

APPENDIX B
DEIS Written Comments

PHILIP A. AMICONE
MAYOR


JOSEPH J. MORAN
CITY ENGINEER



DEPARTMENT OF ENGINEERING
CITY OF YONKERS

CITY HALL - ROOM 315
YONKERS, NY 10701-3872

(914) 377-6210
FAX (914) 964-5438

TO: Colleen Roche – Planner
FROM: James Moran, P.E.- Senior Professional Engineer 
DATE: January 20, 2011
RE: Planning Board Submission Draft Environmental Impact Statement (DEIS)
Buena Vista Avenue Teutonia Development
66-72 Buena Vista Avenue
Block 511 Lots 24,25,27
Block 512 Lots 1,11,13,15,17,21&23

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Applicant/Owner: Teutonia Buena Vista, LLC/Metro Partners
Architect/Engineer: Tim Miller Associates
Civil/Site Engineer: Milone and MacBroom, Inc.
Document reviewed: Volume 1 & 2 12/9/10

The above referenced planning DEIS has been reviewed and the following engineering department comments have been compiled:

1. The proposed project will disturb more than 1 acre and will therefore require a NYSDEC SPDES (stormwater pollution discharge elimination system) permit for stormwater discharges from construction activity (GP-0-10-001). The applicant must conform to all current NYSDEC permit requirements and local law 12-2007 (section 56-174 through 56-189 of the city code). A Stormwater Pollution Prevention Plan (SWPPP) should be reviewed for approval at planning board site plan approval.
2. The existing City sewer in Buena Vista Avenue has been t.v. inspected by this office (on 10/7/10) and numerous pipe defects have been detected (i.e. multiple cracks, offset joints, protruding house connections impeding flow, pipe holes, etc.). During the inspection, groundwater infiltration was documented. In lieu of the condition of the existing combined sewer in Buena Vista Avenue between Prospect Street and Main Street and Westchester County's prior requirement of mitigating impacts due to increases in wastewater discharges to combined sewer systems, this office recommends the applicant funds the cured in place sewer lining of the referenced sewer. This lining and installation of a new manhole (location to be designated by this office) will eliminate groundwater infiltration and offset the increased sanitary sewer flow due to this project.

1 of 2

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3. The applicant proposes to improve the water supply to the project and Buena Vista Avenue by installing a new 12" water main from Prospect Street(at Hawthorne Avenue)[Executive Summary page 1-7]. The approved design and performance bond (in the amount of the engineering department approved estimated cost) is required prior to the issuance of a building permit. This will ensure that the proposed water supply design is feasible and a funding commitment has been made. The installation and acceptance of the water main must be completed prior to the issuance of a certificate of occupancy.
4. Prior to the issuance of a building permit, the applicant must produce a sheeting/bracing and dewatering design acceptable to the building and engineering departments that will ensure that all adjacent property owners(including the City of Yonkers) and infrastructure will be properly protected and not impacted. If any impact is deemed possible, an escrow account or bond will be necessary to mitigate.
5. The 10 geothermal wells that are proposed to be located within the Buena Vista Avenue right of way will require City Council encroachment approval. This approval will require the review of the engineering department and corporation council to ensure that the City roadway rights are preserved and liability mitigated.
6. Temporary sidewalk or roadway lane closures (including parking lanes) will require an engineering department permit. A construction logistics plan detailing a sequence of operation, schedule, maintenance and protection of traffic (i.e. pedestrian and vehicular), equipment specification and hours of operation (along with trip generation) will be necessary.

PHILIP A. AMICONE
MAYOR

JOHN A. LISZEWSKI
COMMISSIONER



735 Saw Mill River Road
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RECYCLING CENTER
CITY OF YONKERS

February 17, 2011

To: Colleen Roche, Planning Department

Re: Teutonia Hall D.E.I.S. Public Works/Sanitation Comments

Colleen;

I, along with Deputy Commissioner Martin Bellew, have reviewed the D.E.I.S. for the Teutonia Hall project. Overall, the statement is of a very general and preliminary nature in terms of solid waste management and recycling needs

Our comments are as follows:

- The City of Yonkers Department of Public Works (hereafter, DPW) would provide twice a week pickup for solid waste only, and once a week pickup for recycling (commingles, paper). There is NO provision for pickup of bulk, (metal or non-metal), as indicated in section 3.8.7 Solid Waste Disposal. There is also no provision for the pickup of leaves or yard waste.
- According to the Trash Site Plan provided, it is unclear if sufficient area and overhead clearance is provided for DPW roll off trucks to access the waste and recycling containers, I.E., the "Auto Court" designation on the Trash Site Plan. As it is drawn, this may block truck access.
- According to the Trash Site Plan provided, it is unclear if sufficient area is provided for one (1) 40-yard waste container, as well as one (1) baffled roll off container for recyclable materials.
- It is unclear as to whether or not sufficient area or areas would be provided for residents to source separate their waste and recyclable materials. The D.E.I.S. states in 3.8.7.2 that, "Refuse generated by each apartment will be thrown into a chute accessible on each level of the apartment building." This may be insufficiently conducive to meeting source separation mandates.

We look forward to seeing a more detailed plan in order to provide accurate assessment of the project.

Kenneth Greehan
Manager of Recycling and Refuse
City of Yonkers Department of Public Works
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Impact of the Buena Vista Avenue Teutonia Development
on Police Services

The Yonkers Police Department (YPD) has been asked to comment upon the impact of the Buena Vista Avenue Teutonia Development (BVAT) on police services in the City of Yonkers. Developers propose demolishing several buildings on Buena Vista Avenue at the intersection of Hudson Street, including the Teutonic Hall. At that site, they will build a 25 story residential tower with 412 units, a mechanical parking garage designed to save space in 2-4 story building, and a hydroponic garden on the roof of that garage. The developer will connect the buildings with its existing renovation of the "Trolley Barn" at the corner of Main and Buena Vista. They will also rehabilitate three older Victorian style homes across the street from the Teutonic Hall.

Because the development will be almost entirely residential in nature, the YPD does not anticipate an adverse impact on police services to the area. YPD's crime database reveals that of the 10,255 crimes reported in the City in 2009, only 14 were reported on Buena Vista Avenue in the vicinity of the development and 33 were reported on Hudson Street. These numbers are low, but they belie the impression visitors must get from the blighted look of the existing buildings. Many businesses, including high-end restaurants, are thriving within a block or two of the site, but this particular intersection seems abandoned and desolate and therefore dangerous. It's hard to tell from the outside whether the businesses are active and the homes occupied. Visitors coming to the neighborhood at night on their way to a restaurant on Main Street would no doubt take pause and may even reconsider their visit if they passed these buildings on their way to the new Buena Vista Parking Garage. This situation most likely leads to less business activity in the neighborhood and to an increase in vulnerability to street and property crimes. Almost any new development would be an improvement.

This development will increase the number of residents in the Third Precinct, already the most congested quadrant of the City, so the number of calls for police, fire, and ambulance service may slightly increase. It may also increase vehicular traffic. The improvements to the block that this development will bring, however, should increase pedestrian traffic and could lower the amount of criminal activity in the entire area, so they YPD does not anticipate much of a increase in police service calls. The mechanical parking garage seems to be a particularly safe way for residents and their visitors to keep their cars in the area as people will not be able to wander through isolated floors where the cars are actually parked. There will be a waiting area visible from the building's lobby and the cars will be brought to the people. Surveillance cameras and a manned lobby, which is not open to the general public, should keep motorists relatively safe. The YPD should be consulted in the placement and style of surveillance cameras at the site so images can be compatible with existing technology and perhaps accessible to the YPD.

The developers seem to be particularly respectful of the area and its residents, as evidenced by their plan to preserve the façade of the historically interesting Teutonic Hall, their desire to preserve and incorporate in their designs other historically interesting buildings, and their intention to bring an exiting and unique feature to the area, a rooftop

hydroponic garden. Their proposal also includes cleaning up the site which has been designated a "brown" site and using many "green" elements in the construction of these buildings. The YPD is presently involved with our community service providers in the formation of a re-entry coalition. This coalition's mission will be to reduce recidivism among ex-convicts who now reside in Yonkers. Some of these service providers engage in job training, particularly training in "green" construction jobs. The BVAT developers have expressed interest in working with coalition with the aim of hiring local residents who were once incarcerated but who now take part in a re-entry program and have a genuine interest in turning away from a criminal lifestyle. It is the hope of the YPD that developer's participation will ultimately lead to a future reduction in crime in the City. The hydroponic garden may also have a favorable impact on crime by bringing positive interest to the City. The developers also plan on having local school children visit the garden to learn how a hydroponic garden works and generate an interest in science and furthering their educations.

During the construction phase of the project, streets and intersections may be become congested with construction equipment and require the formation of temporary police traffic posts. Developers should work with the YPD and Traffic Engineering before and during construction to insure that motor traffic in the area is not being overly impacted.

The conclusions reached in this study should not be considered definitive and could change as the developers provide more details.

Submitted by P.O. Roberta West
Planning and Technology Unit
January 22, 2010

Christine Carney

From: Christine Carney
Sent: Friday, February 25, 2011 3:36 PM
To: Christine Carney
Subject: DEIS Teutonia Hall

From: John Flynn
Sent: Wednesday, February 23, 2011 12:11 PM
To: Colleen Roche
Subject: RE: DEIS Teutonia Hall

Following are Fire Department comments re DEIS Teutonia Hall:

Firefighter Joyce's comments should be disregarded. Please rely solely on comments from the Fire Commissioner or a Deputy Chief in the future.

P.1-20 The relocation of Fire Department Headquarters to a new location on New Main St. should not be presumed. At this time, the existing Fire Department Headquarters located on New School St. is in a state of disrepair, and the length of time it will remain viable as a Fire Department facility is in question. There is a plan to relocate Fire Department HQ to a New Main St. location, however we have no assurances that this will happen prior to completion of this proposed project. This relocation should not be assumed for the purposes of this DEIS.

** Relocation to a new Fire Department Headquarters is referenced in numerous places throughout this DEIS and these references should be removed.

P.1-20 It is correct that the YFD responds to a total of approximately 1,206 incidents annually, and, using the population numbers of the entire city as well as this proposed structure, it may be predicted that the YFD would respond to 5 fire incidents annually. However, a more accurate figure to use in predicting fire department response to this proposed structure would be our total number of **emergency responses** annually which would include emergency medical incidents, gas leaks, water conditions, structural issues, elevator emergencies, defective or accidental alarms, etc. All of these types of incidents can be anticipated to occur at this proposed structure. Using the more appropriate number of 15,000 incidents annually, and basing our calculation on a building population of 791 persons, we would estimate the number of fire department emergency incidents at this building to be **62 annually**. It should also be noted that a typical emergency response can require the response of only one apparatus (emergency medical, stuck occupied elevator, etc.), or oftentimes numerous apparatus (report of fire or gas leak, etc.). Therefore, fire department emergency responses to this building on an annual basis would be estimated to be **186** (62 incidents multiplied by an average of 3 apparatus per incident). These figures do not include fire department resources which will be necessary in the area of plans review, ongoing inspections, and fire and emergency training and preplanning specific to this structure, all of which will further increase the workload of the YFD as a result of the construction of this building.

P. 3.8-9 Fire Department employs approximately **440** persons.

P. 3.8-9 The Fire Training Division, "which is staffed solely by one Lieutenant"...

Under Fire Prevention Division should be stated... The Fire Prevention Division is responsible for plans review and ongoing inspection of buildings under construction. Currently, with only one trained and certified plans reviewer on staff we are running far behind in our plans review. This project as well as other developments anticipated to break ground elsewhere in the city in coming months and years, will add to our already overwhelming workload.

P.3.8-11

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3.8.3.3 Mitigation Measures The YFD is proposing the installation of Automated External Defibrillators (AED's) on every 4th floor of this building although this is not required by code. Response times to the upper floors of high-rise buildings can be delayed and the installation of these devices in the hallways would increase the odds of cardiac arrest survival of occupants.

P. 1-21 "The additional revenues may be used to fund fire protection service in the city."

**It should be noted that despite significant completed development projects in the city in recent years the Fire Department has not been provided with any additional resources to deal with the increased threat. While this project will not in and of itself overwhelm the existing resources of the YFD, each of these projects should not be looked at in a vacuum. The cumulative effect of development in the city of Yonkers will necessitate additional fire department resources. A significant portion of the additional revenues which are generated by this project should be set aside to fund fire protection service in the city.

If this proposed building is located in a seismic zone C,D,E, or F, a second independent source of water will be required.

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Christine Carney

From: Lee Ellman
Sent: Monday, February 28, 2011 2:52 PM
To: Christine Carney
Subject: FW: Teutonia Project

Lee J. Ellman AICP
Yonkers Planning Bureau
377-6558
Lee.Ellman@Yonkersny.gov

From: Albina Glaz
Sent: Monday, February 28, 2011 2:51 PM
To: Lee Ellman
Cc: Colleen Roche; John Speight
Subject: FW: Teutonia Project

Lee,
I'm re-sending a clean version of Water Bureau comments that I originally sent it (e-mail) on 2/23/11.
Thanks. Albina

From: Albina Glaz
Sent: Wednesday, February 23, 2011 3:38 PM
To: Lee Ellman; Colleen Roche
Cc: John Liszewski; John Speight
Subject: FW: Teutonia Project

Lee and Colleen,

As of now the Water Bureau did not received any response to out comments as stated in e-mail dated 4/13/10 (see below) and we can not make an reasonable determination what improvements to our water system are necessary to ensure an adequate water supply require for fire protection and domestic use for the project. The proposed 12-inch main between Prospect St and Main St was approved as conceptual plan, subject of the response to out comments.

Based on the review of DEIS for the subject project, following are the Yonkers Water Bureau comments:

1. DEIS states that total domestic water demand for whole project will only be 29,099 gallon per day. Based on projected occupancy for the project of 791 persons (DEIS: pg - 3.8-5) the water usage will be less than 37 gallon per day per person versus recommended standards of at least 100 gal/person/day. This is approximately 63% of water usage reduction than recommended standards. That is great but what happens if this will not be possible.
2. In order to achieve this significant reduction in water demand for the subject project, the developer is proposing to use water saving fixtures as manufactured by BRICOR Water & Energy Technology. This type of fixtures requires a certain minimum water pressure at the inlet of particular fixture. To my knowledge, if particular required pressure is not available than the fixture will not work or not work correctly. Please comment on this.
3. DEIS: pg 1-6, 1-21, 3.3-4, 3.3-5 addresses domestic water supply to upper levels of the 24-story building utilizing booster pump or pumps. Please clarify if one booster pump, duplex or triplex domestic booster pump system will be utilized for upper levels of the building.

2/28/2011

4. DEIS: pg 3.3-4 estimates peak domestic water demand of 535 gpm. How this was determined. For this demand (on this page) a duplex pump? is proposed to provide total flow of 385 gpm at an output pressure of 130 psi. Why 385 gpm not 535gpm. Considering all water losses due to head loss, friction, bends, length of pipe, etc, please explain by calculations what flow capacity and pressure will be required at inlet of the pump(s) without any effect of our water distribution system in the project area and if the proposed 12-inch main will adequate to achieve the goal
5. DEIS pg 1-7, 1-21, 2-5, 3.3-53.3-6 states that the building's fire protection system will be supply by fire pump sized to provide a total flow of 1,000 gpm at output pressure of 160 gpm. How the 1000gpm flow was determine, is the 1000gpm flow will be adequate for fire protection on the top floor of the building. Were all water losses considered with this determination? What flow capacity and pressure will be required at inlet of the pump without any effect of our water distribution system in the project area and if the proposed 12-inch main will adequate to achieve the goal
6. Will the proposed 12-inch diameter water main supply approximately 3,500 gpm flow capacity at any hydrant closest to the development at minimum residual pressure of 20 psi that sustain for minimum of 2 hours
7. Was water demand for proposed pool included in calculation of total domestic water demand?
8. DEIS: pg 3.3-5 states that although water to the hydroponic garden will be provided from a storm water retention tank but next sentences states that "a domestic water make up connection will be provided to the storm water retention tank" with RPZ device. **Please be advice that under no-circumstance the Water Bureau will allow any connection/interconnection of potable water with storm water retention tank.**

If you have any questions, please let me know.

Albina Glaz
Yonkers Water Bureau

Robert F. Astorino
County Executive
County Planning Board

February 25, 2011

Lee Ellman, AICP, Director
Yonkers Planning Bureau
87 Nepperhan Avenue, Suite 320
Yonkers, New York 10701

Subject: Referral File No. YON 11- 001 - Buena Vista Teutonia PUR Development
Site Plan, Special Permit and Urban Renewal Plan
Amendment
Draft Environmental Impact Statement

Dear Mr. Ellman:

The Westchester County Planning Board has received a draft environmental impact statement (EIS), dated accepted December 9, 2010, prepared pursuant to the New York State Environmental Quality Review Act (SEQR) for the above-referenced proposal. We have also received site plans, dated revised October 18, 2010.

