

1.0 EXECUTIVE SUMMARY**Introduction**

This Draft Environmental Impact Statement (DEIS) examines the potential environmental impacts associated with the construction and operation of the Buena Vista Planned Urban Redevelopment project to be located in the City of Yonkers, Westchester County, New York (“the Proposed Action”). The City of Yonkers Planning Board, as Lead Agency, determined that the project may have a significant environmental impact and has required the preparation of this DEIS in accordance with the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”).

1.1 Brief Description of the Proposed Action

The project sponsor, Teutonia Buena Vista, LLC, (“TBV” or “Applicant”) proposes to construct a transit-oriented residential development (the “Project” or “Buena Vista PUR”) in downtown Yonkers, Westchester County, New York. The Applicant proposes to redevelop a number of vacant and/or underutilized properties situated on Buena Vista Avenue just south of its intersection with Main Street. The Applicant proposes to construct a transit-oriented development whose primary component is the construction of a 25-story, 412 dwelling multifamily rental building with accessory parking provided in a state-of-the-art, automated clean-tech garage.

A hydroponic garden would be located atop a portion of the automated garage. Other accessory on-site uses include rooftop resident amenity space, fitness room, indoor swimming pool, classroom/conference space, leasing center, refuse and recycling collection area and other mechanical space. The 25-story apartment building will be physically connected to and integrated with the adjoining Trolley Barn multifamily live-work building at 92 Main Street. The Trolley Barn is listed on the National Register of Historic Places and consists of 40, one-bedroom lofts. The Trolley Barn, as a property listed on the National Register of Historic Places, is eligible as a “landmark” as defined by Chapter 45, of the Code of the City of Yonkers. It is not a designated landmark.

The exterior facades of three existing residential buildings (66-72 Buena Vista Avenue), each on individual lots located across from the proposed new apartment building, would be rehabilitated to reflect their original architectural period styles.

The Project occupies 2.04 acres within the Downtown Waterfront (“DW”) zoning district and would require, among other approvals, special permit approval to allow a Planned Urban Redevelopment (“PUR”) and site plan approval. Special use permit approval is granted by the Yonkers Planning Board (“Planning Board”) and Yonkers City Council (City Council”).

Figure 2-1 illustrates the location of the Project Site. It is located immediately east of the Metro North Hudson River Division right-of-way and City of Yonkers Hudson River waterfront. It is located south of Main Street and generally north of Prospect Street and west of Hawthorne Avenue. The subject property is comprised of the following tax lots (see Figure 2-2):

- Section 1, Block 512, Lots 1, 11, 13, 15, 17, 21, and 23
- Section 1, Block 511, Lots 24, 25, and 27

Figure 2-2 also shows the portion of the Project Site that is a State-designated brownfields area, and also shows two vacant lots across the street from the Project Site that would be used for construction staging.

Tables 2-1 and 2-1a of the DEIS describe the existing land uses that comprise the project site as well as the detailed building program for the PUR.

1.2 Potential Impacts and Proposed Mitigation Measures

1.2.1 Geology, Soils and Topography

Potential Impacts

The existing geologic, soil, and topographic conditions on the portion of the property located on the east side of Buena Vista Avenue will not be altered or disturbed as the existing buildings will undergo rehabilitation of their exterior facades only. No disturbance is proposed to the Trolley Barn other than what is required to connect it to the new apartment building.

Sheet EW, Site Plan - Earthwork Analysis, of the site plan set accompanying the DEIS, illustrates the amount of cut and fill that will occur on the project site. As shown in the drawing, the entire construction will involve cuts that range from 1 to 40 feet below existing grade. Shallow cuts would occur along the site's boundary with the railroad right-of-way and adjacent to the Trolley Barn. The deepest cuts are found in the southern portion of the site below the portion of the building housing the hydroponic garden - cuts are generally in the 30-40 foot range. Approximately 43,430 cubic yards of material will be removed in order to construct the foundation of the building and the proposed automated garage, therefore no fill is required to be brought in for this project.

Soils must be handled in accordance with Occupational Safety and Health Administration (OSHA) standards and disposed of in accordance with the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP). As defined by the NYSDEC "One Non-Hazardous petroleum-contaminated soil is moved from its original state, it is by definition a soil industrial waste and must be managed in accordance with Part 360 and transported in accordance with Part 365 regulations". The proposed up to 40 foot cut will not encounter bedrock or ledge as evidenced by the nine geotechnical borings completed at 36 to 51 feet below the ground surface. Bedrock blasting is not required nor anticipated.

The excavation and foundation bracing system, including the possible use of sheet piles, tiebacks or shoring, will be designed by a structural engineer for approval by the city's building and engineering departments. The design may require temporary or permanent easements that will be sought in conjunction with a building permit. Any required tiebacks will be below the utilities in the street and will be designed to avoid any impact to existing utilities. Excavation side walls will be braced in accordance with a design from the structural engineer to mitigate any potential steep slope issues. Dewatering operations may be periodic during this part of construction but should not be a significant factor, since most of the excavation is above the groundwater observed during the geotechnical investigation. If dewatering is necessary, there will be an on-call person available.

Existing on-site slopes will be altered to accommodate the apartment building. The project will disturb 1.21 acres of the site located on the west side of Buena Vista Avenue. Existing buildings

and impervious surfaces will be demolished and/or removed. Unsuitable soil will be removed and replaced with suitable fill. Grading activities increase the potential for siltation to occur downgrade of the site. Soil erosion and sediment control during construction is critical to minimize potential impacts to the local watershed and the Hudson River.

The northerly area of the apartment building site will be brought up to an elevation that is approximately 46 feet above mean sea level (msl) to match the southerly elevation of approximately 47 feet msl.

A geothermal system will be installed to heat and cool residential and common areas. The system will tap groundwater from a series of wells, some of which will be located in the City right-of-way. The wells are drilled vertically into bedrock approximately 1,500 feet below ground level. Ten (10) wells will be drilled and spaced 20 feet apart within the City sidewalk in front of the proposed development. The system will operate on an open loop system pumping groundwater at 52 degrees Fahrenheit using a heat exchanger to either heat or cool the building and then recirculating the water back into the ground at approximately 85-90 degrees Fahrenheit in the summer and 55-77 degrees Fahrenheit in the winter. The wells will pump a combined volume of approximately 50 gallons per minute of water for the geothermal system. Appropriate agreements will be put into place to allow the applicant to locate the wells within the public street right-of-way to allow for their maintenance and to protect the City from any liability issues associated with the wells. Any lease agreements including compensation for those agreements, if required, will be determined during the SEQRA substantive review process. The installation of geothermal wells for other new area developments depends on the proximity of those wells to the proposed project and the amount of water they would withdraw. At this time, there are no developments immediately adjoining the project site that propose to utilize geothermal wells.

Mitigation Measures

A Soil Erosion & Sediment Control Plan will be implemented to control soil movement from the portion of the Project Site that will be disturbed during demolition and construction - the Plan is included in the site plan set as Drawings SP-1 and SP-2. This plan has been developed to reduce soil erosion from areas exposed during construction and prevent silt from traveling off-site.

The Soil Erosion & Sediment Control Plan (Drawing D1) provides construction details and specifications for erosion control features, such as a stabilized construction entrance, silt fencing, earth dike, water bar, check dams, temporary swales, and stockpile management. Detailed erosion control notes are provided for construction procedures and sequence as they relate to soil erosion control. Notes provided in the Soil Erosion & Sediment Control Plan indicate that the controls are to be used in conjunction with the Stormwater Pollution Prevention Program document (SWPPP) as required for the NYSDEC General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). The SWPPP is provided in Appendix E.

Following construction, soils will be stabilized by the introduction of paved surfaces, vegetation and by the stormwater management devices shown on the plans. Construction of the permanent stormwater management system will commence as part of the initial earthwork for the project so that the system is functional as soon as possible. The plan, in conjunction with regular inspections and monitoring of stormwater controls, will minimize any potential soil erosion or sedimentation impacts.

The property is covered presently by buildings that have aided in sealing or trapping soil vapor. The proposed demolition of the building would allow trapped vapor to dissipate. During construction, soils on-site will be removed to up to 20-40 feet bgs. Removing the impacted soil would aid in the elimination of vapors from such soils. A sub-slab vapor ventilation system will be installed during construction that will protect site workers and residents. This is discussed further in Section 3.11 of this document.

1.2.2 Surface Water Resources and Stormwater Management

Potential Impacts

With the addition of pavement, excavation and grading for the proposed building and parking structure, the entire 1.21 acre site on the west side of Buena Vista Avenue would be disturbed. The stormwater management hydrologic study analyzes a total watershed area of approximately 1.21 acres under both existing and proposed conditions. Since Lot 1 in Block 512 (Trolley Barn) and Lots 24, 25, and 27 in Block 511 on the east side of Buena Vista Avenue will remain largely unaltered, these areas of the Project Site were not included in the drainage analysis.

The Project proposes to detain stormwater on-site to ensure that pre-development stormwater quality and flow rates will be maintained. Stormwater will be detained in a subsurface stormwater cistern storage system consisting of storage pipes and galleys located under the automated parking garage. The storage system will have a capacity of approximately 200,000 gallons and is designed to be consistent with Chapter 9 - Redevelopment Projects, of the *NYS Stormwater Management Design Manual (2008)*. The details of the system, including piping elevations, water elevations and approximate volumes for each design storm are provided in the SWPPP (see Appendix B - Hydraulic Analysis Subsurface Stormwater Storage System). These details are also shown graphically in Site Plan drawing GR "Site Plan - Grading and Utilities". According to the *Design Manual*, cisterns provide many stormwater management benefits such as reducing stormwater run-off volumes and delaying and reducing peak run-off flow rates, and, storing water can help reduce water consumption by using same for irrigation and other non-potable uses.

Stormwater collected in the cistern system will be utilized to provide up to 30 days of stored irrigation water for the proposed hydroponic garden, through the use of a weir system, with a required 46,300 or gallons of storage. The portion of the subsurface storage system utilized for the irrigation system has been indicated on sheet GR "Site-Plan-Grading and Utilities". In addition to the 30-day storage capacity, the system will provide sufficient capacity to mitigate the increase in run-off volume for the 2-year through 100-year storm, provide the necessary water quality volume per the *NYS Stormwater Management Design Manual*, and to allow for increased storage of stormwater during rain events to mitigate the impact of the development on the combined sewer in Buena Vista Avenue. The total required storage volume is approximately 196,922 gallons. The 200,000 gallon capacity system will provide adequate storage for required and designed criteria.

Following on-site storage and treatment, stormwater will be directed to a stormwater lateral force main crossing the sidewalk and Buena Vista Avenue to a new combined sanitary/stormwater sewer manhole in at the eastern side of Buena Vista Avenue. The manhole will

intercept the existing 18-inch combined sanitary/ stormwater sewer. The new manhole will be constructed by the applicant, in consultation with the City of Yonkers Engineering Department.

Following acceptance of new infrastructure, the maintenance of all piping and manholes installed in the City right-of-way will be the responsibility of the City of Yonkers. Maintenance of the stormwater storage system below the parking garage will be the responsibility of the applicant/owner. The stormwater flow rates to the City collection system will be maintained at or below the current flow rates. By maintaining or reducing stormwater run-off rates, the project will minimize any potential impact to Combined Sewer Overflow (CSO) events. Based upon discussions with the City Engineering Department regarding existing infrastructure (meeting held on September 13, 2010), no capacity problems were identified in the project area. Stormwater will also be stored to offset the anticipated increase in wastewater generation that will be discharged to the combined sewer system.

