you used was safely, to  
14          travel the streets safely. I think it's important  
15          during construction for the existing residents to have  
16          that ability, and post-construction when we go back to  
17          the commuters and they're commuting to the station,  
18          because we all know someone going to the store has a  
19          different frame of mind than someone trying to get to  
20          work because they're 20 minutes late. If you have  
21          some major thoroughfares that are going to get  
22          crossed, it would be good to have a way of trying to  
23          move the herd of large numbers of people.

24                     I know, for instance, in the City of New  
25          York, in the very high traffic areas, and in Europe,

1 actually, you have it blocked off where you can't go  
2 across the street except for the actual crosswalk  
3 area. I mean, if you want to really jump a barrier to  
4 go across because you're 20 minutes late, you might  
5 think of it. But, in general, people follow the herd  
6 in the way that they're supposed to get across to get  
7 to where they're going. That's post-construction.

8           Going back to what you mentioned, John, and  
9 someone else possibly, during the construction phase,  
10 I know they used I think in one part of the report,  
11 they used the word majority, the majority of the  
12 construction workers are going to be using mass  
13 transit. In another part, I saw that they actually  
14 threw in 75 percent of the workers are going to  
15 be using it. I'm wondering, someone told me that 64  
16 percent of all statistics are made up on the spot, is  
17 there some backing through the industry that shows  
18 that that's generally what's to be expected? Because  
19 even at those numbers, when we have the high point of  
20 workers going up to about 2,200 workers, you're still  
21 talking about 500-plus workers coming in, even at your  
22 best estimate, that most of them are using mass  
23 transit.

24           And they talk about that they will be using  
25 other areas, they'll be contracts they would set up,

1 privately contracted satellite parking locations. Are  
2 there such locations even in existence now that can  
3 handle the construction, during the construction phase  
4 I'm talking about? Afterwards, they have their  
5 studies and the amount of parking and our engineers  
6 are going over that, but I'm talking about during the  
7 construction phase, the impact of that number of  
8 people coming in.

9 And then, finally, I think, Adelia, that you  
10 mentioned the traffic study, and I think it was  
11 mentioned somewhere in the reports that we had. If  
12 the studies were done sometime during the last two  
13 years during the pandemic, are those still valid?

14 MRS. LANDI: I don't think so, yeah.

15 THE CHAIRMAN: As we hopefully come out of  
16 this pandemic into a better economy when things get  
17 moving again and, also, with the greater activity  
18 we're anticipating, has that been factored in? I  
19 don't know if that gets factored into the traffic  
20 studies or not, but that would be a good thing to know  
21 whether or not it is. If it has been, fine. I know  
22 the Traffic Engineers have ways of calculating  
23 everything nowadays, but I wonder if that was taken  
24 into account.

25 MS. NOVA: Also, are a lot of those reports

1 going to be updated as we continue to move closer? I  
 2 feel the data that we have will be different from what  
 3 was taken last year versus in a few years from now.  
 4 Same thing, more construction, more people coming  
 5 already.

6 MR. ELLMAN: One of the things that we  
 7 scoped out and one of the things that we've been  
 8 talking about with the project of this length is  
 9 monitoring and additional studies as the phases go on.  
 10 So, you know, it's, I think, a discussion about  
 11 whether or not new traffic studies are called for now.  
 12 And we're still maybe somewhere in the in-between  
 13 period, but something that because we knew that it was  
 14 going to be a long project, a 10-year task, at the  
 15 beginning of the project, one of the things that we  
 16 spoke about with the applicant, all the staff people  
 17 together, was the idea that there will be monitoring  
 18 in addition to traffic studies as the phasing went on.

19 MS. NOVA: Okay, that's helpful. We have  
 20 to start somewhere.

21 MS. YACKEL: Yes, as part of the site plan  
 22 review, as projects come in for specific sites where  
 23 there may be some additional work that needs to be  
 24 done, the applicant will get to make the changes and  
 25 the conditions --

1                   MR. ELLMAN:   And not so much a DEIS  
2                   comment, but really an umbrella comment, just to  
3                   remind the Board that we've done that in, really in  
4                   all of the downtown. We did the 2010 Downtown Master  
5                   Plan, we did an area-wide traffic study, we kind of  
6                   made sure that people can get from here to the  
7                   parkway. And then each project that came in, when we  
8                   knew that the entrance would be at this corner versus  
9                   someplace else, hypothetical, a new area traffic study  
10                  was conducted to make sure that the immediate  
11                  environment around phase X, building X, Y, would work.  
12                  So, yes, Becky, there's sort of a continual review  
13                  built into the process with that.

14                 MS. YACKEL:   Yeah, one of the differences  
15                  here is this DEIS is site specific, it was not generic  
16                  to the Downtown Master Plan. But depending on the  
17                  pace of the site plan approval, this is a 10-year,  
18                  5-phase project, so maybe in five years from now in  
19                  those latter phases for approving sites, I don't know  
20                  exactly what the schedule is, so depending on that,  
21                  that's the reason that we're asking the Board to ask  
22                  for updated information, or at least an analysis for  
23                  updating --

24                 MS. NOVA:    Of course. I understand that we  
25                  have to start somewhere, we need some data to get

1 moving with the project, so.

2 THE CHAIRMAN: I noticed also that in one  
3 of the -- I'm sorry.

4 MRS. LANDI: No, no, this was just going to  
5 piggyback on Becky, also, because they were also  
6 talking about the excavation for the foundations for  
7 these places and how they would not need any of that  
8 fill, and that would all be, you know, trucked out.  
9 So, they're talking about 25 cubic feet, or something,  
10 I don't know how many yards are going to be in a  
11 truck, I have it in my notes how many trips they're  
12 going to be making, but that also impacts on the  
13 quality of life when walking and travelling, et  
14 cetera. So, that was one one.

15 Then they also spoke about traffic and they  
16 would have flagmen to help direct traffic in certain  
17 spots, and whenever needed, or maybe even police,  
18 which I think is great, but that impacts on us. I  
19 mean, I know they've paid for the police overtime, but  
20 guess what, we pay for their pensions, and that  
21 overtime is all part of that salary. So, that was  
22 another thing that kind of I was concerned about.

23 Then, also, the stormwater and the sewer  
24 water, they were talking about the runoff from Chicken  
25 Island and how most of it I think will be clean and

1 eventually it will go into the Saw Mill River, but  
 2 there was still some that was going to be combined in  
 3 their sewer system, into the sewer. And I just feel  
 4 this is the perfect time for us to do these divisions  
 5 of stormwater and sewer water, and it would be nice to  
 6 see that happen.

7 And one more thing, we're talking green and  
 8 they're still considering putting gas lines, not  
 9 considering, but the plan shows they're doing gas  
 10 lines, as well as electric. And then, apparently, the  
 11 gas lines may be interrupted and then they will have  
 12 to go into fuel, oil fuel. And I happen to have an  
 13 all electric house and I don't, I think it's a lot  
 14 greener and a lot safer than having to switch back and  
 15 forth to oil and gas at times.

16 MS. FORSBERG: I have a few comments to add  
 17 some color about these two topics, some of the topics  
 18 that both of you were just speaking about, about the  
 19 stormwater runoff and the impact that it would have  
 20 and the upgrades that should be done --

21 MRS. LANDI: Now.

22 MS. FORSBERG: -- now on this site. I  
 23 think that, you know, we're speaking about variance  
 24 and chapters and scope of environmental studies about  
 25 the surrounding properties, I think that backflow

1 prevention devices should be something that should be  
2 considered for the surrounding properties. However,  
3 it shouldn't be at the cost of the property owners  
4 that own property in that area.

5 It's something that could be discussed now,  
6 maybe the property owners could have a significant  
7 amount of time to install one, or the City comes and  
8 installs it for them and they get the tax credit to  
9 compensate them for it to protect the stormwater  
10 systems that are associated with each and every single  
11 family home and multifamily development, commercial  
12 development, or commercial property, within that  
13 quarter-mile radius.

14 In terms of energy use, I know that the  
15 narrative now is that electrification is greener and  
16 in many ways it can be, however, everyone sees their  
17 electric bills, you see what the supply and demand  
18 issue is. There isn't enough to keep up with the  
19 increase load, even on the electrical side, not even  
20 the heating side, of a project like this. It requires  
21 such a significant investment for the electrical  
22 infrastructure in general, much less what impact.

23 One of the questions, also, this is why I'm  
24 piggybacking on that one, the question I have is will  
25 it have a cost to Yonkers, the residents and all of

1       the, you know, for the rest of the city for the  
2       increase in demand that will come from this one  
3       project alone? The rates that we're all billed at as  
4       a city, could that be impacted by this project?

5               I believe that gas, gas, the narrative now  
6       is that gas is not as green, but five years ago, it  
7       was the greenest.

8               MRS. LANDI: I love gas.

9               MS. FORSBERG: There were federal and local  
10       agencies getting property owners to convert from oil  
11       to gas. Now all of a sudden, within a snap of the  
12       fingers, forget the millions of dollars you just spent  
13       in the last years, gas is a great option. Just  
14       because of the moratorium, politics is associated with  
15       all of that, now it's electric. But Indian Point just  
16       closed, where is the electric coming from?

17              So, there are greater economic impacts here  
18       that are associated with just shutting off the gas  
19       valve. I think it's very wise of the applicant to use  
20       the existing hookups to have gas utility usage.

21              MRS. LANDI: Yeah.

22              MS. FORSBERG: Because even if you just  
23       think about if they went all electric, what would  
24       that mean, thinking of the load they would need for  
25       something like that, and where that would come from.

1 I wrote a few notes there about that, as well though.

2 Interruptible, I'm interested on why they  
3 chose to have a backup for interruptible. Given the  
4 environment we're in now, I can't blame them.

5 MRS. LANDI: They had no choice.

6 MS. FORSBERG: Hold on, let me flip to that  
7 chapter.

8 MRS. LANDI: I think they define the  
9 interruptible.

10 MS. FORSBERG: I have it in my --

11 MRS. LANDI: I think that having  
12 interruptible limits got to a point that it was not  
13 available.

14 MS. FORSBERG: Yes, which is why I only was  
15 a proponent not to stick with interruptible, but go  
16 from gas. Then with the snap of a finger, comes, all  
17 of a sudden, third parties are telling you what's  
18 greener when there are not enough studies to show what  
19 is. So, I think that it's smart that they are going  
20 interruptible, and I wouldn't have said that five  
21 years ago.

22 I question the work that Con Edison has to  
23 do to increase the, to do the work that they have to  
24 do for the pressure and the piping for the gas. You  
25 know, a month ago, we were told by Yonkers to switch

1 to Sustainable Westchester, not Con Edison. This was  
 2 all in the works before all of that. So, what is the  
 3 end result to the residents that live there and to the  
 4 residents in the rest of the city, are we now going  
 5 with Con Ed because they're heroes in changing the  
 6 pressure for this development? You know, is Con  
 7 Edison going to be doing all the work, or are you  
 8 saying Sustainable Westchester, what is the end result  
 9 there?

10 Like I said, I really commend the applicant  
 11 for using the existing gas lines, I think that's very  
 12 smart, instead of going forward with electric, which a  
 13 lot of the new developments would be required to do,  
 14 but because they have those existing lines, they are  
 15 able to use them.

16 I would like the applicant to into a little  
 17 more detail describing the type of heating systems  
 18 that are going to be installed with the gas lines. I  
 19 could be incorrect in requesting that that be in the  
 20 scope, that could be site plan, that could be  
 21 something that we discuss at the site plan phase, so I  
 22 leave it to the Bureau and staff to either incorporate  
 23 that into the scope or to leave that for the site  
 24 plan.

25 My question was if you were to upgrade an

1 existing gas line for a multifamily development in New  
 2 York City, it would have to be a master gas meter, one  
 3 gas meter, not individual for the tenants. So, what  
 4 is it going to be here? I'm not sure what was  
 5 proposed, but I do know that on the sustainability  
 6 side tracking usage with electrical is something that  
 7 was important in the sustainability chapter so that  
 8 they could monitor resident usage to be more green.

9 So, I think that would be the question I  
 10 have, is it individual gas meters so that you can do  
 11 the same with the individual tenant or does it all  
 12 fall on the property owner? I think it should be  
 13 individual gas meters.

14 And I do want to jump a little to the  
 15 sustainability since it kind of goes hand in hand with  
 16 energy usage. I spoke about the individual meter  
 17 question. I just want to make sure that, you know,  
 18 Yonkers and other parts of the region and the  
 19 applicant, no one is contradicting certain energy  
 20 codes.

21 The request for saving energy, the green  
 22 building forms, for this development and new  
 23 developments to be on the NYSERDA or MPP program is an  
 24 example of why you can't just copy and paste whatever  
 25 the website indicates and put it into a green building

1 code, because that is a program that doesn't exist for  
 2 new developments, it's for multifamily performance  
 3 programs, how does your preexisting building perform  
 4 and how can you increase its sufficiency to decrease  
 5 greenhouse gas emissions.

6 This is why we need to look more closely,  
 7 not only at this, but at the Yonkers sustainability  
 8 and green code because you can't just copy and paste  
 9 what's on the NYSERDA website, you need to be able to  
 10 have the power of understanding what you're asking of  
 11 us to do, what does that cost them, what are the  
 12 programs that are available? And I will tell you that  
 13 they change from year to year.

14 So, I would like for, again, I don't know if  
 15 this might be a site plan request or a scoping chapter  
 16 request, but I think that elaborating a little bit  
 17 more on green building. Clean NYSERDA programs are  
 18 available for new developments, that could be  
 19 elaborated on. But I don't want to take that much of  
 20 an issue with it now and I know we can go through it  
 21 during the site plan phase, as well.

22 That's it for sustainability and utility  
 23 usage.

24 MRS. LANDI: I guess we have to talk about  
 25 education. Okay, my concern is that we presently have

1 over 4,000 students, you know, that are over capacity  
 2 and they have changed offices to classrooms and done  
 3 whatever they've needed to do. And I do know they are  
 4 presently building one school and they project to  
 5 build three others. And the project does not feel  
 6 that it will impact the population because we are  
 7 building these new schools and they will, you know, be  
 8 able to handle the new enrollments.

9 But my concern also is Yonkers has gotten  
 10 several bus loads of undocumented children that were  
 11 not in the Census and are presently going and  
 12 attending our Yonkers schools. And they were not part  
 13 of that 4,000, so, it would be unfair for us to assume  
 14 all of the cost of the new students that may be coming  
 15 from this project. Do you follow my concern?

16 I know we have a charter school and I know  
 17 we rented and leased other older Catholic schools but,  
 18 nevertheless, we do need more space, we need more  
 19 staffing with an increased population of children.

20 THE CHAIRMAN: Any comments on education,  
 21 schools?

22 No? Next tab, McKenzie.

23 MS. FORSBERG: I feel like I don't know  
 24 where to go. I had a few questions about the land  
 25 use, the first half, many of which I've already

1       stated, but one question would be the applicant's  
2       research references its compliance for the Westchester  
3       2025. Reading about each and every public land use  
4       policy was very interesting because some, you may have  
5       known, but every single one, but each and every from  
6       the 70s, I thought was eye opening.

7               One of the clauses within that to make  
8       planning resources available to the public, you know,  
9       we, on the Board, and the Bureau and staff have come  
10      such a long way in making, I'm giving air quotes,  
11      making planning resources available to the public.  
12      The reason I say air quotes is because planning  
13      resources is my question. Have we as the City of  
14      Yonkers and our Bureau achieved that by making the  
15      planning resources for our agenda available to the  
16      public, or is the applicant saying that he's going to  
17      work to make planning resources available to the  
18      public? And how does that work, what do you mean  
19      about planning resources?

20             I think it would benefit the public to have  
21      a little land use training so that when they come to  
22      the table with questions and inquiries, you know, I  
23      think it's a great idea, I'm just very curious to know  
24      what that means.

25             For land use, the conclusions that no

1 mitigation measures were required for any land use  
2 changes, is that because mitigation would probably  
3 only be required if this development were to be in a  
4 field somewhere in northern Westchester? You know, I  
5 agree, I'm just wondering why, what does mitigation  
6 mean in the context of this land use?

7 MR. ELLMAN: It's probably fair to say that  
8 SEQRA at some level, the DEIS review in some way is a  
9 game of tennis, I'll serve, you volley, you serve in  
10 your turn. So, the applicant says one thing, your  
11 asking the question, the applicant gets first pass at  
12 drafting an answer. But the final answer is  
13 landmarking, the Land Use Board as the lead agency.  
14 So, the question, we can't answer yet for them, but  
15 it's a good question.

16 MS. FORSBERG: Adelia brought up the  
17 question of displaced businesses. Can the applicant  
18 go into detail of what the arrangements, how would  
19 that go into effect, what kind of business  
20 arrangements would be made with those businesses that  
21 are displaced as a result of this?

22 The flashing white lights for the New York  
23 State Coastal Management program, I was very  
24 interested in reading about that, it's not like you  
25 read that every day in a lot of the agenda items we

1 get on the Planning Board. You see them on our  
2 development. I commend the applicant for  
3 appropriating that into their migratory bird path  
4 mitigation, but if they could just go into a little  
5 more detail about that.