Our understanding of the scope of this project is included at the end of this letter. If this description differs from the application as the City has defined it, we would appreciate being so advised.

We have previously reviewed this application under the provisions of Section 239 L, M and N of General Municipal Law and Section 277.61 of the County Administrative Code and responded to the City in letters dated October 8, 2009 (in response to Lead Agency designation) and December 21, 2009 (in response to the draft scope for the preparation of an EIS). The County Planning Board discussed the draft EIS and project elements at the Board meeting held on February 15 and offers the following comments and recommendations for the City's consideration with respect to our review of the draft EIS:

COMMENTS AND RECOMMENDATIONS

1. Consistency with Westchester 2025. The project as proposed is consistent with several of the County Planning Board's long-range planning policies and strategies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the County Planning Board on May 6, 2008, and amended January 5, 2010.

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In particular, the project will:

- channel growth to an existing center where such growth can be supported in a transit-oriented environment,
- support the development of affordable housing with 82 affordable units,
- protect historical and cultural resources through the preservation of a historical building façade and
- promote sustainable technology through the use of green building techniques and the provision of a rooftop garden with the intended purpose of providing locally grown produce to local consumers.

As a result of these consistencies with *Westchester 2025*, the County Planning Board is supportive of the proposed development. We urge the City to give additional consideration to the development's relationship to future potential redevelopment of the surrounding area. For example, ground floor retail may be a desirable feature in the future on this site and on underutilized lots across the street from the site. If retail is not to be provided for at this time, perhaps the building can be constructed with flexible ground floor space that can be adapted for new uses as the neighborhood further evolves.

2. Sewer impacts. The proposed development will increase sewage flows from this site into the existing infrastructure and will add to the volume requiring treatment at the Yonkers Joint Wastewater Treatment Plant (YJWWTP) operated by Westchester County. Because the site is located within a combined sewer area where both stormwater from the site and wastewater from the proposed residential building will contribute to the flow treated at the plant, the project raises a number of concerns that must be addressed.

STORMWATER REDUCTION – We commend the applicant for proposing an innovative way to reduce stormwater flows from the site by providing an underground cistern for the collection of rainwater that will be used to irrigate the rooftop hydroponic garden. According to the draft EIS, approximately 40% of the annual stormwater will be used for this purpose, which will represent a significant reduction of stormwater entering the system from this site. In addition, the cistern will be capable of storing runoff equivalent to a 100-year storm event where it would then be released at a slower rate into the storm drain system. However, since this flow will still occur during the storm event, we recommend that the City require the applicant to contact the County Department of Environmental Facilities (DEF) to determine if alternate release timings can be established to lower the impact of stormwater on YJWWTP operations during storm events.

WASTEWATER DISCHARGE – The sanitary sewer discharge rate noted in the draft EIS of approximately 29,099 gallons per day appears to be low for a development of this size. Assuming a 70 gallon per day per capita rate (which is less than half of the 150 gallons per capita per day allowed in the County sewer ordinance) and an occupancy of 2 people per unit, a much higher rate of 57,680 gallons per day is estimated. The City should require that these calculations be clarified to determine the most accurate estimation of anticipated sanitary sewage flow to the YJWWTP.

SEWER MITIGATION – The applicant has proposed a remote television inspection of the existing combined sewer line within the vicinity of the project and the provision of spot repairs to the line as appropriate. While this could include reductions to inflow and infiltration (I&I) within the existing combined sewer adjacent to the site, the applicant is not proposing system wide improvements to the City wastewater or combined sewer systems related to I&I. We point out that the increased sanitary sewage flow from the site will add to the volume requiring treatment at the YJWWTP.

Consistent with DEF policy, we recommend that the City consider, or require the developer to consider, measures that will offset the projected increase in sanitary sewage flows, less the anticipated mitigation provided by the stormwater diversion to the garden irrigation system.

PUBLIC HEALTH IMPACTS OF CISTERN – The storage of water underground could become a health concern if it becomes a breeding area for mosquitoes. We recommend that the City work with the applicant to examine if a mosquito control plan will be required, with possible surveillance or treatment as necessary. Preventative measures (mechanical, chemical or biological) may be necessary depending on the design of the proposed cistern.

3. Provisions for recycling. While the plans for the apartment building identify a 580 square foot room for trash storage, the plans do not show an area for the storage and source separation of recyclables. Starting in June 2011, County recycling law will be expanded to require plastics numbers 1 through 7 to be recycled instead of being put into the waste stream. (Currently, only plastics with numbers 1 and 2 are recycled.) The expansion of the recycling program will likely require a larger area for source separation and storage, particularly given that the City of Yonkers currently picks up co-mingled recyclables only once every two weeks. We recommend that the City require the applicant to determine how much space will be needed for this storage and to indicate a storage area on future plans for this project.

4. Project size and character. Although the County Planning Board is supportive of the concept of this development, the proposed scale raises a concern as to the relationship of the development to the surrounding area in terms of context. We recommend that the City carefully consider the impacts of potential change to the character of the area and whether the goals of the development could be met with a building of less bulk. As part of this assessment, we encourage the City to consider the following specific aspects:

SKYLINES – The skylines and streetscapes of Westchester's cities are changing with each new large-scale downtown development. The County Planning Board supports such downtown development. The Board has found, however, that many proposals feature "plain rectangular boxes." We believe that there is an opportunity for visual enhancement of both the skyline and the streetscape if the aesthetic character of the skyline (in terms of its impact on short and long range vistas) and the streetscape (in terms of the creation of a pedestrian friendly scale) are addressed as part of the project review. We encourage the City to require simulations or artists renderings of the changes to the skyline and streetscape that would result from each large-scale

development. With each evaluation, the City should reach an independent judgment as to how the skyline, and the street level, should look so that the shape, size and interest level of new structures reflect the vision of the City, not just the vision of the applicant. The decisions made by the City will shape the future view of Yonkers and of a wide surrounding area including the Hudson River and west riverfront. To help in this process, we encourage the City to consider drafting and adopting design criteria for future development that will assist efforts to achieve a high level of design quality.

PLACE EMPHASIS ON DESIGN - There is opportunity for the City to set the stage for significant architectural contributions of unique character. As proposed, the development main feature is a large and tall glass tower with a flat roof. Perhaps alternative designs can be prepared that reflect other styles from which the City and applicant can define a preferred alternative. If a glass tower is chosen as the final design, we recommend that the construction not include reflective glasses or tinted or dark glass as they can create detrimental visual effects on the surrounding environment.

5. Parking. We note that the draft EIS reports that a study for the adjoining Hudson Park residential development concluded that parking demand was 0.89 parking spaces per dwelling unit. However, the proposed development includes a 540-space parking structure, which would provide new parking in excess of this demand ratio. A reduced need for parking may be expected as the site is very close to the Yonkers train station and many Bee-Line bus routes, as well as within walking distance to many local businesses. We recommend that the City consider applying a lower parking ratio than that proposed, such as one parking space per unit. A lower ratio will keep the proposed parking in-line with identified need and reduce development costs.

The proposed automated parking garage would be the first of its type to be built in Westchester County. This appears to be an innovative system that will reduce the space required to construct parking; presumably the planned system incorporates provision in the event that the building loses power or if the garage equipment malfunctions. The draft EIS describes several environmental benefits concerning this garage, such as fuel conservation related to cars not needing to drive up and down garage ramps. Such environmental savings may need to be measured against energy costs required to operate the mechanical aspects of garage.

We note that the site plans do not show accommodation for bicycles. Bicycling has become an increasingly popular form of transportation and it is forecasted to continue to grow as a transportation mode. We encourage the City to work with the applicant to provide bicycle parking on this site.

6. PUR overlay criteria. The City's requirements for the PUR special permit specify a 2-acre minimum site size. We note that the site of the main construction is 1.1 acres with the additional acreage being provided by the existing Trolley Barn site and the lot area of the three small multi-family buildings across the street. We also understand that the Trolley Barn site was used in a previous development application to obtain minimum acreage for a PUR.

The County Planning Board supports the applicant's proposal to both connect the new development to the Trolley Barn lofts as well as to rehabilitate the three smaller buildings. We recommend that the City consider a review of the PUR criteria to determine if a smaller site area requirement may be better suited for downtown PUR projects.

PROJECT DESCRIPTION

As proposed, the development involves the construction of a 26-story, 412-unit multifamily residential building (containing a unit mix of 24 studio, 266 one-bedroom and 122 two-bedroom apartments with 20% of the total designated as affordable) as part of a planned unit redevelopment (PUR) of a 2.04 acre site on Buena Vista Avenue in downtown Yonkers.

The site, located within the Downtown Waterfront (DW) zoning district, is comprised of ten tax parcels containing various buildings that will either be retained, renovated, moved or demolished. The northernmost parcel on the site contains the existing Trolley Barn live-work loft building, which will be retained and connected to the proposed apartment building. The new apartment building will be constructed in a 1.1-acre area requiring the complete demolition of seven buildings, as well as the partial demolition of an eighth structure - Teutonia Hall. The project proposes to retain the front façade of this building, due to its historical qualities, and move it southward to become the partial façade of the proposed parking structure. This structure would house a 540-space mechanized parking garage that would be both above and below ground. The applicants also propose the construction of a hydroponic rooftop garden (to be known as Teutonia Farm) above the garage, which would be irrigated using an on-site rainwater retention system. This project element, along with a proposed geothermal heating/cooling system and other sustainable building elements, will be a part of the applicant's stated attempt at LEED certification for the development.

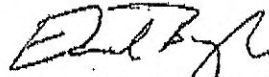
In addition, the project includes the rehabilitation of three existing, small multi-family structures located on three tax lots on the opposite side of Buena Vista Avenue. The project proposes immediate façade restorations for each structure as well as interior renovations of the apartments inside as the apartments are vacated over time. These lots total 0.26 acres.

The applicants are seeking a planned urban redevelopment (PUR) approval for this project which involves both a site plan review as well as a special permit review for the application of a PUR to the site. According to the Yonkers Zoning Ordinance, PUR's must be at least 2 acres in size and, once approved, shall not be required to meet the dimensional or use requirements for the district in which they are located, or the off-street parking and loading requirements. In addition to these approvals, the project may also require an amendment to the Riverview Urban Renewal Plan.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By:


Edward Buroghs, AICP
Commissioner

EEB/KE

cc: Hon. Kenneth Jenkins, Chair, County Board of Legislators, 16th District
Hon. Jose Alvarado, County Legislator, 17th District
Thomas Lauro, Commissioner, County Department of Environmental Facilities
John Hopper, Mosquito Control Program Director, County Department of Health

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Robert P. Astorino
County Executive

Cheryl Archbald MD MPH
Acting Commissioner of Health

January 18, 2011

City of Yonkers Planning Bureau
87 Nepperhan Avenue, Suite 320
Yonkers, NY 10701

Attention: Lee Ellman, AICP, Planning Director

RE: Buena Vista Avenue Tetuonia Development
92 Main Street, 41-66, 66 and 72 Buena Vista Avenue

Dear Mr. Ellman:

The Westchester County Department of Health (WCDH) has reviewed Draft Environmental Impact Statement for the above referenced development and has the following comments.

- 1. *Project Description states "proposes to construct a transit-oriented residential development in the City of Yonkers...The Project involves the redevelopment of a number of vacant and/or underutilized properties within the downtown waterfront area.....construction of a 25 story, 412 dwelling unit apartment building with an ancillary clean-tech automated parking garage and rooftop hydroponic garden..In addition, the facades of three existing residential buildings at 66-72 Buena Vista Avenue would be rehabilitated.."*

The proposed development may require approval as a realty subdivision from this Department in accordance with Article X of the Westchester County Sanitary Code:

- 2. *Volume II Page 3.3-6 Utilities states "Geothermal system will be installed to heat and cool residential and common areas associated with new apartment building"*

The proposed geothermal system may require approval from New York State Department of Environmental Conservation.

Should you have any questions please feel free to contact this writer at 914-813-5149.

Respectfully,

Natasha Court, PE
Associate Engineer
Bureau of Environmental Quality

cc: Lou Carrea, PE
Delroy Taylor, PE
Carlos Torres
File

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145 Huguenot Street
New Rochelle, New York 10801

Telephone: (914) 813-5000

Fax: (914) 813-5150

8



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

Andrew M. Cuomo
Governor

Rose Harvey
Acting Commissioner

Historic Preservation Field Services Bureau
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643
Lee J. Ellman
City of Yonkers
87 Nepperhan Avenue
Yonkers, New York 10701-3892

February 23, 2011

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Re: SEQRA
Buena Vista Teutonia Pur
Buena Vista Avenue Between Prospect and
Main/YONKERS, Westchester County
10PR07943

Dear Mr. Ellman:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. Our staff has reviewed the documentation that you provided on your project. Including the Draft Environmental Impact Statement (DEIS), prepared by time Miller Associates in December 2010 and the Phase 1A Literature Review and Sensitivity Analysis prepared by City/Scape Cultural Resources Consultants in August 2009 and included in the DEIS as Appendix H.

In cases where a state agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 requires that agency to initiate Section 106 consultation with the State Historic Preservation Officer (SHPO).

Based on our review we have the following comments with regard to archaeological concerns:

The Phase 1A document examined a larger APE than is identified in the DEIS. It is assumed this means that some parcels along the east side of Buena vista Avenue which were originally considered for development have now been dropped from consideration. This is understandable, however it should be specifically pointed out in the Historic Resource Section to avoid any confusion.

The Phase 1A suggests that there is no potential for prehistoric deposits, however, OPRHP can not concur with that assessment for several reasons. While it is true that historic activities are likely to have heavily impacted surface deposits in many areas, there are locations (residential parcels) where it seems that areas of original soil may have never been built on and where original intact soils may be present. Additionally, the geotechnical report (Appendix D) indicates that fill ranging from 2.5 to 12 feet in depth is present at each boring location throughout the project area (borings limited to west side of Buena Vista Ave. and south of Hudson St.). The actual depths of fill suggests that the original landform sloped downward toward both the Hudson and Nepperhan Rivers from high points along Buena Vista Ave. Even along Buena Vista, original soils seem to be located beneath 3-4 feet of fill.

Depending on when this extensive filling occurred, it may have actually served to preserve rather than destroy prehistoric deposits. ORPHP recommends that any Phase 1B investigations conducted take this into account and start from the assumption that prehistoric deposits may be present beneath the fill levels.

The DEIS states that "Cityscape, the Applicant's cultural resource consultant, has determined that no additional archaeological investigation is necessary for the properties on the east side of Buena Vista Avenue since significant alterations are not proposed to these properties... (Section 3.7.2, page 3.7-5). Later in this section additional comments are made regarding which lots on the west side of Buena Vista Ave have been recommended for Phase 1B survey. However, in our review of the report we can find no such statements. ORPHP suspects that there is a table missing from the version of the report submitted to us which may back up these claims. The report refers to a table which should identify the "potential of any lot to contain intact historic archaeological resources" (page 18), but no such table is within the version we have received.

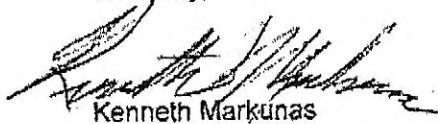
ORPHP concurs with the report's recommendation that Phase 1B archaeological testing is needed on some parcels, however, as noted above, we recommend that the potential for prehistoric deposits located beneath the fill be considered, and we can not concur on which specific parcels should be tested until the noted discrepancies have been addressed.

Considering above grade historic resources, enclosed please find a listing of adjacent and nearby resources that will likely be impacted in some form by the proposed project. The adjacent former Trolley Car Barn is National Register listed and a physical connection to the building is proposed under the current project plan. We will have to review the design and construction details of how the connection will be accomplished before we can offer our final comment and recommendations for the project. Although Teutonia Hall is not listed in the National Register, it has been determined to be eligible for listing and the demolition or relocation of a listed or eligible property is considered the definition of an adverse impact/effect under state and federal law. Our office has not been contacted regarding state or federal agency involvement with the project but we suspect that it may be only a matter of time before Section 14.09 or Section 106 consultation is undertaken. If and when a state or federal review for the project is initiated, we will have to ensure that reasonable alternatives for retaining/reusing Teutonia Hall in its current location have been considered before we can concur with the proposed project.

The other National Register eligible and listed properties on the attached form (including the Palisades Interstate Park a National Historic Landmark) in the vicinity of the project will have impacts/effects related to view-shed issues. Impacts of this nature are considered 'indirect' but they can have a substantial negative result when historic landscapes are involved. For the purposes of the SEQRA review, we are concerned with the historic properties that will be directly effected by the project, the Trolley Car Barn and Teutonia Hall. Please forward the details of the building connection along with any additional information on the alternatives of retaining Teutonia Hall that were presented in the DEIS (e.g., associated costs).

Once our office has the requested archeology and building information, we will be able to offer our complete comments and recommendations under SEQRA. If that are any questions regarding archeology, please contact Doug Mackey at ext. 3291. My ext. is 3273.