The proposed cistern stormwater storage system will allow post-development stormwater runoff rates to be maintained below existing flow rates to the existing combined stormwater/sewer system in Buena Vista Avenue. Since the storage system will be designed to capture and detain the 100-year storm, stormwater will be released to the City system via pumps at a controlled rate during off-peak flow periods. An emergency power source will be provided for the stormwater pumps. In addition, the pumping system has been designed to utilize four pumps. The design of the stormwater storage system is further described in the SWPPP (Appendix E). Therefore, flow rates to the City stormwater system will be reduced compared to existing conditions.

The cistern system will remove suspended solids and oil and grease through a series of baffles. Approximately 40 percent of annual detained stormwater, or up to 69,300 gallons at any one time, will be diverted from the City combined stormwater/sewer system and utilized for irrigation of the roof-top garden. The diversion, treatment and reuse of stormwater from the site will improve stormwater quality over existing conditions.

The Stormwater Pollution Prevention Plan will require review and approval by the City of Yonkers and will need to comply with the requirements of Article XVII - Stormwater Control, of the City of Yonkers Zoning Chapter. Once approved by the City of Yonkers, the applicant will submit a Notice of Intent (NOI) to the NYSDEC for a SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-10-001). A SPDES General Permit from the NYSDEC is required for the project. Proposed stormwater management infrastructure is shown on the full size site plan provided with this DEIS.

Various temporary measures will be used where appropriate to control stormwater flows during construction, such as swales, basins, traps and earthen dikes. In addition, the temporary erosion control measures indicated on the full-size Erosion Control Plan will be employed during the construction process to minimize the potential for erosion or sedimentation problems. The Erosion and Sediment Control component of the Stormwater Pollution Prevention Plan (Appendix E) and the measures described in Section 3.1 will prevent the discharge of uncontrolled pollutants to the stormwater system and downstream waterbodies during construction.

Mitigation Measures

The stormwater control measures described in the project engineer's Stormwater Pollution Prevention Plan are designed to satisfy the NYSDEC requirements for stormwater quality and quantity to minimize the potential for adverse impacts. The proposed plan includes a single subsurface stormwater cistern detention and treatment system, located below the proposed parking structure. The cistern system will detain approximately 200,000 gallons of stormwater, reducing stormwater discharge rates to below existing conditions. The diversion, treatment and reuse of stormwater from the site will improve stormwater quality over existing conditions. Engineering calculations to support the proposed plan for the stormwater management features are presented in the SWPPP. The SWPPP demonstrates conformance with the New York State *Stormwater Management Design Manual* and project compliance with State requirements for the protection of surface water quality as well as storm protection for downstream areas.

1.2.3 Utilities

Potential Impacts

Water Supply

The City of Yonkers supplies potable water to the Project Site. The projected water demand is approximately 29,099 gallons per day according to Edwards & Zuck, P.C., mechanical engineers. Water saving fixtures are proposed for all residential units and throughout the new apartment building. Water consumption is not anticipated to change for the Trolley Barn or the residential buildings on the east side of Buena Vista Avenue. The estimated project water demand of 29,099 gallons per day is not expected to adversely impact the City water supply.

The overall peak domestic water flow for the apartment building will be 535 gallons per minute (gpm). The first eight (8) floors of the building will be supplied by street pressure. The upper 18 floors of the building will be supplied by a domestic booster pump. The duplex booster pump will be sized to provide a total flow of 385 gpm at an output pressure of 130 pounds per square inch (psi). The booster pump is sized to provide adequate pressure for domestic flow to all upper portions of the building, including to the top floor.

The apartment building will be served by a geothermal heating and cooling system to augment the Combined Heating and Power (CHP) system and reduce the consumption of traditional electricity and natural gas. A diagram of the CHP and systems with which it interacts is provided as Figure 3.3-1. The geothermal system will be a stand alone looped water system that will not be connected to the City of Yonkers municipal water supply. Wells drilled for the geothermal system will utilize groundwater and recirculate that water. The geothermal system is described in Section 3.1 Geology, Soils and Topography.

A hydroponic garden will be located above the automated parking garage. The hydroponic garden will be irrigated using water stored in the stormwater cistern located below the parking garage. Municipal water will not be utilized for garden irrigation. No separate water storage tanks for the garden will be required beyond that supplied by the cistern. Details of the internal water distribution system for the proposed hydroponics garden and geothermal heating and cooling system will be provided at the time of project permitting.

The domestic water service for the building and residences will be supplied via a 6-inch line connected to a new 12-inch water line in Buena Vista Avenue. The location of the service connection to the City water main is shown in Drawing GR Site Plan Grading and Utilities of the site plan set. In consultation with the City of Yonkers Bureau of Water, a new 12-inch water service line is proposed to be installed in Buena Vista Avenue to provide both domestic and fire service for the project.

Cross contamination of water resources will be prevented by installation of backflow prevention devices in accordance of New York State Department of Health requirements. The building's fire water service will be protected by an approved double check detector assembly (DCDA) backflow preventer. The buildings domestic water service will protected by an approved reduced pressure principle (RPZ) backflow preventer. All make up water connections to hydroponic garden and geothermal systems will be provided with dedicated approved reduced pressure principle (RPZ) backflow preventers.

A separate dedicated fire protection water service connection will be provided from Buena Vista Avenue. The maximum flow rate for the building's fire protection system will be 1,000 gpm. The building's fire protection water service is proposed to be an 8-inch line and the location of the proposed connection is shown in Drawing GR - Site Plan Grading and Utilities, of the site plan set. The building's fire protection system will be supplied by a fire pump sized to provide a total flow of 1,000 gpm at an output pressure of 160 psi. The pump will provide adequate fire pressure throughout the building including to the top floor of the building. A single new hydrant is proposed on the west side of Buena Vista Avenue, at the front of the residential building. The location and number of proposed hydrants will be finalized in consultation with the City of Yonkers Water Bureau.

Wastewater Treatment

Sanitary sewer lines and combined stormwater and sanitary sewer drains serve the Project Site. The sewer lines are owned and maintained by the City of Yonkers Department of Public Works, Sewer Bureau. The new apartment building will discharge approximately 29,099 gallons of wastewater per day.

Wastewater will be discharged to the existing 18-inch County combined sewer located in the approximate center of Buena Vista Avenue. A new manhole is proposed at the connection of the project sewer line and existing combined sewer line. It should be noted that existing stormwater flow from the site largely flows to the 18-inch combined sanitary/ stormwater line in Buena Vista Avenue. The project proposes to detain stormwater volumes up to the estimated 100-year stormwater volume. A portion of this detained water will be used for irrigation of the proposed hydroponic garden. Therefore, peak stormwater flows to the 18-inch combined sewer will be reduced following construction of the project. To mitigate the potential impacts of the anticipated increase in wastewater discharge to the existing infrastructure, the applicant has proposed remote television inspection of the existing combined sewer line and to provide spot repairs, as appropriate. The applicant is working with the City of Yonkers Sewer Bureau to determine specific mitigation measures.

Based upon the estimated 30 million gallon per day (MGD) excess capacity of the Westchester County Yonkers Joint Wastewater Treatment Plant (WWTP), there is sufficient capacity to accommodate the increase in wastewater flow. The current average daily flow is approximately

90 MGD, according to Mr. Marion Pompa, Westchester County Department of Environmental Facilities¹.

Electric Service

Electrical service to the property is provided by Con Edison through underground and overhead electrical lines located in the Buena Vista Avenue right-of-way. Total demand using a residential connected load (23% demand factor) would be 3,830 kva or 4,615 Amps.

The project utility engineer has requested from Con Edison: (1) 2,000 Amp 277/480 volt, 3 phase, 4 wire service and (3) 3,000 Amp 120/280 volt, 3 phase, 4 wire service, provided to meter banks feeding the apartment units. The location of the proposed service connection lateral is shown in Drawing GR - Site Plan Grading and Utilities, of the site plan set. The location of the proposed building transformer will be determined in consultation with Con Edison. As per a letter from Con Edison dated June 24, 2010, the utility company requires that two transformer vaults and one bus compartment, all installed underground, be located between the building and street and preferably close to the street. The vaults are tentatively shown to be installed near the sidewalk/courtyard area in front of the building. The project is not expected to result in adverse impacts to local electrical service.

Natural Gas Service

Con Edison provides natural gas service to the City of Yonkers and the project site. Natural gas is provided through an underground pipe located in Buena Vista Avenue. The project's mechanical engineer has contacted Con Edison regarding the estimated project demands for natural gas service and formally requested service for the project (see Appendix B., Correspondence). The engineer requested new gas service with one gas meter. The new gas meter assembly will be located in a gas meter room in the building cellar level. Natural gas demand will be limited to the proposed combined heat and power system (CHP) consisting of gas-fired micro-turbines. The total gas load is estimated to be 5,052 thousands of BTUs per hour (MBH).

The applicant will work with Con Edison to provide any required infrastructure improvements to service the project. The project is not expected to result in adverse impacts to natural gas service.

Telecommunications Service

Verizon provides telephone and data service to Yonkers and the Project Site. Cablevision/Optimum Cable currently provides cable service as well as telephone and data services to the City of Yonkers and the Project Site. These utilities are located both below ground and aboveground in the Buena Vista Avenue right-of-way. It is anticipated that each of the proposed 412 residences, as well as building management and leasing offices will require telephone and cable service. The applicant will work with the telecommunications service providers, Verizon and Cablevision/Optimum to provide appropriate service connections and infrastructure to service the building.

¹ Telephone communication, October 19, 2010.

Mitigation Measures

Water Supply

In consultation with the City of Yonkers, the applicant proposes to extend the existing 12-inch water main at the intersection of Prospect Street and Hawthorne Avenue westerly to Buena Vista Avenue. The 12-inch main would be extended to the north along Buena Vista Avenue, past the project site to Main Street where the main would be connected to an existing 12-inch line. Approximately 950 feet of water main would be replaced. All existing service laterals currently supplied by the 6-inch main will be reconnected to the 12-inch main including existing fire hydrants. The costs and details of the proposed water service upgrades will be determined in consultation with the City of Yonkers. The location and extent of the proposed water main replacement is shown in Drawing GR - Site Plan Grading and Utilities.

Wastewater Treatment

As mitigation for the increased flow, the existing sewer main in Buena Vista Avenue will be inspected by remote television cameras and the condition of the pipe will be documented. The inspection is proposed from a manhole near Main Street along Buena Vista Avenue to the project site.

As described above, the existing 18-inch combined line in Buena Vista Avenue collects and conveys both sewer and stormwater. The project will detain stormwater in a cistern to reduce runoff during peak flow periods and release stormwater during off-peak periods. Given the anticipated peak flow reductions, the project's design mitigates potential impacts to City sewer infrastructure.

Electric, Natural Gas, Telecommunications

Impacts to these services are not anticipated. Mitigation measures are not proposed.

1.2.4 Land Use and Zoning

Potential Impacts

Land Use

Implementation of the Project will change existing land uses on the Project Site to uses that are compatible with existing residential land uses as well as land uses planned immediately west of the site along the waterfront. Construction of the apartment building will convert mostly vacant, deteriorated and dilapidated nonresidential structures and property within an urban renewal area to multifamily use. The Buena Vista Teutonia apartment building is compatible with the residential density, land uses, and building scale existing and/or approved on adjoining property to the west of the Project Site.

Rehabilitation, rather than demolition, of the three residential buildings on the east side of Buena Vista Avenue preserves the scale of residential buildings on this side of the avenue. The residential density and building scale of the multifamily buildings will remain consistent with the residential density and scale of buildings to the south of Prospect Street along Buena Vista Avenue. While land uses on either side of Buena Vista Avenue will remain consistent, i.e.,

residential, it is acknowledged that the residential density on either side of the Buena Vista Avenue would vary. However, this is not considered a significant impact.