6 That's it for land use. Anyone else?

7 MRS. LANDI: Do we have the site where all  
8 of the cubic yards of soil that will be dug up in  
9 Chicken Island and Teutonia and North Broadway, do we  
10 know where that would be displaced or where it will be  
11 going, because it's a lot of yardage?

12 MR. ELLMAN: That's a question --

13 THE CHAIRMAN: Okay.

14 MS. FORSBERG: So, economic impacts, the  
15 affordable housing components. My question for the  
16 applicant is, I have a few for the scope, I'm going to  
17 send this in a summary e-mail, as well, I meant to in  
18 advance, but there's only so much time in a day.

19 You know, reviewing this scope in 2020 and  
20 now we're here on the Draft Environmental Impact  
21 Statement, the affordable units that were proposed at  
22 the time were somewhere a little over 700. And now --  
23 I'm sorry, 427. And now it's somewhere between 178  
24 and 356. I know that that will vary based on  
25 financing models. I wanted to know what financing

1 programs were being explored that will dictate the  
2 real numbers. Is there any discussions about the  
3 affordability perhaps being, moving closer to the 10  
4 percent range if there are wider bands in the AMI? I  
5 think it would be helpful.

6 Who's the leading reporting agency that the  
7 applicant would be working with on those affordable  
8 units for the income requirements? Are Social  
9 Services a component that's being tied into the lower  
10 income AMI band, and with whom?

11 The trust that a payment in lieu of would  
12 work with within the City of Yonkers, same as before,  
13 could the applicant work with the City or with the  
14 Bureau to provide some kind of case study, for  
15 example, of how the Yonkers Trust Fund has built  
16 affordable housing elsewhere and its successful model  
17 so that the public is able to see how that works.

18 I think that's it for affordable housing.

19 MRS. LANDI: Yeah. Roman, my concern also  
20 was the staging of materials. They talk about  
21 construction and they talk about the pieces of  
22 equipment that would probably be at that site, and  
23 some of them would be used to lift certain pieces, et  
24 cetera, but my concern is how do they get that  
25 material to the site, because they're talking about

1           between 9:00 and 3:00? To me, those are peak hours.  
2           I think I read someplace that the things would be  
3           transported between 9:00 and 3:00. It seems to me  
4           that, I don't know where it is, but I can find it, I  
5           feel those are peak hours and businesses really would  
6           be impacted by it, people would be impacted,  
7           everything would be impacted by travelling and moving  
8           construction equipment and things during that time.

9                       When I find it, I'll --

10                   MS. FORSBERG: I think, too, during the MPT  
11           plan, during site plan review, that can be addressed,  
12           as well. It's not every day that we go through an  
13           Environmental Impact Study, so I think perhaps the  
14           Bureau can guide us as to when the applicant can  
15           address some of these items. I think that it would  
16           benefit us, as well.

17                   It's not every day that we have an  
18           application that seeks to reduce the parking  
19           requirements because they're paying for valet parking,  
20           so I think that, you know, I can guess that could be  
21           the correct answer of why the parking requirements  
22           would be reduced, using valet, but I think including a  
23           clause in the scope would be beneficial.

24                   MRS. LANDI: I found it, it's on 59. And  
25           it does say that the material or large equipment

1 deliveries would be scheduled between 9:00 a.m. and  
2 3:00 p.m. to avoid conflict with parking times at  
3 potential delivery hours at --

4 THE CHAIRMAN: I think they're trying to  
5 avoid the morning rush hour.

6 MRS. LANDI: But between 9:00 and 3:00?  
7 People are still shopping and doing things, aren't  
8 they?

9 THE CHAIRMAN: I think in that particular  
10 section, they're talking about traffic and parking.

11 MRS. LANDI: Yeah, this was the North  
12 Broadway project. And I don't know if I feel  
13 comfortable. I would rather see them deliver them  
14 earlier perhaps, I don't know.

15 THE CHAIRMAN: It's a tradeoff because if  
16 they hit during peak traffic period, it will be a  
17 disaster.

18 MS. NOVA: If it's any earlier, I'm going  
19 to be coming and sleeping at your house.

20 MR. LARKIN: You won't get there.

21 (Whereupon there was a pause in the  
22 proceedings.)

23 THE CHAIRMAN: Lee, do you remember that?

24 MR. ELLMAN: Yes, they did that overnight  
25 because I remember it was an under-wheel truck and we

1       were, my son and I went out, counted the wheels, he  
2       was really excited because he was little. And then  
3       there was a Dunkin Donuts, so we went to Dunkin  
4       Donuts. But that was a big deal, this was 100  
5       ton-plus capacity for Con Ed up at one of the --

6               THE CHAIRMAN:     Substations.

7               MR. ELLMAN:     -- substations, that they  
8       don't like us to call substations, and they had this  
9       incredible piece of equipment where all the wheels  
10      went in all different directions so they could craft  
11      sideways. And it actually was, as I recall, so large  
12      that the entirety of it never sat on the bridge  
13      entirely. So, it went over the Central Avenue bridge,  
14      over the thruway, and not all of the rig was actually  
15      on the bridge at one time. It was worth getting up at  
16      6 o'clock in the morning and dragging my kid out of  
17      bed for it.

18              THE CHAIRMAN:    The only reason I bring that  
19      up is I think there's a mutual benefit, they don't  
20      want to see traffic, so they'll probably pick a time  
21      that works when they have the heavy equipment. It has  
22      to get there one way or another, so they'll pick a  
23      time where it works.

24              MRS. LANDI:     Yes, right. I do recall  
25      reading about the back of the Baptist Church and the

1 shadows from Chicken Island impacting on their stain  
2 glass window. There was a church I do attend that is  
3 in between two buildings, and they have done something  
4 with lighting which is absolutely phenomenal that you  
5 would never know that you were in between two  
6 buildings. So, perhaps since there is this shadow on  
7 this window, they can mitigate it by producing and  
8 doing some kind of lighting and protect in keeping  
9 that window lit, or available.

10 MS. FORSBERG: That's a good solution.  
11 That was one of my question, as well, like putting the  
12 lighting behind the stained glass to sustain the  
13 significance of the glass.

14 THE CHAIRMAN: Who would that be, the owner  
15 of the church?

16 MS. FORSBERG: The City of Yonkers, give  
17 them a tax credit to put the light in. I think that's  
18 a very reasonable request.

19 MRS. LANDI: I'm sure it's a beautiful  
20 window.

21 MS. FORSBERG: Because in the study, it  
22 says that would have happened regardless of this  
23 applicant's project or not, given the zoning, so I  
24 think that it would be a reasonable request for that  
25 church to perhaps retain the IDA.

1 MR. LARKIN: Or the applicant.

2 MRS. LANDI: Or the applicant, because it  
3 is impacting on it.

4 MS. FORSBERG: I want to kind of finish my  
5 comments, I have just a few more about the  
6 socioeconomic impact on the affordable housing. I  
7 don't think it stresses it enough in the scoping  
8 document that the macroeconomics supply, the creation  
9 of these new units will increase the supply of housing  
10 and will reduce that driving up of the rent for the  
11 market-rate housing because it's in low supply and  
12 high demand. So, I think it helps the affordable  
13 housing situation, and I do think that it's  
14 significant, I agree with the data that's in this  
15 scope, this chapter of the scope, that the majority  
16 surrounding multifamily units are rent regulated which  
17 preserves its own affordability without having an  
18 impact from this project, as well as the AMI based  
19 affordable housing.

20 I would just ask that the applicant provide  
21 information, from the City's end, provide them with  
22 what they're adding to the scope to show how payment  
23 in lieu of a certain percentage of affordable housing  
24 has been successful when done on another project.

25 For geology and archeology, a lot of the

1 sites and studies that were done were on the known  
2 historic sites. There wasn't much discussion about  
3 what happens if some, you know, if something of  
4 archeological significance is discovered while digging  
5 or excavating.

6 I think even a rough protocol of what agency  
7 to work with and report something to could be helpful  
8 because I can't imagine, especially on the Chicken  
9 Island site, if something is discovered, what happens,  
10 where does it go? The studies in this book were only  
11 done on the known historic sites, not so much about  
12 the archeological significance.

13 And I wanted confirmation from the applicant  
14 about there are a lot of historic districts. And,  
15 again, the studies are being done about specific  
16 sites, but districts much often have parts of the  
17 street, or even the fire hydrant, could be of  
18 historical significance, that's why it's the district  
19 and not just certain sites. So, confirmation that  
20 there's nothing of historic significance that would be  
21 interrupted that's on the site. And, if so, what the  
22 remedy would be. I would assume they would work with  
23 the corresponding agencies to preserve it as other  
24 developers have, but it just should be noted in there.

25 I don't have anymore post-its.

1                   THE CHAIRMAN:   No more post-its.  Is there  
2                   anything staff wanted to add, maybe draw some  
3                   comments, or should I draw more comments from the  
4                   Board?

5                   MR. ELLMAN:    We really hoped, this is  
6                   great, this is what we hoped to have you do, which is  
7                   help the process, get your voice, your comments.  It's  
8                   easier and faster to speak them rather than to do it a  
9                   more formal way, but they are equally valid anyway the  
10                  lead agency puts them out.

11                  And there are more staff comments coming,  
12                  Fire, Police, are still commenting.  Engineering is  
13                  waiting on some flow tests and the sewers, that's all  
14                  part of the process.  So, the Bureau staff is going  
15                  over the document word by word, BFJ is doing the same.  
16                  So, the incorporation of all of that will be comments.  
17                  And if you suddenly get the itch and --

18                  THE CHAIRMAN:   I was going to say we can  
19                  buy her some more tabs.

20                  MRS. LANDI:    May I?  We didn't speak too  
21                  much about police, and I do think there will be also  
22                  an impact to the police, I'm sure staffing and  
23                  everything else, but one of the things I thought  
24                  perhaps we can consider would be like satelllites, you  
25                  know, not a firehouse, or not a police station, but

1 maybe just a satellite in a certain area that would  
2 make them closer and more accessible to the community.

3 THE CHAIRMAN: That's also something that  
4 probably the Police Department with the City considers  
5 all the time.

6 MRS. LANDI: Yeah.

7 THE CHAIRMAN: If there's a need for it,  
8 they'll put one in.

9 MR. ELLMAN: I'll tell you that I was  
10 working with the Police Department on their initial  
11 comments before Commissioner Mueller retired. And  
12 kind of the first draft I got from them was the kind  
13 of first draft I expect from all the uniformed  
14 services, which is more give me, give me, give me.

15 MRS. LANDI: Where's the money?

16 MR. ELLMAN: More towards even more bodies.  
17 And I would say that is an absolute valid potential  
18 answer. But I also asked them to look at a more  
19 narrative approach and think about well, if this  
20 happens, what happens there, combine some of the  
21 issues, and think about it from their perspective, if  
22 there are more construction sites, does that mean that  
23 there's potentially more theft?

24 And I was just throwing ideas out to them  
25 because they're not used to reading a DEIS, so I would

1 say just kind of put the, do a match test and put this  
2 together with that and see if there's an issue for it.

3 I haven't gotten that back yet from them. I  
4 know the Fire Department is working on it because we  
5 work with Chief DeSantis all the time on other  
6 projects and he's mentioned that he's working on his  
7 comments.

8 MR. NERSINGER: One thing -- you're more  
9 important than me.

10 MR. LARKIN: I just have one thing  
11 additional on the stormwater, it was brought up by  
12 Adelia and McKenzie.

13 Back in 2007, with the Alexander Street  
14 Master Plan, it said, it should be noted, this is  
15 talking about the 96 million gallons daily, which now  
16 we're down to 84, does not include stormwater flow  
17 resulting from heavy rain events and the city's  
18 combined sewer and stormwater system. Therefore,  
19 while the Yonkers Sewage Treatment Plant has sewage  
20 flow, it is possible that the design capacity of the  
21 plant may be exceeded during heavy storm events.

22 Developers building in the subject area  
23 would be expected to take this matter into  
24 consideration when developing final designs for their  
25 projects and demonstrate that their proposal would not

1 result in sewage flows that exceed the capacity of the  
2 plan.

3 Furthermore, any new construction under the  
4 Master Plan would be required to complete the  
5 separation of the stormwater and sewage flows.

6 So, for them saying that there may be  
7 partial stormwater issues should not be acceptable.

8 MRS. LANDI: I agree, it should be  
9 separate.

10 MR. NERSINGER: One thing I didn't hear come  
11 up too much was the post-construction completed  
12 project, kind of walkability flows for downtown. When  
13 we talk about adding 3,500 residential units, X  
14 thousand square feet of office space, ground floor  
15 uses in a lot of the buildings, something I think  
16 about and something I offer the Board, and if you want  
17 to talk about it here, great, is what recommendations,  
18 what mitigation could be suggested to improve the  
19 overall walkability of the downtown in this triangle  
20 that we're looking at.

21 I didn't see a whole lot of it so far in my  
22 review. I'm not sure if any of you caught that in  
23 yours, as well, but when you come to present it, if  
24 you want to discuss it tonight or is there something  
25 you want to learn more about? I think staff, and even

1 my with my comment, is to learn about what  
2 improvements and opportunities there are for general  
3 walkability.

4 You touched on it earlier about sidewalks,  
5 but look at it from kind of an area perspective as  
6 well. I think that's an important topic here.

7 MS. NOVA: I think within that, the street  
8 lights, or lights in general, on these properties.  
9 Right now downtown Yonkers is very dark, there are a  
10 lot of places, especially in front of Teutonia Hall,  
11 there are multiple blocks that when you are walking  
12 are completely in the dark.

13 Now, we already do have some crime in this  
14 area, and we have a lot more people to be considered,  
15 as well. But I thought we definitely need a lot more  
16 lighting and, also, have the City keep up with that  
17 lighting because with all the projects, it's very  
18 important.

19 MR. NERSINGER: Yeah, just different ways  
20 for planning, you know, we have on the road turn, four  
21 or five different lights that are intermittent.

22 MS. NOVA: Right.

23 MR. NERSINGER: And there's also such a  
24 thing as pedestrian scale lighting, too. So, we can  
25 look at how the buildings are designed, if they offer

1 street lighting that light up the sidewalks.

2 And, again, it's not on the developer to do  
3 it area-wide, but those are the recommendations that  
4 are being put forth. There are some things that they  
5 might be responsible for, other things they're not.  
6 So, we're looking at this from an area-wide  
7 improvement.

8 MS. NOVA: Yes, there might be some off the  
9 building side but not that front space, but then, yes,  
10 the City could provide street lights. Also crosswalks  
11 would be very nice, I'd like to see those.

12 MRS. LANDI: We did speak, I did speak  
13 about green space, but I also think it would be nice  
14 to see tree planting in front of these buildings and  
15 things like that. I think I did read something that  
16 they did mention tree planting, but since there's not  
17 much else as far as green, maybe that would be nice.

18 MS. NOVA: And then also within that, when  
19 I think green space in front of the buildings,  
20 sidewalks, I'm also thinking pets, places also for --  
21 I don't have dogs.

22 MS. FORSBERG: Like a dog park.

23 MS. NOVA: There is a dog run, but dog  
24 owners is also a concern, but also having that little  
25 bag station.

1 MR. NERSINGER: The dog waste station.

2 MS. NOVA: Yeah, there's a specific name  
3 for that, one of the other buildings has it down at  
4 the waterfront.

5 MRS. LANDI: That would be nice.

6 MS. NOVA: Especially with more people  
7 coming to the area, dog friendly, make sure to keep  
8 the sidewalks clean for people that are running, as  
9 Roman mentioned, to catch their trains.

10 MR. NERSINGER: Good comment.

11 THE CHAIRMAN: I think it would actually  
12 depend on the type of retail, if they're going to be  
13 9:00 to 5:00-type retail stores, I think it's still  
14 important it be lit after hours.

15 I would also be interested if there were  
16 cafes, things that have an evening crowd that would  
17 come in.

18 MR. NERSINGER: You're right, with that  
19 much density coming in, you're going to need services  
20 and uses to support that, hopefully, growing economy  
21 that would be down there for those uses.

22 THE CHAIRMAN: You're planning for success.

23 MR. NERSINGER: I try.

24 MRS. LANDI: My concern is what happens  
25 when this transient or, you know, people moving into

1 the outskirts of New York City and then decide to move  
2 back to the city, or whatever, what are we going to do  
3 with all of this excess housing?

4 MS. FORSBERG: I think this is the city. I  
5 don't think that people are going to say oh, I moved  
6 to Yonkers, I'm going to move back to the city, I  
7 think it's synonymous.

8 MR. ELLMAN: A bigger and wider question is  
9 that's something that we work with New York City on.  
10 New York City a couple of years ago created a -- this  
11 is not really about the DEIS. New York City a couple  
12 of years ago created a regional planning section  
13 within New York City's City Planning Department, and  
14 they are crackerjacks, really just terrific people.  
15 And the best thing about it is that their perspective  
16 is not to plan to be the boss of us, but to work on  
17 the theory that their success depends on our success  
18 and vice versa.

19 The projections that are well considered,  
20 they were done before COVID, but the projections were  
21 that New York City was going to grow by a million  
22 residents by 2030, I think was the plan documents.  
23 And they realized that not all of those million  
24 residents can live in the boroughs, and they are  
25 looking to the urban communities to understand that.