Sincerely,



Kenneth Markunas
Historic Sites Restoration Coordinator

Attachment: Historic Resources

Buena Vista Teutonia Pur
10PR07943
Building List

Direct Impacts

Teutonia Hall (NRE) 49-51 Buena Vista Ave	11940.000565
Trolley Car Barn (Listed) 92 Main Street	01NR01765

NR Buildings in view-shed

Public Bath House No. 4	90NR02476
Philipsburgh Building	02NR01911
St. John's Protestant Episcopal Church	90NR02467
US Post Office—Yonkers	90NR02477
Philipse Manor Hall	90NR02462
Bell Place-Locust Avenue Historic District	90NR02472
John Copcutt Mansion	90NR02473
Public Bath House No. 3	90NR02475
Old Croton Aqueduct	90NR02435

Significant NRE Buildings in view-shed & Adjacent to project

Mill Street Historic District

(Large portion of the Downtown bordered by Warburton, Main, & North Broadway. NR Listing sponsored by the City of Yonkers and listing to be completed in spring of 2011)

US Post Office—Yonkers	90NR02477
Yonkers Railroad Station	11940.000627
11 Alexander Street – North Yonkers Pump Station	11940.001048
50 Hudson Street St. John's Lutheran Church	11940.000441
101 North Broadway Women's Institute	11940.000302
189 North Broadway Gospel Mission Church	11940.000305
87 Nepperhan Yonkers Health Center	11940.001103
130 South Broadway Masonic Temple	11940.000125
16-18 South Broadway Manhattan Savings Bank	11940.000115

9

BUENA VISTA TEUTONIA PUR

DEIS

Volume 1

Written Comments by

PATRICIA D. MCDOW

Majority Leader, Office of the Yonkers City Council

February 24, 2011

EXECUTIVE SUMMARY:

Page 1-1:

3rd paragraph: 25 stories, 412 units –

The trolly barn has 40 one bedroom lofts – is the 40 part of the 412 units? Are these units included in this equation?

4th paragraph: Are the developers in contract or negotiations with the current owners of 66-72 Buena Vista Avenue?

- These are the individual lots located directly across from the project.

Page 1-2:

4th paragraph: How will the developer plan to remove the contaminated soil through out the community?

7th paragraph: Referencing Steep Slopes:

What will the developers do to avoid a similar catastrophe that occurred at Velocity Greyston Apartments at **1077 Warburton Avenue?**

This project was a 79 Unit rental apartment development, project of the REMI Company, developer/owner.

While construction was underway, a neighboring private home, owned by elderly woman, suffered severe foundation damage - (**1065 Warburton Ave, Mrs. Bishop**) Foundation was compromised and house was declared unsafe, thus, being condemned by the City and homeowner could not return back to her home. As Council Member I would not want to see another homeowner experience a tragedy such as this.

Page 1-4:

4th Paragraph: Referencing Storm water storage:

Is the developer citing his project alone or his he referencing a combing all the projects?

Will the storage of the storm water be able to handle to all the projects?

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Page 1-5:

1st paragraph: Manhole covers:

Who is building and installing the new manhole covers required for this project?
Will the City be absorbing the cost or the developer?

Page 1-6

1st paragraph:

Will the storm water run off affect Metro North railroad?

2nd paragraph:

How can the City of Yonkers supply potable water to the project site, when developers are supposed to be utilizing gray water instead?

5th paragraph:

Municipal Water will not be used for the irrigation system. If this is true, do the developers have a back up plan B incase the system fails?

Page 1-8

City of Yonkers is requesting that all overhead lines be buried underground. In reference to this matter, which entity will absorb the cost of this process – the City of Yonkers or the Developer of the project?

Page 1-11

1st paragraph:

Encroachment Agreement: Please explain or clarify definition of this process as it pertains to this development. Please give specific details.

2nd paragraph:

Does the City Council of Yonkers have to vote on the amendment of the density of the Riverview Urban Renewal Plan?

What other projects or lots within the proposed plan can utilize the newly proposed density?

Please be more specific as it pertains to the location of the Day Care Center Park as to where it will fit in. To my knowledge there is no vacant lot or enough property in front of the Day Care to actually build one.

- Please elaborate how this will be done.

Referencing the same topic as mentioned above, what 3 existing residential buildings is the developer planning on demolishing?

Page 1-12

Paragraph 8: Zoning

Will new Zoning allow other developers to build at the same height as being proposed for the Teutonia Hall Project?

Page 1-17

5th Paragraph

The public open space area potentially affected by the project shadow during the winter months is the promenade at the recreation pier. This is going to have a direct my home residence. It is my belief that the entire portion of the Hudson Park Area will be negatively affected by the height of this project causing a shadowing over other complexes such as 1 Pier Point Street.

Page 1-18

Last Paragraph:

What steps or procedures will the developer utilize in removing the façade to avoid crumbling?

Is the application of the Brown Field cleanup complete? If so, when was it submitted?

Page 1-20

3rd Paragraph

Can the City of Yonkers Fire Department adequately and sufficiently handle responding to fires and medical emergencies for this proposed height?

Page 1-12

Last sentence:

How much does the developer anticipate the revenue to be as it pertains to funding of the Fire Protection as mentioned in the second line of this paragraph?

Page 1-24

Paragraph 3

Property Revenues:

If the County and City go forward with a Countywide Reassessment, how will this affect the proposed revenue for this project?

Page 1-25

Paragraph 1

Please explain and clarify the topic as it pertains to **Paragraph 1.**

- What is the time period for the Brownfields Clean-up for this project?
- What are the requirements to assure that the developers stay within compliance of the application?

Employment

Paragraph 6 & 7:

Comments: I would have like to a larger volume of permanent employment

- Out of 26 jobs that will be created out of the garden, concierge, full time leasing agent, office management & building maintenance, I am hoping that the developers will employ as many people from within the community as possible.
- Job Fair/Job Search should be created to assure that the people within the community to be trained properly and every opportunity given to them.

Page 1-26

1st Paragraph:

20% of the project will be affordable housing; how many percentages of affordable housing units were put aside for 66 main street?

- If is not the same number, please explain why?

General Comment Regarding Handicap Accessibility

Are the developers complying with NYS guidelines for disabled individuals?

- Referencing 66 Main Street, the developer failed to install handicapped accessible amenities as well as proper curb cuts to allow access for disabled individuals.

Page1-30

Construction Noise:

- How will the developer, adhering to the Federal and State regulation and Chapter 66 of the Code of the City of Yonkers referencing noise, will be enforced so as not to allow supply trucks do not deliver supplies at odd hours, i.e. 2, 3 or 4 a.m.?
- While 66 Main Street was under construction, supply trucks were delivering supplies all hours of the night.

Page 1-31

6th Paragraph
Hazardous Materials during demolition

A Health & Safety plan will be implemented for the onsite workers to address the situation until the soils are excavated and addressed and removed.

- Will this document be shared?

Page 1-32

2nd Paragraph:

Storage Tanks:

- Once tanks are removed, what required Brownfield Clean up will be needed at the time of these tank removals?
- What impact will the airborne dust and vapors have upon Queen Daughters Day Care Center in addition to the neighboring businesses and residential sites?
- Will notification be sent out to the community and council member of the district?

Page 1-33

Paragraph 4

What plan will be put in place for the parking/storage of construction trucks and employee vehicles? Please explain and clarify.

- To my knowledge, I don't believe there is a large enough parcel of land to house all these vehicles.
- I would kindly suggest that the contractor be considerate of other drivers and school buses during rush hour so as not to increase congestion during rush hour.

Page 1-34

Will the developer be receiving any special consideration or special permits to work outside of any normal parameters as contained or noted within the city charter?

- If the developer or contractor is going to receive any special privileges, As the Majority Leader, City Council Member for the district, I am kindly suggesting that any action taken should first be discussed with me and my fellow colleagues.
- Will the developer be receiving special privileges to extend working construction periods that are not within normal business hours?



YONKERS COMMITTEE FOR SMART DEVELOPMENT

29 Rockland Avenue, Yonkers, NY 10705

10

February 24, 2011

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YCSD DEIS WRITTEN COMMENTS BUENA VISTA TEUTONIA PUR

YCSD has several areas of concern with this project, some of which are discussed below. Other YCSD team members will submit additional comments.

1. RESIDENTIAL BUILDING HEIGHT AND DESIGN

The YCSD team is not able to endorse a 25-story reflective glass residential tower on Buena Vista Avenue. This building is out of scale and architectural character for the neighborhood. It is placed on the highest promontory in the immediate downtown, which will make it appear even taller than 25 stories. It is inappropriate to compare it to the projected SFC waterfront H& I parcel residential buildings which directly to the west on the waterfront. Those proposed buildings are both farther from the rest of the low-rise downtown and at a lower grade level at the waterfront. The Teutonia project will be considerably more visible from north, south and easterly points in the city. Furthermore, even though it can be aesthetically acceptable to mix architectural periods and styles within the same block, in this case the building is SO large that even a street façade designed to hide the architectural dissimilarities is not enough to make this an acceptable permanent addition to the downtown.

An important question, as well, as what COY zoning redistribution is envisioned under the current new Master Plan and Rezoning Project being undertaken by the Planning Department. Should a project this massive be allowed to move forward just as the city is creating a comprehensive urban redesign which includes this particular block?

The reflective glass facade is a threatening problem along the Hudson River, one which has been proposed with not enough thought to the inescapable fact that the Hudson River is the migratory Atlantic Flyway for literally millions of songbirds. Glass construction along the Flyway, particularly reflective glass as the developers wish to use in order to lessen the visually looming character of the tower, should be rejected immediately by any city planning department. There are annual migratory bird deaths by the thousands as birds are confused and distracted by glass towers and plate glass windows and fly into them. There are serious consequences to building with glass along the Flyway.

2. PUR ZONE

The DEIS states that the developers have assembled a PUR zone of 2.4 acres. YCSD has questions about the viability of this PUR Zone.

a. Without the .2608 acres encompassed by the three private houses on the east side of Buena Vista Avenue, the developers do not have enough acreage to qualify for a PUR Zone. The redevelopment for the three houses is limited to restoration exterior façade work, such as window treatments and replacement of aluminum siding with more appropriate materials. Although it is a laudable goal to restore these buildings to their former glory, YCSD is not convinced that this minimal amount of work, which any homeowner could do under the aegis of

COY basic residential zoning, can legitimately count toward a PUR Zone which will override city zoning and remove the project from zoning regulations.

b. Trolley Barn

Again, the Trolley Barn is counted into the PUR Zone application, but the only work to be done on the Trolley Barn is to cut a connecting door and passageway into the proposed residential tower. The inclusion of the Trolley Barn in the PUR zone seems a slim mechanism by which to claim enough acreage for a PUR Zone.

c. Yonkers new Master Plan and Downtown Rezoning – DEIS 3.4-9 (and Figure 3.4-6)

The developers acknowledge in the DEIS that the three east side private houses may be demolished by the city as part of the new Master Plan, which envisions a public park on that site. It seems specious at best to incorporate this acreage into a PUR zone application when the city may have other plans for the site.

d. Construction Schedule

It is unclear in the projected construction schedule *when* the three private houses are scheduled to be restored. Are the developers leaving this part of the project for the final stages, in case the city does request purchase of these properties for replacement by a public park? Again, should these buildings even be considered part of a PUR Zone if the unstated assumption in the DEIS is that they are to be demolished by the city?

3. SHADOW ANALYSIS – DEIS 1-17

YCSD would like to see additional shadow studies to see what effect there will be on the newly daylighted Saw Mill River and the park around it. If the shadows will reach Philipse Manor Hall, the Train Station, and the Riverfront Library, as stated in the DEIS, there is certainly cause for concern about the use of the new park and the fate of the landscaping to be installed and maintained at considerable public expense. It is vital to know the extent of the shadowing, the time of year and day. The park is envisioned as a sunny location for public enjoyment.

4. HUDSON RIVER WATERSHED – DEIS 3.4-12

The NYS DEC may have a role to play in approving storm-water mitigation measures in the critical environmental area.

Submitted by:

Terry Joshi

President, YCSD

mommytootoo@hotmail.com

914-969-4142



YONKERS COMMITTEE FOR SMART DEVELOPMENT

29 Rockland Avenue, Yonkers, NY 10705

11

February 25, 2011

YCSD DEIS Additional WRITTEN COMMENTS BUENA VISTA TEUTONIA PUR

YCSD respectfully submits additional questions and comments as follows:

Brownfield remediation

Is the Teutonia site still participating in the NYS DEC Brownfield cleanup program and is remediation expected to occur? Have alternate remediation methods been investigated other than demolition of Teutonia Hall, and comparative cost/benefit analyses been performed? If so, can these be made available as part of the FEIS?

Historic Resources

RE:

Phase 1A Literature Review & Sensitivity Analysis 17

Buena Vista Avenue Redevelopment Block 511 & Block 512. City of Yonkers. Westchester County, New York

The following statement is made:

Cartographic research conducted indicates that the structures located on the southern portions of the project area date to the mid 19th century.

However, there is no discussion of the potential historic significance of the former stable building and homes cited at:

- Lot 13 43-47 Buena Vista Ave Abandoned Commercial
- Lot 21 61 Buena Vista Ave Multi Family Residential
- Lot 23 65 Buena Vista Ave Multi Family Residential

which appear to date from the 1850s to the latter part of the 19th century. This in and of itself would render them potentially historically significant, given the backgrounds indicated in Table 2. Yet there is no historical or architectural assessment of these structures that are slated for demolition. In particular, the former stable building at Lot 13, with attractive decorative ironwork, appears to have become an annex to the Teutonia Hall building at some point in time, and this connection needs to be explored.

Page 18 of the same section indicates:

In conjunction with the information gathered from the historic sources, the Sanborn maps provided that basis for an archaeological assessment of each of the lots on each of the blocks within the Redevelopment project area. The approach taken was to identify each of the lots within the blocks. Based on the historic research and this assessment, a determination was made concerning the potential of any lot to contain intact historic archaeological resources. **This information is presented in the report in tabular form.** The report's findings indicate that the

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historic archaeological potential of the majority of the parcels within the Redevelopment project area is moderate on those lots that have rear yard areas.

Please provide the report and table specified.

Also, the following recommendation is made:

Based on the material presented above, it is the recommendation that a Phase 1B survey plan be developed that will specifically identify the areas requiring archaeological investigation. These would be the rear yards of lots that have been undisturbed, and have the potential to contain a privy or cistern feature.

Please provide evidence that a Phase 1B survey has been or will be conducted prior to any demolition or site disturbance. This should be a condition of any approvals granted for the project.

Trolley Barn:

Since this is a National Register site, has the NY SHPO been consulted regarding the proposed alteration to the building to connect it with the proposed skyscraper? It appears that alteration to the exterior wall of the Trolley Barn would be necessary in order to connect it to the new building. In addition, the potential construction impact, as well as permanent visual impact, to the trolley barn of the proposed new skyscraper should be submitted for review to SHPO for comments and guidance in order to mitigate the potential negative impact on the Trolley Barn.

4.0 UNAVOIDABLE ADVERSE IMPACTS

In this section, the following statements are made (emphasis mine):

Development of the Project would result in environmental impacts that cannot be avoided regardless of the mitigation measures considered in Section 3.0 of the DEIS. *These impacts are temporary in nature and associated with the construction phase of the project.*

"There are no long-term unavoidable adverse impacts anticipated as a result of this Project. Mitigation measures intended to avoid said impacts are set forth in this DEIS."

This ignores the adverse impact of demolition of Teutonia Hall, a significant local historic resource, as well as the potential adverse impact of the demolition of the two multifamily residences north of the Day Care center, as well as the former stable building to the north of Teutonia Hall.

Finally, this statement belies the potential negative impact of the proposed skyscraper to the Hudson River and Palisades viewshed.

Deirdre Hoare Rylander
Member-at-Large
Yonkers Committee for Smart Development

Review of the Buena Vista Teutonia Draft EIS for the Yonkers Landmark Preservation Board

The 25 (plus 3 additional floors exposed at the downhill side of the site) story tower proposed in the Buena Vista Teutonia PUR Draft Environmental Impact Statement presents the following Environmental problems:

Issue Comment

1. PUR *The Site Is Too Small to Meet PUR Requirements.*

The size of the project site on the west side of Buena Vista Avenue is **1.7759 acres**, including the existing Trolley Barn. This site is too small to comply as a Planned Urban Redevelopment, which must have a **minimum of 2 acres**. The developer has purchased three small houses on the east side of Buena Vista and has included their lots into his Lot Area Table calculation, as if it were part of the development site, even though they are non-contiguous, in order to try to achieve the required 2 acres to be a PUR. If the guidelines were written to give guidance on how zoning and urban planning should proceed, by declaring minimum sizes of places that would be appropriate for large developments, this "gerrymandering" of lots would seem to be outside of the intent of the guidelines, and the developer's interpretation should not be allowable.