Residents of the this new transit-oriented development would benefit from the Project's excellent location relative to activities within the downtown waterfront area. As the Project does not propose the construction of ground level retail uses, new residents introduced by the Project would utilize the retail and commercial services available in the downtown area, creating demand for, and supporting the viability and vitality of Main Street and other existing City retail areas.

The conversion of former vacant commercial and industrial buildings to residential use would introduce a use that is compatible with the daycare center use to the south. As demonstrated in Section 3.6., Aesthetic Resources, the apartment building would not cast shadows on the daycare facility. The apartment building has been designed so that a low-rise structure, no more than three stories above the ground level of Buena Vista Avenue, adjoins the daycare center. A solid brick wall would face the daycare building - this is intended to minimize any noise that may emanate from the automated parking garage. The daycare center building is located approximately five (5) feet from the proposed wall of the garage. Trellises would be installed to allow spreading plant materials to "green" the facade facing the daycare center. The rooftop garden is situated above the daycare center and any noise introduced by the garden would be contained mostly within the greenhouses. The apartment's loading areas are located within an internal auto court which would block and attenuate any noises from trucks that may load produce or otherwise serve the residents of the apartment building. The three residential buildings located across from the daycare center would be rehabilitated and maintained at the same building scale as the daycare center building. No new uses are being proposed that would be incompatible with the daycare center use.

The westerly elevation for the new apartment building is shown in Figures 2-7 and 2-8. The garage area immediately beneath the apartment building will not be visible as it is below the grade of the rail right-of-way. The exterior walls of the parking garage beneath the auto court and the automated garage/hydroponic garden building will be a combination of pre-cast concrete and brick. Brick planters and a green wall are proposed to soften the appearance of the walls with landscaping. The proposed trash collection area and bottom of the proposed conveyor belt system would be screened by a green fence shown as Inset 2 on Figure 2-8. The fence would wrap around to match up with the brick planter. Only a door and landing area at the top of the proposed conveyor belt system would be visible as shown in that figure. The trash and unloading area is situated immediately to the east of the Scrimshaw House and that building will block views of the upper portions of the conveyor belt system from the esplanade and river that is in front of it. A person walking on the esplanade may catch a glimpse of the conveyor area as well as rear of the building through the space located between the Scrimshaw House and Clermont buildings. However, it is anticipated that most viewers will be looking west to view the Hudson River and the Palisades on the far shore.

With regard to the geothermal systems, these systems provides a reliable, energy efficient system of heating and cooling, based on capturing the energy between the outdoor and building temperatures in the winter and summer months and the stable constant temperature of groundwater. The geothermal system will be utilized in conjunction with the combined heat and power (CHP) system. In the summer months, excess heat from the CHP system can be reduced by the geothermal system, reducing energy demand for cooling. In the winter months the geothermal system will augment the heating of the building and reduce heating energy

needs. A diagram which shows the water and power flows for the geothermal system and the CHP system is provided as Figure 3.3-1. Ten wells would be located within the sidewalk; the number of wells is based on the applicant's experience with geothermal wells at 66 Main Street and discussions with the project's mechanical engineers.

The Applicant anticipates arrangements would be made to allow construction of the geothermal wells within the City right-of-way comparable to the arrangement approved for the geothermal wells that serve the Main Street Lofts project. An encroachment agreement would be entered into between the Applicant and the City of Yonkers Community Development Agency or other City agency. The geothermal wells would be located within the right-of-way subject to Planning Board and City Engineer approvals. The Applicant would be responsible for all costs associated with the maintenance of the encroachment, including maintenance, repair and replacement of any sidewalk within which the wells may be located. The Applicant would obtain and maintain property damage and liability insurance for the Encroachment naming relevant City agencies as additional insured. The encroachment agreement may be terminated by the City when determined necessary. The City would continue to have rights to allow construction or otherwise improve its right-of-way. The Applicant would indemnify the City and its agencies harmless from any costs and expenses set forth in the Agreement. The agreement would be recorded in the Westchester County Clerk's office. The City Council would be required to pass a special ordinance authorizing the encroachment.

Consistency with Land Use Plans and Policies

The new apartment building would exceed the recommended density of residential uses within the urban renewal area. The Applicant proposes that the Riverview Urban Renewal Plan be amended so that the Plan would allow the residential density and building height proposed for the Project. The apartment building's height and residential density is consistent with residential uses and buildings proposed and approved immediately to the west of the Project Site. The westerly side of the PUR project would be consistent with the Downtown Yonkers Rezoning Study. The Buena Vista Teutonia Project Site is included in an area identified as the Buena Vista Downtown District. The building mass shown in the study is the same as proposed. It appears that the long-term vision for the BVDD is to construct a park generally in front of the daycare center and on the east side of Buena Vista Avenue - this would require demolition of the three existing residential buildings that are part of the PUR. Thus, rehabilitation of the three facades may not be consistent with the long term vision of the Rezoning Study. As the Rezoning Study is a draft concept, the project's consistency with the vision is subject to change.

With the exception of the Trolley Barn, the Project Site is not included in the area encompassed by the Yonkers Downtown Waterfront Master Plan. The Trolley Barn has been rehabilitated in a manner that preserves the historic character of the building. However, the City approved the building to be adaptively reused for residential purposes although the Master Plan recommended that the building be used exclusively for nonresidential uses. Retail uses have been accommodated along the ground level space that fronts to Main Street retaining the continuity of nonresidential uses at ground floor along Main Street.

The Project is compatible with various Westchester County plans as follows:

- By constructing residential uses in the City of Yonkers, development is being channeled to this "major center". (Westchester 2025 and Greenprint)

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- Construction of residential uses in the City absorbs residential demand for housing that might be otherwise accommodate on “green fields” - this assists in preserving natural resources and open space elsewhere in the County. (Greenprint)
- The Project will preserve cultural resources by preserving the Teutonia Hall facade and integrating it into the design of the automated garage/hydroponic garden building. In addition, the existing multifamily buildings on the east side of Buena Vista Avenue, two of which have associations with the Otis family, will be rehabilitated. (Westchester 2025 and Greenprint)
- The hydroponic garden would create jobs and emphasize an agricultural activity in an urban environment. The hydroponic garden also offers an educational opportunity for local residents and visitors. The hydroponic garden could be a city attraction along the Riverwalk route, which encompasses the segment of Buena Vista Avenue in front of the new building. (Greenprint)
- The Applicant is committed to offering 20 percent of the dwellings as affordable housing to meet overall affordable housing needs in the County. (Westchester 2025)
- Although the Project is located in the coastal zone, it will not have any direct impact on the immediate shoreline or river as it is physically separated from both by the Metro North Hudson Division right-of-way. (Greenprint and Westchester 2025)
- The Project incorporates sustainable technologies in its design, i.e., use of a CHP, geothermal wells, reduction of stormwater captured by the hydroponic garden, reduction in carbon emissions through use of a clean-tech automated garage, and other design features. (Westchester 2025)

Lastly, the Project would not have a significant impact on coastal resources and is otherwise compatible with land uses planned for areas immediately adjacent to the waterfront. The Project is consistent with applicable coastal policies established by New York State’s coastal zone management program (“CZMP”).

Zoning

The DW zoning district allows “planned urban redevelopments” (“PUR”) subject to special use requirements set forth in Section 43-72.C of the Yonkers Zoning Law. A PUR may be permitted in all designated urban renewal areas on tracts of land of two or more acres in aggregate. A PUR is not subject to the dimensional or use requirements for the district in which they are located. Planned urban redevelopments must be designed as a single planned development according to a comprehensive development plan (“CDP”). The Project is consistent with the City’s zoning law.

The Project will be designed with concrete curbs along the street edge and will conform to ADA standards. Concrete sidewalks will be maintained along the perimeter of the buildings wherever primary or emergency access is required. Outdoor lighting will conform, as required, to the Illuminating Engineering Society Handbook. Street lighting in front of the Trolley Barn would be installed in front of the new apartment building for continuity. The existing City street light fixtures in front of the Trolley Barn would be continued.

All mechanical equipment, except for the uppermost loading area of the conveyor belt system, will be architecturally screened so as not to be visible from the public right-of-way along Buena

Vista Avenue. Refuse/recycling and loading areas have been situated within the auto court so as not to be readily visible from the street.

Driveways have been designed to conform to the site design standards and will intersect with the street at 90 degrees as required. Sight distance, as per Section 3.5 of the DEIS, will meet standards set forth in Section 43-121.D. All traffic control devices have been shown on the site plan and will meet the Manual on Uniform Traffic Control Devices (“MUTCD”).

All water, sewer and drainage facilities must be approved by the various City departments responsible for reviewing said facilities. For a detailed description of utility services, refer to Section 3.3 of this DEIS.

All portions of the lot not used for buildings, structures, parking lots, loading spaces or sidewalks will be landscaped. The proposed Project, which proposes residential uses, does not abut a residential district, thus screening is not required.

The new apartment building would consist of 24 efficiency studios, 266 one-bedroom dwellings, and 122 two-bedroom dwellings. As per recent amendments to the City Zoning Ordinance, apartment buildings located within 1/4-mile of a train station are allowed to meet a parking standard of one parking space per dwelling unit. The new apartment building is within 1/4-mile of the Yonkers train station. Thus, the 412 dwelling units would require a minimum number of 412 conventional parking spaces. As per the architect’s plans, 540 parking “positions” have been provided in an automated clean tech garage and four (4) spaces are provided in the autocourt. As part of the comprehensive development plan submitted in conjunction with the PUR special use permit (and included as Appendix C), the Applicant is requesting that the Planning Board and City Council allow an automated parking garage as an accessory use to the 25-story apartment building.

No changes to the Trolley Barn are proposed. With the exception of rehabilitating the exterior facades of the residential buildings on the east side of Buena Vista Avenue, no other alterations or changes in use are proposed. The PUR would allow the existing uses for these buildings to continue.

Mitigation Measures

Mitigation measures are not proposed.

1.2.5 Transportation

Potential Impacts

The Project site straddles Buena Vista Avenue south of the Metro North Yonkers railroad station. Residents of this new transit-oriented development (“TOD”)² are well positioned to use the Metro North trains and twelve Westchester County Bee Line bus routes for commuter access, thereby expanding ridership on the rail and bus lines. Use of mass transit will limit demand for on-site parking. The concept of a transit oriented development is to encourage transit use and reduce the need for car parking spaces to reduce impacts to the environment. High density residential developments proximate to mass transit facilities such as train stations

² *The City of Yonkers, in a federal grant application for the multimodal transportation center, referred to downtown Yonkers as a “transit-oriented development.”*

are considered transit-oriented developments. Locating high density residential development adjacent to a fixed rail station is consistent with smart growth principles that strive to minimize auto travel during peak commuter periods. The high level of transit availability is sufficient to handle the highest anticipated transit trip generation.

The proposed project is expected to generate 106 new vehicle trips during the peak a.m. weekday hour and 119 trips new vehicle trips during the peak p.m. weekday hour.

The hydroponic garden would be located atop the roof of the low-rise clean tech garage. Five commuter trips associated with the garden are estimated in each of the peak hours. It is anticipated that an average of one to three single unit trucks or vans will transport produce daily during off peak periods. Tractor trailers or combination trucks will not be used in the farm's operation. Contracts between the farm operator and deliverers can specify the maximum vehicle size permissible on-site and signage can be added specifying limitations. Occasional public tours of the greenhouse or field trips for educational purposes are also anticipated but these trips would also occur outside of peak traffic periods.