1                   It's not our obligation, but an opportunity  
2                   for us. Some places like Yonkers are more receptive  
3                   to that, some of the outer suburbs will never be  
4                   receptive to that.

5                   We go, I would go, to these meetings,  
6                   planning directors from around the region that were  
7                   brought in, we had our successors in the downtown  
8                   waterfront, we had 4,000 units, and then the planner  
9                   from Jersey City goes 40,000, because they've got a  
10                  direct line to Manhattan. But the idea is that the  
11                  region is truly growing. And I think that's, that is  
12                  probably never going to be a problem, that people are  
13                  not going to want to be 20 minutes from Manhattan.

14                 MS. NOVA: I think it's more the idea we  
15                 clearly cannot predict, especially with what's going  
16                 to change in the world, and if people are going to go  
17                 back to offices or not. But I think this is a turning  
18                 point for Yonkers to kind of be able to grow in a  
19                 steady sense. I think there's a large number of  
20                 cities and counties where that I hear that, for  
21                 instance, the city of Beacon blew up and became very  
22                 much an art district, people flock to that area.

23                 I think really this development is going to  
24                 kind of shape who we really attract there. Already  
25                 there are people that are seeking and are going to

1       enjoy this co-working space, and I think it's going to  
2       be very important in order to keep that vacancy low  
3       because the people, that new culture and that new  
4       identity that the Yonkers waterfront is going to have.  
5       And that I think is a little TBD.

6                   MR. ELLMAN:    And I think a lot of the  
7       questions that the Board has brought up about why  
8       this, why not that, kind of livability questions goes  
9       to what Becky is just saying now, that they're a new  
10      identity and this Board's job as a Land Use Board, as  
11      a site Planning Board, has always been how do we get  
12      the best identity, how do we make this project, any of  
13      the projects, that we should expect the best project  
14      that has the least impact, how do we go beyond the  
15      bare minimum that the Building Code requires if you  
16      don't kill anybody, it doesn't burn down, it's not  
17      sewer and water, but how do we make it better.

18                  MS. FORSBERG:   And I think that this, the  
19      proposal in the land use portion of that chapter of  
20      this DEIS will be monumental in our ability to  
21      continue to rewrite those Building Codes to prepare  
22      for what the City is trying to accomplish.

23                  THE CHAIRMAN:   All right, that being the  
24      case, I think we heard from everyone, staff.  Again,  
25      your comments are still welcome.

1 MRS. LANDI: Good.

2 THE CHAIRMAN: If you get that new book of  
3 tabs, you can still use it.

4 MS. FORSBERG: New post-its.

5 THE CHAIRMAN: I thank everyone for being  
6 here today and for your tremendous tremendous input.  
7 Hopefully we gave you some food for thought as we move  
8 forward in the process. I thank the applicant for  
9 being here today, as well.

10 MR. ELLMAN: And we do have, we're meeting  
11 next week and if another thought pops up, it certainly  
12 is appropriate to voice it at the regular meeting.

13 THE CHAIRMAN: Next meeting is where?

14 MR. NERSINGER: Good question. Next  
15 meeting is back here City Hall, fourth floor. When I  
16 say here, in this building, not at Saunders.

17 THE CHAIRMAN: The elevator just broke?

18 MS. CARNEY: Right.

19 MR. NATCHEV: No.

20 MS. CARNEY: I don't know if they got it  
21 wrong again, but they're aware the elevator broke.

22 MR. NERSINGER: The meeting is planned, but  
23 I propose to be in the conference chambers. I do have  
24 a backup location reserved at the Riverfront Library  
25 because Saunders is not available on the 11th. So,

1 plan for here.

2 MS. NOVA: I'm not available on the 11th.

3 MR. NERSINGER: You're not available and  
4 you're not available.

5 MRS. LANDI: No.

6 MR. LARKIN: And Eddie is not going to be  
7 here, he's not going to be here for May.

8 MRS. LANDI: So, I guess you can reschedule  
9 right now.

10 MR. NERSINGER: Well, while we're here,  
11 you're out of the country, correct?

12 MRS. LANDI: Yes.

13 MR. NERSINGER: Is Zoom available for you?

14 MS. NOVA: I'm going to be on a flight.

15 MR. NERSINGER: They have great wifi on  
16 planes.

17 MS. NOVA: I'm sure the people sitting next  
18 to me would love to hear.

19 MR. NERSINGER: All right, we will revisit  
20 this tomorrow and figure out the meeting on the 11th,  
21 I guess.

22 THE CHAIRMAN: Well, we may need to do it  
23 another day.

24 MR. NERSINGER: That's my point, which  
25 means the patience of the applicants. So, all right,

1 we'll followup.

2 Do you want to close the meeting?

3 THE CHAIRMAN: Yes. Do I have a motion to  
4 adjourn?

5 MRS. LANDI: I make a motion.

6 THE CHAIRMAN: By Adelia, thank you.

7 MR. LARKIN: Second.

8 THE CHAIRMAN: Second by John. All in  
9 favor, please indicate by saying aye.

10 (A chorus of ayes.)

11 THE CHAIRMAN: Oppose.

12 That passes unanimously.

13 Happy Mother's Day everyone.

14 (Meeting adjourned at 7:35 p.m.)

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1 STATE OF NEW YORK  
2 COUNTY OF WESTCHESTER  
3

4 I, CATHERINE ARMENTANO, Notary Public within and  
5 for the State of New York, do hereby certify that the  
6 within is a true and accurate transcript of the  
7 proceedings taken on May 5, 2022  
8 .  
9

10 I further certify that I am not related to any  
11 of the parties to this action by blood or marriage and  
12 that I am in no way interested in the outcome of this  
13 matter.  
14  
15  
16

17 Dated, New York,  
18  
19

20 \_\_\_\_\_  
CATHERINE ARMENTANO  
21  
22  
23  
24  
25

1 STATE OF NEW YORK  
2 CITY OF YONKERS

-----X

3 MINUTES OF  
4 THE CITY OF YONKERS PLANNING BOARD MEETING  
5 AMS DOWNTOWN PROJECT

6 March 9, 2022 - 7:17 P.M.

7 at

8 SAUNDERS TRADES AND TECHNICAL HIGH SCHOOL  
9 183 PALMER ROAD  
10 YONKERS, NEW YORK 10701

-----X

11 B E F O R E:

12 ROMAN KOZICKY, CHAIRMAN  
13 MACKENZIE FORSBERG, MEMBER  
14 ADELIA LANDI, MEMBER  
15 JOHN LARKIN, MEMBER

16  
17 P R E S E N T:

18 LEE ELLMAN, DEPUTY COMMISSIONER  
19 ZACHARY NERSINGER, PLANNING DIRECTOR  
20 CHRISTINE CARNEY, SENIOR PLANNER  
21 ALAIN NATCHEV, ASSISTANT CORP. COUNSEL  
22 DIDER MONTEIRO, PLANNING TECHNICIAN

1 THE CHAIRMAN: Now moving back to Item  
 2 number 14. Item number 14 is a SEQRA DEIS public  
 3 hearing for AMS Yonkers Downtown project zoning  
 4 petition referral from the Yonkers City Council for  
 5 amendments to the Zoning Map and Zoning Ordinance  
 6 affecting the real properties commonly known as the  
 7 "Teutonia Hall Site", the "Chicken Island Site", and  
 8 the "North Broadway Site" as designated on the Tax Map  
 9 of the City of Yonkers as a whole slue of different  
 10 Block and Lots that I'm not going to go through.

11 Mr. Mark Weingarten is here as  
 12 representative for the proposal.

13 I don't believe there's any presentation, is  
 14 there?

15 Okay, a brief presentation, please.

16 And in the meantime, you're going to be  
 17 setting up all of your technology, excellent.

18 MR. WEINGARTEN: Yes, I can start, I only  
 19 have a minute and we'll set that up.

20 THE CHAIRMAN: Great, thank you.

21 MR. WEINGARTEN: Good evening, Mr. Chairman  
 22 and members of the Board. For the record, Mark  
 23 Weingarten, partner with the law firm DelBello  
 24 Donnellan Weingarten Wise & Wiederkehr, and it is my  
 25 pleasure to be here this evening representing AMS

1 Acquisitions, LLC and its affiliated companies as the  
2 owners and contract vendees for parcels of the land  
3 underlying three project sites in downtown Yonkers.

4 On August 25th, 2020, we filed a petition on  
5 behalf of AMS, which requested certain modifications  
6 to the Yonkers Zoning Ordinance and Zoning Map,  
7 requested amendments to the City's Downtown Master  
8 Plan, as well as the Riverview and Getty Square Urban  
9 Renewal plans in order to facilitate the three  
10 proposed projects located on the Teutoina Hall Site,  
11 the Chicken Island Site, and the North Broadway Site.

12 We believe that this enormous investment by  
13 AMS in the downtown validates your city's vision.  
14 These projects would never have been proposed without  
15 the City's hard work and achievements to its  
16 waterfront, the Saw Mill River Daylighting, the RXR  
17 project, the Commons project, and so much more. We  
18 believe that our transit orient to development will  
19 lead downtown Yonkers to finally be recognized for  
20 what it is, one of America's premier urban  
21 neighborhoods.

22 Joining me tonight is our team from AMS, as  
23 well as our full team of professionals. I will note  
24 for the record that Michael Mitnick who has become  
25 well known as the Principal of AMS had a baby this

1 week so he's not here, he sends his regards, and we do  
2 congratulate him.

3 Basically, for the record, the Planning  
4 Board is the Lead Agency under SEQRA. The first step  
5 in the process was the scoping of the DEIS. We and  
6 our experts have worked with the City's experts for  
7 more than a year to create a Draft EIS which addresses  
8 all of the potential impacts of the proposal.

9 Our mission tonight is to hear if there are  
10 any questions or comments that anyone here on the  
11 Board or from the public may have regarding our  
12 proposal or for that which is written down in the  
13 DEIS.

14 So, it's clear for the public, all of the  
15 questions that are raised this evening, all of the  
16 comments that will be made, will be responded to in  
17 writing. We won't give answers this evening, but we  
18 will respond in writing through a final Environmental  
19 Impact Statement, which will have an opportunity for  
20 the public review.

21 Before we turn it back over to the Board, we  
22 were told before we were here that a brief  
23 presentation pictorially of the project might be  
24 requested, so we want you to know if you would like us  
25 to go through that, we will.

1                   So, at this time, I'd like to turn it over  
2                   to our architect from S9, one of the Principals, John  
3                   Clifford who will take you through that brief  
4                   presentation.

5                   Thank you.

6                   MR. CLIFFORD: Good evening, ladies and  
7                   gentlemen. My name is John Clifford, I'm a Principal  
8                   at S9 Architecture and we've been working on the  
9                   project. So, I'm going to quickly go through the  
10                  three parcels and the development proposal.

11                 So, when we first started looking at this,  
12                 we wanted to look at all the investment that's been  
13                 made in Yonkers to date, both the private investment  
14                 that's made along the waterfront and RXR Downtown, but  
15                 also the public investment particularly as it relates  
16                 to Van Der Donck Park and the Daylighting of the Saw  
17                 Mill River as you go upstream through Mill Street and  
18                 then up to Chicken Island.

19                 Our sights are located around that area,  
20                 around the historic core of downtown. And we  
21                 wanted to look at how we can integrate into the  
22                 downtown neighborhood, particularly Getty Square, and  
23                 leverage all those investments that were made in  
24                 the public realm assets that's along the river going  
25                 from Buena Vista at the lower end of Van Der Donck

1 Park all the way up to Chicken Island and Nepperhan.

2 So, this slide that you see here shows those  
3 three sites; the Teutonia site is on Buena Vista, the  
4 North Broadway site is in the middle upper part of the  
5 screen, and then on the right-hand side is the Chicken  
6 Island site across from City Hall.

7 This is an existing aerial shot from the  
8 Hudson looking east across Yonkers. And then we  
9 modeled in at full build-out what the three sites  
10 would look like. So, the Teutonia site is in the  
11 foreground, the Chicken Island site is pretty much in  
12 the center -- I'm sorry, North Broadway is in the  
13 center of the screen, and then Chicken Island is just  
14 to the right of that. So, now I'm going to take you  
15 quickly through the three parcels so we can see a  
16 little bit up close.

17 The first site that we're going to look at  
18 is the North Broadway Site. This is a view from just  
19 across from the train station at Van Der Donck Park,  
20 the RXR buildings are in the foreground. And then  
21 this is modeled with the North Broadway buildings that  
22 are up on the hill, on Locust Hill.

23 This is a drone view of that same site,  
24 where the green is. There's a big grade change, as  
25 you know, between North Broadway as it goes up Locust

1 Hill. The two main buildings, and you can see that  
2 they have connections down to Getty Square and the  
3 downtown district coming down the hill and along North  
4 Broadway, those buildings are the same scale of the  
5 historic fabric of North Broadway and Getty Square.  
6 So, that kind of human scale connects down into the  
7 historic downtown.

8 Chicken Island is the largest site,  
9 primarily the parking lot that's across from City Hall  
10 at Nepperhan and New Main Street. Again, a drone view  
11 showing what's there now.

12 This shows the build-out above Chicken  
13 Island and the North Broadway site. So, the two  
14 buildings in the left background are the North  
15 Broadway site. And then the Chicken Island buildings  
16 are low-rise next to the daylighting of the Saw Mill,  
17 and then the height goes up as it gets to School  
18 Street.

19 There's a series of internal streets. What  
20 we really wanted to do is maintain the ground plane in  
21 the same scale as Yonkers, so breaking up this big  
22 block that you go around on Palisade, School, New Main  
23 and Nepperhan and dividing that with new streets to  
24 break it up into city blocks.

25 And then we wanted to see how it integrated

1 in the surrounding neighborhoods, so this is looking  
2 up the hill from Palisade from Getty Square, you know,  
3 one of the more commercial corridors downtown.

4 And on the right, we wanted to continue that  
5 low-scale density along the Palisades and extend this  
6 commercial up and kind of strengthen the Getty Square  
7 downtown commercial district. And then our goal is  
8 push back from there. And then we have a new street  
9 just up the hill from where James Street is now that's  
10 going into the Chicken Island parcel.

11 This is what it looks like now. We're  
12 proposing this new street that would enter in off  
13 Palisade and eventually connect back towards New Main  
14 Street and Nepperhan.

15 And this is a rendering of what that would  
16 look like. So, active ground plane uses, same kind of  
17 city width of the street that would connect. And in  
18 the background there would be where the daylighting  
19 currently exists at Nepperhan and New Main Street.

20 The final site is the Teutonia site on Buena  
21 Vista. The view now from the train station looking up  
22 the hill at Buena Vista, the site currently is vacant.

23 And then showing the towers as they're fully  
24 built-out. This is, this site is located above the  
25 MTA tracks by a considerable amount of height, so it's

1 well above the riverfront.

2 The existing site is vacant, and what we  
3 really want to do is extend that street from downtown  
4 where there's been a lot of good growth and  
5 development and redevelopment, and extend that up the  
6 street. So, we kept the same scale as the low-rise  
7 buildings for the podium, and then the towers are set  
8 back closer to the MTA right-of-way so that on the  
9 street, you still have the same scale of the existing  
10 street.

11 Then just an overall view, another aerial of  
12 what this might look like in the build-out. So, you  
13 can see the RXR buildings are in the middle of the  
14 site, and we are located basically north and south of  
15 the Saw Mill River as it goes up in this daylight  
16 pattern from Van Der Donck Park up to Chicken Island.

17 That's it. Thank you.

18 THE CHAIRMAN: Thank you.

19 Before we go to the public comment, Zach,  
20 did you want to go over the SEQRA process, or is that  
21 something that we've done already?

22 Okay, we're good. All right, that being the  
23 case, first of all, let the record reflect that we did  
24 start at 7:15, it is beyond 7 o'clock, and could you  
25 take a look, do we have comments, do we have anybody

1 signed up?

2 (Whereupon there was a pause in the  
3 proceedings).

4 THE CHAIRMAN: What Christine is looking  
5 for is in order to make public comment tonight, we ask  
6 that you put your name on the list. Is there anyone  
7 in the auditorium who wishes to make a question or  
8 public comment?

9 We have someone, that's good, we'll wait.

10 AUDIENCE INDIVIDUAL: Sorry.

11 THE CHAIRMAN: By the way, most likely, we  
12 will continue the public hearing after tonight. The  
13 weather tonight might have had an affect on the number  
14 of people being able to attend, so we encourage  
15 further comment either through the Planning  
16 Department, in the meantime, or at next month's  
17 meeting where we will still have the hearing open.

18 I was just reminded that the public comment  
19 period is scheduled to close April 27th, so public  
20 comment will be taken up until at least that time.

21 Yes, please, go an ahead.

22 MR. GUIGON: Hi, my name is Chris Guigon.  
23 We own a small unit.

24 THE CHAIRMAN: Can you just please speak  
25 into the microphone?

1 MR. GUIGON: We own a small unit on North  
2 Broadway, and we're just curious, we tried reading  
3 through all the stuff that they presented and we're  
4 worried about the river coming up through all of the  
5 buildings in that area and what the extra water is  
6 going to do during storms and all of that.

7 And then, also, how this is going to play  
8 into the city's larger connection with the homeless  
9 population and all of the crime that's been going on  
10 downtown. And if that's been addressed and if their  
11 going to help the city, like, really well, not just  
12 fluff, like really help the city, to improve the  
13 waterfront and take care of everybody.