2. Height *The Project is Too Tall – Cramming Too Much Density on Too Small a Site Makes this Project Twice the Height of all Existing Waterfront Apartment Towers.*

- 337.5 feet above the River is too much height for this location
- 28 total stories vs 4 to 14 stories
- 69.5 feet higher than Palisades Point

The Proposed Project is a total of 28 stories when viewed from the Pier. Drawing A1.9 shows that the top of the proposed tower would be **285.5 above average grade**. That would be **337.5 feet above mean sea level**. (This measurement is to the top of the very large penthouse which would be quite clearly visible from sites other than directly below on Buena Vista.) In contrast, other nearby new waterfront residential buildings are typically 4 to 14 stories high, with grades near sea level. Palisade Point, a nearby project which has been approved, but not built, would begin at 6 feet above mean sea level and be **262 feet high**, therefore, rising to a total of **268 feet above mean sea level**. The top of the tower proposed for Buena Vista would be 69.5 feet higher than Palisade Point.

3. Bulk/ Density *The Project is Too Dense – At over Half Million Square Feet, the Project Is Almost Twice as Dense As Allowable by Zoning.*

- Proposed PUR of Well Over ½ million sf (599,887sf) = FAR 6.95*
- Proposed Complex of Over ½ million sf (584,000 sf) = FAR 8.9*

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Page 1 of 4

2/25/11

Review of the Buena Vista Teutonia Draft EIS for the Yonkers Landmark Preservation Board

- New Buildings of Nearly ½ million sf (488,150 sf) = FAR 11.7*
- Allowable FAR by Zoning of 4.5 would limit it to 225,000 sf
- *599,887 sf (well over ½ million sf) PUR. (see Drawing CO.1) spread over the entire proposed 2.4 acres (88,762.63sf) assumed to be in the PUR (including the Trolley Barn and the 3 houses across the street) would create a FAR of 6.95, or 35% more than allowed by zoning.
- *584,887 sf (over 1 Million) complex on the contiguous 77,425.51 sf parcel (including the Trolley Barn) on the west side of Buena Vista would result in a FAR of 7.55 or 40% more than allowed by zoning.
- *488,150 sf of new construction is being proposed on a 49,959.4 sf footprint would be a FAR of 11.7, or 60% more than allowed by zoning.

Any way one considers the project boundaries, such a large FAR would set a bad precedent. A FAR of 6.95 on the ShopRite site could result in a project of over 1.5 million sf.

4. Floorplate *The Floorplates Are Too Big – The Proposed Tower Floors are Over 43% Larger Than Palisades Point Tower Floors.*

- Proposed tower floor plate 17,197 sf
- Palisades Point towers are only 11,000 and 12,000 sf

A much lower building and/or a small floorplate point tower would block fewer views. Allowing such a large floor plate would set a bad precedent for other future developments.

5. Views Blocked *The Height and Bulk Caused by Large U-Shaped Floors Will Block River Views from all Directions in All View Corridors.*

Due to the large floorplates spread into a U shape floor plan, the tower would it would:

- be a slab, arranged parallel to the river, but also
- be a slab, perpendicular to the river
- block most number of views possible

As proposed, the tower would become fortress-like walls blocking views of the river from other sites, and blocking and truncating existing view corridors toward the river from locations, including but not limited to street views, uphill from the site. The views of the Hudson River and Palisades beyond are one of the most valuable assets in the downtown. A wise plan would attempt to maximize that asset to the most number of locations, as an incentive for investment and development to a broader portion of the downtown. To give away an undue percentage of that asset to a few developers close to the River's edge, especially to a U/slab tower, will render other sites, which now hold that asset, less valuable, and will discourage further redevelopment.

Review of the Buena Vista Teutonia Draft EIS for the Yonkers Landmark Preservation Board

6. Scale ***Doubling the Allowable Density Creates a Tall and Bulky Building That Overpowers the Small Scale of Adjacent Trolley Barn, Teutonia Hall and other Historic Resources.***

The proposed tower would be massively out of scale with:

- The **Trolley Barn**, which is on the National Registry of Historic Places, and **eligible to be a Yonkers Historic Landmark**
- **Teutonia Hall** which is considered to be locally Landmark eligible
- The three small historic houses across Buena Vista Avenue, where the applicant proposes to undertake some exterior restoration.

7. Setbacks ***Lack of Setbacks Creates a Tall Sheer Wall on a Narrow Street.***

The proposed tower would be too much height, directly, without setback, on Buena Vista Avenue, which is a very narrow street. The new Downtown Zoning Plan should evaluate minimum tower setbacks to be allowed from street frontages, taking into consideration street widths. Maximum tower heights should also take into consideration adjacent street widths. This project should be redesigned to comply with good urban design setback and street proportion guidelines.

8. Shadows ***This Bulky Tall Building will Cast Shadows on Civic Buildings, Parks, Open Spaces and Historic Structures.***

The proposed tower would cast new shadows on historic resources such as the City Recreational Pier, which is a designated Yonkers Historic Landmarks, the Trolley Car Barn and the Yonkers Post Office, which are on the National Register of Historic Places, the beautiful historic Yonkers Train Station, the exterior public spaces adjacent to all of these historic sites, and a great portion of the downtown waterfront. Shadows from the proposed tower might be cast onto Philipse Manor Hall (if true grades are considered) and would be cast on its grounds, both of which currently have been accepted as Historic Landmarks Applications. The shadow studies presented in the EIS were evaluated as if the entire downtown were a flat plane, rather than a steep hillside. The actual condition, where the tower would be built uphill of most of these historic resources would mean that the reach and duration of additional shadowing would likely be even more of a problem than what was identified in the EIS diagrams.

9. Wind ***Height and Lack of Setbacks on Narrow Street Causes Wind.***

The Draft EIS is lacking in explanation of wind study.

High buildings usually create new gusty wind situations, known as the wind tunnel effect. 3.10.2.2 Potential Wind Effects in the EIS claims that the building would no accelerated winds but only mentions wind on Buena Vista Avenue, and does not describe a full explanation of scientific backup to support this claim. The effect of additional wind in

Review of the Buena Vista Teutonia Draft EIS for the Yonkers Landmark Preservation Board

the downtown as a result of the proposed tower should be studied, and explained, especially given the proximity to the Hudson River, where westerly wind forces may be distorted by the tower. Wind impacts should be examined for the other streets in the area, the waterfront and the important public open spaces nearby.

10. Summary

This would be a very good location for a development, on a more modest scale, that would be respectful of Yonkers Historic resources, and would employ good urban design principles to enhance and add value to the downtown. The tower is, for all of the reasons stated above, inappropriate for this site.

13

HARJIT S. JASSAL
A R C H I T E C T
728 WARBURTON AVENUE, YONKERS, NY 10701

914-602-4000, cell 914-645-3313
email: jassals@aol.com

February 14, 2011

Buna Vista Teutonia Pur

COMMENTS

1. If Front Façade of the Teutonia Hall gets Land Marked

- Then you have a structure that was felt worth preserving and has been designated as a land marked façade.
- The Developer in their presentation has presented that the Front of the Teutonia Hall is an important elements of the building from the Historical point of view therefore it should be Land Marked. The developer is also stating that he is planning to demolish the "Land Marked" front of Teutonia Hall after getting it "Land Marked" and reconstruct a **replica** of that would look like the "Land Marked" Teutonia Hall façade with the materials salvaged of the "Land Marked Structure".

In my opinion, the newly constructed replica of Teutonia Hall Front is not going to be worth anything, because it will not have the antique value, feel and look.

Just imagine "Mona Lisa" painting.

Today we have better paints, better surfaces and may be better painters. Therefore the "New Mona Lisa Painting" will not even have the any surface cracks and may even look better. But what about the value of the new creation. May be nil as compared to the original.

Yonkers Community does not want to fall in the same trap.

2. This project is being filed under Planned Urban Redevelopment (PUR).

- Under PUR the minimum (contiguous) track of land should be 2 acres.
- This project consists of two tracks of land on east and west side of Buena Vista Street and thus are two separate tracks which are not contiguous.

3. Buna Vista street has a unique character with the;

- Trolley Barn Building,
- Teutonia Hall building
- And the existing houses and structures
- It quite evident from the developer's documentation

The proposed building does not seem to fit into the fabric of the cityscape from the point of view of the character and proportions.

RECEIVED

FEB 25 2011

CITY PLANNING BUREAU

Christine Carney

From: Christine Carney
Sent: Thursday, February 03, 2011 10:54 AM
To: Christine Carney
Subject: Teutonia Hall

From: John Pinegar [mailto:JPinegar@gruzensamton.com]
Sent: Monday, January 24, 2011 10:08 AM
To: Lee Ellman
Subject: Teutonia Hall

14
RECEIVED
JAN 24 2011
CITY PLANNING BUREAU

Lee,

I will try and attend the meeting this Wednesday, but in case I don't I wanted to at least send my thoughts on this.

I live in the Ludlow Park neighborhood, and had occasion to see a short presentation of the project at a neighborhood meeting this last fall. I have to tell you that I am an architect, and have a viewpoint that may be a little different than most. I found the proposed project appalling from several angles, though I tried not to skewer the presenter of the proposal (who I understood was the owner/developer of the project). He was surprisingly unwilling to discuss things as 'context in the neighborhood', saying 'I don't know, I'm not the Architect'.

The proposed 25 story glass tower is completely out of place in that particular neighborhood. Nothing nearby is remotely similar either in height or appearance. There is no neighborhood context. The tower has no resemblance to adjoining properties in the neighborhood. It is not unlike that monstrosity that was erected in the downtown area of White Plains.

The developer is supposedly going to take the Teutonia façade (because the rest of the building supposedly isn't worth saving) and move it away from his tower, and that is going to appease the preservationists, and he is going to refurbish 2-3 other houses across the street and down the block, which will also calm the preservationists. He is also going to have a garden roof over a parking garage which will make the project green, and it is going to be a teaching garden, and so forth. It is laughable that these elements are supposed to assuage everyone's feelings about the fact that you are introducing 25 stories of glass tower in a neighborhood of 1 and 2 story houses and other low buildings. His site is up the hill, so 25 stories towers even higher than were it to be down below by the river or by Main Street. It is completely inappropriate to build 25 stories there. I would say the same thing if the construction were brick or stone. It is just too far out of context.

The other thing that will create problems is the fact that Buena Vista is a small narrow street that on a good day has slow traffic because the street is narrow. Off street parking helps, but doesn't hide the fact that you are introducing a lot of extra traffic to a tight space, and decreases the quality of life in an area where the quality of life may already be lower than many areas. In addition, because off street parking is always paid, even in your own building, some of the residents will elect to park on the street, stretching that rare resource out even further in that neighborhood.

Unless the developer elects to shorten the height by no less than half, I would be willing to fight against the granting of permits to build this tower on Teutonia Halls site. It appears like someone has told the developer that he needs to dress up his project to get points with the City, and his preservation of the

existing structures, while laudable, is only window dressing, as is his notion of having a teaching station green roof on the garage. Green points are important, but they are not worth achieving if you are going to erect the building as proposed. You can't use green amenities to mask the harsh realities of what is being built.

Like I said, I will try and attend the meeting to make some of these comments myself, but in case I can't, I wanted to pass them on to someone who can see that they get registered.

Thanks,
JP

John Pinegar
LEED AP
associate

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If you have received this transmittal and/or attachments in error, please notify us immediately by reply or telephone us at 212-477-0900 and immediately delete this message and all its attachments.

Thank you.



MEMORANDUM

Date: January 24, 2011

To: Mr. Roman Kozicky, Chairman
Members, City of Yonkers Planning Board

From: Syrette Dym, AICP

Project Number: 28307

Re: Buena Vista – Preliminary Technical Review Comments on Buena Vista
Teutonia PUR DEIS of December 9, 2010

The Buena Vista Teutonia PUR Development DEIS was accepted as complete by the Planning Board on December 9, 2010 and the document was distributed to all involved and interested agencies and parties for technical review of the document. The VHB team has reviewed the DEIS and offers its preliminary comments for review by the Planning Board.

The attached memorandum from John Collins Engineers for traffic and parking and PS&S for utilities, stormwater, management, construction impacts, hazardous materials, geotechnical, air quality, noise and green house gas and energy indicate their technical comments on the DEIS.

VHB is responsible for land use and zoning, aesthetic resources, historic and archaeological resources, community facilities and services, fiscal impacts and alternatives review. The following are our technical review comments on those portions of the DEIS.

The public hearing is to be held on January 26, 2011 and projected closing of the comment period will be February 14, 2011. The Planning Board's consultants may have additional comments subsequent to the public hearing that incorporate additional concerns raised by Planning Board members, city staff, the public and outside agencies.

1.0 Executive Summary

Comments below to items that appear in the Executive Summary will also relate to material that appears in the detailed section of that area of concern in the DEIS. Responses to these comments may be supplied in an Executive Summary section or referred to responses in the main area of concern for that chapter of the DEIS.

Police Protection

Figure 3.8-2 does not indicate the location of the Police Department headquarters at 104 South Broadway as referenced.

445 Hamilton Avenue, Suite 404
White Plains, New York 10601
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email: info@vhb.com
www.vhb.com

Fire Protection

It is stated that the distance to fire service will be reduced when fire headquarters is relocated to New Main Street and Nepperhan Avenue from its current location at 5-7 School Street. What is not explained is what the status of this new Fire Station is and whether its construction is tied to development of the SFC project. Please explain the time frame for the new fire headquarters and its relationship to development of the SFC project, if any.

It is stated that the 1,206 fire incidents in 2006 and that all incidents were assumed to represent a residential rather than commercial structure. The calculation for future anticipated fire incidents is then made based on numbers of persons. It would seem that, since the incidents relate to numbers of residential structures that the basis should be all structures if known, or at a minimum, all housing units in 2000. If this is the case, then the 1,206 fire incidents in 2000 occurred out of 77,589 housing units which would translate into 6.5 incidents for the proposed 412 units proposed.

It is indicated that a single new hydrant is proposed on the west side of Buena Vista Avenue. Who would be responsible for funding and installing this hydrant?

It is stated that the Water Bureau and Fire Department will continue to assess existing hydrants and other fire protection infrastructure in the vicinity. When is this assessment earmarked to be complete? Please provide its conclusions in the FEIS.

The \$211,535 is stated as property taxes to be generated, in this case to the City. This figure is cited as the resource for funding any and all costs to the City that might be incurred by the project. While no single item may rise above a marginal cost due to this project alone, it would be helpful to know that at such time that additional fire protection personnel or equipment may be warranted due to this or other new development projects in the area, including the SFC project, what the average salary of a Yonkers firefighter and average annual overhead costs are to relate to the taxes to be generated to the City.

Fiscal Analysis

The impacts of application for tax credits relative to the hydroponic garden need to be explained further either here or in the fiscal impact section.

Employment

It should be stated here or in the fiscal section how many of the 5-10 jobs are likely to go to Yonkers residents.

Noise

Here or in the noise section, the length of the construction period should be stated.

Construction

What is the City policy regarding requests for police assistance that is known in advance as referenced here? Explain here or in the construction section.

1.4 Reviews, Permits and Approvals

It would appear based on the City's Zoning Ordinance that some additional approvals are required. Section 43.72c.4 seems to indicate that approval of a CDP (Concept Development



Plan) is required from both the Planning Board and City Council. In addition, it would appear that the City Council also has to issue a special ordinance authorizing encroachment in street right-of-way.

2.0 Project Description

Sanitary Sewer

Additional mitigation to providing remote television inspection of existing combined sewer and spot repairs may be required to offset increased project sewage flows. Comments from PS&S and the City need to be responded to.

Electricity

The location of the two transformers in the courtyard and their treatment should be identified.

Project Description of the Proposed Action

The type of relocation assistance, if any, to be provided to residents that will be displaced needs to be identified.

Table 2-1 –

92 Main Street is identified as Block 512 Lot 1 and Lot 11. It appears that Lot 11 relates only to 41 Buena Vista Avenue.

Table 2-1a- Building Program Details

Explain the difference between the 329,420 square feet for unit total square feet versus 355,569 square feet building net and 444,160 sf building gross square footage.

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The number of parking spaces is identified as 544 but as conceptual only to be verified by the mechanized parking consultant during design. How was the 544 space estimate derived? No figures are supplied for the square footage per parking space category. Can an estimate be provided?

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The unit type and number chart specifies 82 units but in fact only adds up to 80 units. Please reallocate the additional two units in the proper unit type category.

There is no recognition that the approximately 23 two bedroom units might accommodate families with children and there should be. This relates to the projected schoolchildren generation identified later in the DEIS.

Automated Parking

It is stated that the parking garage will occupy the three (3) ground levels of the new apartment building and the first and second floors of the building located south of the auto-court. It should be clarified that the garage will partially occupy the three ground levels of the apartment building and that apartments or apartment related uses will also be located on portions of these levels as shown in the Building Floor Plans in the Appendix.