A state-of-the-art automated "clean tech" parking garage is incorporated into the Project's design. The automated parking garage is considered "clean technology" as it offers several advantages over a standard parking garage as follows:

- quieter operations, by eliminating horn use, squealing tires, and engine noises;
- increased perception of safety;
- reduced number of accidents;
- idling engines and roaming for available spaces is eliminated thereby reducing pollution and energy consumption;
- vehicles are protected from inclement weather.

The garage is considered a sustainable design element as it reduces vehicle miles traveled, thereby reducing fossil fuel consumption and reducing carbon emissions. The average driver travels 0.5 miles from entry into a standard parking garage to parking and turning off the vehicle engine. The proposed automated garage eliminates substantially all this wasted "fuel". Drivers drive into a parking bay, turn off the engine, and walk away. Heating demand in the garage is minimal, and air conditioning is not required. The automated parking garage offers several advantages over a standard parking garage and would reduce noise, energy, pollution, crime, and floor area dedicated to parking spaces.

The garage will have a total capacity to store 540 vehicles. Four (4) additional parking spaces are also proposed adjacent to the auto court. Conventional parking standards in the City's Zoning Law would have required 581 conventional parking spaces or 37 spaces more than proposed by the Project. A study of the adjoining Hudson Park residential development concluded that parking demand was 0.89 parking spaces per dwelling unit. Based on a rate of 0.89 spaces/unit, the new apartment building would create demand for 367 parking spaces. Recognizing that development's near train stations generate less demand for parking as a result of the increased mass transit use, the City amended its parking requirements. Specifically, on December 8, 2009, the Yonkers City Council approved General Ordinance No. 8 of 2009 amending the Zoning Ordinance by adding the following new section:

Section 43-138. Reduced Parking Requirements for certain Apartment Houses and Live-Work Units.

Under Section 43-130-B, for new construction of Apartments and Live-Work Units within one quarter mile (1/4) of a mile of an active train station used for passenger rail-transportation purposes, the minimum number of required parking spaces shall be one parking space per apartment or live-work unit.

Section 43-4 Schedule of Parking Requirements, was also amended to refer to this new zoning section.

Thus, it is anticipated the Project's demand for parking will be met by the 540 on-site parking spaces. The existing Trolley Barn does not have its own on-site parking facilities. If surplus capacity in the garage exists as is anticipated, the Trolley Barn occupants would be permitted to use the garage thereby freeing up parking capacity elsewhere.

Level of Service

Based on the results of the traffic analyses, overall intersection delays created by site-generated traffic would increase by no more than three (3) seconds per vehicle at study intersections. No new intersection levels of service E or F are anticipated as a result of the Project. Declines in volume to capacity ratios and increased queuing are expected. Some lane blockages and some spillback to intersections are anticipated even without the Project. However, no new lanes will experience blockage or spillback as a result of the Project's traffic. Blockages and spillback tend to clear out each cycle, but loss of through capacity at certain signalized intersections is expected to continue to increase.

With regard to operation of the automated parking garage, the peak 15 minute traffic loads and peak hourly volumes can be handled with only three of four lifts functioning. The 16 vehicle internal queuing storage is sufficient to keep vehicle queuing on site. The lifts and other components have redundant systems to reduce the potential that there will be down time during the peak traffic periods.

Mitigation Measures

No significant adverse impacts to traffic operating conditions are anticipated to result from the No-Build to Build Condition and thus roadway improvements are not required for this Project.

This transit-oriented development adjoins the railroad station and transit hub. Vehicular trips are minimized given the ready access and availability of bus and rail service, especially during the peak commuter traffic periods.

The hydroponic farm reduces roadway network truck traffic and vehicle miles traveled by locating the food source closer to the point of sale.

The City of Yonkers applied for a federal grant to create a Yonkers Metro Center Multi Modal Facility. The present bus staging area is located along the eastern side of Riverdale Avenue and north of Prospect Street. Improved traffic operations would result at the intersection of Riverdale Avenue and Prospect Street if the staging area was relocated as part of the creation of multi-modal facility. The lane presently used for bus staging would be made available to traffic, increasing capacity by an additional lane. The City has not been awarded federal monies at this time.

The left turn lane on southbound Riverdale Avenue could be lengthened using the existing median. Although the Project's traffic contributes minimally to this movement, the Applicant could, as mitigation, set aside funds to replace the eight (8) median trees that would be removed.

1.2.6 Aesthetic Resources

Potential Impacts

A visual resources assessment was conducted to determine whether the proposed Project is potentially within the viewshed of designated aesthetic resources and whether there are potential significant impacts that require measures to eliminate, mitigate or compensate for an adverse aesthetic effect. The methodology for this analysis is set forth in Section 3.6 of the DEIS.

The three residential buildings on the east side of Buena Vista Avenue are proposed to be restored to their original 19th century architectural design with porches and decorative trim elements, the front doors and windows restored, as well as any chimneys visible at the front of the houses. With the exception of the three buildings on the east side of Buena Vista Avenue and the Trolley Barn, all other structures on the project site are proposed to be demolished to accommodate the new multistory apartment building and associated parking structure. The existing Teutonia Hall facade will be relocated and restored as part of the 2-story facade of the automated parking garage and a greenhouse and gardens are proposed atop the roof. Looking up the hill from Main Street will give an impression of the original freestanding Teutonia Hall of the late nineteenth century with the addition of the greenhouse atop the roof. The Trolley Barn structure will remain essentially as it exists.

The proposed redevelopment will result in a visual change to the Buena Vista Avenue corridor in two ways. Redevelopment of the vacant parcels will improve the visual character of the streetscape with new, low-rise masonry construction of traditional style and by creating active use of the buildings. The new parking garage building facade will be expressed as a series of four carriage houses, each with a residential-sized garage door, windows on the second floor, a gabled greenhouse roof, so that the new building will relate to the fine-scaled urban fabric that characterizes most of Buena Vista Avenue. The low-rise portions will be visible from nearby vantage points only and the proposed architecture is expected to blend unobtrusively into the streetscape of the local area. Secondly, the proposal will introduce a notably different element to the streetscape with a high-rise, glass-facade building. The apartment tower will be visible from more distant vantage points, as described in Section 3.6 of the DEIS, and will become a notable feature in the Yonkers skyline along with a limited number of other new buildings along the waterfront and within the downtown area.

The applicant proposes a building appearance that will be distinguishable from other architecture in the downtown, while introducing a reflective facade that will reflect the image of nearby buildings as well as the sky when viewed from different vantage points. In the overall context of Yonkers' urban development, the proposed building is expected to add a compatible and interesting visual element in the cityscape. In terms of scale, the proposed building height will be compatible with the height of buildings proposed along the waterfront as per the Alexander Street Master Plan and with the Palisades Point apartment buildings recently approved for a nearby waterfront site. Thus, the building will be visually compatible to the

buildings anticipated in proximity to it. At the street level, the Buena Vista apartment building will have a 3-story masonry base with brick and stone treatment and deeply recessed windows to accentuate the vertical piers, the goal being continuation of the character of surrounding street level experience.

Based on an analysis of various views and vantage points, the proposed apartment building is not expected to result in a significant visual impact to Yonkers or its environs. This project is not expected to adversely impact any publicly accessible view of a natural or cultural resource.

Since the proposed tower will rise over 200 feet above ground level, notification of the Federal Aviation Administration (FAA) is required. The Applicant will file FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the FAA Regional Office at least 30 days before the start of construction, as required. The proposed project is not subject to licensing or any other requirements of the FAA.

The proposed streetscape treatment will replace the existing sidewalk pavement on Buena Vista Avenue with matching sidewalk materials and street lights matching the existing lights along the Trolley Barn frontage. The proposed plan will be compatible with and improve the streetscape of Buena Vista Avenue.

Shadow Analysis

Public open space areas potentially affected by the project's shadow during winter months are the Promenade at the Recreation Pier, a public sitting area located adjacent to the Metro North Train Station at the corner of Main and Buena Vista, and the two public sitting areas at the west and east ends of Larkin Plaza. The effect of the shadow would be colder temperatures on sunny days for the limited number of persons who may use the resource at this time of year. During spring, summer, and fall, these public spaces would not experience a shadow from the proposed project and overall, the use and enjoyment of these facilities will not be significantly affected by the shadow effect of the proposed project. No shadow will be cast on the adjoining daycare center to the south during any time of year.

Publicly accessible visual resources identified in section 3.6.1 located within the shadow area are Philipse Manor Hall, a National Register (NR) site, the Train Station, a National Register eligible (NRE) site, the U.S. Post Office (NR), Trolley Barn (NR), Yonkers Public Library, and the Train Station Platform. The shadow cast by the project will occur on sidewalks at these facilities, however the use and enjoyment of these facilities will not be denigrated by the shadow effect of the proposed project.

National Register Sites

Direct potential effects on NR and NRE sites were evaluated with regard to the potential to block existing scenic views from the historic resource site and the effect of shadows created by the proposed project (as described above). No sites were identified from which an existing scenic view will be blocked nor the shadow from the tower building will occur over a significant length of time, if at all.

The project will result in a change to views from certain vantage points around the City of Yonkers. From most study points, the change will be the addition of a new building within the skyline. The City viewshed is more expansive when viewed from distant vantage points,

rendering the proposed building smaller in scale in the overall viewshed. From nearby vantage points, the change will be more dramatic, although the project incorporates facade design treatments and details that are intended to be fully compatible with the existing city architecture, whether viewed from near or far.

The proposed project plan is in keeping with the City of Yonkers' vision for its waterfront in its land use plans and visual policies. (Refer to Land Use section 3.4 for additional discussion.) The proposed project would not have an adverse visual impact on coastal resources identified in various plans and studies undertaken by the City, and is compatible with land uses planned along the waterfront. The Project would revitalize a deteriorated area in a designated urban renewal area within the coastal zone, consistent with planning policies of the City for the immediate waterfront area.

Mitigation Measures

No mitigation measures are proposed.

1.2.7 Historic and Archaeological Resources

Potential Impacts

The Project would result in the demolition of existing structures located on the west side of Buena Vista Avenue to construct a 25-story apartment building with ancillary uses, including a state-of-the-art clean-tech automated parking garage. The facade of Teutonia Hall and other selected elements would be preserved and reconstructed within the Project Site. The remaining aspects of the Teutonia Hall structure would be demolished to accommodate the new building.

The Trolley Barn's southern exterior wall would be altered to allow an opening that would connect the interior space of the new apartment building to the Trolley Barn lobby area. Otherwise, no changes are proposed to the Trolley Barn and no significant adverse impacts are anticipated to this National Register building.

The exterior of the three residential buildings on the east side of Buena Vista Avenue would be rehabilitated. The Applicant would remove the aluminum siding and restore the three buildings with Victorian style architectural details and materials. The proposed renovations would result, in the Applicant's opinion, in a positive aesthetic impact to these properties and their environs.

Mitigation Measures

To mitigate potential impacts to Teutonia Hall, the facade of Teutonia Hall is proposed to be preserved and reconstructed elsewhere on the project site. In late 2008, the Applicant obtained a cost estimate from M.T. Peters & Associates, Inc., to determine the cost of stabilizing and supporting the facade in its present location. The cost to preserve the facade in place totaled \$3.44 million. Even with the substantial bracing and stabilization proposed, project engineers could not guarantee that the facade would not crumble as a result of the significant earthwork required to remediate this Brownfield site and construct the new apartment building. The Applicant thus proposes to carefully remove the Teutonia Hall facade and reconstruct it elsewhere on the project site, integrating into the street facade of the automated parking garage. The facade of Teutonia Hall would maintain a public presence as its main door would

become the entrance to the classroom space. The second floor of the Teutonia Hall facade would mask the second floor of the automated parking garage.