14 That's it, basically, quick question.  
15 Obviously we're the only people here.

16 THE CHAIRMAN: Yeah, the process is the  
17 comments and questions that are given becomes part of  
18 our continued review, and then responses will be  
19 issued to those when we do the final draft.

20 MR. GUIGON: Okay.

21 THE CHAIRMAN: Since there are not that  
22 many people tonight, if the applicant outside our  
23 meeting wants to address some of them, that's fine,  
24 they can do that now, but they're not required to.  
25 We're, basically, now bringing in all the comments and

1 questions that our constituents want to provide to us,  
2 and then we put them together and we come out with a  
3 final --

4 MR. GUIGON: I understand, I just wanted to  
5 come today to kind of add to the process that way it's  
6 listed that there is some public comment.

7 THE CHAIRMAN: We need people to become part  
8 of the process.

9 MR. GUIGON: Understood. ( We want Yonkers to  
10 evolve downtown, and Getty Square is a beautiful  
11 square, and I think that having it evolve would be  
12 great, but let's evolve it properly and not just like  
13 jump to, like, crazy conclusions and high-rises and  
14 all of that stuff. )

15 THE CHAIRMAN: Actually, we don't want to  
16 get into a discussion right now, but if you do have  
17 like-minded neighbors that may not feel they want to  
18 come out for whatever reason and they wanted to make  
19 themselves known, then they have the opportunity to  
20 e-mail or mail their comments to the Planning  
21 Department and the City of Yonkers, and they would  
22 also become part of our review process.

23 MR. GUIGON: I understand. Thank you. We  
24 just wanted to make a visual, thank you.

25 THE CHAIRMAN: Thank you.

1 Christine, any other -- no other speakers  
2 tonight?

3 MS. CARNEY: No.

4 THE CHAIRMAN: Okay. Then, like I  
5 mentioned, if there's no other objection from our  
6 Board, I'm going to leave the public hearing open at  
7 this time and we'll continue it next month, and the  
8 public comment period will still continue until April  
9 27th of this year.

10 So, we're closing the issue, not closing the  
11 public hearing, we're closing the item for tonight,  
12 but not the public hearing.

13 Thank you.

14 MR. WEINGARTEN: Thank you.

15 THE CHAIRMAN: All right, I think that's  
16 all we have for tonight, and I thank my Board members,  
17 thank you all tonight for being here.

18 And I just ask that everyone keep Ukraine in  
19 your thoughts and prayers. We pray for Ukraine, we  
20 pray for humanity, we pray for sanity and, just for  
21 the record, Putin is a war criminal.

22 Thank you.

23 Do I have a motion to adjourn for the  
24 evening?

25 MRS. LANDI: I make a motion.

1 THE CHAIRMAN: So moved by Adelia. Seconded  
 2 by --  
 3 MS. FORSBERG: Second.  
 4 THE CHAIRMAN: -- Mackenzie. All in favor,  
 5 please indicate by saying aye.  
 6 (A chorus of ayes.)  
 7 THE CHAIRMAN: Oppose, nay.  
 8 That passes unanimously.  
 9 Thank you very much. Good night.  
 10 (Proceedings concluded at 7:31 p.m.)  
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 25

STATE OF NEW YORK  
COUNTY OF WESTCHESTER

I, CATHERINE ARMENTANO, Notary Public within and  
for the State of New York, do hereby certify that the  
within is a true and accurate transcript of the  
proceedings taken on March 9, 2022

I further certify that I am not related to any  
of the parties to this action by blood or marriage and  
that I am in no way interested in the outcome of this  
matter.

Dated, New York,

---

CATHERINE ARMENTANO

1 STATE OF NEW YORK  
2 CITY OF YONKERS

-----X

3 MINUTES OF  
4 THE CITY OF YONKERS PLANNING BOARD

5 APRIL 13, 2022 5:54 P.M.

6 at

7 SAUNDERS TRADES AND TECHNICAL HIGH SCHOOL  
8 183 PALMER ROAD  
9 YONKERS, NEW YORK 10701

-----X

10 B E F O R E:

11 ROMAN KOZICKY, CHAIRMAN  
12 MACKENZIE FORSBERG, MEMBER  
13 ADELIA LANDI, MEMBER  
14 JOHN LARKIN, MEMBER  
15 BECKY NOVA, MEMBER

16 P R E S E N T:

17 LEE ELLMAN, DEPUTY COMMISSIONER  
18 ZACHARY NERSINGER, PLANNING DIRECTOR  
19 CHRISTINE CARNEY, SENIOR PLANNER  
20 ALAIN NATCHEV, ASSISTANT CORP. COUNSEL  
21 DIDER MONTEIRO, PLANNING TECHNICIAN

## I N D E X

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1 THE CHAIRMAN: Come to order. Good  
 2 evening, ladies and gentlemen, this is the City of  
 3 Yonkers Planning Board conducting a regular meeting on  
 4 Wednesday, April 13, 2022. It is 5:50 p.m. and we're  
 5 located at Saunders Trades and Technical High School  
 6 at 183 Palmer Road in Yonkers, 10701, in the  
 7 auditorium.

8 Any matter requiring a public hearing will  
 9 be heard after 7:00 p.m. Agenda items may also be  
 10 taken out of order and as the Board may deem  
 11 necessary.

12 This meeting will be recorded and available  
 13 on the City website, for information, visit  
 14 [www.yonkersny.gov](http://www.yonkersny.gov), that's Y-O-N-K-E-R-S-N-Y.G-O-V.

15 If you have a cell phone that might go off,  
 16 or any similar device, I ask that you disable it.  
 17 And, also, if you need to have a conversation, please  
 18 take the conversation out into the hallway so not to  
 19 interrupt the proceedings.

20 Item number 1 on the agenda are the minutes  
 21 of the regular Planning Board meeting that were held  
 22 on March 9, 2022.

23 Members of the Board, you had the  
 24 opportunity to review those minutes, they were in our  
 25 packages, any questions, comments changes?

1                   If not, I'll entertain a motion to accept  
2           the minutes.

3                   MS. NOVA:   (Indicating.)

4                   THE CHAIRMAN:   So moved by Becky.   Seconded  
5           by --

6                   MR. LARKIN:   Second.

7                   THE CHAIRMAN:   -- John.   All in favor,  
8           please indicate by saying aye.

9                   (A chorus of ayes.)

10                  THE CHAIRMAN:   Oppose, nay.  
11                  That passes unanimously.

12                  Item number 2 is being held over, that's the  
13           70 Salisbury Road, no action tonight on Item number 2.

14                  Similarly, Item number 3 is being held over  
15           at the applicant's request.   That is the 2205 Central  
16           Park Avenue and 10 Roxbury Drive, known as the Chick-  
17           Fil-A Restaurant, no action on that item this evening.

18                  We're going to jump to Item number 5.   Item  
19           number 5 is also being held over, that is the property  
20           known as 383 Warburton Avenue, there is no action on  
21           that item this evening, which brings us to Item number  
22           6.

23                  Item number 6 is a site plan review for a  
24           proposed warehouse and parking structure to service  
25           Lionsgate Studios with associated site improvements at

1 Block 2015, Lots 105 and 106 on the property known as  
2 10 Woodworth Avenue pursuant to Article IX of the  
3 Yonkers Zoning Board.

4 Stephen Pustola is representative for the  
5 proposal.

6 I would ask any of the persons coming to  
7 represent the applicants to sign in. Do we have a  
8 sign-in sheet over there?

9 MS. CARNEY: Yes.

10 THE CHAIRMAN: Okay. I ask you to use the  
11 sign-in sheet for yourself and anyone appearing on  
12 behalf of the applicant.

13 Actually, just in case, Items numbers 8 and  
14 10, as we get to them, are being held over. I don't  
15 want anyone waiting here for no reason. Item number 8  
16 is 167 Saw Mill River Road, and Item number 10 is the  
17 220 and 230 Glenbrook Avenue. Both of those items are  
18 being held over at the applicant's request, there will  
19 be no action on those items.

20 I'm sorry, Mr. Pustola, go ahead.

21 MR. PUSTOLA: That's quite all right. good  
22 evening, Mr. Chairman and members of the Board. I'm  
23 pleased to be able to present to you once again the  
24 parking deck designated as the Lionsgate warehouse and  
25 garage located at 10 Woodworth Avenue in Yonkers.

1 I'm here tonight to hopefully apply for a  
2 resolution on this project. I do want to note that we  
3 do have two comments received from the Engineering  
4 Department, if possible I can address these now.

5 THE CHAIRMAN: Yes, please.

6 MR. PUSTOLA: Thank you.

7 Comment number one notes that parking  
8 levels, on parking levels 1 and 2, a two-way aisle  
9 width drops down to 12-foot-5 for the stair tower. I  
10 would like to note that the dimension on the plans is  
11 actually 21-foot-5-inches, and the clear distance from  
12 the end of the parking space to the structure is  
13 actually 24-foot-10-inches. We are anticipating using  
14 some of that additional 10 inches of clearance to  
15 provide for a guardrail or buffer in order to protect  
16 the existing structure.

17 And, number two, regarding the stormwater  
18 pollution prevention plan, I have spoken to the  
19 Department of Environmental Conservation, there is  
20 currently an active permit for the site, and they  
21 advised me that the best way to move forward would be  
22 to apply for an amendment to that existing permit.

23 That being said, I'm happy to take any  
24 questions from the Board in order to hopefully reach a  
25 resolution.

1 THE CHAIRMAN: Thank you, Mr. Pustola.

2 Members of the Board, any further questions  
3 for the applicant on this item?

4 If not, Staff?

5 MR. NERSINGER: I would just remind the  
6 Board that this application for the parking garage  
7 expansion is to provide parking to a previous site  
8 plan that the Board approved for the studios across  
9 the street at 90 to 108 Warburton Avenue. These  
10 projects were reviewed concurrently by the Board in  
11 separate applications. Last month, the Board approved  
12 the studios. All of the parking associated and  
13 required for the studio site will be provided for at  
14 this property with the expansion of the parking garage  
15 as proposed.

16 Other than that, Kyle, thank you for  
17 responding to the Engineering comments just now, we'll  
18 make sure that Engineering has those responses.  
19 Please make sure you followup in writing, as well, to  
20 them just so that it's captured.

21 MR. PUSTOLA: All right.

22 MR. NERSINGER: At this time, there are no  
23 other comments from Staff.

24 THE CHAIRMAN: Okay, thank you.

25 That being the case, at this time, I will

1 entertain a motion for a negative declaration as to  
2 SEQRA.

3 MR. NERSINGER: We already did that.

4 THE CHAIRMAN: We did that.

5 MR. NERSINGER: This was a coordinated  
6 action in January, the Board gave its negative  
7 declaration.

8 THE CHAIRMAN: Okay, I don't have that in  
9 my notes but, if that's the case, that's fine.

10 Okay, moving then to the resolution itself,  
11 do we have a resolution on the item itself?

12 Adelia, please.

13 MRS. LANDI: Mr. Chairman, this is a  
14 resolution to approve a site plan for a proposed  
15 parking garage expansion and warehouse building at  
16 Block 2015, Lots 105 and 106 on the property known as  
17 10 Woodworth Avenue pursuant to Article IX of the  
18 Yonkers Zoning Ordinance.

19 Findings:

20 1. The project site is zoned D-IRT and is  
21 approximately 1.93 acres in size for a proposed  
22 parking garage expansion and warehouse building. The  
23 elevated parking garage structure would provide plus  
24 or minus 365 new parking spaces along the northern and  
25 western sides of the existing Kawasaki and Westchester

1 County Government office facilities (also known as  
2 iPark or Building #7). The warehouse building is  
3 proposed as a plus or minus 14,973 square foot on-  
4 grade structure at the northern end of the existing  
5 Kawasaki warehouse.

6 2. On January 12, 2022, pursuant to Part  
7 617 State Environmental Quality Review Act (SEQRA),  
8 the Planning Board, as lead agency, adopted a negative  
9 declaration for environmental significance for the  
10 proposed Unlisted Action.

11 3. According to the applicant's traffic  
12 study dated January 11, 2022, by Kimley-Horn  
13 Engineering, P.C., the off-street parking required for  
14 the Warburton Studio Site (90-108 Warburton Ave) will  
15 be accommodated in the expanded parking structure  
16 while parking for the warehouse will be provided in  
17 the existing on-grade parking spaces below the  
18 elevated structure.

19 4. On March 9, 2022, the Planning Board  
20 granted site plan approval for the Warburton Studio  
21 Site (application #210052).

22 5. The expanded parking structure will  
23 connect to the existing Building #7 and the Kawasaki  
24 parking structure. Vehicular access to the existing  
25 grade-level parking at the new parking facility as

1 well as to the warehouse loading area will be provided  
2 via existing curb cuts on Ashburton Avenue or via  
3 Wells Avenue. Access to the elevated parking levels  
4 of the expanded garage will be provided from the  
5 existing curb cut to the Building #7 parking garage on  
6 Warburton Avenue or via the new curb cut to the  
7 Kawasaki parking deck that is currently under  
8 construction.

9 6. A pedestrian walkway will be constructed  
10 to connect the proposed parking garage to Warburton  
11 Avenue, just south of the Ashburton Avenue.

12 7. A roof structure is proposed to provide  
13 covered parking for the top level of the expanded  
14 parking structure. This will minimize snow removal  
15 maintenance and the need to utilize the existing snow  
16 chutes.

17 8. The Planning Board has reviewed the  
18 proposed application based on all project materials  
19 received to date, including the revised site plans and  
20 architectural drawings submitted on March 28, 2022,  
21 and prepared by Pustola & Associates.

22 The site plan presented to the Planning  
23 Board at its meeting of April 13, 2022 is approved  
24 with the following conditions:

25 1. Per the Department of Engineering report

1       dated April 8, 2022, the applicant shall demonstrate  
2       compliance with all comments. Final plans shall be  
3       subject to the review and approval of the City  
4       Engineer.

5               2. The applicant shall comply with all  
6       requirements for Westchester County Department of  
7       Environmental Facilities (DEF), and their comments  
8       dated March 31, 2022, that include, but are not  
9       limited to, the restriction of any structural footings  
10      with the existing easement area (Liber 7220, Page 584,  
11      filed 8/21/1973), and the requirement for vibration  
12      monitoring to limit any damages to their facilities.

13             3. The applicant shall submit a sign permit  
14      application to the Department of Housing and Buildings  
15      for any proposed businesses or marketing signage.

16             4. Any modification to the approved site  
17      plans or building designs shall be submitted to the  
18      Planning Board for a site plan amendment.

19             5. A copy of the text from the Planning  
20      Board's resolution in its entirety shall be included  
21      on the approved site plans.

22             6. The applicant shall submit three (3)  
23      printed sets and electronic PDFs of the site plans to  
24      the Planning Bureau for endorsement and circulation  
25      within two weeks of the Board's approval.

1                   The Planning Board renders its decision  
2                   based upon the facts and findings available to it,  
3                   specifically:

4                   1.   Report by the Planning Bureau dated  
5                   December 7, 2021.

6                   2.   Report by the Fire Department dated  
7                   March 2, 2022.

8                   3.   Comments by the Westchester County DEF  
9                   dated March 31, 2022.

10                  4.   Reports by the Department of Engineering  
11                  dated March 4, 2022 and April 8, 2022.

12                  5.   General knowledge of the area.

13                  Mr. Chairman.

14                  THE CHAIRMAN:   Thank you, Adelia.

15                  Do we have a second for that resolution?

16                  MR. LARKIN:   Second.

17                  THE CHAIRMAN:   Second by Mr. Larkin.

18                  Mr. Pustola, you heard the proposed  
19                  resolution and the conditions, I assume they're all  
20                  understood and agreed upon on behalf of the applicant.

21                  MR. PUSTOLA:   Yes, sir.

22                  THE CHAIRMAN:   That being the case, I'll  
23                  move to a vote.   All in favor,   please indicate by  
24                  saying aye.

25                  (A chorus of ayes.)

1 THE CHAIRMAN: Oppose, nay.

2 That passes unanimously.

3 Thank you, and good luck.

4 MR. PUSTOLA: Thank you very much.

5 THE CHAIRMAN: We're going to skip over 7  
6 for now and come back to it later. Item number 8, as  
7 mentioned, is being held over at the applicant's  
8 request, that is 167 Saw Mill River, which is going to  
9 bring us to Item number 9.

10 Item number 9 is a site plan review for a  
11 proposed exterior deck and stairs at Christ The King  
12 Church located at Block 3026, Lot 58 on the property  
13 known as 740 North Broadway, pursuant to Article IX of  
14 the Yonkers Zoning Ordinance.

15 Jaclyn Tyler is here as representative for  
16 the proposal.

17 MS. GARVEY: Hi, my name is Kazia Garvey,  
18 I'm here in Jaclyn's place to represent Christ the  
19 King.

20 What they're proposing is to replace two  
21 decks towards the rear of the rectory, there's  
22 currently some structural damage. They also would  
23 like to have ground access from both rear doors.

24 Do you want to see the -- So, there's two  
25 doors at the rear of the rectory. Currently the

1 stairs only serve one of the doors, so what we're  
2 doing is turning the stairs and creating a link  
3 through the deck to give access to both doors.