Sustainability

Identify here or in later chapters the amount of additional impervious surface being introduced by the project development over that existing. It is also stated that the hydroponic farm will eliminate water from the combined stormwater/sanitary sewer system. Indicate here or in later chapter the amount of stormwater reduction due to the farm.

Regarding the encroachment agreement to permit geothermal wells in city right-of-way, indicate how this agreement is working relative to the Main Street Loft project. The special ordinance required to be issued by City Council authorizing the encroachment needs to be added to the list of approvals required.

Project architectural design

Figure 2-9 does not depict the buildings on the east side of Buena Vista Avenue. Please provide the correct exhibit.

The text indicates that the garage area immediately beneath the apartment building will not be visible because it is below the grade of the rail right-of-way. Indicate in the west elevation drawing where the Metro-North tracks lie relative to the depicted buildings. It would appear that landscaping is being provided to the rear of a portion of the garage shown in Figure 2-7. If there is not room for landscaping to the rear of the remaining portion of the garage, the rear building wall may require additional material treatment. The west elevation figure also does not adequately represent the location of the trash pickup area and loading area and how these will be seen or screened from views from the west. Figure 2-8 does not make clear what the proposed treatment for this area is and how it will work. Further explanation and alternatives need to be presented. The examples show treatment along public streets not in rear unattended areas that are likely to receive no maintenance.

Existing Zoning

Since the PUR special use permit identifies items that must be included in the Concept Development Plan and major signs and lighting are one of the items, there should be some narrative describing what these would be for the project, either here or in the appropriate section.

Article VI Supplementary Regulations

It should be identified if the City has made a determination regarding the need to comply with Zoning Ordinance Supplementary Regulations which help to regulate how a use takes place, instead of whether or not a use is permitted in a zone.

3.1 Geology, Soils and Topography

Page 3.1-5 – Connection of the Trolley Barn building to the proposed building requires a cut in the southerly brick wall. Are any approvals from SHPO needed to make this cut and connection and has this been called out in any review document sent to SHPO?

3.2 Surface Water Resources – No comment

3.3 Utilities

Electric and Natural Gas Service

When will further feedback from Con Edison be available regarding the capacity to serve the needs of the project?



Water Supply

The geothermal heating and cooling system is intended to augment the Combined Heating and Power (CHP) and reduce the consumption of traditional electricity and natural gas. What is the anticipated reduction in usage due to this system for both electricity and gas?

It is indicated that the details of the internal water distribution system for the proposed hydroponic garden and geothermal heating and cooling system will be provided at the time of project permitting. Are there any anticipated impacts that could vary due to the specifics of these systems that are not yet known? The water service upgrades referred to as potential mitigation that are under discussion with the City need to be detailed in the FEIS.

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It is indicated that the Water Bureau and Fire Department will continue to assess existing hydrants and other fire protection infrastructure in the vicinity of the site. That evaluation needs to be provided as part of the FEIS for determination of area adequacy and potential need for upgrades and mitigation.

Geothermal System

It is stated that the geothermal wells are not anticipated to adversely impact underlying soils due to the use of steel casing and that the exchange of natural groundwater via the system is not expected to adversely impact the underlying bedrock. What are the impacts that could occur and under what circumstances would these be likely to occur?

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The applicant's suggested inspection of pipe condition and spot repairs does not impact existing issues of inflow and infiltration. The requirements of the City to alleviate conditions in the vicinity of the project need to be identified.

3.4 Land Use and Zoning

Existing Land Use – Study Area

It is stated that the Chicken Island redevelopment will include a 50 story residential building adjacent to the proposed stadium. In fact, this is a mixed use building consisting of 39 residential stories over an 11 story mixed use base.

City of Yonkers Master Plan

Any impact or advantage of the project being located within a New York State Economic Development Zone should be stated.

Riverview Urban Renewal Plan

Based on the information provided, it would appear that the development does not comply with the provisions of the Riverview Urban Renewal Plan. The density is greater than permitted and the building is higher than would be described as medium-high density. Also explain what it means that the western site is not contained in a "Development Area". Indicate the steps necessary to revise the urban renewal plan, and the specifics of what the required amendments would be.

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It would appear that the Yonkers Downtown Rezoning Study of July 2010 as part of a second downtown master plan had identified the project site as part of the Buena Vista Downtown District and that district recommendations conflict in part with the project proposal.





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Yonkers Downtown Waterfront Master Plan

It would appear that the Yonkers Downtown Rezoning Study of July 2010 as part of a second downtown master plan had identified the project site as part of the Buena Vista Downtown District and that district recommendations conflict in part with the project proposal.

Specifically, a new park would be constructed directly across from the daycare center and proposed garage and a connector street would be placed from Buena Vista through to Hawthorne Avenue in front of the garage. Demolition of the three dwellings that are part of the proposed project would be required. Since the PUR requires a minimum 2 acre site, if this plan is adopted and enacted, how would it affect the proposed PUR since it would be a recently approved City policy in conflict with the plan?

NYSDOS Coastal Policies

Since the project will likely need clearance from the Federal Aviation Commission, it would be subject to the NYS Coastal Management Program.

Compatibility with Land Use in Adjoining Area

The treatment of the rear of the garage area beneath the apartment building and the ability to maintain it are questionable. As previously indicated, the location of the Metro-North tracks relative to the area needs to be graphically depicted. It is not clear that planters will be sufficient to provide adequate screening or that they can be adequately maintained to serve this long term purpose. An alternative treatment of the wall should be provided in the event that the green wall is not determined to be an effective visual buffer. Views of the project by residents of Scrimshaw House need to be addressed.

Zoning

Among other things, the Concept Development Plan (CDP) is required to indicate major signs and lighting. This has not been described in the DEIS and should be.

Article VI Supplementary Regulations

The DEIS states that the project does not appear to require a waiver from any provisions of this section. Whereas the PUR is not subject to the zoning regulations of the DW Waterfront District, has it been determined whether a PUR is subject to these Supplementary Regulations of the Zoning Ordinance? If it is, the following regulations could potentially apply. Even if waivers are not needed, a comparison of how the project compares with these regulations should be provided for review by the Planning Board.

43.33 G – Use of Yards. Does any structure such as the conveyor belt or trash enclosure encroach in the required minimum 10 foot yard of the DW district since it is not permitted unless specifically permitted in Article VI Supplementary Use and Dimensional Regulations and Article VII Special Use Permits. Discuss whether this dimension is even applicable in the PUR.

43.33. P - Is the conveyor belt or trash enclosure projecting into the required 10 foot rear yard and is this even applicable in the PUR?

43-40 Accessory residential use and structure

D3. No accessory residential use or structure shall exceed one story or 15 feet in height whichever is lesser – Does the parking garage violate this and need a waiver?

D4 . No accessory residential use or structure shall be located closer to a side yard than three feet or closer to a rear yard than five feet. Does the conveyor belt or trash enclosure violate this and need a waiver?

43-41D Fences and Walls

(a) Does the rear fence comply with restrictions relative to height for six feet in height in any yard?



43-41

L Refuse collection, storage and recycling

- (1) Does the trash area meet the requirements for enclosure, covering and screening?
Does each apartment have the required three square feet for accumulation of recyclables?

M. Signs

If there are to be any signs they need to comply with Chapter 47, Outdoor Signs, of the City code. Indicate any signs and, if any, show their compliance

Potential Impacts

Section 43-60 – Special Use Permit Compliance – p. 3.4-26 – The streetscape improvements to be implemented include continuation of the street lights at the Trolley Barn. It is suggested that a waiver from the standards of Section 43-121.B may be required. This waiver is not identified in the list of required approvals from the Planning Board, and should be. Was a waiver needed for use of these lights as part of the Trolley Ban project?

Page 3.4-25 - Although screening is not required because the site does not abut a residential district, it does abut the sensitive use of a day care center and portions of the rear may be very visible to commuters on Metro-North or residents of Scrimshaw House. Therefore, appropriate screening that can be maintained in the long term needs to be provided. The level of maintenance and longevity of the screening proposed should be evaluated.

Page 3.4-26 – Table 3.4-5 – DW District Comparison of Dimensional Regulations - Section 43-72 C.(2) of the zoning ordinance indicates that PUR's are not required to meet the dimensional or use requirements for the district in which they are located. However, it is instructive to note how the proposed plan relates to requirements in the DW district as is shown in Table 3.4-5. There is nothing in the PUR, however, that states that parking requirements are waived. Input from the City regarding whether Article X - Off Street Parking and Loading requirements have to be met is needed. Whereas the zoning ordinance specifies dimension for different types of parking spaces in Illustration 32 in the rear of the zoning code, none of these relate to the "parking positions" identified in the mechanical garage. Therefore, it may be possible that not only does the Planning Board and City Council need to allow an automated garage as an accessory use to the apartment building, they may also have to identify the 540 positions as meeting the parking requirement of Section 43-130.B of the Zoning Ordinance.

Page 3.4-28 New York State Department of State (NYS DOD) Variances

The Yonkers Commissioner of the Department of Housing and Buildings requested that the architect of record verify compliance with the Building Code of New York State for courts and fire-rating and percent openings. The DEIS concludes, after review by the project architect, that such variances will not be needed. It states that the DOS will receive the DEIS and plans for purposes of commenting on this matter. In order to specifically identify the matter on which DOS input is required, the applicant should submit a letter directly to the DOS referring to the DEIS and plans requesting its opinion on this matter.

3.5 Traffic and Transportation

Summary Findings

Page 3.5-2 - Identify where the residents of the Trolley Barn now park. Discuss how visitors to the proposed project would access and make use of the automated garage.



Hydroponic Farm

Page 3.5-2 - The DEIS states that, according to the project engineer, there is insufficient room to maneuver large trucks into the loading area. If this is the case, where will large moving trucks or other types of delivery trucks park and unload to service the building and residents?

Future Pedestrian Environment

Page 3.5-13 – Some pedestrian safety measures are identified to alert pedestrians to the garage openings. Is any additional signage or striping necessary to ensure the safety of pedestrians in the neighborhood or those from the project, particularly accessing downtown and the train station?

Hydroponic Farm

Page 3.5-14 –For School buses accessing the farm and classroom, where is it anticipated that the buses would unload and park?

Emergency Access

Page 3.5-17 – Is the total number of spaces to be eliminated 15 or 15 plus the 7-8 spaces in front of the auto court and parking garage?

The DEIS states that auto related crimes should be eliminated in non-public areas. Please give information regarding the experience at other such garages that are in operation and compare with non-automated garages.

Construction Traffic

Page 3.5-18 - Is there sufficient excess capacity in existing area parking garages in the project vicinity to provide parking for construction workers? Explain the procedure for being granted street closures.

3.5.7 Parking Analysis

Page 3.5-22 - It is stated that 412 units require a minimum 412 conventional parking spaces and that 540 are provided in the automated garage and four at grade. It is then stated that this is 37 less than required by zoning. Since the new parking regulations have been enacted and only one space is required at this location, please explain this statement. Also, the 15 on street spaces to be removed would effectively reduce the number of area parking spaces. Whereas a demand figure is utilized to determine that a surplus of 173 spaces would be available, based on the new parking ratio of one space per unit, the surplus is more accurately identified as 132 spaces assuming 544 (540 garage and 4 surface) spaces minus 412 spaces (not including 15 on street spaces lost).

Automated Parking Garage

Page 3.5-24 – Provide a breakdown record of any other automated garages without a rotating vehicle mechanism and length of breakdown. What is the typical procedure for reporting a breakdown and how is a repair request handled and by whom?

Page 3.5-25 – What do the 49 leaving vehicles identified represent?

3.6 Aesthetic Resources

Page 3.6-5 – Figure 3.6-2 does not appear to locate Study Point f identified in Table 3.6-1, Key Public Visual Resources. Study points x, y and z also seem to be missing from the table although they appear on the map.



Views from the North

The DEIS states that views of the upper floors of the proposed building will be visible from the north behind older apartment buildings. Identify approximately how many floors above those existing will be seen. The same information should be provided for the view from the street at the west end of Larkin Plaza.

3.6.2 Potential Impacts –

Page 3.6-13 - The DEIS states that the project height is comparable with Alexander Street Master Plan proposed heights. However it does not relate to the new Downtown Master Plan and Rezoning Study of 2010, specifically to the plan for the Buena Vista downtown District. Indicate how the height relates to recommendations of this plan.

Page 3.6-13

It is stated that the two Palisades Point towers have floor plates of approximately 11,000-12,000 square feet. Please state the floor plate of the proposed building. The DEIS emphasizes comparison of the buildings to those in the Alexander Street Master Plan which is considerably to the North of the proposed project indicating that it has comparable height. Although 30 stories is approved, as a maximum height, the upper floors would conceptually be required to have smaller floor plates. It should be stated at what floor this step back would begin to occur. Instead, the building should be compared to the proposed guidelines currently under consideration for the Buena Vista Area in the proposed Downtown Waterfront Plan under consideration by the City to determine its compatibility with that plan. In addition, compliance with the Riverside Urban Renewal Plan should be stated.

Page 3.6-14 - While the DEIS indicates that the 3-story masonry base is intended to continue the character of the surrounding street level experience, there is nothing at the street level in terms of scale or materials that seems to read as consistent with existing styles nor does it appear to be reminiscent of the architecture of the Trolley Barn, Teutonia Hall façade or other buildings in proximity to the project site as is stated. More information to support such a statement needs to be presented.

Lighting and Reflections

As part of the design details of the building façade treatment that is indicated will be provided in the FEIS, there should be a description of the lighting to be provided in the courtyard and entry areas of the automated garage.

National Register Sites

Page 3.6-18 – Table 3.6-4 – National Register and National Register Eligible Sites- Locations O to R do not have their impacts filled out and the chart needs to be completed.

3.7 Historic and Archaeological Resources

The Phase IA report recommends that a Phase IB survey plan be developed. This Phase IB should be undertaken in the area and on lots recommended and its results reported as part of the FEIS.

The status of consideration of the site by the Yonkers Landmarks Preservation Board should be reported in the FEIS and any anticipated action by the Board and its potential impacts on the proposed project development should be identified.

3.8 Community Services

Population

3.8.1 Potential Impacts – Has the applicant been discussing its plan to relocate existing tenants in on site buildings with the City of Yonkers Community Development Agency as referenced in the DEIS? Plans for this relocation should be discussed and agreed to procedures should be identified in the FEIS.



3.8.2 Police Protection

Page 3.8-8 - The DEIS states that based on a population of 49,000 persons in the 4th Precinct in which the project site lies, the number of crimes is approximately 0.02 incidents per person. How does this compare to other precincts in the city?

If discussions regarding the installation of surveillance cameras that are connected to the City police department's surveillance system have not yet taken place, the applicant should initiate such discussion and identify the position of the Police Department regarding installation of these cameras in the FEIS. It is stated that the \$211,535 to be generated in taxes to the City by the project will defray any costs to the Police Department by the project. While the marginal costs may not warrant specific pieces of new equipment or hiring of an officer, please state the average annual salary of police officer and additional overhead costs for understanding how cumulative impacts of this and other area projects might provide funding for cumulative additional needed community services.

3.8.3 Fire Protection

Given the delay in projected development of the SFC project, there should be some recognition of the impacts, if any, of the potential for headquarters remaining at its 5-7 School Street address at such time this project is developed.

Potential Impacts

Page 3.8-10 - The DEIS states that there were a total of 1,206 fire incidents in 2000 and that it conservatively assumes all incidents involved residential structures. Instead of developing a multiplier of incidents per structure and dividing 1,206 by either total structures or units in the city, the number of incidents is divided by population. It would appear that a better measure would be to recalculate this based on structures, if available, or units and then apply it to the proposed building.

The FEIS should provide information on the work with the Water Bureau and Fire Department regarding assessment of existing hydrants and the adequacy of other fire protection infrastructure in the vicinity to determine any needed upgrades or modifications. Additional project mitigation may be determined.

3.8.5 Public Schools

As indicated in the DEIS, the findings of the school capacity study that was to be available in December 2010 should be assessed and analyzed as part of the FEIS. Additionally, based on that information, further discussions with the school district should be held and feedback from the school district regarding projected project generation of public school children should be incorporated in the FEIS.

3.8.7 Solid Waste Disposal

Page 3.8-24 - While refuse will be thrown into the identified chute on each floor, the DEIS does not indicate how recyclable material will be collected. Please indicate how this will be done and where it will be stored.

3.8.9 Fiscal Analysis

Page 3.9-2 Potential Impacts –

Page 3.9-3 The comment that there is no significant demand for services created by the development may not be the case once final analysis by all City Departments is complete.

Projected Tax Revenues

The \$257,779 revenue to the City is total revenue and when existing revenue of \$42,277 is subtracted, it represents a net new revenue to the city of \$215,502. Additionally, the \$696,797 revenue to the school district minus the existing revenue of \$114,278 represents \$582,519 net new revenue. The school impact section indicated that total cost to the school



district would be for 56 students based on taxes to be raised by property taxes as \$8,572 per student for a total cost of \$480,032, with additional revenue of \$102,487 available to the school district .