1.2.8 Community Facilities and Services

Potential Impacts

Demography

The proposed project will increase the existing City of Yonkers population, including its schoolage children population.

The Project will result in the construction of 412 rental dwellings. Exterior alterations proposed to the Trolley Barn and the three residential buildings on the east side of Buena Vista Avenue will have no effect on projected population. Any interior alterations to the Trolley Barn to connect it to the new apartment building will not result in any change to the existing number of dwelling units or the existing population.

The 412-unit apartment building is anticipated to add approximately 791 persons to Yonkers existing population.³ Of this total, 56 persons are anticipated to be public school age children. The Project would add on average 1.91 persons per dwelling unit. The Project would add 791 persons to Census Tract 1.03 increasing its 2000 population⁴ to 6,266 persons, representing 13 percent of the total population in the tract. The Project would increase the City's 2008 population by 0.4 percent.

The Project would generate 0.14 students per dwelling unit. This is less than the 0.74 public school students per dwelling unit within Census Tract 1.03, or the Citywide average of 0.37 public school students per dwelling unit. The small number of students generated by the development is indicative of the type of population anticipated to be attracted to the Project's units - young single or newly married couples, or senior households.

The housing stock for Census Tract 1.03 totaled 1,890 housing units in 2000. The Project would increase the census tract's housing stock by 21.8 percent. Citywide, the Project would increase the housing stock by 0.6 percent. The Project is comprised entirely of rental dwellings - this is consistent with Census Tract 1.03 housing stock which consists mostly of rental dwellings.

The Project's demographic character is not anticipated to have an adverse impact on Census Tract 1.03 or the City of Yonkers. The Project's population will place demand on community services and facilities as described below.

Police Protection

Police protection for the Project and within the study area is provided by the Yonkers Police Department. The Yonkers Police Department is headquartered at 104 South Broadway (refer to Figure 3.8-2 of the DEIS) and the department employs approximately 686 persons. The Project

³ For purposes of this analysis, the population that would be relocated from the site on which the apartment building will be constructed have not been "netted out" when determining the additional population generated by the Project.

⁴ 2008 population data are not available at the census tract level.

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Site is located at the southernmost end of the 4th precinct; the boundary between the 3rd and 4th precinct is Prospect Street. The 4th precinct station is located at 53 Shonnard Place and the Project Site is within Sector 401. As per discussions with a representative of the Yonkers Police Department, the City is cutting back on police personnel in response to budgetary constraints. In the future, it is anticipated that additional police manpower will be required, especially in areas anticipated to be redeveloped such as the waterfront area. Based on an average of 0.02 incidents per person, it is conservatively estimated that the additional population could result in an increase of 16 incidents annually. However, it is noted that the incidents are not uniformly experienced throughout the precinct area (for example, Getty Square and areas north experience more calls). It is anticipated that the number of incidents would be less as a result of the Project's location adjacent to the Yonkers train station - this area benefits from the additional police presence as the Metropolitan Transit Authority police maintain a substation here. The additional population would result in a change in the coverage ratio from 1 police officer per 438 persons to 1 police officer per 445 persons, an increase of 7 persons per officer, or a 1.6 percent increase in the number of persons covered. The Project will generate tax revenues that can be used to supplement the police department's budget.

For security and other purposes, the proposed project will be staffed by a supervisor who will be on-site at all times, i.e., 24 hours per day, seven days per week. At this time, the Applicant does not propose to provide or hook-up surveillance cameras within the automated parking garage. The parking garage is a secure facility which only permits card key entry into the area within which the vehicles are dropped off and picked up. However, the Applicant is install surveillance cameras and connect to the City police department's surveillance system at the department's request. The police department's preferences will be determined as part of the SEQRA substantive comment period.

Fire Protection

The Yonkers Fire Department consists of 11 engine companies, six ladder companies, and a Heavy Rescue/Hazmat Squad. The fire department is headquartered at 5-7 School Street. The fire department will be relocating to a new 49,000 square foot headquarters on New Main Street. The nearest fire station to the Project Site is Station 3 at 96 Vark Street. Thirty-one personnel serve this station. As per discussions with Firefighter Joyce, the fire department anticipates that additional manpower will be required to serve the approved SFC project along with other projects proposed in the City of Yonkers. The Project will add 791 residents to the City's 2008 population. The site is well-served as it is in close proximity Station 3 on Vark Street and is only 0.4 miles from fire department headquarters. That distance will be reduced by the relocation of the fire headquarters to a location on New Main Street at its intersection with Nepperhan Avenue. As per publication NFPA 1720, the minimum number of responders in an urban area with a population of greater than 1,000 persons per square mile is 15. The Project is not anticipated to impact the number of responders that would be activated in the event of an emergency.

As per the most recent data published by the Fire Incident Reporting System (U.S. Department of Homeland Security, 2006), there were a total of 1,206 fire incidents in the City of Yonkers in a City with a 2000 population of 196,086 persons. Assuming conservatively that all incidents involved a residential structure, the number of incidents that would be anticipated at the new apartment building, based on a population of 791 persons, is conservatively estimates to be 5 incidents annually. This represents a worst-case estimate as the building will be brand new and

is not likely to generate as many incidents as some of the older residential structures in Yonkers.

The new apartment building will be sprinklered and will be constructed in compliance with New York State fire code specifications. The first eight (8) floors of the building will be supplied by street pressure. The upper floors of the building will be supplied by a domestic booster pump. The duplex booster pump will be sized to provide a total flow of 385 gpm at an output pressure of 130 psi. The booster pump is sized to provide adequate pressure for domestic flow to all upper portions of the building, including the top floor.

A separate dedicated fire protection water service connection will be provided from Buena Vista Avenue to the new apartment building. The maximum flow rate for the building's fire protection system will be 1,000 gallons per minute (gpm). The building's fire protection water service is proposed to be an 8-inch line and the location of the proposed connection is shown in Drawing GR - Site Plan Grading and Utilities, of the site plan set. The building's fire protection system will be supplied by a fire pump sized to provide a total flow of 1,000 gpm at an output pressure of 160 pounds per square inch (psi). The pump will provide adequate fire pressure throughout the building including to the top floor of the building. A single new hydrant is proposed on the west side of Buena Vista Avenue, at the front of the residential building.

The City of Yonkers Water Bureau conducted a fire flow test in the vicinity of the Project Site at the request of the applicant. A summary of the testing results is provided in Table 3.3-2 of the DEIS. A flow test is conducted using two hydrants - one hydrant has a pressure gauge and the second has the flow gauge. The pressure measured pre flow is the static pressure and the residual is the pressure measured under flow. That information is then used to estimate the available fire flow at 20 psi because that is the lowest pressure at which the fire pumps in the building and on the trucks should draw water from the system. Based on the flow tests that were conducted, the project engineers indicate that there will be adequate water available for fire fighting operations. The test conducted by the Water Bureau indicated the fire flow at 20 psi ranged from 5,000 to 6,900 gallons per minute, so with the fire pump running at full capacity (1,000 gpm) there will be approximately 4,000 gpm remaining for the fire department. The applicant and the its engineers will continue to work with the City of Yonkers Water Bureau and the Fire Department to assess existing hydrants and other fire protection infrastructure in the vicinity of the site.

Lastly, the Project is anticipated to generate \$211,535 in property tax revenues from construction of the new apartment building. The additional revenues may be used to fund fire protection service in the City.

Ambulance Service and Hospital Facilities

A private for-profit company, Empress Emergency Medical Services, is the sole provider of ambulance service in the City of Yonkers. Empress Emergency Medical Service is headquartered at 722 Nepperhan Avenue, approximately 2 miles driving distance from the Project Site. The nearest hospital where an injured person may receive treatment is St. Joseph's Medical Center, although an ambulance will travel to a different facility depending on the injuries sustained. Yonkers Police Department and Yonkers Fire Department personnel can also provide basic life support (non-transporting, first response) services.

In 2004, according to the latest figures published by the New York Health Commission, St. Joseph's Hospital had an average daily occupancy of 67.7 percent. St. John's Riverside Hospital has occupancy rates of 79.7 percent and 69 percent for the ParkCare and St. John's facilities, respectively. Based on the total occupancy rates, it appears that available capacity exists presently to serve increases in population.

The Project will introduce 791 persons to the City population. According to Captain Jeffries, Empress Ambulance has the capacity to handle the additional demand that may be placed on its services. Based on the latest statistics published by the New York Health Commission, nearby hospitals had adequate capacity to handle any increased demand for hospital bed space the Project may place on them.

Public Schools

The project site is served by the City of Yonkers Public School District, as well as a number of private schools and three colleges. With regard to public schools, seven high schools, six middle schools and 29 elementary schools serve students in the District. It has been estimated by the District that its 2009-2010 enrollment is 25,532 students. The Yonkers Public School District annual budget for the 2009-2010 school year totals \$487,051,292. The per capita cost to educate a student is approximately \$19,076 per student. Of the total budget, \$218,849,240 was raised through City of Yonkers property taxes. Thus, the per capita cost to be raised by property tax levy is \$8,572 per student. Although children may attend any school within the District, the nearest schools, within approximately one mile of the Project Site, are:

- Enrico Ferme School (PK-8);
- Cedar Place School (PK-5);
- Scholastic Academy for Academic Excellence (PK-7);
- Martin Luther King High Tech and Computer Magnet School (PK-5);
- Yonkers High School (9-12)

The Project would add approximately 56 students, increasing the District's enrollment by 0.3 percent. Based on an annual cost of \$8,572 per student to be raised in property taxes, educating an additional 56 students would cost \$480,032 to be raised in annual property tax revenues. The Project would generate \$614,158 annually in property tax revenues to the School District. The additional \$134,126 would be used to supplement the District's budget.

At this time, it is estimated that the school district is at approximately 95-96 percent capacity. The DEIS will be forwarded to the school district for substantive review - it is anticipated that a recently commissioned capacity study will be available during substantive review, and more detailed information can be incorporated into the FEIS. It is difficult to correlate the impacts of the proposed project on any one particular school, since students are able to select the school they wish to attend. However, at this time, there is sufficient capacity in the district to accommodate the 56 students that are anticipated.

The Applicant is also offering space on the ground level classroom space which may be used by District's programs. The Project would also benefit by its proximity to a daycare center immediately next to the proposed apartment building.

Recreation Facilities

The City of Yonkers Department of Parks, Recreation and Conservation is responsible for maintaining recreation facilities and providing recreational activities to Yonkers residents. It is estimated with all resources considered, the City has approximately 5.7 acres of parkland per 1,000 population.

A number of parks are in close proximity to the Project Site, including but not limited to:

- Buena Vista Park, a small mini-park south of the site on Buena Vista Avenue;
- Esplanade Park, the newly created waterfront park along the Hudson River;
- Recreation Pier at the foot of Main Street;
- Habirshaw Park to the north of the Site along Alexander Street;
- Cerrato Park and O'Boyle Park are the nearest facilities that would offer active recreational opportunities.