4 That's about it. Are there any questions?

5 THE CHAIRMAN: It's pretty straight  
6 forward. Members of the Board, questions on this?

7 MRS. LANDI: No.

8 THE CHAIRMAN: Staff, are we good?

9 MR. NERSINGER: Yes.

10 THE CHAIRMAN: Okay, in which case I'll  
11 entertain a motion for a negative declaration as to  
12 SEQRA.

13 MR. LARKIN: (Indicating.)

14 THE CHAIRMAN: So moved by Mr. Larkin.

15 MRS. LANDI: Second.

16 THE CHAIRMAN: Second by Adelia. All in  
17 favor, please indicate by saying aye.

18 (A chorus of ayes.)

19 THE CHAIRMAN: Oppose, nay.

20 That passes unanimously.

21 And a resolution on the item itself.

22 MR. LARKIN: I have it.

23 THE CHAIRMAN: Mr. Larkin.

24 MR. LARKIN: Thank you.

25 Mr. Chairman, we have a resolution to

1 approve a site plan for a rear yard deck at Block  
2 3026, Lot 58 on the property known as 740 North  
3 Broadway pursuant to Article IX of the Yonkers Zoning  
4 Ordinance.

5 Findings.

6 1. The proposed application is for the  
7 reconstruction of the existing deck at the rear of the  
8 Christ the King rectory building.

9 The application as presented to the Planning  
10 at its meetings of April 13, 2022 is approved with the  
11 following conditions:

12 1. Any modifications to the approved site  
13 plans or building design shall be submitted to the  
14 Planning Board for a site plan amendment.

15 2. A copy of the text from this resolution  
16 in its entirety shall be included on the approved site  
17 plans.

18 3. The applicant shall submit three (3)  
19 printed sets and electronic PDFs of the site plans to  
20 the Planning Bureau for endorsement and circulation  
21 within two weeks of the Board's approval.

22 The Planning Board renders its decision  
23 based upon facts and findings available to it,  
24 specifically:

25 1. Report by the Fire Department dated

1 April 8, 2022.

2 2. Report by the Department of Engineering  
3 dated April 8, 2022.

4 3. General knowledge of the area.

5 Mr. Chairman.

6 THE CHAIRMAN: Thank you, John.

7 Do I have a second on that resolution?

8 MRS. LANDI: Second.

9 THE CHAIRMAN: Second by Adelia.

10 To the applicant, you heard the proposed  
11 resolution and the conditions on behalf of the  
12 applicant, I assume they're all understood and agreed  
13 upon.

14 MS. GARVEY: Yes.

15 THE CHAIRMAN: That being the case, I'll  
16 move to a vote. All in favor of the resolution,  
17 please indicate by saying aye.

18 (A chorus of ayes.)

19 THE CHAIRMAN: Oppose, nay.

20 That passes unanimously.

21 Thank you very much, good luck.

22 MS. GARVEY: Thank you.

23 THE CHAIRMAN: Item number 10, as  
24 mentioned, is being held over, also, at the  
25 applicant's request. That was for the properties at

1 220 and 230 Glenbrook Avenue, no action, no  
2 presentation, nothing on that one tonight.

3 Item number 11, we'll come back to as a  
4 public hearing after 7:00 p.m.

5 We'll move to Item number 12, which is a  
6 correspondence regarding 19-27 Tuckahoe Road, Auto  
7 Zone site plan approval extension request.

8 Staff, could you just give a short brief  
9 presentation on the request?

10 MR. NERSINGER: Sure. Thank you, Mr.  
11 Chairman.

12 Just to recap for the Board, this is a site  
13 that you recently approved within the past year,  
14 actually, just a little over that. They did come back  
15 for a minor amendment. The Board, again, recently  
16 approved site plan.

17 The applicant encountered delays, not at  
18 their fault, but encountered delays during building  
19 permit review process. So, because of that and the  
20 delays that were encountered, they have been kind of  
21 forced into a situation of requesting a site plan  
22 extension request from this Board based on the  
23 previous approvals. Nothing has changed on those  
24 plans.

25 So, again, it is before you tonight mainly

1 as a procedural item. Again, nothing has changed on  
2 the site plans since they were approved by this Board.

3 THE CHAIRMAN: Thank you, Zach.

4 I'll read the resolution and get a second  
5 and, before we vote, I'll allow a discussion on the  
6 resolution.

7 This is a resolution to extend a site plan  
8 approval for a new AutoZone retail store at Block  
9 3110, Lots 19, 23, 24, 26 and 201 on the property  
10 known as 19-27 Tuckahoe Road from its original  
11 expiration date of March 11, 2022 for one (1) year now  
12 set to expire on April 13, 2023 or the April 2023  
13 Planning Board meeting, whichever occurs first,  
14 pursuant to Article IX, Section 43-112 of the Yonkers  
15 Zoning Ordinance.

16 Do I have a second on that resolution?

17 MS. FORSBERG: Second.

18 THE CHAIRMAN: Second by Ms. Forsberg.

19 Before we go to a vote, any comments on the  
20 resolution?

21 Mr. Larkin.

22 MR. LARKIN: Thank you, Mr. Chairman.

23 Initially, when this proposal came before  
24 us, I had voted negatively for this property. The  
25 reason being, I was concerned with part of their

1 property turning lanes onto Tuckahoe Road, and I felt  
2 that that may be a problem in the future.

3 So, when this had come up for an extension,  
4 normally, I would under normal circumstances, if I  
5 voted no for something, I would continue to vote no on  
6 that proposal. But with this resolution that we have  
7 tonight, my understanding is that this was through no  
8 fault of the applicant themselves, but it was  
9 unfortunately a delay within the City itself as to  
10 providing information and data that they needed in  
11 order to pursue the construction.

12 So, with that, I will vote for this tonight,  
13 but if in the future, if they come back to us with any  
14 kind of amendment or change to this, I would not at  
15 that point support it. But I will do this because it  
16 was not their fault but this expiration occurring was  
17 because of the City's response, or lack of.

18 Thank you.

19 THE CHAIRMAN: Thank you for the  
20 explanation, Mr. Larkin.

21 That being the case, if there are no other  
22 comments, I'll move to a vote. All in favor of the  
23 resolution, please indicate by saying aye.

24 (A chorus of ayes.)

25 THE CHAIRMAN: Oppose, nay.

1 MRS. LANDI: Nay.

2 THE CHAIRMAN: We have one nay. We have  
3 four yeas, so the resolution passes. The Chairman  
4 votes yea.

5 Okay, we'll move back onto the agenda, back  
6 to Item number 4. Item number 4 is a site plan review  
7 for renovations to the Glenwood Power Plant with  
8 associated improvements located at Block 2635, Lots 1,  
9 15 and 19, known as 45 Water Grant Street; Block 2640,  
10 Lot 1, known as JFK Marina & Park, 46 Water Grant  
11 Street; Block 2125, Lot 1, known as Trevor Park, 431  
12 Warburton Avenue pursuant to Article IX of the Yonkers  
13 Zoning Ordinance.

14 Steven Accinelli is the representative for  
15 the proposal.

16 Mr. Accinelli.

17 MR. ACCINELLI: Good evening, Mr. Chairman,  
18 members of the Board, Steven Accinelli from Veneruos  
19 Curto Schwartz & Curto.

20 Mr. Chairman, members of the Board, as you  
21 are probably aware, the applicant, following last  
22 month's meeting submitted revised documentation and  
23 drawings to the City. They have been reviewed by  
24 Traffic -- I'm sorry, Parking -- I'm sorry --  
25 Engineering, Water, Fire, and the Planning Bureau. My

1       apologies. And we did receive comments in response,  
2       so the applicant is continuing to work with your  
3       Board, the Planning Bureau, and City Staff, and will  
4       be responding to those additional comments.

5               In addition, we do have a meeting scheduled  
6       for next week with the Planning Bureau and members of  
7       City Staff to review those recently received  
8       additional comments from City Staff hoping that we can  
9       resolve in person all of the outstanding site plan  
10      related issues and, thereafter, submit a revised set  
11      of drawings and other required documentation to the  
12      Planning Board in time for next month's meeting.

13              THE CHAIRMAN:    Thank you, Mr. Accinelli.

14              If we can just underscore one thing. When  
15      we say in time for the next meeting, we don't mean,  
16      you know, by the night of the meeting, we mean by the  
17      submission deadline. I literally spent the last two  
18      days going over responses and responses to responses,  
19      which forget about having the weekend to look at, I've  
20      been looking at them yesterday and today. And  
21      especially with the Fire Department, almost every  
22      single item this applicant failed to address,  
23      applicant has not addressed, this is still an open  
24      item, this is still an open item, not clearly  
25      indicated or addressed, this comment has not been

1 address, this comment has not been addressed, no  
2 maintenance plan has been provided, no floor plans or  
3 egress points available with this submission. This is  
4 as of yesterday, okay. So, there's a lot that needs  
5 to be done, and this is just with respect to with  
6 respect to Fire.

7 I think it's great that you're going to be  
8 sitting down with them and getting everybody together  
9 at the same time to get on the same page, but if we  
10 can get this in a timely manner, that would also be  
11 appreciated. We thank you for that.

12 MR. ACCINELLI: Understood, Mr. Chairman,  
13 and I will certainly communicate that to my client to  
14 make sure that going forward, that does not happen  
15 again.

16 THE CHAIRMAN: Great. Thank you.

17 MR. ACCINELLI: Thank you.

18 THE CHAIRMAN: While we have you here, are  
19 there any questions for the applicant at this time? I  
20 know we're still waiting, I don't know, you all  
21 received the items dated April 11th, April 12th?  
22 Okay, so we got those by e-mail.

23 Yes, Mr. Larkin.

24 MR. LARKIN: Thank you, Mr. Chairman. I  
25 understand last night the City Council voted to send

1 the resolution for the parkland alienation up to the  
2 State. Are you aware?

3 MR. ACCINELLI: I was not present for that,  
4 but I understand that that did take place.

5 MR. LARKIN: Okay. I was going to ask,  
6 because I had heard that there was possibly an  
7 amendment added to that that stated that once the  
8 construction phase had finished at the plant, that the  
9 Parcel 1C, anything that was not, would revert back to  
10 parkland.

11 I know initially the City was going to  
12 retain control of that property, but I believe that  
13 that might have been added last night. You don't have  
14 any --

15 MR. ACCINELLI: I don't have information  
16 regarding that amendment, Mr. Larkin. I can certainly  
17 find out the details of that and I can present it to  
18 your Board as part of the submission, or we can --

19 MR. LARKIN: Okay. I would think that's an  
20 important piece here that people should be aware of,  
21 and I'm kind of surprised that that is not something  
22 that you had knowledge of. There was no representa-  
23 tion there last night at the meeting?

24 MR. ACCINELLI: Mr. Ocasio was in attendance  
25 and made the presentation to the City Council relative

1 to the alienation portion.

2 MR. LARKIN: Rite. I did watch online the  
3 people bit real estate committee where you did present  
4 it to the City Council.

5 MR. ACCINELLI: Correct.

6 MR. LARKIN: But last night's Council  
7 meeting was not online as of this afternoon. And it's  
8 generally probably the case, it takes them a day or so  
9 to put it up. So, I don't know exactly what went on,  
10 but that's what I heard. So, I would appreciate it if  
11 you could check and find that out because that would  
12 be an important piece for people to understand,  
13 especially in the community, to know that there's a  
14 portion that would still go back to the organizing the  
15 parkland of that Parcel 1C.

16 Can I ask you then, last month I had asked,  
17 and I see that there was a meeting that occurred April  
18 5th with the MTA. I know you had your initial meeting  
19 back August of '21, was it '21 or '20? I'm not really  
20 sure. I know it was August, I don't know which year.  
21 So, can you give us any idea of the progress you're  
22 making with them because, obviously, I would think  
23 that secondary access is crucial and critical for this  
24 project. Can you give us an update?

25 MR. ACCINELLI: With the Board's permission,

1 Brian Lindsey, the applicant's head of construction,  
2 could give the Board an update. Those meetings with  
3 MTA and DEC are both continuing and the communications  
4 are underway, but I can, with the Board's permission,  
5 have Mr. Lindsey give a more specific update.

6 THE CHAIRMAN: Certainly.

7 MR. ACCINELLI: Thank you.

8 MR. LINDSEY: Good evening, everyone. Yeah,  
9 we did have a meeting with the MTA.

10 THE CHAIRMAN: Closer to the microphone,  
11 please.

12 MR. LINDSEY: Is that better? It doesn't  
13 seem to be working. I'll try to talk loud. Does that  
14 work?

15 MRS. LANDI: Yes, yes.

16 MR. LINDSEY: I needed a lawyer to fix that.

17 So, we did have the meeting with the MTA, I  
18 won't tell you that it went smoothly, it did not.

19 There is some resistance because they had switch gear  
20 that runs through the area of where we want to place  
21 the roadway, and they wanted very specific details as  
22 to what our plans were to relocate that switch gear.

23 We made a suggestion to them to allow the  
24 opportunity for our engineers to sit down with their  
25 engineers and to come up with a solution for it. We

1 have moved equipment like that many times before, it's  
2 not unusual, but they presented some resistance, so we  
3 are continuing the discussions with them and trying to  
4 come to a resolution as quickly as possible.

5 MR. LARKIN: Can I ask maybe where these  
6 other discussions you had, are they with other  
7 similar, like an MTA trains, and so forth, that you've  
8 moved these type of --

9 MR. LINDSEY: Mostly down in the city. It's  
10 fairly common to have to replace or relocate switch  
11 gear, it's not an unusual thing to have to do. If  
12 you're extending a line, if you're adding additional  
13 track or replacing track, a lot of times, all of that  
14 switch gear, all that wiring, has to be pulled back,  
15 replaced, and do something with it.

16 And, also, if you're putting in some sort of  
17 a service road, those wiring systems should really be  
18 encased in a road-ready concrete encasement, which was  
19 one of the ideas that we presented to them.

20 MR. LARKIN: So, in essence, though, at  
21 this point, there is no -- you had preliminary  
22 discussions with them at this point?

23 MR. LINDSEY: Yes, we had two preliminary  
24 discussions with them this year. There were many  
25 discussions that were had over the years through

1 predecessors of Ray Ocasio's and mine.

2 MR. LARKIN: Okay, because that's regarding  
3 that secondary access. What about the way you cross  
4 tracks, the pedestrian bridge?

5 MR. LINDSEY: The pedestrian bridge, they're  
6 not opposed to at all.

7 MR. LARKIN: They're not?

8 MR. LINDSEY: They're not opposed to that at  
9 all, no.

10 One of the other concerns that they did  
11 raise was in regards to the existing bridge that's  
12 there, and the current maintenance condition of that  
13 bridge, and would we be addressing them. And we  
14 informed the MTA that we would discuss that with the  
15 City.

16 MR. LARKIN: Is there any discussion then  
17 with Extell, as well, for access on that southern end?

18 MR. LINDSEY: There's been a couple  
19 of discussions. This was presented by Chief DeSantis  
20 to have a full loop of that road to go down to Extell  
21 and make a crossings down at the end so they had a  
22 full right-of-way through there.

23 There are some problems with it, mainly the  
24 fact that the width of that road is not conducive to  
25 bring in large fire apparatus through there. So,

1           there would have to be another discussion with the DEC  
2           about expanding out the rip rap wall there, all of  
3           which can certainly be done, but it's not as simple as  
4           just putting a road in.

5                       MR. LARKIN:    But is it also a discussion  
6           then with Extell, as well?

7                       MR. LINDSEY:  There have been discussions  
8           with Extell, a lot of it is sort of Extell with the  
9           City and then --

10                      MR. LARKIN:    But with you specifically?

11                      MR. LINDSEY:  We have spoken to them  
12           specifically a couple of times, but there's never been  
13           any resolution to it.  So, we're confident we can come  
14           to a resolution on it, but we're just not at that  
15           point yet.

16                      MR. LARKIN:    Because I would tend to think  
17           that if you don't have a secondary access, then that's  
18           critical to this project, so I would hope that you do  
19           come to some resolution on that.

20                      I just wanted to ask --

21                      THE CHAIRMAN:  John, on that point --

22                      MR. LARKIN:    Yes.

23                      THE CHAIRMAN:   -- is there a grade issue,  
24           as well, between the two properties if we were to  
25           connect the loop?

1 MR. LINDSEY: Not really a grade issue.

2 There is a grade issue, but we can resolve the grade  
3 issue.

4 THE CHAIRMAN: Okay.

5 MR. LARKIN: Okay, I guess I would like to  
6 ask something about Parcel 1C with the loop, and so  
7 forth.

8 MR. LINDSEY: Yes.

9 MR. LARKIN: What is the arrangement right  
10 now with the City? Is it -- because last night, what  
11 I'm wondering is, a good portion, you know, will  
12 probably revert back to parkland, if the information I  
13 have is correct.

14 MR. LINDSEY: Right.

15 MR. LARKIN: But that area that you have  
16 where you have your circular loop, and so forth, why  
17 do you need that big a loop? I'm just asking.

18 MR. LINDSEY: No, it's a legitimate  
19 question. I don't know that we do other than simply  
20 aesthetics, you know, making a statement to the entry  
21 of the building.