The school section page 3.8-15 indicated that the project would generate \$614 158 in taxes to the school district. When the \$480,032 is subtracted, \$134,126 was to be available as supplementary funds to the district. The fiscal section indicated the district would receive \$696,797 annually based on all project components. There is no allowance for numbers of school children that may already be generated from the Trolley Barn or from east side parcels, so the additional revenue to the school district could even be less. The FEIS should account for these other children and their costs to the district.

Municipal Revenue/ Cost

Page 3.9-6 Since the apartment site already generates \$11,926 in tax revenue to the city, the net new revenue from the apartment building would be \$199,109; \$211,535 is the total revenue generated from the building.

Affordable Housing Program

Page 3.9-8

Provide greater detail on the affordable housing program based on input from the City of Yonkers. Identify proposed length of affordability, anticipated selection process and overseer of the program, including mechanisms to assure the units remain affordable.

5.0 Alternatives

5.2 Conventional Site Plan – For fiscal impacts, indicate the amount of tax revenues that would be generated to the City and the school district.

Volume II – Appendix

Project Application – September 23, 2009

A positive impact identified in the application is the implementation of an apprenticeship program for local youth similar to the program implemented for 66 Main Street. Describe how this program operated, how many youth were involved and how and when it will be initiated for this project. Given the different scale of this project compared with the 66 Main Street project, what is the number of youth anticipated to participate in this project?



JOHN COLLINS ENGINEERS, P.C.

TRAFFIC • TRANSPORTATION ENGINEERS

===== 11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266 =====

MEMORANDUM

TO: Syrette Dym, AICP
FROM: Philip J. Grealy, Ph.D., P.E.
Richard G. D'Andrea, E.I.T.
DATE: January 19, 2011
SUBJECT: Buena Vista Teutonia PUR
City of Yonkers, New York
PROJECT: No. 1677
COPY TO:

The following are our technical review comments regarding the Traffic and Alternatives Sections of the Draft Environmental Impact Statement dated December 9, 2010 for the Buena Vista Teutonia PUR project located in Yonkers, New York.

1) Traffic Analysis Comments

- a) A review of the HCS and Synchro files contained in Appendix G of the DEIS indicates that parking and bus blockage factors were not included in the analysis. These factors should be added to the analysis for each intersection where appropriate.
- b) A review of the HCS and Synchro files also indicates that the pedestrian volumes used in each analysis do not match. It appears that a default pedestrian volume of 25 pedestrians per hour was used in the Synchro analysis while counted pedestrian volumes were used in the HCS. These differences between the HCS and Synchro analysis should be reconciled.

- 2) Recommended signal timing changes at the intersections of Prospect Street and S. Broadway and Prospect Street and Riverdale Avenue should be implemented by the applicant if the project is to be completed ahead of the expected improvements by the SFC project. These will have to be coordinated with the City's Traffic Engineering Department.

3) As discussed on pages 3.5-27, 28 of the DEIS, there are several locations where the 95th Percentile queue lengths will exceed the storage length. These locations are listed below together with the potential mitigation identified in the DEIS. These mitigation measures should be completed by the applicant unless otherwise noted and will have to be coordinated with the City's Traffic Engineering Department

a) **Southbound left turn at the intersection of Prospect Street and Riverdale Avenue**

The DEIS indicates that the left turn lane can be extended using the existing median and that the applicant will reimburse the cost of replacing the eight (8) existing trees in the median.

b) **Southbound through movement at the intersection of Main Street and Riverdale Avenue**

The DEIS recommends modifying the traffic signal timings at this intersection to give additional green time to the southbound movement. It should be noted that the increase in the queue lengths on this movement is generally caused by the additional traffic loading under the No-Build Scenario. Therefore, the extent of these timing improvements for the proposed project will have to be coordinated with the City Traffic Department.

c) **Westbound left turn movement at the intersection of S. Broadway and Prospect Street/Nepperhan Avenue**

The DEIS indicates that the westbound left turn lane can be extended by shortening the eastbound left turn lane at the school street intersection which is currently significantly under utilized. A conceptual plan should be prepared so that it can be reviewed by the City.

d) **Eastbound through/right movement at the intersection of S. Broadway and Prospect Street/Nepperhan Avenue**

The DEIS indicates that this queue will be improved with the proposed improvements associated with the SFC project. However, if the SFC project does not proceed in the same time frame and these improvements are not completed, the applicant for Buena Vista Teutonia PUR should be responsible for making some improvements to this intersection including upgrading the traffic signal controller, vehicle detection and

providing optimized signal timings. The traffic signal should also be replaced at the intersection of Prospect Street and Riverdale Avenue so that these intersections can be coordinated.

- 4) Based on a review of the site plan and as stated in the DEIS, the sidewalks along the site frontage on Buena Vista Avenue are to be replaced. Additional signing and striping including crosswalks should also be addressed. These improvements will have to be reviewed by the City of Yonkers as part of the site plan approval process and any comments on additional improvements the City deems necessary along the site frontage will be made at that time.
- 5) Road closures related to construction traffic and activities as discussed on page 3.5-18 of the DEIS should also discuss the impacts on bus traffic and bus stops where appropriate. Recommended mitigation measures for any impacts the bus operations should be made as necessary.
- 6) The installation of crosswalk markings and signing as well as any necessary curb drops/ramps should be proposed for the intersections of Buena Vista Avenue and Prospect Street and Buena Vista Avenue and Hudson Street.
- 7) A sensitivity analysis should be conducted for the intersections of Nepperhan Avenue and S. Broadway and Prospect Street and Riverdale Avenue using higher existing traffic volumes similar to those used in the SFC report. This sensitivity analysis should also evaluate whether these intersections can accommodate traffic conditions with 70% of the traffic arriving from the east on Nepperhan Avenue.
- 8) Restriping of stop bars and crosswalks at the intersection of Hudson Street and Riverdale Avenue should be included as part of the mitigation if not already completed by the City at the time of commencement of the project.

- 9) The location of the new curb cuts for the site access and automated parking garage exit locations may require the installation of no parking signs along the west side of Buena Vista Avenue where parking currently exists. A plan showing the extent of the “No Parking” zones should be prepared and submitted for review by the City Traffic Department as part of the site plan approval process.

- 10) Based on the detailed HCS analysis results summarized in Table G-5 B the eastbound approach to the intersection of Main Street and Riverdale Avenue currently operates at a Level of Service “C” during the PM Peak Hour. However, the analysis for the No-Build and Build Traffic Volumes indicates that this approach will experience a Level of Service “E” in the future. A signal timing modification that adds additional green time to the eastbound approach would help to reduce the impact on the intersection and should be recommended by the applicant as part of the mitigation for the project.

- 11) The Alternatives Section of the DEIS presents several alternate development options. In general the comments presented above apply to each of these alternatives. The following are comments specific to the alternative scenarios as they relate to traffic.
 - a) The Conventional Plan alternative proposes 119 residential units and with no hydroponic garden and no parking garage. This alternative would result in reduced impacts to the surrounding roadway network since it would generate fewer trips than the proposed action. Therefore, some of the improvements to mitigate the resulting traffic impacts may not be necessary.
 - b) The Tuetonia Hall Alternative proposes preserving the Tuetonia Hall in its existing location which would allow for two additional bays for the automated garage. This would reduce internal queuing and wait times during peak demand periods. All other impacts remain the same as in the proposed action.
 - c) The Different Building Mass/Location Alternative changes the locations of the buildings and also proposes the construction of a conventional 3 story parking garage rather than the automated garage. The impacts would be similar to the proposed action. It should be

noted that under this alternative there would be only one driveway to enter and exit the site and therefore fewer on street parking spaces would have to be eliminated.

- d) The Alternative Use to Hydroponic Garden Alternative indicates that if the Hydroponic Garden is not built, no other use would be installed atop the garage structure. This alternative would provide a minimal reduction in total trips and truck trips to the site. However, the impacts would still be similar to the Proposed Action.
- e) The Different No Build Alternative discusses impacts of the proposed project assuming that the SFC project is not constructed prior to the 2014 build year for Buena Vista. For this alternative the comments discussed above for the proposed action still apply.

These represent our technical comments at this time. Additional comments may follow when the requested sensitivity analyses are completed. If you have any questions regarding this, please do not hesitate to contact us.



470 Nepperhan Avenue, Suite 220
Yonkers, NY 10701
Tel 914.509.8600

January 21, 2011
K35380006

Syrette Dym, AICP
Senior Project Manager
VHB Engineering, Surveying and Landscape Architecture, P.C.
445 Hamilton Avenue, Suite 404
White Plains, New York 10601

Reference: Technical Review
SEQRA Draft Environmental Impact Statement
Buena Vista Teutonia Planned Unit Redevelopment
City of Yonkers, Westchester County, New York

Dear Ms. Dym:

PS&S has performed technical reviews of assigned sections of the referenced Draft Environmental Impact Statement (DEIS), dated December 9, 2010. PS&S technical review comments are presented herein. PS&S acknowledges that City of Yonkers officials and the public have not yet commented on the DEIS, and that additional technical review efforts may be required as a result of their forthcoming comments.

3.1 Geology, Soils and Topography

Geologic Conditions

Even though no bedrock was encountered as part of the geotechnical investigation, the geologic conditions described within the provided materials consider that the underlying bedrock is comprised of rock representative of the Fordham Gneiss formation, which is part of the New York Series. PS&S agrees with this assessment.

Foundations

The geotechnical report by Sor Testing Laboratories (STL) recommends that the proposed structures be supported on drilled piers (caisson) foundations bearing within the dense glacial till material encountered at the bottom of each of the explorations. STL has recommended an end bearing pressure of 8 tons per square foot with a side friction value of 2 tons per square foot. These values appear reasonable for this material. As the DEIS does not identify the actual loads that will be founded on each drilled pier, PS&S

can not comment as to whether or not the glacial till will be the ultimate bearing layer or if it will become necessary to extend the foundations to the bedrock. The borings did not reach bedrock so it may become necessary to perform additional borings to ascertain the depth to bedrock so that the length of the foundation elements can be determined. Obviously, if the drilled piers have to extend to the bedrock layer then the end bearing pressure can be increased to a value commensurate with the condition of the bedrock encountered.

It is appropriate that the geotechnical engineer and engineer of record for the redevelopment project will decide at a later stage of the redevelopment process whether the glacial till or bedrock will be the bearing layer for the structure foundations. When that decision has been made, PS&S will be available to provide additional comments.

Seismic Class

The geotechnical report indicates that the site is defined as Seismic Class C, in accordance with Section 1615 of the NYS Building Code, considering where the bottom of the structures will be constructed and the depths to the bearing layer in which the foundation elements will be founded. PS&S agrees with this assessment.

Survey of Adjacent Structures

Since the DEIS appears to be preliminary in nature, no design details or type of excavation support system are provided. In consideration of the depths of the excavations and the proximity of adjacent structures and rail tracks the design of the support systems are critical and should be thoroughly reviewed by the City of Yonkers and the City's structural consultant. STL recommends that existing condition surveys of the adjacent structures be performed prior to excavation. PS&S agrees with this recommendation.

It is virtually impossible to guarantee that no adverse movement of adjacent structures will occur when excavations of these proposed depths are proposed using the kinds of earth retaining support measures cited unless all structures to remain are underpinned to depths extending below proposed excavation levels. Accordingly, and due to the age and type of construction of the structures to remain, PS&S recommends that a structural engineer visit the adjacent structures and assess whether or not they can withstand slight movements that they will likely experience during proposed excavation. If the buildings cannot take the anticipated movements then the structures will have to be underpinned and braced to preclude adverse movements both vertical and horizontal.

Earth Support System

The cross sections on Sheet CS indicate that the excavations for the underground parking structure will be near the property lines and will be adjacent to the Metro North Railroad (MNR) right-of-way along the western boundary. In some areas the excavation appears to extend six to eight feet below the top of track. PS&S anticipates that MNR will not tolerate impacts to a mainline track right-of-way. The plan review by MNR identified in Table 2-2 (Reviews, Permits and Approvals) should include review by MNR engineers of the detailed design of the earth support system to be used to preclude lateral and vertical movement of the tracks and other train line support systems.

3.2 Surface Water Resources and Stormwater Management

Design Manual

DEIS Section 3.2.1 references the 2008 *New York State Stormwater Management Design Manual* and Section 2.2 of Appendix E references a 2003 edition of the manual. The NYSDEC updated this design manual in 2010. The Applicant should reference the updated manual and verify the proposed erosion control measures are designed in accordance with the updated recommendations.

Stormwater Design

DEIS Section 3.2.2 and Appendix E Section 2.3 describe the proposed underground cistern and stormwater storage system. The Applicant should provide additional details for backup pumps and backup power in the event that power is interrupted in the area. A gravity by-pass for the stormwater should also be evaluated.

DEIS Section 3.2.3 describes how maintenance records will be submitted to the City of Yonkers Engineering Department. The Applicant should provide additional descriptions of the maintenance procedures and how the system will be maintained and or replaced if required. Details should be provided on the filter replacements, pump maintenance, etc. The proposed system is located below the automated parking garage structure. Additional plans should be provided to verify that the parking equipment does not interfere with the drainage system.

Irrigation Water Quality

The Applicant should demonstrate that the quality of the stormwater runoff to be used as irrigation water for the rooftop hydroponic garden will meet applicable standards for hydroponic production of produce for human consumption.

3.3 Utilities

Wastewater Treatment Capacity

DEIS Appendix B includes a letter from the Applicant's consultant to the Westchester County Department of Environmental Facilities requesting confirmation of available wastewater treatment capacity for the project. No responding correspondence is provided. Section 1.2.3 of the DEIS references a telephone conversation with Westchester County Department of Environmental Facilities personnel. Written documentation should be provided that verifies that wastewater treatment capacity for the project exists and is available for the project. The documentation could be in the form of a confirming letter from the Applicant to the Westchester County Department of Environmental Facilities or a memorandum that summarizes the telephone conversation.

Water Supply

Section 1.2.3 and Section 3.3.1 of the DEIS reference telephone conversations with City of Yonkers Bureau of Water personnel on consecutive days in October 2010. DEIS Section 3.3.2 references meetings between the Applicant's consultants and City of Yonkers Bureau of Water and Engineering Department personnel in March and September 2010. Written documentation should be provided that verifies that water supply for the project exists and is available for the project.

Metro North Railroad

The Applicant indicates that an easement from MNR will not be required for the project. Correspondence should be provided from MNR to verify that statement. As noted in the PS&S comments on the DEIS Geology, Soils and Topography section, due to the close proximity of the proposed buildings to the railroad right-of-way, the Applicant should provide MNR engineers with details identifying design procedures to reduce impact to the right-of-way. The details should include verification that there would be no utility conflicts. MNR may also require additional design information and analyses prior to the commencement of construction.

Off-site Utilities

Prior to construction, the Applicant should provide the City of Yonkers with details and cross sections identifying the relationship between existing utilities within the Buena Vista Avenue right-of-way and the proposed use of sheet piles, tiebacks, or shoring. Potential conflicts should be identified so that the utilities and services for adjacent properties can be protected and are not interrupted. As noted above with respect to MNR, prior to construction the Applicant should provide details of the proposed earth

support system to confirm that Buena Vista Avenue and the existing utilities will not be impacted.

3.10.1 Noise

Existing Conditions

Page 3.10-6: Existing Ambient Noise Levels – “Location #1 is at the northern western portion of the property.”

PS&S Comment: Text should be revised to read western or northwestern.

Page 3.10-7: Sensitive Receptors and Table 3.10-5 (Sensitive Receptors within 1,000 feet of the Project Site)

PS&S Comments: The DEIS identifies noise receptor sites in the vicinity of the project area, but does not identify the location of residential receptors. Residential receptors should be identified.

Page 3.10-8: Existing Noise Generators in the Project Vicinity - “As stated above, the City of Yonkers Noise Code, 66-6, has been amended to exempt residential properties from complying with the noise standards where residential uses are in close proximity to an industrial facility.”

PS&S Comments: The City of Yonkers Noise Code was recently amended by General Ordinance 9 of 2009 with Subsection K (Exemptions), which exempts Industrial (not Residential) properties provided that the sound-level from such facility does not increase beyond the sound-level from the facility’s normal overall operations. This provision applies to the introduction of a new residential use, not all residential uses in close proximity. This statement should be revised accordingly.

Page 3.10-8: Existing Noise Generators in the Project Vicinity - “Noise from the industrial facility will not be deemed an impact to the new residential buildings proposed in the area.”

PS&S Comments: The statement should include a qualifier which states that the sound-level from the industrial facility will not be deemed an exceedance of the City of Yonkers noise code with the condition that the sound-level from the sugar plant does not increase beyond the sound-level from the facility’s normal overall operations (as of December 2009). Although the City of Yonkers noise code exempts the industrial facility from a legal standpoint and the facility will not be required to mitigate noise emissions to meet the residential standards, the welfare of future residents should be considered. The

interior noise level established by the USEPA required to protect public health is 45 dBA (L_{dn}) for residential uses. The DEIS should discuss the features and characteristics of the building materials and construction that will be incorporated into the building design so that interior sound levels meet the recommended USEPA criteria.