The 56 schoolage children that would be generated by the proposed project are able to walk to several public parks that provide a a range of recreational opportunities. The nearest parks to the site (within one-half mile) include:

- Buena Vista Park - playground and benches
- O'Boyle Park - basketball courts, playgrounds, kickball diamond, benches
- Cerrato Park - playgrounds, benches, basketball courts, handball courts, showers

A more diverse set of recreational equipment and activities are available at parks that may be located more distant from the project site, but still within approximately one mile of the new apartment building. These would include facilities such as:

- Fleming Park - Baseball diamonds, lighted ballfields, benches, playgrounds, soccer field, softball/Little League diamond
- Sullivan Oval - Baseball diamond, basketball courts, football field, playgrounds, parking, benches, softball/Little League diamond

The proposed Project will provide on-site recreational amenities that would serve the anticipated 791 residents, including a swimming pool, a fitness center, a rooftop deck, and 5,000 square feet of resident amenity space. In addition, it is anticipated that the new residents would enjoy use of the expanding waterfront park and Recreation Pier. Resident demand for recreation will be met by the accessory recreational amenities integral to the Project and nearby parks.

Solid Waste Disposal

The Environmental Services Division of the City of Yonkers Department of Public Works is responsible for the collection, transportation and disposal of the City's sold waste, recycling and debris material. As part of the City's recycling program, the Division collects newspapers, leaves for compost, and commingled recyclables at curbside every week. The Refuse Disposal Division is responsible for the transportation and disposal of the City's sold waste, recycling, refuse and debris material, which is collected at the disposal facility/recycling center located on

Saw Mill River Road. No change will occur to current refuse collection at the Trolley Barn or the three residential buildings on the east side of Buena Vista Avenue.

The Project would introduce 791 persons, resulting in an estimated solid waste generation of 1.38 tons per day. Refuse generated by each apartment will be thrown into a chute accessible on each level of the apartment building. The refuse will be collected within a 580 square foot enclosed room on the ground level next to the auto court. The proposed project will rely on City services to collect refuse and recyclables. The City has the capability of picking up 40-yard containers. A 40-yard container, which can hold up to 8 tons of compacted residential waste, would be sufficient to handle the waste generated by the project, with two pick-ups per week. The specific waste container that will be used will be determined in consultation with the Manager of Refuse Disposal. The project is not anticipated to result in any violation of the agreement between the County and the City for waste collection. The operator of the hydroponic garden will be responsible for contracting with a private carter to dispose of any waste generated by the garden.

Mitigation Measures

The proposed Project is not anticipated to have a significant adverse impact on community facilities or providers. No mitigation measures are proposed.

1.2.9 Fiscal Analysis

Potential Impacts

Property Tax Revenues

In 2009, the Project Site had an existing market value of \$10,349,021. Based on an equalization rate of 2.55, the total assessed valuation was \$263,900 for the 2009-2010 tax year. Current annual property taxes are approximately \$200,779. The County receives approximately \$39,859 in annual property tax revenues. Property taxes that accrue to the City of Yonkers pays for general government, police, fire, recreation, social, and other services as set forth in the City's adopted budget. The property generated \$42,277 in annual property tax revenues in 2010. A City frontage fee (\$1,081), safety inspection fee (\$3,125) and housing unit fee (\$159) are also collected annually. The Project Site generated \$114,278 in school district property tax revenues during the 2009-2010 fiscal school year.

No unusual existing costs are generated by the Project Site. The site presently demands a conventional level of community services associated with the existing on-site residential uses such as police, fire, governmental, and school services.

The estimated property tax revenues for the new apartment building have been calculated utilizing the income capitalization approach to establish the market value of a property that will produce rental income from its tenants. The market value of the new apartment building is estimated to be \$54,922,550. The entire PUR project will generate \$257,779 to the City of Yonkers annually, with an additional \$3,779 generated annually in miscellaneous fees. Westchester County and various county agencies would receive a total of \$411,050 annually. The Yonkers Public School District would receive approximately \$696,797 annually in property tax revenues. The Project will increase total net annual property tax revenues by \$1,168,626 compared to the existing condition.

The Project is not seeking any reduction in property tax revenues through a PILOT (payment in lieu of taxes) or other arrangement. The applicant is not seeking tax credits for the hydroponic garden. The residential development is not eligible for these credits. Thus, no reduction in property tax revenues is anticipated. It is noted that the Brownfields Cleanup Program provides a credit based on property taxes or PILOT payments. However, this is an income tax credit, not a credit against property taxes. Property taxes or PILOTS are still paid to the local taxing authorities. Thus, there will be no effect on real property taxes generated by the project as a result of its inclusion in the Brownfields Cleanup program.

The project will add approximately 791 persons to the City of Yonkers population. Based on interviews with police, fire, and ambulance providers, it is not anticipated that the Project would create significant additional demand for the services these agencies provide. The apartment building will generate additional net property tax revenues of \$211,535 annually to offset any increase in municipal costs.

As mentioned previously, the new apartment building would add approximately 56 students to the School District's enrollment. Based on an annual cost of \$8,572 per student to be raised in property taxes, educating the additional 56 students would cost \$480,032 to be raised in annual property tax revenues. The new apartment building would generate \$614,158 annually in property tax revenues to the School District. The addition of \$134,126 in net revenues over costs would be used to supplement the District's budget.

Based on a review of the Empowerment Zone map available for review at the City of Yonkers website (<http://www.cityofyonkers.com/Modules/ShowDocument.aspx?documentid=173>), the project is not located in the federal empowerment zone. The Project Site is located in the Yonkers Empire Zone (EZ). The Project Sponsor may apply for credits to the extent that they apply to the hydroponic garden operation.

Employment

For purposes of calculating construction employment, the construction cost must be estimated. Based on a per square foot cost of approximately \$250 per square foot, the construction cost for the new apartment building would be approximately \$131 million. It is estimated that 420 full-time equivalent on-site and 70 off-site construction jobs would be created.

It is estimated that approximately 5-10 full time jobs would be created by the hydroponic garden operation. These would range from highly skilled positions in greenhouse maintenance and operations to mid level employment in packaging and distribution. The entity selected to operate the hydroponic farm operation would work with the local Yonkers Employment Center and other local agencies to target local residents for job placement and training programs.

The new apartment building would generate approximately 16 full-time equivalent jobs. Jobs would be created for building maintenance and office management, a concierge, and full-time leasing agents. It is anticipated that a number of jobs will be created to serve the new apartment building, e.g., its maintenance and operation, although the exact number is unknown at this time.

Affordable Housing Program

The Applicant proposes to voluntarily set aside approximately 20 percent of the dwelling units as affordable dwellings - rents would be targeted to be approximately one-half the monthly rental value of a comparable market rate rental dwelling. The U.S. Department of Housing and Urban Development (HUD) bases its income limits for a variety of housing programs on a standard called Area Median Income (AMI). It is anticipated that the proposed rental limits would be affordable to those earning approximately 60 percent AMI. The Applicant will work with the City of Yonkers and/or Westchester County to develop appropriate arrangements or enroll in a program to ensure the units remain affordable. The Applicant has not established the details of the affordable housing program for the project. The details, including length of affordability, overseer, and anticipated selection process will be determined after substantive comment is received on the DEIS from the City. At this time, the affordable housing program may be influenced by affordable housing legislation being considered by the City - this legislation has not yet been enacted.

Mitigation Measures

As the Project is not anticipated to have a significant impact on fiscal resources, mitigation measures are not proposed. It is anticipated that property tax revenues will be used to offset the costs associated with any increased demand for community services and facilities.

1.2.10 Noise and Air Resources

Potential Impacts

Noise

Noise can be defined as undesirable or “unwanted sound.” Noise can negatively impact a full range of human activities. Most sounds heard in the environment are not composed of a single frequency, but are a band of frequencies each with a different intensity or level. Levels of noise are measured in units called decibels (dB).

The project site consists of three component sites: the Trolley Barn, three residential buildings on the east side of Buena Vista Avenue, and vacant former commercial/industrial, and occupied residential buildings on the west side of Buena Vista Avenue. There are no proposed changes in the intensity or nature of any activities occurring at the Trolley Barn or at the residential buildings the east side of Buena Vista Avenue that would create a change in existing noise levels. However, the structures on the west side of Buena Vista Avenue will be demolished and a 25-story apartment building will be constructed at this location changing existing ambient noise levels.

Noise generated by off-site activities is audible on the Project Site, including noise from trains traveling on the Metro-North line and traffic on Buena Vista Avenue. Existing ambient noise levels were monitored at two locations on-site as well as at several sensitive receptor locations off-site. Sensitive noise receptors are facilities and uses that are dependent on a state of serenity and quiet, or are uses that are particularly sensitive to noise levels. Land uses that are typically considered to be sensitive to noise include residences, schools, daycare facilities, hospitals, churches, cemeteries, libraries, nature preserves and certain types of outdoor recreation areas. Sensitive receptors within 1,000 feet of the Project Site include the Queens

Daughters Daycare, residences, the City of Yonkers Library (Riverfront Branch), and churches.

Noise monitoring was conducted to determine existing ambient noise levels. The results of the existing ambient noise monitoring are provided in Table 3.10-3 of the DEIS. In general, noise levels were highest during the AM time period. Except for Location 7 (Buena Vista Avenue near Prospect Street), the late afternoon noise levels were also higher than afternoon noise levels. AM and later afternoon time periods reflect the time periods when traffic on the surrounding road network is highest.

The project will change ambient noise levels in the short- and long-term. Short-term increases in ambient noise levels are anticipated to occur as a result of onsite construction activities. The nearest sensitive receptors are residences and Queens Daughters Daycare which are located south and adjacent to the project site, and the existing Trolley Barn to the north which is also a part of the proposed PUR. Local daytime ambient noise levels will increase both on and off the project site during construction of the proposed development. Construction activities and the operation of construction equipment are an expected and required consequence of any new construction project and cannot be avoided. Noise from construction activities is a temporary impact and will cease upon completion of the project.

For sensitive receptors adjacent or within 100 feet of the property such as residences and the Queens Daughters Daycare, the level of impact from construction noise depends upon the type and number of pieces of construction equipment being operated and the duration of the construction activities. Construction noise would not exceed 85 dBA beyond 100 feet from the property. The noisiest period of construction will occur during site demolition of the existing buildings when the site is prepared for development; although all construction activities at the site are likely to produce increased noise levels. Blasting is not produced.

The new apartment building will generate sounds typical of multifamily residential buildings. Sources of noise would include vehicles entering and exiting the garage, residents coming to and from the building, common area maintenance (e.g., landscaping), and any mechanical noises related to utility uses (e.g. HVAC units). The bay doors proposed to be used as the entrance to the parking garage would face to Buena Vista Avenue and would not direct any noise toward the adjoining daycare facility. A solid wall will face to the daycare center blocking and mitigating against noises that may be generated by the operation of the mechanical stacking system associated with the garage.

For the most part, the introduction of a residential use, even a multifamily building, does not significantly change ambient noise levels. The only component of the Project that would have the potential to generate significant noise levels would be any on-site heating, ventilating, and air conditions ("HVAC") equipment. The HVAC equipment will be located on the roof of the 25-story residential building and screens surrounding these units would attenuate the sound. Given the height of the residential structure above surrounding buildings, the HVAC units will not result in any increase in ambient noise levels at the ground level. Any maintenance vehicles that may serve the site, including garbage trucks, will enter the auto court to pick up refuse or service the property. The auto court is self-contained and surrounded by solid walls. Thus, any noise associated with activities within the auto court are blocked and attenuated by the design of the building.

Chapter 66, Noise, of the Yonkers Code states that a noise disturbance is evidenced by any sound level reading taken at a residential property, arising from another residential property,

that is above 55 dBA during the time period commencing at 7:00 am to end at 10:00 pm and 50 dBA commencing at 10:00 pm and ending at 7:00 am. The Project will be required to adhere to this Code requirement.