22 In regards to yesterday, sir, what occurred  
23 at the meeting, Councilwoman Williams, who I had  
24 spoken to several times before, she was raising the  
25 issue brought by constituents that there was a fear

1           that we were going to take over Parcel 1C and have  
2           control of that. That was never the plan. Our  
3           plan was always to put improvements in there; walkway,  
4           plantings, things like that. The City has determined  
5           that they don't really want us to do that now because  
6           of the opposition from the City. And we have no issue  
7           with that at all. But she wanted a resolution in  
8           there that would, in essence, guarantee the City would  
9           not in the future allow development of that parcel.

10                   MR. LARKIN:    So, that's maybe where I get  
11           that reverting back at least portions of 1C.

12                   MR. LINDSEY:  Correct. And we are in favor  
13           of that, as well.

14                   MR. LARKIN:    Can I ask now about the  
15           garage? The garage is wholly financed by the  
16           developer?

17                   MR. LINDSEY:  Well, we're going to be  
18           building it. I know that there's a bond involved but,  
19           to be honest with you, sir, I'm not too intimately  
20           involved with those discussions with the City, so I  
21           don't really know the exact arrangements of that, but  
22           we can certainly find out.

23                   THE CHAIRMAN:  Mr. Accinelli, do you know?

24                   MR. ACCINELLI:  We will be working with the  
25           City. I'm not sure of all the fine details, to be

1 honest, Mr. Larkin, but we are going to be responsible  
2 for the construction and the development of that  
3 garage structure. So, at this point, there's really  
4 no public statement as to who is funding the building  
5 or the garage. You're building the garage, but who's  
6 actually funding the garage, bonding for it?

7 MR. ACCINELLI: I believe it might, we can  
8 get back to the Board on that issue, I think there  
9 might be multiple sources of funding, but I don't want  
10 to guess.

11 MR. LARKIN: The reason that I ask is  
12 because in the past, you know, I've had some  
13 experience with some of these things where bonding has  
14 been put out and the City has acted as the insurance  
15 agent for it, for lack of a better word, so that if  
16 default happens, the City will be holding the bag for  
17 the bond itself, if that's the way you're going to  
18 finance the garage.

19 So, my concern is yes, okay, if you're going  
20 to somehow fund this garage and build it, that's  
21 great. If the City is going to have to be responsible  
22 to bond for this and somehow you're making payments  
23 back to us, if somewhere along the line, the project  
24 doesn't come to fruition or it fails, then the City is  
25 left holding the bag. And I would like to understand

1           that from the perspective of us citizens.

2                       MR. ACCINELLI:   Brian has some further  
3           information on that, but that agreement and that  
4           arrangement, those specifics are still being discussed  
5           with City representatives and other folks on behalf of  
6           the applicant, but I think Brian does have some  
7           further comments.

8                       MR. LINDSEY:   In regards to, I don't have  
9           any details of the financing of the garage, but the  
10          garage will be owned by the City, it will be owned and  
11          run by the City, we will not have ownership of it. We  
12          proposed originally to own it, build it, pay for it,  
13          and there were issues of, you know, how many spaces  
14          would go back to the public, how would it be managed,  
15          you know, a lot of different issues that were raised  
16          by the City. So, that determination was made, that  
17          the City would own it and control it upon completion.

18                      MR. LARKIN:    The City, I think, believes,  
19          if I'm not incorrect, the garage itself would have  
20          approximately, say, 400 spots reserved for the plant?

21                      MR. LINDSEY:   507 parking spaces.

22                      MR. LARKIN:    And roughly how many reserved  
23          for the plant? I thought it was 400.

24                      MR. LINDSEY:   About 400, yes, I think 105  
25          will be open to public access.

1                   MR. LARKIN:    Okay.  So, I would think, just  
2                   me talking on my own, that if the plant is going to  
3                   have 400 spots reserved for this garage, then maybe,  
4                   that garage is 500, maybe four-fifths of it should be  
5                   paid for by the applicant, the cost of it, because  
6                   granted, yes, the City is going to run the garage, but  
7                   the plant is going to have the benefit of four-fifths  
8                   of the parking spots and the garage.

9                   MR. LINDSEY:  Yes, sir.  And I know part of  
10                  the arrangement, also, is that in days and nights  
11                  where we do not have events, the entire parking lot  
12                  will be open.

13                  MR. LARKIN:    No, I get that, I get that.

14                  MR. LINDSEY:  Right.

15                  MR. LARKIN:    So, I guess, at this point,  
16                  I'm looking, I know you would love to move this along  
17                  and stuff, but there are so many unanswered questions,  
18                  I would love to see an elevation between Trevor Park  
19                  and the Parcel 1C to see what that looks like.  I  
20                  mean, it's very hard on these pictures just to see a  
21                  line going across the train tracks, but to actually  
22                  visually see what you're going to propose, what it's  
23                  going to look like, what the elevator is going to look  
24                  like, those issues would help us to understand this  
25                  project a little better.

1                   MR. LINDSEY: Understood. We have not come  
2                   up with a final design on the tower yet. We do have  
3                   renderings that show it, whether that ends up being  
4                   the final design or not --

5                   MR. LARKIN: It would be good to see  
6                   something other than what we have here on the paper  
7                   because it's very difficult, we see Parcel 1C green  
8                   with a circle. We would love to see what the entrance  
9                   looks like and what the pedestrian overpasses look  
10                  like, how high up is it off the the train tracks,  
11                  what's the elevation for people walking from the  
12                  parking garage to the plant. Those are all, you know.

13                  MR. LINDSEY: We can certainly provide that.

14                  MR. LARKIN: Okay.

15                  THE CHAIRMAN: And correct me if I'm wrong,  
16                  but we don't approve renderings, do we? We approve  
17                  plans.

18                  MR. LARKIN: Yes, yes, except for --

19                  THE CHAIRMAN: Anytime soon, it would be  
20                  nice to have a rendering, but ultimately we need a  
21                  plan.

22                  MR. NERSINGER: That is correct.

23                  THE CHAIRMAN: Other members of the Board,  
24                  questions?

25                  MRS. LANDI: Yes.

1 THE CHAIRMAN: Adelia.

2 MRS. LANDI: I did read in the notes, and  
3 in whatever, the concerns that I have shared with you  
4 before, which were the greenhouses. And I know it's  
5 not part of the site plan, but it is something very  
6 dear to me and I really would like to know where it  
7 stands when it is demolished, what are your plans and  
8 before it's demolished, can we have an inkling as to  
9 where they will be relocated, or redeveloped or  
10 reconstructed?

11 MR. LINDSEY: Right, I don't think there's  
12 been a final determination as to where they are going  
13 to be located at. The current greenhouses themselves  
14 are not deconstructable in a meaningful way, so we're  
15 not going to relocate them, we would be building a new  
16 one. The last plan I heard was for Untermyer, but I  
17 don't know if that has been made a final  
18 determination, that would be by the Commissioner of  
19 Parks.

20 MRS. LANDI: Okay. Thank you.

21 MR. LINDSEY: Sure.

22 THE CHAIRMAN: Okay, other members of the  
23 Board?

24 MR. LARKIN: One more.

25 THE CHAIRMAN: Yes, certainly.

1 MR. NERSINGER: You reached your quota.

2 MR. LARKIN: Zach said I reached my quota.  
3 That's okay.

4 I just want to understand the entrance  
5 coming down from the JFK Marina, that roadway, you're  
6 saying in a sense that it will become a City street;  
7 is that correct?

8 MR. LINDSEY: JFK, that driveway is  
9 currently controlled by Parks.

10 MR. LARKIN: Right.

11 MR. LINDSEY: So, it is in City control as  
12 of right now.

13 MR. LARKIN: No, but the impression I'm  
14 getting was it was going to be declared an actual City  
15 street.

16 MR. LINDSEY: The extension, yeah, I believe  
17 that's correct. I don't know if there's been a final  
18 decision on that. Mr. Ellman would --

19 MR. LARKIN: Because I would like to know  
20 if that's the case, then that involves the City being  
21 responsible for snow removal and so forth.

22 And I've seen this before when we did Ridge  
23 Hill that, unfortunately, when you have something  
24 that's economically making some money, it takes  
25 precedence sometimes over residents. And the people

1 around the Ridge Hill area were very concerned that  
 2 their homes, their streets, were going to be secondary  
 3 to actually cleaning out the streets on Ridge Hill.  
 4 So, my concern here was we're going to start to worry  
 5 about Memorial Drive, or whatever, if it winds up  
 6 being cold, down to clean out by the City. And I just  
 7 want to get an understanding of who's responsible then  
 8 for clearing that all the way down to the plant, you  
 9 know. If that could be somehow given to us in next  
 10 month's meeting, that would be great.

11 Thank you.

12 MR. LINDSEY: Yes, sir.

13 THE CHAIRMAN: Lee, do you have a comment?

14 MR. ELLMAN: Yes, thank you, Mr. Chairman.

15 So, the issue with JFK Memorial Drive is it  
 16 was a Parks driveway; however, when they built a  
 17 school there in a park, we built a school in a park,  
 18 and it has been functioning as a City street.  
 19 Legally, it is still a park driveway. The issue that  
 20 is coming up is that in order for the Glenwood Power  
 21 Plant project to move forward, it needs to be on a  
 22 City street. Zoning Ordinance requires that every lot  
 23 to get a building permit must be on a City street.

24 The way to create a City street is to take  
 25 that park's driveway that has honestly functioned as a

1 street because there's a school on it, extend it, and  
2 then extend out on the south side of the T-bridge that  
3 goes down to the JFK Marina another extension that  
4 would be, again, a City street.

5 So, in the case of the upland, the existing  
6 JFK drive, we're really doing a paperwork change. And  
7 then on the flat on JFK Marina, we're doing what's  
8 called laying out an opening, which is creation of a  
9 City street onto the property. It's, essentially, the  
10 City doing a subdivision for itself.

11 In a sense, it all stems from a quirk in the  
12 Zoning Ordinance that says this project needs to be on  
13 a City street, it was built by a utility in the days  
14 when the rules were different.

15 THE CHAIRMAN: Okay, thank you.

16 Ms. Forsberg.

17 MS. FORSBERG: I just wanted to add a little  
18 commentary internally on our end because, John, that's  
19 a really good point about being interested in seeing  
20 more elevation from the applicant regarding the  
21 bridge. And, as you were saying that, I recalled  
22 something that Zach had written in the responses. So,  
23 you, as the applicant, do have this, as well, where  
24 Zach is requesting engineered elevation drawings. So,  
25 not just a rendering because, to Roman's point, we

1 would be approving those engineered elevation  
2 drawings. So, John, that is accurate that we do want  
3 to see the elevations and they will be more than just  
4 renderings per the dialogue that you have as the  
5 applicant and what we submitted for the Bureau.

6 MR. LINDSEY: I did not realize that you  
7 were requiring that. One of the issues that I  
8 acknowledge is, again, the majority of the engineering  
9 attributes of that bridge are dictated by the MTA and  
10 the DOT.

11 MS. FORSBERG: Yes, it's in your dialogue,  
12 so you guys will work that out with the Bureau, as  
13 well.

14 MR. LINDSEY: Sure, right.

15 THE CHAIRMAN: Any other questions?

16 Okay, if not, then we look forward to having  
17 you work with our Bureau and getting back to us with a  
18 full set of plans, and we'll see you at our next  
19 meeting.

20 MR. LINDSEY: Thank you, sir.

21 THE CHAIRMAN: We are moving then to Item  
22 number 7. Item number 7 is a site plan review for a  
23 proposed hotel and banquet and catering facility with  
24 associated site improvements to be known as the "Cliff  
25 House" at Alder Manor located at Block 3515, Lot 80 on

1 the property known as 1097 North Broadway pursuant to  
2 Article IX of the Yonkers Zoning Ordinance.

3 Steve Accinelli is representative for the  
4 proposal.

5 Mr. Accinelli.

6 MR. ACCINELLI: Good evening, Mr. Chairman,  
7 again, Steven Accinelli on behalf of the applicant.

8 Mr. Chairman, members of the Board, similar  
9 to my comments relative to the power plant, we've  
10 submitted supplemental information to the Planning  
11 Bureau and this Board, as well as City Staff, and  
12 we've received comments in response as part of the  
13 meeting that's been scheduled for next week with the  
14 City Staff. We are also going to be going over  
15 comments to the Alder Manor project, as well, at that  
16 same time, the intention being to resolve all open  
17 issues with respect to both projects at an in-person  
18 meeting. And, again, Mr. Chairman, with the intention  
19 being to prepare a responsive submission to the Board  
20 in time for, consistent with the filing deadline for  
21 review by the Planning Board.

22 THE CHAIRMAN: That's fine, that's what  
23 were going to be my comments anyway. You're a little  
24 better off on this project than the other as far as  
25 getting the information.

1                   Also, if we could get an update or perhaps  
2                   today, you could give us an update on the Landmarks  
3                   Board review.

4                   MR. ACCINELLI: We adjourned this month's  
5                   meeting when we had done, originally, we did let the  
6                   Landmarks Board know that we needed a couple of months  
7                   to work on the architectural and provide the  
8                   Landmarks Board with the additional information and  
9                   documents that they've requested. So, I think, we  
10                  are, perhaps Brian can intervene, I think we would  
11                  have some substantive information to them for their  
12                  May meeting. Brian, is that correct?

13                  MR. LINDSEY: That's correct, that's  
14                  correct.

15                  THE CHAIRMAN: Okay. I understand we're  
16                  working parallel now.

17                  MR. ACCINELLI: Correct. Just for the  
18                  record, we also will be seeking an extension of the  
19                  current Landmarks approvals, and we'll be making that  
20                  application to the Landmarks Board, as well. Planning  
21                  Director Nersinger and I discussed that today, so  
22                  we'll be making that extension request to the  
23                  Landmarks Board with respect to the existing Land-  
24                  mark's approvals.

25                  THE CHAIRMAN: Okay, thank you.

1                   Members of the Board, questions on this  
2                   item? Staff?

3                   MR. NERSINGER:    The one thing I would high-  
4                   light for the Board just as an update to where Staff  
5                   is, you did receive the Fire Department comments that  
6                   were issued very recently, I think it was on the 11th,  
7                   that were provided to the applicant and in your  
8                   submission here.

9                   One of the major elements that the applicant  
10                  will have to work through is providing some sort of  
11                  solution to where they are showing loading spaces  
12                  where a fire apparatus would access the rear of the  
13                  property. I'm looking at the site plan now, so they  
14                  have two loading spaces stacked in tandem, and it's  
15                  something that I've spoken with the applicant about as  
16                  recent as today, so part of that meeting going forward  
17                  that we're scheduling for next week will be to address  
18                  that as one of the major site plan comments that are  
19                  outstanding, but it's only a few at this point.

20                  A lot of this will then fall on to the  
21                  Landmarks Board after the fact, but we will be working  
22                  with them on that, so it's something to keep on your  
23                  radar, the difference between loading spaces, loading  
24                  zones, and fire apparatus access. So, that's all I  
25                  wanted to offer.

1                   MR. ACCINELLI: So, we're looking at some  
2 options, some of them are operational options. One of  
3 the things we also considered, following up on my  
4 discussion with Mr. Nersinger, was perhaps physically  
5 widening the area to create a wider access, a way for  
6 better circulation. However, that may be a problem  
7 due to constraints created by the landmarked retaining  
8 walls and landmarked structures that are in the  
9 vicinity of the loading zone area. I think most of  
10 those, if not all of those, parking spaces are  
11 handicap parking spaces as opposed to, quote/unquote,  
12 regular parking spaces.

13                   So, we have some ideas and we're working on  
14 them and we'll be presenting them next week, hopefully  
15 with the intent being we can work through those, but  
16 that is, I think at this point, probably the most  
17 significant open item relative to the Alder Manor  
18 comments.

19                   THE CHAIRMAN: Okay, thank you.

20                   No other questions? Yes, Mr. Larkin.

21                   MR. LARKIN: Yes, Mr. Accinelli, I would  
22 just like to clarify, on the Cliff House, there's a  
23 commercial kitchen in there, correct? And it appears  
24 that catering, all the commercial kitchen will be used  
25 to cater events on this site, including conferences.

1 I'm just wondering, when you came before us originally  
2 for Alder Manor, you were saying that all catering was  
3 going to be done off site and come in, delivered in,  
4 there would be no cooking on site.

5 Now I see with the Cliff House that you are  
6 installing a commercial kitchen and doing catering for  
7 all events and conferences. So, I guess it's changed  
8 a little, because I assume that the commercial kitchen  
9 that would be in the Cliff House is going to also be  
10 servicing Alder Manor itself; is that correct?

11 MR. ACCINELLI: That is correct.

12 MR. LARKIN: Okay. So, that was not  
13 originally how it was presented to us at the Planning  
14 Board when you got the original approval for the Alder  
15 Manor.

16 MR. ACCINELLI: That's correct, Cliff House  
17 was not part of that application at that time.

18 MR. LARKIN: Right, and that was one of the  
19 bone of contentions that I had, the fact that you have  
20 a huge property and you couldn't give us an idea of  
21 what was being developed for the entire property but,  
22 yet, 10 days after we gave you the approval for Alder  
23 Manor, you were then before the Zoning Board asking  
24 for a variance on parking because you knew you weren't  
25 going to have enough parking when you created the

1 Cliff House.

2 So, I would ask that you please be a little  
3 more forthcoming and give us the information you have  
4 so that we can make a valid, you know, determination  
5 on these projects, because I see you're limiting, you  
6 know, the maximum is supposed to be 435 people, but I  
7 also understand that you may apply at times for a  
8 special event permit and it may go above the 435, is  
9 that correct, or are you sticking to an absolute  
10 maximum number of 435 people at that location?