Potential Impacts

From Scoping Document Page 18, Section J, Potential Impacts #1 – “Potential noise increases resulting from the proposed project will be determined and impacts to sensitive noise receptors evaluated. Particular attention should be paid to the adjacent Queen’s Daughter’s Day Care Center and the impacts of construction and operation noise. Potential changes in ambient noise levels resulting from the project will be described. Potential noise impacts will be assessed by comparing anticipated noise levels with the NYSDEC guidance document – Assessing and Mitigating Noise Impacts. Potential noise impacts will also be evaluated against the existing Yonkers noise ordinance. Noise impacts of Metro-North trains on proposed project residents will be assessed.

PS&S Comments: The DEIS does not include potential noise increases from the proposed project on the Queen’s Daughter’s Day Care Center as requested in the completeness review. Anticipated noise levels resulting from the project and potential changes in ambient noise levels in the area surrounding the project site (at sensitive receptors) are not described in sufficient detail in the DEIS.

Page 3.10-9 and Page 1-27: Short-term Construction-related Noise - “Construction noise would not exceed 85 dBA beyond 100 feet from the property... The Queens Daughters Daycare is within 100 feet and therefore noise impacts at the Queens Daughters Daycare may exceed 85 dBA during construction.”

PS&S Comments: These statements are based on the maximum sound-level from a single piece of construction equipment. However, a construction site is likely to have multiple pieces of equipment operating simultaneously and trucks hauling materials to and from the site. Therefore, it is likely that the Queen’s Daughter’s Daycare Center will experience sound levels above 85 dBA during construction. The NYSDEC guidance first level noise impact evaluation states that “*the initial evaluation for most facilities should determine the maximum amount of sound created at a single point in time by multiple activities for the proposed project. All facets of the construction and operation that produce noise should be included such as land clearing activities, drilling, equipment operation for excavating, hauling or conveying materials, pile driving...*” The change in noise levels during construction has not been quantified and compared to the applicable criteria to assess significant impacts and is therefore not technically sufficient. A more detailed analysis is likely to show significant impacts to the Queen’s Daughter’s Daycare Center and require mitigation during construction.

Necessary mitigation measures should be identified in this section so that the responsible party will plan accordingly for implementing mitigation.

The City Harvest Pre-school and several residences are also located within 300 feet. The pre-school and residences should be identified as having potential short-term impacts.

In addition, the document has indicated that piles may be driven during foundation construction. Pile driving has not been addressed in this document and may have sound-levels in excess of 85 dBA at a 50-foot reference distance.

There is no discussion of the truck route which goes past several dense residential areas and past the Queen's Daughter's Daycare. The NYSDEC guidance document summarizes truck sound-levels as 91 dBA at a 50-foot reference distance. Can the proposed truck route be re-routed away from the day care center and the dense residential area (i.e., to the north and onto Main Street versus through Prospect Street and a residential area) as a method to mitigate noise?

The DEIS does not sufficiently evaluate the potential construction-related impacts to noise levels in accordance with the NYSDEC Guidance Document and does not address in sufficient detail the appropriate mitigation measures to be implemented.

Page 3.10-9 and Page 1-27: Long-Term Noise Effects - "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."

PS&S Comments: Although the sound-levels would be reduced, sound may be audible at the Queen's Daughter's Day Care Center (depending upon the location of the equipment within the garage and the sound-levels at the equipment source). Indirect sound may cause an increase in existing sound-levels and impact the day care center. This has not been quantified (i.e., potential change in ambient noise level) in sufficient technical detail. In addition, residences are located across the street that may have a direct line of sight to the equipment. Residences are also sensitive receptors. This equipment has not been assessed in sufficient technical detail. The equipment will need to comply with the City of Yonkers Noise Ordinance.

Page 3.10-10: Long-Term Noise Effects - "Any noise associated with activities within the auto court are blocked and attenuated by the design of the building."

PS&S Comments and Questions: While this statement may be accurate with respect to the Queen's Daughter's Day Care Center, it may not be applicable to nearby residences.

Will there be bay doors on the garage and auto court that remain closed? Will residents across the street have line of sight into the garage? Sound levels associated with the auto court (i.e., stacking system) have not been quantified in sufficient detail and have not been compared to the existing sound levels or the City of Yonkers Noise Ordinance sound-level performance standards.

Page 3.10-10: Long-Term Noise Effects - “The...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.”

PS&S Comments and Questions: The last sentence should read “of the” Metro North Hudson Line. In addition to stating that the ambient noise level should not be raised above 65 dBA, the NYSDEC guidance also states that lower ambient noise levels may be necessary if there are sensitive receptors nearby and that 55 dBA (L_{dn}) is sufficient to protect public health. In addition, the USEPA states that a 45 dBA (L_{dn}) interior sound-level for residential uses during the nighttime hours is protective of public health and welfare. The impacts from the Metro-North Hudson Line have not been quantified through an assessment of the future condition sound levels and the potential impacts to residents.

Will the number of train pass-bys increase in the future condition? Is the building constructed of materials with sufficient STC rating to reduce the outdoor to interior sound-levels to below 45 (L_{dn}) as recommended by the USEPA?

Mitigation Measures

Page 3.10-11: Construction Mitigation – “The construction manager will notify the Queen’s Daughter’s Daycare Center regarding activities that are expected to produce high noise levels. If necessary the use of a temporary noise barrier may reduce the impacts related to construction to the Queen’s Daughter’s Daycare Center.”

PS&S Comment: The DEIS Section 3.10.1.3 Mitigation Measures includes a discussion of potential noise mitigation. However, this section does not identify or describe mitigation measures in sufficient detail.

3.10.2 Air Quality

The Scoping Document specifies that the EIS should identify siting and architectural features of the building that might reduce or moderate wind effects. Potential wind effects were briefly addressed qualitatively in the DEIS, based on the building orientation relative to the prevailing wind direction, as well as characteristics of the site and existing

buildings. The stated conclusion is that “it is not anticipated that the new apartment building would create any significant negative wind effects.” The DEIS refers to a 1986 report for a general discussion of air flow and circulation.

The cited report primarily discusses wind effects in terms of dispersion of air pollutants in urban settings, and includes a general discussion of air flow and circulation. The DEIS does not explain the relevance of this report to the conclusions. Other references (both older and newer than the 1986 report) are available that describe air flow and circulation near buildings in greater detail and/or in quantitative terms, and that specifically address ground-level winds in terms of pedestrian comfort and safety. The DEIS should provide a more detailed description of wind effects (e.g., wind shadows, wind shear, downwash, channelization, venturi effect, bar effect) in terms of both pedestrian comfort and pollutant dispersion, based on the siting and architectural features of the proposed buildings.

Noise and Air Resources Section 3.10.2.2 – Page 3.10-13 of the DEIS includes two separate references to Table 3.10-7, the correct reference is Table 3.10-8.

The following air quality technical review comments refer to Appendix I – Air Quality Technical Report.

Appendix I – Air Quality Technical Report

2.0 Existing Air Quality

This section is consistent with the Scoping Document. PS&S has no additional comments.

3.1 Traffic Related Air Quality Impacts

This section is consistent with the Scoping Document. PS&S has no additional comments.

3.2 Parking Air Quality Impacts

Parking garage air quality impacts were qualitatively evaluated in the DEIS based on an air quality study of a similar automated parking garage. The air quality technical report concluded that air quality impacts from parking would be insignificant, based on the limited number of peak-hour vehicle trips and the substantial reduction in vehicle emissions (68%-82%) due to the use of an automated parking garage. Since the Scoping Document did not specify any methodology for quantitative assessment of parking impacts, the qualitative assessment is acceptable.

3.3 Stationary Source Impacts

3.3.1 Onsite Stationary Sources

Modeled air quality impacts from on-site stationary sources were compared to the NYSDEC AGC/SGC tables dated September 10, 2007, which was the current version as of the date the August 2010 report was prepared. NYSDEC has subsequently issued revised annual guideline concentration/short-term guideline concentration (AGC/SGC) tables dated October 18, 2010 (see the NYSDEC website). The revised tables should be reviewed to determine whether any of the AGC/SGC values listed in Table 9 have changed since the 2007 edition; if so, Table 9 should be updated.

On page 31, the first sentence of the last paragraph of Section 3.3.1 states that “air quality impacts from the microturbines are less than both the criteria and hazardous pollutant standards.” Based on the table in the technical report, this sentence should be revised to state that air quality impacts, including background values, are less than the applicable ambient air quality standards for criteria pollutants, and that air quality impacts are less than applicable guideline concentrations for hazardous air pollutants.

3.3.2 Nearby Stationary Sources

Modeled air quality impacts from nearby stationary sources (i.e., American Sugar Refining Company, Inc.) were compared to the NYSDEC AGC/SGC tables dated September 10, 2007, which was the current version as of the date the report was prepared. NYSDEC has subsequently issued revised AGC/SGC tables dated October 18, 2010 (see the NYSDEC website). The analysis should be updated based on the revised AGC/SGC values, some of which have changed since the 2007 edition. For example, the AGC for lead has been reduced, based on the revised NAAQS for lead.

In Table 10 of the Air Quality Technical Report, AGCs/SGCs for several compounds are listed as “N/A” indicating that no applicable AGC or SGC exists. Some of these compounds are listed under synonyms in the AGC/SGC tables; for example, dichlorobenzene was listed as “N/A” in Table 10, however the m-, o-, and p- isomers of dichlorobenzene are listed separately in the AGC/SGC tables (dichlorobenzene should have been compared to the isomer with the lowest ACG/SCG). The AGC/SGC tables should be reviewed to determine whether any additional compounds are listed under synonyms.

Modeled air quality impacts for arsenic, cadmium, formaldehyde and manganese exceed the AGCs, as shown in Table 10 and summarized on page 35 of the Air Quality Technical Report. It would be helpful if the extent of the exceedances were quantified (arsenic, cadmium, formaldehyde and manganese exceeded their AGCs by a factor of 6.3, 3.2, 1.5 and 1.5, respectively).

The report indicates that the SCREEN3 modeling results are conservative, and lists the conservative modeling assumptions, including the assumption that fuel oil would be burned in all three emission sources for 8,760 hours per year. If permitted or actual

annual fuel oil consumption estimates are available, modeling results should be revised to reflect more accurate data. In addition, results of this conservative modeling indicate that there are exceedances of SGCs/AGCs. There is no conclusion regarding the determination of a significant impact; the scoping document states to use the AGC/SGC tables to determine a significant impact. In addition there is no conclusion regarding the determination of whether a refined air quality modeling analysis (AERMOD) is warranted.

3.4 Construction Air Quality Impacts

The Air Quality Technical Report quantifies construction related fugitive dust emissions; however, the report does not define the air quality nuisance guidelines or standards that it references.

Other air quality impacts from construction, and mitigation of these impacts, were described qualitatively, which is typical for an EIS.

Mitigation (4.0) and Alternatives (5.0)

Section 3.11 Hazardous Materials indicates that soils are present that contain hazardous materials above the NYS Soil Cleanup Objectives (NYS SCO) for restricted residential use. This section indicates that remediation will be conducted and soils will be removed (up to 40 feet bgs) during construction. The recommendation is that continuous air quality monitoring would be conducted at the perimeters of the property to protect human health. This is not consistent with the Air Quality Section which states that monitoring has not been included as a component of proposed project activities and mitigation measures beyond typical dust suppression activities should not be necessary. This section should be revised accordingly.

3.11 Hazardous Materials

Potential Impacts

The Scoping Document directs the DEIS to include a summary of potential hazardous material conditions identified by Phase I Environmental Site Assessments (ESAs). Section 3.11 is limited to summaries of hazardous materials conditions at the Brownfield Cleanup Program (BCP) properties (41 to 51 Buena Vista Avenue). Section 3.11 should also include summaries and proposed measures to address the Recognized Environmental Conditions (RECs) identified by the Phase I ESAs for the Project Site properties outside of the BCP. The RECs at the other Project Site properties include petroleum storage tanks that may require mitigation prior to or during the proposed construction at the Project Site construction.

Mitigation Measures

Section 3.11.3 should also include proposed measures to mitigate the RECs identified by the Phase I ESAs for the Project Site properties outside of the BCP.

The RIR for the BCP properties included in Appendix J states that off-site migration of soil vapor impacts is possible. The hazardous materials section should include proposed measures to evaluate and/or mitigate the potential for off-site soil vapor migration. The community air monitoring described in the Section 3.11.3 is limited to breathing zone monitoring and is not relevant to soil vapor evaluation or monitoring.

8.0 Effects on the Use and Conservation of Energy Resources

This DEIS section includes a quantitative assessment of energy consumption and greenhouse gas emissions from direct stationary sources, in accordance with the NYSDEC *Guide for Assessing Energy Use and Greenhouse Gas Emissions in an Environmental Impact Statement* (July 15, 2009). Indirect GHG emissions and energy conservation measures are described qualitatively, which is consistent with the Scoping Document (Section VIII).

The second reference to the NYSDEC guidance document incorrectly calls it a “draft” guide (page 8-4, first paragraph under Greenhouse Gas Emissions).

The Scoping Document specifies that the level of LEED certification sought should be described. The DEIS section indicates that the level of LEED certification has not yet been determined, but will be determined based on final architectural, mechanical and material project plans.

Please contact me at 914-509-8613 if you have questions about these PS&S technical review comments.

Very truly yours,
PS&S ENGINEERING, INC.

David McInerney, AICP, RLA
Project Manager

cc: Keith Samaroo, PS&S

Executive Summary

1-1 Brief Description ...

1. Applicant characterizes the development as “transit oriented”. Needs to define this term that is then used throughout the document.
2. Do we want to allow applicant to characterize the development as something other than a residential development and to take any credit for circumstances that are not of the projects making
3. Describe the height in feet when noting “25-story” as in “25-story/250 feet/76.2 m”.
4. Do not use terms such as “state of the art” to describe the parking garage.
5. Explain the parking garage in a new second paragraph before “A hydroponic garden ...” What is automatic and different about it from other parking garages and is “clean tech” a term of art and allowable or a modifier that should not be used.
6. Special *use* permit approval

1.2.1 Geology, soils Page 1 - 2

1. Typo, third paragraph, “One (sic) Non-Hazardous...” should be ONCE
2. Temporary or permanent easements are proposed for tie backs to secure the foundation. Has there been consideration of payments to the City of Yonkers for the easements? What is the estimated cost of repair or replacement of the area of the city of Yonkers infrastructure surrounding the easements? Will a cash bond or other surety be offered by the developer?
3. Page 1-3 What payment to the City of Yonkers has been considered for the franchise use of the Right of Way for the proposed geothermal wells?
4. Page 1-3 Explain if the use of geothermal wells at this site would preclude the use of geothermal wells at other nearby sites. Explanation can be qualitative.
5. Page 1-4 The property has trapped soil vapors. It is not clear in the executive summary what is trapped and what will be released by the demo of the buildings.
6. Page 1-5 NYSDEC Stormwater Pollution Prevention Plan [stormwater permit]. The City Engineer has a general policy of recommending that applicants submit SPPP at time of site plan review.

1.2.3 Utilities ... Page 1-7

1. Applicant proposes the TV the sewers and do spot repairs as required. Shouldn't the TV have been done already to allow for discussion of mitigation in the EIS?
2. Page 1-7 The Fire Department should confirm that the “the pump will provide adequate fire pressure throughout the building including to the top floor of the Building” and that only one fire hydrant is necessary.
3. Page 1-8 Will FIOS service the building as well with cable TV?
4. Page 1-9 While the cost and details of the water service upgrades are still being determined with the City it must be made clear that the cost of the upgrades will be the responsibility of the applicant.
5. Page 1-9 “Approximately 950 feet of water main would be replaced.” Clarify who is responsible for replacing, i.e. the applicant or the city?
6. Page 1-9 Inspection of a portion of the wastewater treatment infrastructure between the site and the Yonkers Joint Wastewater Treatment Plant is not considered mitigation. Mitigation would be creating a condition where the net flows to the YJWTP are the same after development as they were before. What is the proposed mitigation for the increase in wastewater to the system?

1.2.4 Land use and Zoning

1. Page 1-9 The DEIS states that the proposed apartment building is compatible with density, land use and scale with an approved project on property “adjoining” (N.B. – when property does not share a property line they cannot by definition be “adjoining”. The subject property is separated from development sites to the west by the Metro North railroad right of way.) the development site. What about other truly adjoining sites and properties in other directions besides west?
2. Page 1-10 What is the rhetorical technique that is used when a comparison is made between two things that have no connection in order to misdirect examination of the true impacts? Day care center and shadows have no connection.
3. Page 1-10 Discuss the ability of any plant material to survive in the 5 foot space between the day care center and wall of the automated garage.
4. Page 1-10 The proposed green wall along with brick planters means a “green” wall as in vegetated, not a green painted wall?