The Metro North Hudson Line will remain adjacent to the property. Existing readings (Leq and LMax for Locations 1 and 2 in Table 3.10-3) can be used to assess the impacts to future residents. The LMax readings, discussed above in the Existing Conditions section, are single point readings collected during a specific minute within the monitoring period. The Leq is a representative noise measurement for that time period, including the LMax readings from the passing train, and ranges from 57.7-62.9 dBAs (am period), 50.7-58.5 dBA (mid afternoon period), and 57.9 to 59.6 dBA (late afternoon period). The New York State Department of Environmental Conservation (NYSDEC) Assessing and Mitigating Noise Criteria indicates that the ambient noise level should not be raised above 65 dBA. Therefore, the continuous operation Metro North Hudson Line should not result in adverse noise impacts to future residents.

Air Quality

Potential project related air quality impacts are associated with stationary sources (microturbines), traffic and parking. The air quality impact of nearby stationary sources on the project site was also analyzed. RTP Environmental Associates, Inc., was retained to conduct air quality screening and modeling analyses to determine the potential impact of the proposed project on existing air quality.

The Project includes the installation and operation of a combined heat and power (CHP) system. The 390 kilowatt (kW) system will include six (6) 65kW microturbines. Detailed emission calculations for both criteria and hazardous air pollutants are provided in the Air Quality Technical Report (Appendix I of the DEIS). Potential emissions from stationary sources will be below major source permitting thresholds and will therefore not be considered a major source. However, the project will require an Air Facility Registration issued by the NYSDEC.

The proposed project is expected to generate traffic which will cause emissions of carbon monoxide (CO), nitrous oxides (NO_x), volatile organic compounds (VOCs,) particulate matter (PM₁₀ and PM_{2.5}) and hazardous air pollutants (HAPs) which are associated primarily with vehicle exhaust. The evaluation of four (4) Build/No Build scenarios were performed to determine if a "hot spot" analysis was required. The screening process indicated that no intersections required a CO "hot spot" microscale analysis. As such, CO impacts from project-related traffic are considered insignificant. Due to an insignificant increase in traffic volume, an air quality modeling impact analysis for particulate matter (both PM₁₀ and PM_{2.5}) was not required. However, since the project site is in a non-attainment area for PM_{2.5}, traffic-related PM_{2.5} impacts were quantitatively evaluated. The analysis indicates that traffic-related PM_{2.5} impacts will be minimal.

An automated clean tech parking garage is proposed, and as such, the normal air quality impact of parking light duty vehicles will be significantly reduced. A study by EEA Consultants, Inc.⁵ (Appendix I) indicated that the proposed system, compared to a conventional garage, would result in a 68% to 83% reduction in vehicle emissions depending on the specific pollutant.

⁵ EEA, Inc., "Environmental Consulting Insights," Electronic Newsletter of EEA's Environmental Consulting Activities, (Garden City, NY: July 2009).

Vehicle exhaust emissions will only occur when vehicles enter or exit the garage at ground level. To mitigate vehicle queuing issues, the garage will have a total of four (4) lifts, which will distribute traffic into four (4) separate areas. The proposed project will generate a maximum of 119 new vehicle trips during the worst-case hour of operation. Since there will be no vehicle exhaust emissions when vehicles are moved or stored, no subsurface air quality impacts are expected.

The construction of the apartment building will result in air pollutant emissions that will impact local air quality levels during the construction phase. These impacts primarily result from the operation of construction equipment and fugitive particulate emissions during construction. Construction traffic associated with the labor force and supplies/materials can also affect local air quality. Due to the project's size and construction schedule, air quality impacts from fugitive dust will be minimal. In addition, contractors will implement typical dust mitigation measures such as water trucks, covering of storage piles and will utilize "good housekeeping practices", which will limit dust emissions. Stormwater mitigation measures will also contribute to dust reduction.

Considering the period of time, expected construction phasing and the distribution of these emissions over substantial areas with control measures typically applied during construction, air quality impacts are expected to be minimal and are not expected to exceed air quality nuisance guidelines.

An air quality impact assessment was performed to determine if nearby sources of air pollution will have a significant impact on the project. One major source, the American Sugar Refining Company, Inc. (ASRC) is located within 1,000 feet of the project to the south. An air dispersion modeling analysis was performed to determine if ASRC air emissions will have a significant impact on the Project. The modeling analysis focused on both criteria pollutants and hazardous air pollutant (HAP) impacts. The results of the analysis indicate that modeled impacts are below both short-term (SGC) and annual (AGC) guidelines for all HAPs, with the exception of arsenic, cadmium, formaldehyde and manganese, which exceed their respective AGCs. Although the screening modeling analysis indicates that ASRC impacts for four (4) compounds exceed annual guideline values at the proposed apartment building, the likelihood of experiencing actual annual concentrations at these levels is very unlikely. This is based on the extremely conservative nature of the modeling analysis as described in detail in Section 3.10., Noise and Air Resources, of this DEIS.

In addition, NYSDEC SGC/AGCs ambient air guidelines are not ambient air standards. As such, an exceedance of either a SGC or AGC does not signify an exceedance or violation of a standard. Details regarding how SGC/AGC guidelines are derived can be found in the *DAR-1 AGC/SGC Tables Memorandum* Dated September 10, 2007, which is provided in Attachment 5 of the Air Quality Technical Report (Appendix I).

It is not anticipated that the new apartment building would create any significant negative wind impacts. It is unlikely that winds will be channeled through the adjoining street corridor, i.e., Buena Vista Avenue, because the avenue is oriented north-south and perpendicular to prevailing westerly winds - to get higher and accelerated wind speeds from a building canyon effect, the avenue would have to be parallel to the prevailing wind. Also, the buildings along Buena Vista Avenue, with a mix of building heights themselves and some with yards and open spaces around them, are not oriented or designed in a manner that would induce accelerated wind speeds.

Mitigation Measures

Noise

Construction activities must comply with the City of Yonkers noise code. To mitigate against potential noise impacts, construction will be limited as follows:

- In the City of Yonkers, construction activities can occur only between the hours of 7:00 am and 6:00 pm on weekday. No work will be conducted on weekends or legal holidays.

During construction, noise will be mitigated through the proper maintenance of the construction equipment. In accordance with Federal and State regulations, such devices as exhaust mufflers and acoustic casing enclosures will be working properly. Residents will be expected to comply with Chapter 66 of the Yonkers Code.

Air Quality

Based on the traffic screening analysis performed, no quantitative air quality analysis was required. Therefore, air quality impacts are considered insignificant and no air quality mitigation measures are necessary. The project design incorporates an automated parking garage which provides for a significant mitigation of air emissions relative to a standard garage. The reductions in vehicle air emissions are achieved by substantially reducing the vehicle travel distance as explained above. In addition, since there will be no air quality impacts associated with underground parking levels, no air quality mitigation is necessary.

The Project will include a thermally and environmentally-efficient, state-of-the-art CHP system that will utilize natural gas-fired microturbines. An air dispersion modeling analysis was performed and demonstrated that microturbine emissions will not compromise applicable air quality rules and regulations, and as such, no further air quality mitigation measures are necessary.

A screening air dispersion modeling analysis indicates that emissions associated with the nearby ASRC may have a long-term impact on the air quality in the vicinity of the proposed 25-story apartment complex for certain compounds. However, the impacts produced by the screening analysis are considered overly conservative based on the information provided earlier. It is, therefore, highly unlikely that the long-term impacts indicated by the modeling analysis would actually occur. In addition, the HVAC system servicing the apartment complex will be equipped with particulate filtration systems to filter outdoor air and deliver improved indoor air quality to residents.

The construction of the proposed project would produce minimal incremental air emissions increases at and around the project area. Since no adverse effects to air quality are expected from the proposed project, monitoring has not been included as a component of proposed project activities. Further, mitigation measures beyond typical dust suppression activities should not be necessary since construction air quality impacts will be short-term and relatively small.

1.2.11 Hazardous Materials

Potential Impacts

When soil gases and chemicals at certain action levels are found in the surface and subsurface soil, clean up is warranted to avoid health and safety issues, with regard to contact with people, now and in the future.

The groundwater under the site is generally not of significant concern because the site will be supplied with City water from a protected and monitored source. Since the depth to shallow groundwater ranges from 30 feet below the ground surface ("bgs") to 44 feet bgs, utility trenches should not come in contact with the groundwater.

The chemicals of potential concern (COPC) in the surface and subsurface soil were selected by comparing soil analytical results to the New York State Soil Cleanup Objectives (NYS SCO) for restricted residential use. The COPCs within the surface and subsurface soil are the following:

- Semi volatile organic compounds (SVOCs) - benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, di-n-butylphthalate, di-n-octylphthalate, diethylphthalate, bis(2-ethylhexyl)phthalate, indeno(1,2,3-cd)pyrene, and 2-methylnaphthalene.
- Pesticides - gamma-chlordane, endrin aldehyde, heptachlor, epoxide, and methoxychlor.
- Metals - aluminum, antimony, arsenic, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, thallium, and vanadium.

The COPC related to soil gas is as follows:

- 1,3-butadiene, Tetrachloroethene (PCE), and Trichloroethene (TCE).

Currently, there is limited risk for human contact with soil on the property since the site contains vacant buildings and is not inhabited.

Remediation is proposed to address the presence of the constituents noted above. Because remediation is planned during construction, future onsite employees or residents are not expected to come into direct contact with the COPCs within the surface or subsurface soils. However, construction/utility workers are likely to come into contact with the surface or subsurface soil during soil remediation and foundation construction. The proposed redevelopment of the property is expected to produce an impervious cover over all the areas that were investigated for hazardous conditions.

During demolition, the trapping effect of the buildings will be eliminated, and soil gas will no longer be trapped. A Health and Safety Plan will be implemented for onsite workers to address this situation until the soils are excavated and addressed. The soils at the subject site will be removed/remediated and the site will have an impervious cap, there is no potential for COPCs in the soil gas to impact the future residents by migrating into the indoor air of future buildings.

These matters are discussed in length with the Remedial Investigation Report (RIR) in Appendix J. This RIR completed and reviewed by the NYSDEC. The below mitigation measures

proposed along with other remedial actions is expected to eliminate known hazardous conditions at the site.

Mitigation Measures

Mitigation performed on the BCP properties will be conducted in accordance with the Final Remedial Workplan that will be approved by the NYSDEC. The Project Site is covered by buildings that have aided in sealing or trapping soil vapors. During construction the proposed demolition of the buildings and foundations would allow some trapped low level vapors to dissipate and would eliminate the potential for the soil vapor to seep into indoor air spaces located adjacent to the BCP properties. Based on the concentrations found in the subsurface investigations, it is not anticipated that the soil vapor will cause an environmental health concern for nearby residences or the Queens Daughters Daycare Center. The daycare center is approximately 120 feet from the nearest property line of the property where soil vapors may be a concern - there are two intervening residential properties on site. However, continuous air quality monitoring would be conducted in accordance with the site specific Health and Safety Plan as well as the Final Remedial Workplan approved by the NYSDEC. This continuous air quality monitoring would be conducted at the parameters of the property to protect human health, the nearby residences, as well as the Queens Daughters Daycare Center. During construction, on-site soils will be removed to up to 40 feet bgs. Removing the impacted soil would aid in the elimination of vapors from such soils. A sub-slab vapor ventilation system will be installed during construction that will protect site workers and residents.

In conjunction with the demolition of the buildings, above and below ground storage tanks observed during the various investigations will be removed per NYSDEC standards. Once the buildings have been demolished, a confirmatory soil sampling event is proposed for the COPC. Also, three (3) groundwater monitoring wells will be installed in the area of 53 Buena Vista Avenue to further characterize the groundwater on the Property.