11 MR. ACCINELLI: No. So, a couple of  
12 responses. So, for the record, we've never withheld  
13 information intentionally from this Board. As  
14 progress on the project was made and decisions were  
15 made, we proceeded accordingly and presented to the  
16 Board and the City accordingly.

17 Relative to the operations and special  
18 events, as we discussed in great detail in connection  
19 with the original application and as reflected in the  
20 findings and the resolution, the discussion came up a  
21 number of times regarding the event, larger events,  
22 that exceeded the occupancy limits. And, again, as  
23 set forth in the findings and the resolution, should  
24 that occur and that opportunity present itself, the  
25 applicant would follow appropriate procedure through

1 the City of Yonkers, the Building Department, and make  
2 special application for permission in those  
3 circumstances.

4 MR. LARKIN: So, what I'm getting at, if  
5 you're not really held to the 435 person limit for the  
6 hall, then why bother having any of these  
7 stipulations, any of these statements in here that say  
8 our maximum capacity is 435 and we will post that  
9 within our building? Now you're saying it could be  
10 more than 435, and if it is, we'll get a special  
11 events permit and allow the City to approve it.

12 MR. ACCINELLI: For event operations, we  
13 are certainly governed by the existing approvals. If  
14 a special event or an opportunity presents itself to  
15 the Manor, we we will seek permission, that's no  
16 different than what happens fairly regularly at many  
17 locations throughout the City of Yonkers during the  
18 year where there are various special events, and  
19 special approval and permission is granted consistent  
20 with the City of Yonkers guidelines.

21 MR. LARKIN: Okay, I will just say for the  
22 last time that it seemed very strange that after you  
23 got your approval for Alder Manor, which you presented  
24 initially as no commercial kitchen, 10 days later  
25 after you got your revised resolution, which took out

1           probably seven-eighths of the conditions that were  
2           involved with the original resolution, 10 days later  
3           you were before the Zoning Board asking for a variance  
4           on parking. So, you can't tell me that you didn't  
5           know what your plans were for the Cliff House in the  
6           back, because if 10 days later you were submitting  
7           something to the Zoning Board to go for a variance on  
8           parking, it seems illogical that you're going to tell  
9           me we had no idea until that passed and we just  
10          started that right away to put a variance in for the  
11          zoning. I'm sorry, I'm just going to say for the  
12          record, I don't believe that was the case. And I  
13          really wish if you were before us that you please tell  
14          us the entire project, tell us everything you're  
15          doing.

16                       Now we're seeing this commercial kitchen. I  
17          don't have any problem with any of this, it's just  
18          that I feel we had to pull teeth to get information  
19          out of the applicant. And I know I said that last  
20          month, as well, and I'll say it again, some of the  
21          information that we're getting is piecemeal, and it  
22          shouldn't be, or it's late, or it's a few days before  
23          we have a meeting. I think it's unfair to us to have  
24          to be able to endure that type of stress to be able to  
25          try to evaluate this project when you're giving us

1 things late, you're not telling us the whole story  
2 and, you know, it just makes it difficult for us.

3 I don't want to see us standing here having  
4 to ask for it and be able to be pulling back and forth  
5 to get this information. It should be readily  
6 available and readily given to us so that we have the  
7 ability to take the project and evaluate it as it is.

8 That's all I needed to say. Thank you.

9 THE CHAIRMAN: Thank you, Mr. Larkin, I  
10 totally agree with your statement.

11 Other members of the Board, Staff?

12 Okay, we look forward to seeing you at next  
13 month's meeting.

14 MR. ACCINELLI: Okay, thank you. Good  
15 evening.

16 THE CHAIRMAN: We're going to move, since  
17 we have still a couple of minutes before 7:00, before  
18 we have the public hearing, we're going to move to the  
19 last item, Item number 13, which is 70 Pier Street,  
20 (Abe Cohen Plaza) concept plans by Ginsburg  
21 Development Companies, LLC, regarding the proposed  
22 Ludlow Community Plan rezoning.

23 MR. SURDOVAL: Thank you, Mr. Chairman and  
24 members of the Board, I'm Jim Surdoval representing  
25 Ginsburg Development Companies as part of the GDC

1 Chief Architect.

2 Briefly, a little background on the project.  
 3 About five years ago, maybe a little longer, the City  
 4 issued an RFP for its Downing street property, that  
 5 was a DPW garage and storage facility. GDC responded  
 6 to do that RFP proposing to do residential market-rate  
 7 housing on the site provided that the City would take  
 8 a look at the entire Ludlow station area, and to take  
 9 a look at that because it hadn't really been looked at  
 10 in quite sometime.

11 The City decided to do a new Master Plan on  
 12 the zoning for the Ludlow area similar to what they  
 13 did in the downtown and along Alexander Street. And  
 14 that process has been going on for some time, a lot of  
 15 delays, COVID probably being the biggest one, but we  
 16 are now nearing, we believe, the end of that process  
 17 with a finding statement, new zoning, being adopted in  
 18 the near future. And we wanted to bring before you  
 19 the 70 Pier Street project because we do hope for that  
 20 one to be the first one that we formally submit to  
 21 you.

22 About a year or so after GDC won the RFP for  
 23 Downing Street, we bid at a city competitive bidding  
 24 for the old YPA Parking Authority building at 70 Pier  
 25 Street, and we won that competitive bid. That

1 property, it's a small project, smaller than Martin  
 2 Ginsberg might normally do, but when you take it off a  
 3 realistic approach to the Ludow area, the arrival  
 4 point at the train station, which is the Abe Cohen  
 5 Plaza, when people get off the train, we want there to  
 6 be, you know, as the saying goes, they're there there.  
 7 Right now it's not much. And, so we wanted to have an  
 8 arrival point that would put some retail on the ground  
 9 floor, we can put some new neighborhood retail, a few  
 10 apartments above to put some eyes on the street and  
 11 create kind of like a rising point for the Ludlow  
 12 station.

13 And we worked very closely with the Ludlow  
 14 Park Residents Association and others from St. Peter's  
 15 parish, with community representatives throughout in  
 16 the last five years, and worked very closely with the  
 17 community to try to build a consensus for a  
 18 development project that has the support of all the  
 19 major stakeholders involved.

20 So, 70 Pier will be first, we hope to submit  
 21 it within days after the SEQRA process is complete and  
 22 the new zoning is adopted. And we just wanted to take  
 23 this opportunity to introduce it to you so you  
 24 understand it, and it's coming, and hopefully we can  
 25 get under construction with this project later this

1           year because after years of planning, I think both GDC  
2           and the neighborhood would like to finally see some  
3           activity.

4                       We asked Lee if it would be appropriate if  
5           we can get an informal briefing prior to submitting a  
6           formal site application, and he afforded us this  
7           opportunity, and we thank you. And I just want to  
8           turn it over to Leo

9                       MR. TORRES: As Jim stated, my name is Leo  
10          Torres, I'm Chief Architect for Ginsberg Development  
11          Companies, and I'll just walk you through the project.

12                      I'm not sure how many of you are familiar  
13          with the project, but I brought some -- oh, you have  
14          the renderings, okay. So, in short, we're taking the  
15          existing site that we have at Abe Cohen Plaza and  
16          we're trying to upgrade it. So, there's an existing  
17          park in the center of Abe Cohen Plaza. Currently,  
18          there are existing, sort of a mix of just some sort of  
19          dead spaces and some angled head-in parking.

20                      So, what we tried to do for this project is  
21          we tried to maximize the park space and we tried to  
22          maximize the parking, as well. So, the existing park  
23          is approximately 37-feet wide, for example, and we're  
24          proposing to make it approximately 40-and-a-half feet  
25          wide. Additionally, the existing park is also

1 shorter, so we're looking to fill out the park and  
2 make it larger in terms of length, as well. And,  
3 also, looking to upgrade it, you know, new trees,  
4 paving, what have you, decorative elements.

5 And as to the parking, we're bringing the  
6 parking around the three sides of the plaza in order  
7 to increase parking for the purposes of commuter rail,  
8 but also for the purposes of shopping because with the  
9 building, in addition to the 36 residences that we're  
10 proposing on the three floors above the first floor,  
11 we're also proposing to provide some retail space.

12 So, you can see in this drawing, this is our  
13 building here, this is the existing Abe Cohen Plaza,  
14 this is an existing small apartment building, which  
15 fronts onto Sunnyside, and this is the existing, as we  
16 call it, the cape building, which fronts on Birch and  
17 Ludlow. And here you can see the railroad.

18 So, when we go to the first floor plan,  
19 which you can see here is that we're proposing to,  
20 again, we have our retail up here, we're dedicating  
21 space specifically for retail, we're not sure what  
22 that's going to be at the moment, but we're trying to  
23 plan for different possibilities. We were hoping to  
24 get a coffee shop, that sort of thing there, we think  
25 it would serve the neighborhood pretty well,

1 especially at this location.

2 We have our entrance lobby. So we have an  
3 entrance that's beyond the street area, manager's  
4 office, you know, just a small amenity which is sort  
5 of a mini kind of club room for this building, as well  
6 as a small fitness center. Then we have one elevator  
7 going up to the upper floors.

8 Off to the west, you can see we have our  
9 entrance to our garage. Again, we located it here in  
10 attempt to maximize the parking because had we entered  
11 on a different side, we wouldn't have been able to get  
12 as much parking as we're trying to get. So, we're  
13 proposing 35 indoor garage parking spaces so there  
14 would be one parking space for 35 of the units. And  
15 then one of the units, we would enter into an  
16 agreement with the City to have them have a permit and  
17 park in the plaza.

18 One thing to point out, this is the foot-  
19 print of the building, it is actually the existing  
20 footprint of the existing building, which goes to the  
21 property line. So, we actually, we did not expand  
22 upon the existing footprint at the first floor. So,  
23 the first floor, again, just to be clear, it is the  
24 footprint of the existing building, more or less,  
25 within inches.

1                   As we get to the first residential floor,  
2           which is the second floor, you can see that our  
3           building actually sets back from the lower building.  
4           Another thing to point out is that the grade, or the  
5           elevation of the grade, adjacent to the south of our  
6           building is actually basically a full story higher  
7           than the elevation or the grade at Abe Cohen Plaza.  
8           So, for all intents and purposes, our neighbors to the  
9           south of us will just be seeing the new residential  
10          building, they won't actually see the portion of the  
11          building which, you know, the first floor of the  
12          building, which extends to the property line.

13                   So, again, the building is set back. We do  
14          this because A, we don't need that much space for  
15          apartments in terms of depth, but we also do it for  
16          code requirements, as well as to give our first floor  
17          residents, they have some outdoor patios, and we  
18          intend to screen them with various sets of  
19          landscaping, and give them some outdoor space.

20                   Additionally, we have an amenity roof deck  
21          here, small amenity roof deck, but the idea is that  
22          they'll be succeeding some area floor, our residence  
23          of the building, they can go out here and relax on a  
24          nice day.

25                   And it's even more clear on the typical

1 floors, this would be the second and third floor plan.  
2 You can see how much smaller this floor plan is  
3 relative to the first floor plan.

4 So, we're proposing basically 12 units per  
5 floor for a total of 36 units. We have a mix of  
6 studios, one-bedrooms and two-bedrooms. And our  
7 largest unit is a two-bedroom with a small study.

8 So, here you can see the front elevation, so  
9 we're proposing to provide some balconies at the front  
10 of the building. And here goes your retail, the  
11 retail goes up to about here, and then this would be  
12 our lobby in this area here. And, again, here you can  
13 see our garage entrance.

14 This elevation is a little difficult to  
15 understand because the angle of the building, the west  
16 elevation of the building, is askew to the front  
17 elevation, or the north elevation. So, in this  
18 elevation, you're seeing what is essentially the front  
19 elevation here, which is parallel to Abe Cohen Plaza,  
20 but you're also seeing a portion of the west  
21 elevation, which is parallel to the train.

22 This would be our side elevation, so this is  
23 on our side yard. This would be our stair tower.  
24 And, again, this is essentially the shape of the  
25 existing building at the first floor.

1                   We're proposing a sort of decorative element  
2                   above the entry, the idea being to sort of give it  
3                   sort at of a place marker where people can see and  
4                   identify where the entrance is. And the idea would be  
5                   to light it internally so that way you can sort of see  
6                   it glowing.

7                   Here we have the west elevation. So, this  
8                   elevation, you would see from the train. This is,  
9                   actually, this double dash line here, represents the  
10                  roof of the train platform. And then above here, you  
11                  can see our west elevation. And finally we have the  
12                  rear elevation here, okay.

13                  So, you've been provided with, I see that  
14                  you have two renderings, one rendering is essentially  
15                  taken from Bridge Street, I would say it would be the  
16                  northeast side of Abe Cohen Plaza looking at the  
17                  building. And the other rendering is taken from the  
18                  northwest side of Abe Cohen Plaza looking at the  
19                  building.

20                  Finally, I guess we're proposing a mix of  
21                  finishes. So, we have brick used at the upper floor,  
22                  as well as at the base in the front. At the train  
23                  station, for the wall that we share with the railroad  
24                  platform, we're proposing kind of a stucco concrete  
25                  kind of finish for that for purposes of durability.

1 And we're also proposing a panelized kind of stucco  
2 system that would mix in with the upper portion of the  
3 building. And at the lower front facade of the  
4 building, also, a metal panel.

5 MR. SURDOVAL: And, again, the purpose of  
6 this project is to set the tone for the area, to get  
7 something going early. As we come back before you  
8 again for the larger project on Downing Street  
9 sometime later in the year, several months after the  
10 approval, for example, once we get that site plan  
11 application ready to submit, we are ready to submit  
12 this site plan application as soon as the new zoning  
13 is adopted and SEQRA is complete.

14 So, thank you, thank you for your time.

15 THE CHAIRMAN: Thank you very much. It  
16 looks like a very exciting project, it looks good.

17 MR. SURDOVAL: Thank you.

18 THE COURT: Members of the Board, any  
19 questions? John.

20 MR. LARKIN: Thank you, Mr. Chairman.

21 Yeah, I do like it, too, I think the  
22 renderings are really very nice. Hopefully it will  
23 blend well with the neighborhood as it's all being  
24 redeveloped.

25 The question I have is somewhat related, but

1 not. I would tend to think that as representatives  
 2 for the developer, that when the Planning Board  
 3 approves projects that whatever is approved, whatever  
 4 conditions are made, you generally would be in  
 5 agreement with when you hear those. I would like to  
 6 ask, because I think going back about three years ago,  
 7 River Club was approved, or maybe even longer, and one  
 8 of the conditions at that time, if I'm not mistaken,  
 9 and you can correct me if I am, is that at the top of  
 10 Odell and North Broadway, there was supposed to be a  
 11 turning lane created, and Ginsburg Development was  
 12 going to take care of that. As of today, it's still  
 13 not done.

14 So, I would like to know whether or not that  
 15 obligation is going to be met because it does speak to  
 16 times when as a Planning Board, we place conditions  
 17 with a specific resolution with items that need to be  
 18 addressed, and they're agreed to at the time when the  
 19 approval is done, and then nothing happens. This is  
 20 going on three years where that turning lane has never  
 21 been put in at the top of Odell Avenue and North  
 22 Broadway.

23 Do you have any information as to where that  
 24 stands and where you're going to go with that because  
 25 that was part of the conditions for the approval?

1                   MR. SURDOVAL: I know that we are going to  
2                   meet that obligation. Andy Maniglia from our office  
3                   has been the front person on that dealing with the  
4                   City of Yonkers. I know he's had fairly recent  
5                   conversations on that, but I'm not privy to exactly  
6                   where it is, but I would think based on what I've  
7                   heard from Andy is, he reports back to me, that's  
8                   something that will be happening in the near future.

9                   MR. LARKIN: Okay. Well, that would be good  
10                  because I think if it does happen, then it speaks well  
11                  for future development that Ginsburg has, because I  
12                  tend to think, I remember when the project for River  
13                  Club was being done, that was one of the conditions  
14                  and, as I say, River Club has been open now and we  
15                  still have not seen that improvement. So, hopefully  
16                  Andy is working on that with the Planning Bureau and  
17                  the City, then I would hope that maybe we can hear  
18                  some information in the future.

19                 MR. SURDOVAL: Absolutely. GDC certainly  
20                 wants to meet all of its obligations, and exceed its  
21                 obligations. Right now there's a new park being  
22                 constructed on Warburton Avenue that will be a park  
23                 gateway up to the Aqueduct to service the entire  
24                 neighborhood. It wasn't part of the site plan  
25                 approval, but as a gesture to the neighborhood, who

1 put up with a lot of construction there for a long  
2 period of time, Martin Ginsberg and Mayor Spano agreed  
3 to share the cost of creating a City park, and that is  
4 under construction now.