Depending on the results of the confirmatory soil sampling event precautions may be warranted during the redevelopment of the Project Site. These precautions are as follows:

- The development of a Health and Safety plan/protocols (HASP) for the handling of the site specific media that is impacted with the COPCs. This will minimize the human exposure to the potential concerns.
- Creation of a Soil Management Plan to deal with excavated soils during the construction process of the redevelopment of the Property. This would include a health and safety requirements for handling excavated soil and the disposal requirements of the soil.
- Placing clean soil, asphalt, concrete over exposed areas at the completion of the Site development to limit exposure of any impacted soil (if any remains on the Property).
- As stated above, the installation of the sub-slab ventilation system to reduce the exposure to any soil vapors that remain in the subsurface and may migrate into the proposed building for the Property.

With the implementation of these mitigation measures, no significant adverse impacts are anticipated.

1.2.12 Construction Impacts

Potential Impacts

The Project will take approximately 36 months to complete. The first phase involves demolition of the existing structures at 41-65 Buena Vista Avenue and remediation of the brownfield site which would take approximately 4 months to complete. During the second phase of the Project, construction of the new apartment building and rehabilitation of the existing multifamily building facades would take approximately 18 months.

During these phases, the potential exists for the Project to result in a number of short-term construction-related impacts. The excavation and foundation bracing system may require possible use of sheet piles, tiebacks or shoring. Any required tiebacks will be below the utilities in the street and will be designed to avoid any impact to existing utilities. Excavation side walls will be adequately braced in accordance with a design from the structural engineer to mitigate any potential steep slope issues. The proposed excavation design and implementation will consider the foundations of existing adjoining buildings to the north and to the south; the Trolley Barn and the Queen's Daughter Daycare, respectively. The design of the excavation retaining wall system will ensure that there is no damage to adjoining foundations.

Soil erosion and sedimentation will be controlled by implementing measures set forth in the Erosion and Sediment Control Plan that is a part of the Stormwater Pollution Prevention Plan (SWPPP) required to obtain a NYSDEC General Permit for Stormwater Discharges from a Construction Activity (GP-0-10-001).

Construction of the development will also result in short-term construction-related traffic being added to City traffic over the duration of the construction process. Construction-related traffic will include: employee vehicles, material delivery, construction vehicles transported to and from the site, material and waste disposal (excess material, packaging, scrap materials) and the disposal of excess excavated soil. The number of vehicles and type of construction-related traffic will vary considerably, depending upon the stage of construction. Construction-related traffic will arrive and depart from Buena Vista Avenue since the street provides the only public access to the Project Site. Construction traffic will exclusively use Prospect Street which provides access to Route 9 to the east of the site. The proposed construction truck Route is shown in Site Plan drawing TR - Proposed Truck Route.

Police may be required on a short-term basis during any required street closures of Buena Vista Avenue. Traffic would be rerouted with detour signs, placed in consultation with the City of Yonkers 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 and in accordance with City policy.

Employee and construction vehicles will park in designated off-site parking lots. Designated lots will be identified in consultation with the City of Yonkers. Two parcels controlled by the City have been identified for potential construction parking and/or material storage. The properties are located at 56 and 60 Buena Vista Avenue (Block 511, Lots 30 and 31) and are adjacent to the three residential buildings on the east side of Buena Vista Avenue. Any additional lots Designated lots will be identified in consultation with the City of Yonkers (see Figure 2-2). The Applicant consulted with the City's Waterfront Director, Mr. Jim Pinto, who confirmed that the

two vacant lots can be used for staging⁶. The storage of material and equipment is temporary in nature and will not have any significant adverse impacts on adjoining property. The property will be secured, and any on-site activities will be conducted only during the hours that construction is occurring on the project site. Upon completion, all materials will be removed. Any lease or other agreements will be discussed and agreed to between the City and the Applicant prior to special use permit and site plan approval.

Construction-related noise impacts are addressed in Section 3.9 of the DEIS. Local daytime ambient noise levels will increase both on- and off- of the project site during construction. Construction activities and the operation of construction equipment are an expected and required consequence of any new construction project and cannot be avoided. Noise resulting from construction activities is a temporary impact, and will cease upon completion of the project. Blasting and rock removal are not anticipated for the project.

Potential short-term air quality impacts that may result from the proposed project include fugitive dust and particulate matter from the project site, and emissions from construction equipment and vehicles.

Mitigation Measures

The DEIS incorporates various mitigation measures, as described in other chapters of the document, to address construction-related impacts.

The development will require a NYSDEC General Permit for Stormwater Discharges from a Construction Activity (GP-0-10-001) as the project involves the disturbance of more than one (1) acre of land. Erosion and sedimentation will be controlled during the construction period by temporary devices in accordance with the Erosion Control Plan developed specifically for this project site and shown on the site plan drawings. The Erosion and Sediment Control Plan is a component of the Stormwater Pollution Prevention Plan (SWPPP - see Appendix E).

The erosion control plan addresses erosion control and slope stabilization during all construction phases of the project. These plans were developed in accordance with the Erosion and Sediment Control Guidelines promulgated by the NYSDEC.

The increase in construction-related vehicular trips will be a temporary and unavoidable effect of building construction. A construction traffic routing plan will be finalized in consultation with the City of Yonkers Department of Engineering, Traffic Engineering Division. To limit impacts to the roadway levels of service in the project vicinity, deliveries of construction material will be scheduled to avoid peak hour traffic periods to the maximum extent practicable.

Noise levels generated by construction activities are mitigated by limiting the hours of construction operation. Mitigation measures to control dust will include:

- minimizing vehicle movement over areas of exposed soil, and covering all trucks transporting soil;
- unpaved areas subject to traffic would be sprayed with water to reduce dust generation;
- truck vehicle washing pads would be constructed at the construction entrance to avoid the tracking of soil onto paved surfaces.

⁶ May 2010 communication between Ken Dearden, DW Capital, and Jim Pinto.

Fugitive dust impacts will be limited in duration, and will be minimal once the building foundation is set in place. Any particulate matter from diesel exhaust emission will be controlled through proper tuning of the engine and maintenance of the air pollution controls. This will minimize additional contribution to site generated particulate emissions during construction.

1.3 Summary of Project Alternatives

Section 617.9(b)(5) of the regulations implementing SEQRA requires that a DEIS include a description and evaluation of a range of reasonable alternatives to the proposed action which are feasible, considering the objectives and capabilities of the project sponsor. Section 5.0 of the DEIS includes an evaluation of the following alternatives as required by the Scoping Document:

- No Action;
- Conventional Site Plan;
- Teutonia Hall Alternative;
- Different Building Massing and Location;
- East and West Side Alternative;
- Alternative Use to Hydroponic Garden; and
- Different No Build Alternative.

With the exception of the “No Action” and “Conventional Plan” alternatives, every other alternative examines the impacts associated with the construction of 412 rental dwelling units, although the building design may vary. The No Action alternative evaluates impacts that would result in the absence of the proposed Project. The Conventional Plan alternative proposes a use that would not require PUR special use permit approval - this alternative evaluates construction of a live-work residential development as allowed by special use permit in the DW district. Under the “Teutonia Hall” alternative and the “Alternative Use to Hydroponic Garden” alternative, the proposed land use and building program for the Project Site is essentially the same - Teutonia Hall alternative examines retention of that building or facade in the same location; the garden alternative examines the project without the hydroponic garden. The “Different Building Massing and Location” alternative evaluates different building designs for the apartment building, including construction of a conventional garage. The East and West Side alternative was not deemed feasible by the Project Sponsor given the lack of buildable area on the portion of the Project Site on the east side of Buena Vista Avenue. Lastly, the Different No Build Alternative presents a summary of project impacts associated with the construction of the Buena Vista Teutonia project in the absence of the Struever Fidelco Cappelli (“SFC”) project, i.e., the Buena Vista Teutonia PUR project would precede construction of SFC. For a full description of each alternative, please refer to Section 5.0 of the DEIS.

From the Project Sponsor’s perspective, an important consideration in the design of the overall site is the site’s inclusion in the NYSDEC Brownfield Cleanup Program. The boundary of the Brownfield site does not include any existing residential lots and is therefore limited to the following tax parcels: Block 512, Lots 11, 13, 15 and 17. The developer is relying on New York State tax credits under the Brownfield Cleanup program as a source of financing. No credits are earned for construction costs that do not occur on the brownfield lots. A number of the alternative scenarios reduce the amount of construction that would occur on the brownfield lots. The Project Sponsor has concluded that these alternative are not feasible, considering its objectives and capabilities.

1.4 Reviews, Permits and Approvals

The following reviews, permits and approvals would be necessary to implement the Project:

Buena Vista Teutonia PUR Reviews, Permits and Approvals	
Agency	Action
Federal Aviation Administration	- Review and permitting, if required, for building height
NYS Department of Environmental Conservation	- SPDES Permit for Construction Activities - Water quality Certification/Section 404 of Clean Water Act
NYS Department of State	- Coastal Zone Consistency Review - Potential Variances (Uniform Code Regional Board of Review): Handicapped parking per Chapter 11; Courts and fire-rating and percent openings per Tables 602 & 704.8 for fire separation distances. (See Section 3.4 for discussion)
NYS Office of Parks, Recreation and Historic Preservation	- Review of Historic, Archaeological Report
Westchester County Department of Planning	- GML Section 239/County Administrative Code Review
Westchester County Department of Health	- Water and sewer improvement review
Yonkers Planning Board	- Approval of PUR Special Use Permit - Approval of PUR Site Plan - Recommendation on Amendment to Riverview Urban Renewal Plan (if necessary) - Recommendation on Landmark Site Designation for Teutonia Hall and Otis buildings
Yonkers City Council	- Approval Resolution of PUR Special Use Permit - Amendment to Urban Renewal Plan (if necessary) - Landmark designation of Teutonia Hall and Otis buildings - Temporary and Permanent Easements for tiebacks during construction and geothermal wells in street right-of-way
Yonkers Landmarks Board	- Recommendation on landmark application/designation of Teutonia Hall and Otis buildings - Certificate of appropriateness if landmarks designated
Yonkers Community Development Agency	- Recommendation on Riverview urban renewal plan amendment, if necessary
Yonkers City Departments: - Engineering - Water - Traffic Engineering - Housing and Building - Department of Public Works (DPW)	- street opening permit, stormwater and sanitary sewer design approvals - water main extension; sprinkler connection - access and parking review; traffic impacts - demolition, building, plumbing and electrical permits - sanitation if using City of Yonkers collection services
MetroNorth	- review of proposed plans as site abuts Hudson Line right-of-way; as per Applicant, no easement required
Source: Buena Vista Teutonia Scoping Document, 2010.	

1.5 List of Involved Agencies and Interested Parties

The following lists the involved and interested agencies responsible for reviewing the proposed action. As per SEQRA, an “involved agency” is an agency that has jurisdiction to fund, approve or directly undertake an action. An “interested agency” is an agency that lacks the jurisdiction to fund, approve or directly undertake an action but wishes to participate in the review process because of its specific expertise or concern about the proposed action.

Involved Agencies

New York State

- New York State Department of Environmental Conservation
- New York State Department of State

Westchester County

- Westchester County Department of Planning
- Westchester County Department of Health

City of Yonkers

- Yonkers Planning Board
- Yonkers City Council
- Yonkers Landmarks Preservation Board
- Yonkers Community Development Agency
- Yonkers City Departments, including:
 - Engineering
 - Water
 - Traffic Engineering
 - Housing and Building
 - Department of Public Works (DPW)

Interested Agencies

Federal

- Federal Aviation Administration

New York State

- New York State Office of Parks, Recreation and Historic Preservation

Other

- Metro-North Railroad