5 MR. LARKIN: Which is great.

6 MR. SURDOVAL: Yes.

7 MR. LARKIN: But the initial concern was  
8 that traffic.

9 MR. SURDOVAL: We want to meet and exceed,  
10 yes.

11 MR. LARKIN: Okay, thank you for that.

12 MR. SURDOVAL: Thank you.

13 MR. LARKING: And as I said, I think this  
14 project looks great.

15 MR. SURDOVAL: Thank you very much.

16 THE CHAIRMAN: Other members of the Board.  
17 Yes, Adelia.

18 MRS. LANDI: I would just like to say that  
19 it's a lovely tribute to Abe Cohen. Thank you.

20 THE CHAIRMAN: Okay, Staff, we're good?

21 MR. NERSINGER: Yes.

22 THE CHAIRMAN: Okay, we look forward to  
23 having this come to fruition.

24 MR. SURDOVAL: Thank you.

25 MR. TORRES: Thank you.

1 THE CHAIRMAN: Okay, we're moving back to  
2 Item number 11, this is a SEQRA DEIS public hearing  
3 for AMS Yonkers Downtown project zoning petition  
4 referral from the Yonkers City Council for amendments  
5 to the Zoning Map and Zoning Ordinance affecting the  
6 "Teutonia Hall Site", the "Chicken Island Site" and  
7 the "North Broadway Site" as designated on the Tax Map  
8 of the City of Yonkers as an entire list of blocks and  
9 lots that I'm not going to go through.

10 Mark Weingarten, or his office, is here as  
11 representatives for the proposal.

12 Let the record reflect that it is 10 after  
13 7:00, so it is after 7 o'clock, and we are continuing  
14 our public hearing.

15 Do we have a sign-in sheet? There it is.

16 MR. SUTHERLAND: Good evening, Mr. Chairman,  
17 members of the Board. So, Mark Weingarten can't be  
18 here with us tonight, so I'm here on behalf of AMS  
19 Acquisitions. My name is Ryan Sutherland, I'm the  
20 Director of Development and Design.

21 It's our understanding that this is a  
22 continuation of the public hearing, so we look forward  
23 to hearing any comments that the public has on our  
24 proposal.

25 THE CHAIRMAN: Thank you, Mr. Sutherland.

1                   That being the case, we're opening up the  
2 floor to further comments, questions, for anyone here  
3 on the public hearing for Item number 11.

4                   If you could come up to the microphone  
5 that's on the floor and state your name for the record  
6 and also write your name down if you could on the  
7 list.

8                   MR. HERTZ: Good evening, hi, members of the  
9 Board, my name is Mike Hertz, I reside at 1 David Lane  
10 here in Yonkers, New York. I am a lifelong Yonkers  
11 resident, I also am involved in the River Community  
12 Coalition of Yonkers in the Greystone neighborhood.

13                   We did submit written comments in December  
14 of 2020, we do plan to submit further written  
15 comments. One of the items that I was kind of shocked  
16 with, during the course of the pandemic, what I  
17 experienced is much less volume on Metro North and a  
18 much greater volume as we all kind of reopened and got  
19 out of lockdown on the roads. What I witness on the  
20 Cross County Parkway, on the Saw Mill Parkway, on  
21 Yonkers Avenue, on Midland Avenue, Ashburton Avenue,  
22 I'll call it kind of like the spaghetti bowl inter-  
23 change, is a testimony to all the work that we've done  
24 to revitalize Yonkers and had 15,000 people move in.  
25 They've mostly moved in on the waterfront in that

1 area. They're not so much, I call it uptown on  
2 Central Avenue, they're mostly in that area. But what  
3 I'm seeing is kind of shocking in terms of getting  
4 through.

5 I'm seeing people coming from, on the Cross  
6 County Parkway, coming from let's say the shopping  
7 center. They want to head off to Yonkers Avenue, they  
8 don't go the way you're supposed to go, they go on the  
9 Yonkers Avenue east, they go by where Planet Fitness  
10 is. And then I see them getting off, and you can  
11 watch this, you know, at 3 o'clock in the afternoon,  
12 they cut across the three lanes, make a left where  
13 there's a service station and a waste transfer station  
14 before Cook Avenue, and they make a u-turn on that  
15 property because they don't want to wait stacked up.

16 I'm seeing cars backed up down almost to the  
17 Mosholu Parkway city line area, I'm seeing it at 3  
18 o'clock in the afternoon. I'm seeing when I head  
19 south, I live, basically, Executive Boulevard area, I  
20 head south in the morning, whether it's 7:00 a.m. or  
21 10:00 a.m., I'm seeing the cars not getting off  
22 Yonkers Avenue.

23 So, you know, what a publication this  
24 document is. So, let me just say God bless you all,  
25 God bless you all, and thank you for the service. I

1 think it was 31 or 33 dense chapters, this DEIS,  
 2 right? I'm not going to pretend I read through the  
 3 whole thing, I did spend some time with the traffic.  
 4 I thought it was good that a signal was being put at  
 5 the southbound Saw Mill at Yonkers and Ashburton  
 6 Avenue, roughly, I noticed that. But the rest of all  
 7 the intersections, all seem to be going from E to F  
 8 here, or F to F, I don't know, F to G, there's no G in  
 9 this table, right?

10 And I was concerned when I looked at the  
 11 time of the traffic study, it's only one hour, 8:00  
 12 to 9:00. The school buses are running 7:00 a.m., we  
 13 know what about busses in this town, right, the school  
 14 buses are running 2:30, 3 o'clock. The evening time  
 15 is only 5:00 to 6:00, that does not accurately capture  
 16 what is really going on there, which, you know, is an  
 17 interchange that needs to be rethought as we add  
 18 another 3,500 units, 3,600 parking spots.

19 We have whatever, you know, going into  
 20 Ludlow and then there's going to be residual things,  
 21 looking at the traffic, the plant and some other  
 22 projects are listed as unknown. So, they're tabulated  
 23 into the traffic calculations as what, unknown, as  
 24 zero? Well, there's going to be some impact, right,  
 25 there's going to be some impact.

1                   So, I wanted to take the time to honor your  
2                   work, I don't envy you, I don't envy you, and to make  
3                   those comments. Thank you very much. Have a good  
4                   evening.

5                   THE CHAIRMAN: Thank you very much, Mr.  
6                   Hertz.

7                   By the way, I know that intersection, I pick  
8                   up my father once a week there to take to work and,  
9                   within the last month, I saw two very bad accidents in  
10                  the morning for cars trying to cut across the three  
11                  lanes and cars coming up the hill that you can't see,  
12                  there were two very bad accidents, so that is  
13                  something that they do need to address at that  
14                  intersection.

15                  Thank you.

16                  Are there anymore speakers?

17                  MR. MAGGIOTTO: Good evening, Chairman  
18                  Kozicky and Planning Board members. I am Louis  
19                  Maggiotto, I'm of counsel to Nobile Magarian &  
20                  Disalvo. Nobile & Magarian is a side patch (sic) of,  
21                  which I represent, American Sugar Refining, ASR, in  
22                  connection with the City of Yonkers Environmental  
23                  Impact Statement for the proposed rezoning in the  
24                  Ludlow neighborhood and the matter before the Planning  
25                  Board tonight, the AMS Yonkers Downtown redevelopment

1 Draft Environmental Impact Statement.

2 ASR makes more than four million pounds of  
3 sugar a day through the refinery, some granular, some  
4 liquid. Trucks come in all day to move the sugar to  
5 ASR's customers. Fully loaded trucks take only one  
6 route of the DSL property onto Ludlow Street, over the  
7 Ludlow bridge, continuing down east on Ludlow to  
8 Riverdale, then north on Riverdale to Prospect, then  
9 east on Prospect to the highway.

10 We are studying the issues of traffic at  
11 Prospect Street and Riverdale and Prospect and South  
12 Broadway. We are currently negotiating with the City  
13 regarding the traffic findings that would be part of  
14 the final generic EIS regarding the proposed Ludlow  
15 rezoning.

16 American Sugar Refining believes that the  
17 City of Yonkers has to address the traffic issues now  
18 at Prospect and Riverdale and Prospect and South  
19 Broadway and cannot defer as Ludlow redevelops and AMS  
20 starts development.

21 Depending on the outcome of our negotiations  
22 with the City, ASR may submit written comments to the  
23 Planning Board regarding the AMS DEIS on or prior to  
24 April 27, 2022.

25 Thank you very much.

1 THE CHAIRMAN: Thank you, Mr. Maggiotto.  
 2 Are there any other speakers this evening?  
 3 Let the record show no further speakers.  
 4 Okay, this meeting is offering a second  
 5 public hearing opportunity to collect comments from  
 6 the community on the AMS DEIS. As our Board recalls,  
 7 only one person spoke at the 3/9 meeting to offer  
 8 comments on the proposed rezoning.

9 The Planning Board noticed public hearing in  
 10 the local paper as required by law in preparation of  
 11 the meeting. A copy of the notice was also posted on  
 12 the City website, the City calendar, and the Planning  
 13 Board's web page. Staff also distributed the  
 14 notice through our Planning Board agenda distribution  
 15 list in an attempt to widen the notification area  
 16 electronically.

17 While the 60-day public comment period will  
 18 remain open through April 27, 2022, Staff and the  
 19 applicant consultants at AKRF are in agreement that  
 20 collecting comments from the Board, the public, Staff  
 21 Departments, City Council and other involved  
 22 interested agencies is critical at this time in the  
 23 SEQRA and EIS process.

24 As discussed at previous meetings, once a  
 25 DEIS is accepted as complete by the lead agency,

1        comments are collected and responded to in the final  
2        EIS, which is known as the FEIS, along with any  
3        modifications and revisions to the proposed project  
4        alternatives and mitigation measures.

5                We are expecting to receive comments from  
6        the City SEQRA consultants at BFJ Planning, City  
7        Departments; Planning, Fire, Engineering, Traffic,  
8        Water, Parks, Police, etcetera and involved agencies.  
9        We expect to get that after today's public hearing and  
10       before the scheduled closing of the public comment  
11       period.

12               On April 6, 2020, the Engineering Department  
13       requested additional time to submit comments as the  
14       applicant has begun to deploy flow monitoring stations  
15       to collect data on the existing conditions of the  
16       portions of the city's sewer system that would be  
17       impacted by the proposed development at the project  
18       sites.

19               I'm going to make a motion to close today's  
20       public hearing with the reminder that the public  
21       comment period does still continue through April 27th.  
22       So, I move for the closing today at this time for the  
23       public hearing.

24               Do I have a second?

25               MS. FORSBERG:    Second.

1 THE CHAIRMAN: Seconded by Ms. Forsberg.

2 All in favor, please indicate by saying aye.

3 (A chorus of ayes.)

4 THE CHAIRMAN: Oppose, nay.

5 That passes unanimously.

6 Thank you very much, Mr. Sutherland.

7 MR. SUTHERLAND: Thank you.

8 THE CHAIRMAN: We need to do a little  
9 housekeeping with respect to some meetings coming up.  
10 We'd like to have a special meeting and we need to  
11 reschedule our regular monthly meeting because this  
12 hall will not be available to us and it's not  
13 anticipated that the elevator is going to be finished  
14 at City Hall.

15 So, the first question is if we're ready for  
16 May 4th for a special meeting, this would be the only  
17 topic on that date, it would be this item. How does  
18 that date work for everyone?

19 MS. FORSBERG: I can't do that date.

20 MS. NOVA: No.

21 THE CHAIRMAN: No, no. We have two nos. We  
22 have two nos, three years. That's going to be  
23 problematic. And we have two people that we don't  
24 know.

25 MS. NOVA: Yeah, there are two people

1 missing.

2 MS. FORSBERG: I have other dates that week.

3 THE CHAIRMAN: In that case, we're going to  
4 need to float something out there. We do need to have  
5 these two meetings, the special meeting and the  
6 regular monthly meeting, obviously. So, look for  
7 something in your mail, e-mail, and please be flexible  
8 as much as possible.

9 I did ask, as well, that if we can't have  
10 the meeting here on our regular meeting date because  
11 this hall is taken, if we could revert back to, at  
12 least on that night, to a Zoom meeting. I know that  
13 we prefer to be, and we seem to be, I don't know, I  
14 think it's better when we meet in person, but we may  
15 not have a choice, we may have to go to a Zoom  
16 meeting. So, I'm going to have Zach look into that  
17 possibility, as well.

18 MS. FORSBERG: Are you looking for an  
19 evening?

20 THE CHAIRMAN: Our regular monthly meeting  
21 is May 11th.

22 MS. FORSBERG: I mean the week before.

23 THE CHAIRMAN: Well, we need both. So, the  
24 regular monthly meeting on May 11th. I'm asking since  
25 the only thing -- everybody should be ready for that

1 meeting because that was regularly scheduled. We just  
2 don't have a place to have it, so we're going to look  
3 into the possibility of just reverting for that one  
4 meeting back to a Zoom meeting.

5 MR. LARKIN: Or the library.

6 THE CHAIRMAN: We'll check, we'll check all  
7 availabilities that the City has to offer us.

8 Do you have room in your house, John?

9 MR. LARKIN: Sure, in the basement.

10 THE COURT: So, keep an open mind on that  
11 and look for something to cover.

12 The other thing was the week of May 4th,  
13 were we looking for something else that week or was  
14 that the only date that was available?

15 MR. NERSINGER: I have to look at it.

16 THE CHAIRMAN: All right, we're going to  
17 have to look.

18 (Whereupon there was a brief pause in the  
19 proceedings.)

20 THE CHAIRMAN: I was just informed by  
21 counsel that as of now, the authority to have the Zoom  
22 meetings is only good through April 15th. But that  
23 doesn't mean that New York State may not extend that  
24 as they have in the past.

25 MR. LARKIN: Can we do it on another night,

1           like a Wednesday?

2                       THE CHAIRMAN:    Well, that's what we're  
3           looking at.

4                       Go ahead.

5                       MR. NERSINGER:   We have an issue with the  
6           elevator at City Hall.  We have no idea when it will  
7           come back on line.  It is constantly under repair,  
8           it's old and a weird system, and I'm not an elevator  
9           technician.  The School District has been extremely  
10          helpful in letting us continue our meetings here.  We  
11          all know, I know that the Board likes to do this in  
12          person, to have their meetings in person, it's a very  
13          smooth operation.  So, without any anticipation of  
14          when that elevator will come back on line, I realize  
15          that it is almost a month from now, but it's been off  
16          line since November, I think, October, crazy, it's  
17          been awhile.  With the recording ability --

18                      THE CHAIRMAN:    She said to fire the  
19          property manager.

20                      MS. FORSBERG:   No, I said I know someone in  
21          property management, if you need an elevator guy, I  
22          know one.

23                      MR. NERSINGER:   If they know how to make  
24          custom parts, then good luck to them.

25                      THE CHAIRMAN:    We're looking for an

1 elevator manufacturer in the City of Yonkers, I find  
2 that ironic.

3 MR. ELLMAN: You would need a time machine.

4 MR. NERSINGER: So, the goal, again, is try  
5 and recreate the setting, having the recording ability  
6 that we do have here and that the School District has  
7 been offering us. If we can't do that, you know,  
8 we'll look and see what the Board's availability is  
9 for the first half of May, whether we can do it  
10 remotely if we have to. And, again, I'll put all of  
11 this in an e-mail, I just ask for everyone's timely  
12 response so that I can coordinate when we're going to  
13 do this, and we can update the Board's schedule  
14 online, blast it out to the world so that our  
15 applicants and the public are aware of when it's  
16 changing. So, yeah, we'll just followup because  
17 there's been a bit of a tossup of trying to land on  
18 the right date based on losing the possibility of the  
19 11th.

20 THE CHAIRMAN: Okay. So, check your  
21 e-mails and I thank you all for your participation,  
22 active participation, tonight.

23 I'll entertain a motion to close tonight's  
24 meeting.

25 MRS. LANDI: Motion to adjourn.

1 MRS. LANDI: So moved by Adelia. Seconded  
2 by --  
3 MS. NOVA: Second.  
4 THE CHAIRMAN: -- Becky.  
5 All in favor, please indicate by saying aye.  
6 (A chorus of ayes.)  
7 THE COURT: Oppose, nay.  
8 That passes unanimously.  
9 I thank you all very much, and wish you all  
10 a happy Mother's Day, I guess is the next holiday  
11 coming up? Easter, I'm sorry, my Pastor is going to  
12 shoot me. Well, Easter, Passover, and especially  
13 Mother's Day, remember the Ukrainian mothers both in  
14 Ukraine and outside of Ukraine and what they're going  
15 through. And we thank you for your support and your  
16 prayers for Ukraine.  
17 Thank you very much. Good night.  
18 (Meeting adjourned at 7:29 p.m.)  
19  
20  
21  
22  
23  
24  
25

1 STATE OF NEW YORK  
2 COUNTY OF WESTCHESTER  
3

4 I, CATHERINE ARMENTANO, Notary Public within and  
5 for the State of New York, do hereby certify that the  
6 within is a true and accurate transcript of the  
7 proceedings taken on April 13, 2022  
8 .  
9

10 I further certify that I am not related to any  
11 of the parties to this action by blood or marriage and  
12 that I am in no way interested in the outcome of this  
13 matter.  
14  
15  
16

17 Dated, New York,  
18  
19

20 \_\_\_\_\_  
CATHERINE ARMENTANO  
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