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5. The trash and unloading area will be screened from view of the esplanade by the Scrimshaw House residential development. What will screen the views from the residents of the condominium?
6. Page 1-11 What is the value of the easement for geothermal wells in the City right of way? Applicant should propose a reasonable payment for the use of the ROW based upon square foot value or cost savings to the building.
7. Page 1-11 “The encroachment agreement may be terminated by the City when determined necessary.” If the city terminates encroachment agreement, is there an alternative plan?
8. Page 1-12 Sidewalks conform to ADA standards. They are narrow near the Main Street corner. Please confirm width is ADA compliant. The City of Yonkers enforces and requires conformance to the Codes of NYS.
9. The statement that the “...westerly side of the PUR project would be consistent with the Downtown Yonkers Rezoning Study.” is speculative as the study has not been completed and zoning has not been proposed.

1.2.5 Transportation

1. Page 1-13 Ridership on Westchester DOT buses is highly income sensitive. It is also sensitive to access. How will the development increase Bee-line bus use given rental prices/incomes of the residents/presence at a train station?
2. Page 1-14 Explain the amount of transit trips expected and how this relates to the trip generation during the peak hour.

1.2.6 Aesthetic Resources

1. Pg 1-16 Is “notable” feature a good one or a discordant one?
2. Compatible in scale with the Palisades Point buildings and Alexander Street buildings, however, the proposed building is not contextual with those currently non-existent buildings. Explain the building in context of the built environment.
3. Pg 1-17 The ground level of the proposed apartment tower does not appear to be in context with either the existing trolley barn building or the reconstructed Teutonia building.
4. Page 1-18 Please list which “studies undertaken by city” applicant refers to.
5. The new side walk needs to be wider to accommodate the increased pedestrian traffic based upon applicant’s statements about increased use of the Yonkers train station. Indicate how the sidewalk could be widened to a minimum of 12 feet of usable width in the area of the CDP.

6. Page 1-21 Discuss firefighting equipment needed and what YFD has to do to provide services for a 25 story residential structure.
7. Page 1-24 Refuse, the proposed project will rely on city services to collect refuse and recyclables. Please confirm that discussions with DPW have resulted in an agreed upon non-sidewalk method of trash and recyclables collection.
8. Page 1-27 Noise, note 85 dnb is above maximum city noise levels
9. Page 1-27 State level of noise from rooftop HVAC uses
10. Page 1-33 The Department of Housing and Buildings and Engineering Department must approve excavation plans.

2.0 Project Description

1. Page 2-1 Transit-oriented development is used though out the document as if a term of art, but is never defined. Please include a definition/discussion of what is generally accepted as a transit-oriented development.
2. Is the trolley barn building a part of another PUR approval? Are there any restrictions on that PUR that would carry over or have to be modified to include that site in this PUR?
3. Figure 2.8 is not included in the DEIS
4. Page 2-2 Abutting property owners notes that the site is east of the “Metro North Hudson River Division right-of-way”. The ROW is not owned by Metro North but is leased by them from others. Identify the owner of the site.
5. Surrounding land uses. Note that the Yonkers Train Station is also an Amtrak station.
6. Check on Post Office being on the National Register of Historic Places.
7. Page 2-3 Main transportation Corridors. The use of bus transit seems highly overstated. Discuss the likelihood of development residents using bus transit given the income of the residents. Bus transportation in Westchester County is overwhelmingly the poor or the young and old that have no driver’s licenses.
8. Main Transportation Corridors How will use of mass transit limit demand for on site parking? Reduction of work day trips makes sense but tie the parking issue to the transit issue.
9. Page 2-6 Electricity Transformers should be accommodated on the site and out of view. Using the City sidewalk is not a desirable location.

10. Page 2-10 Affordable Housing Affordable units will have to be distributed through out the building so that parity of views and quality of units (vis a vis, distance from streetm from rail road, etc) is achieved.
11. Page 2-11 Sustainability Greenhouse would be cooled with evaporative cooling systems, i.e., “swamp coolers”, which are known to not work well in humid areas. Will this system work here in the Northeast? Will there be alternative cooling used?
12. Page 2-11 Storm water will be supplied to the garden “substantially reducing its reliance on local water supplies and eliminating storm water” from the sewer system. Substantially is not the same as no use of local water supply. Which is it? Will there be zero water effluent from the greenhouse?
13. Page 2-12 Proposal to drill wells in the City ROW. Will there be compensation offered to the city for the use of its resource?
14. Page 2-12 The Community Development Agency is noted throughout the document as being that agency which the applicant will enter into agreements with or seek permissions from. It must be noted that the CDA is a special purpose agency primarily concerned with the disposition of urban renewal lands and has little authority in other areas.
15. Page 2-12 Authority to use city ROW rests with the City Council. While the Planning Board and the City Engineer have an interest in the question and would be consulted as a matter of law, it remains the Council that has authority to lease city property.
16. Page 2-12 Why can't the wells be drilled in the backyard of the site?
17. Page 2-12 What would happen if the city determined that the encroachment agreement should be terminated? How would the wells be treated and what alternative heating system would the building use?
18. Project Architectural Design Page 2-13 Figure 9 is a repeat of figure 7 showing the rear of the project on the west side of BVA.
19. Page 2-13 Why not restore all of the chimneys on the frame houses instead of just the visible ones?
20. Page 2-13 Teutonia will appear to be freestanding on the north side but will in fact be a part of the garage building.

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21. Page 2-13 Please check with the Sign Inspector to determine of the proposed flag pole and “corporate” flag will constitute a roof sign.
22. Page 2-14 Consideration must be given to screening the discordant commercial element of the goods conveyor from both the scrimshaw house and the waterfront promenade.
23. Page 2-14 Westchester County will be accepting a greater range of recyclable plastics in the coming year that will require a large enough recycling area. Plastics are picked up only every two weeks. Has the size and means of trash & recycling removal been vetted by the Yonkers DPW?
24. Building Operation Page 2-15 Will all sides of the frame buildings on the east side of BVA be historically rehabilitated?
25. Page 2-15 Please clarify what is meant by “below grade” in reference to the “three ground floors”. I assume that G1 and G2 are below street grade of BVA but that G3 is actually fully buried.
26. Phasing Page 2-16 Is the 30 days estimated for excavation and site prep realistic given volume of soil needing removal. The estimate of 2,900 truck trips for excavation equates to 12 trips per hour, or one truck every 5 minutes, eight hours each day for 30 work days. Given site constraints is this possible?
27. Site Plan review and design standards Page 2-18 Noted that mechanical equipment will be screened so as not to be visible from BVA. What about other streets located around the site that rise in elevation?
28. Article X – off street parking Page 2-19 While the Hudson Park study is interesting the applicant should also include the results from their building at 66 Main Street. What is the proposed cost of parking and what effect will it have on parking occupancy? Will potential users be deterred and find alternate parking on-street due to high costs associated with the garage?
29. Table 2-2 page 2-21 Recast to show the permit being sought with the departments/agencies required for comment:

Special Use Permit	Planning Board City Council
Urban Renewal Plan	Planning Board Public Hearing and Review City Council Public Hearing and Review
30. Figure 2-1 Scale is shown as 1 inch to 2,000 feet. Scale should be shown as a ratio. USGS 7.5 minute quads are 1:24000 (sometimes 1:25000) scale maps. If we dumb it down folks will never remember that there are 63,560 inches in a mile

- much less the number of acres in a section. Let's hear it for cartography and geography!
31. Figure 2-2 Site and abutting property owners. Should show a site plan sketch of the utility of this proposed site for the proposed use as a staging area. The applicant's 66 Main Street building and the adjacent Homes for America Building staged all over the downtown in an unacceptable manner. It is necessary to understand how the staging will work in a general way and then whether or not staging can work on a chosen site.
 32. Figure 2-4 Rendering of Project site a) Please indicate where the Point of View is for this perspective drawing. It appears to be atop the post office building. b) Please provide a rendering from a pedestrian point of view that will show both sides of the street (a rendering of the project rather than one side of the project).
 33. Figure 2-8 Garage Wall Treatment How long will green wall take to grow in? Will it be a plant that maintains leaves all year long or vines that have to grow each year?
 34. Figure 2-8 Greenhouse Will the greenhouse be lighted at all? Will such lighting cause impacts to adjacent buildings or to project buildings to the south?

3.0 Soils and Topography

35. Geology Which report is correct and does it matter what rock underlies the site?
36. Page 3.1-2 How many truck trips does 43,430 cu. yd. equate to?
37. Page 3.1-3 notes that excavation and bracing system will be shown as a part of the construction documents after the site plan review approval. Schematic design should be submitted earlier, particularly discussion of easements, as a part of the environmental review to allow discussion of the propriety of the applicant's proposal. At the least this information must be a part of the formal site plan review to allow for any changes that might occur should the Planning Board or other city agency reject the proposed methods.
38. Based upon other sites with similar sized cuts it is imperative that the site dewatering and site protection plans be reviewed as a part of the FEIS.
39. Page 3.1-4 Potential Soil Erosion Soil erosion impacts upon the rail road right of way are the most important short term impact. Soil slip or heavy erosion could have disastrous impacts on the rail road. Long term impacts on the Hudson are important but far more subtle.
40. Figure 3.1-1 Soil Map Key needed for the soil types.

41. Figure 3.1-5 Proposed grading plan Seems to be mislabeled as it seems to be a storm water plan.
42. Page 3.2 Surface Water The Larkin Plaza project, the daylighting of the Saw Mill River, was reviewed in the EIS that reviewed the larger downtown/SFC project, but was not a part of the SFC development project. It is a city of Yonkers development.
43. Page 3.2-3 1st full paragraph notes that the pre-development water quality of the west side of the site would be maintained. Is this correct as the pre-development quality is of a brown field site.
44. Page 3.2-3 Storm water collected in the cistern will provide “up to 30 days of stored irrigation water for the hydroponic garden...” What happens after 30 days if there is no rain to replenish the water? Will city of Yonkers potable water be used?
45. Page 3.2-3 Does the cistern water have to be treated prior to being used on food plants? Will there be run off from the auto court with automobile related pollutants in the water requiring filtration? Will there be effluent from the hydroponic gardens?
46. Page 3.2-4 Stored storm water will eventually be metered out from the cistern into the storm system. The on-site system helps to smooth the peak input into the sewer system but is not the same as off setting increases in waste water generation. Detail how the project will mitigate an equivalent amount of input into the system to bring the waste water generation to a zero level.
47. Page 3.2-5 Future surface water quality Clarify a “sources & uses” chart showing the amount of storm water falling on the site, the amount used by the garden, the amount passed out of the cistern and into the system and the amount of effluent from the garden. The explanation does not track as a net reduction of storm water.
48. Utilities Page 3.3-1 Does Kensico water mix with Cat/Del? I believe that Yonkers gets the vast majority of its water directly from the Catskill and Delaware Aqueducts, a small amount from the Hillview Reservoir, which is a mixed source system and some water from the Kensico. I don’t believe that this site gets any water from Kensico.
49. Page 3.3-2 Third Paragraph Does the 72-inch trunk line flow north to the Alexander Street North Yonkers County Pump Station or to the small pump station on Main Street adjacent to the rail tracks?

50. Water Supply Page 3.3-3 the project proposes water saving features in the units. Explain how the applicant can insure that these features are not removed by the residents of the units.
51. page 3.3-4 What amount of “savings” is reflected in reality? Do low flow shower heads remain in place or are they changed by the renters? Do they actually result in less water use or does the user simply take a longer shower, etc. What part of the water savings are already mandated – for example, are the 1.0 gpf toilets already mandated? Low flow wc’s simply lead to more flushes to do the same job.
52. Page 3.3-4 Applicant notes that the demand will not have any impact on service. What impact will the added demand have on per capita pricing of water from the NYC system?
53. Page 3.3-4 Last Paragraph Irrigation water for the farm will “come solely from storm water runoff”, however, elsewhere it notes that there will be only a 30-day supply of water from the farm. Which statement is correct?
54. Page 3.3-4 How much Yonkers potable water will be used for processing of the farm produce?
55. Page 3.3-5 Cross contamination prevention. Statement notes “all make up water connections to hydroponic garden and geothermal system will be provided with dedicated approved” RPV’s. Are these systems connected to city potable water or not? Will there be a RPV between the cistern system and the irrigation area and for what reason?
56. Page 3.3-5 Third Paragraph in Cross Contamination. It was made clear at early reviews that no connection between the city’s domestic water system and the farm would be permitted. Explain the statement about connection to domestic water and the use of a RPV backflow preventer.
57. Geothermal system Page 3.3-7 A better explanation of the geothermal system using lay terminology is desired and had been asked for. The figures are not particularly helpful.
58. Page 3.3-7 Will the steel casing extend the full 1500 feet of the well or will it be only a partial casing? Do the casings need to be replaced due to rusting or other corrosion? What is the nature of the maintenance work on the wells and will it impact the use of the sidewalks by pedestrians?
59. Page 3.3-7 What is the value of the wells in terms of annual rental payments to the owner of the land, the city of Yonkers?
60. Wastewater Treatment Page 3.3-7 There seems to be a phrase missing in the wastewater equation. The storm water system stores water during storms and

- meters it out to the combined sewer system during and after the storm. This does not mean that it removes the 29,000 gpd of sanitary sewer inputs. Where is there a removal of 29,000 from the buildings system so that :
- $29,000 \text{ gpd sanitary use} - 29,000 \text{ gpd removals} = \text{no net impact}$
- What is removing 29,000 gpd from the system?
61. Page 3.3-7 “In addition, the storm water storage system has been designed with the capacity to offset the proposed sanitary sewer system ...” How? Is this an “apples to apples” comparison? One system has to send water directly to the sewer while the storm system can hold back water while waiting to later send all of the water out into the system.
 62. Page 3.3-8 Waste Water from the Greenhouse. How much wastewater and from what sources will the greenhouse produce? What characteristics will it have, i.e., what is in it? Can there be a closed system to recycle the wastewater on site via an aquaculture filter system or other means?
 63. Page 3.3-7 The applicant proposes to mitigate I & I by tv’ing and spot repairing of the local combined sewer. Does this proposed work equal 29,000 gpd of I&I based upon the equations used by the County?
 64. Other utility providers Page 3.3-9 It is not clearly explained how the individual units will be supplied with utilities and what services are provided. The only gas service is a one meter supply. Will the units have electric stoves? Will the CHP system will provide all heat to the units or will the units have to produce/pay for the heat in some way separate from their rent. Given electrical overloads in Yonkers in recent years is it prudent to rely on electric systems in the individual units?
 65. Waste water mitigation Page 3.3-9 Inspection of an aging sewer serving the project is not mitigation, it is insurance. What actual mitigation of increase septic flows will be made? Given the proximity to the county sewer can this project and the area around it be taken off the combined system and piped directly into the county trunk system?
 66. Figure 3.3-1 CHP Plant Diagram. Not helpful at all. What are inputs? Outputs?
 67. Land use and Zoning Page 3.4-3 The former Herald Statesmen Building is no longer used by the defunct newspaper
 68. 3.4-3 Several names to check. St. Mari’s Church. Vive School Griffen House is not a part of the St. Joseph Hospital but they are a sponsor of the 81 DU sr. housing building.
 69. Through out this section the applicant assumes that the 25 story height is a priori the correct height for this building. Prove it. Create a hypothetical ceiling for the

- downtown based first upon the existing buildings and then upon the existing buildings as modified by the approved buildings. Base this upon the elevation of the buildings bases and show how the proposed 25 story building relates to first existing and then existing plus proposed average heights.
70. Compatibility with Land Use in Adjoining areas Page 3.4-13 and elsewhere
What opening exist in the day care center north wall and how will the 5-foot set back effect that wall. How is parking use adjacent to the day care center compatible? Describe the current day care center loading and unloading activity and explain how it will be beneficially affected by the location of the parking garage exits. Shadowing , for example, is a non-issue for the day care center building as is the location of the farm.
71. Landscaping within brick planters on the west side of the project are expected to survive under what circumstances in a windy semi-marine environment?
72. Speculative statements such as which direction persons will be looking and what impact the trash conveyor will have because “most viewers will be looking west” should not be in an EIS.
73. Consistency with Land Use Plans & Policies Page 3.4-14 Applicant should show proposed changes to the Urban Renewal Plan sought to bring plan and project into conformance. Note that the Planning Board is a required approving agency to any change in an urban renewal plan.
74. The building mass as proposed was shown in the downtown zoning study early illustrations as a means to test various scenarios for zoning, height and bulk. The inclusion in the early illustrations is not an indication of acceptance of the proposal.
75. Page 3.4-15 Fourth bullet. Shadowing is a direct impact.
76. Page 3.4-17 Greenhouse Is it the applicants statement that except for sanitary needs of the farm employees that there will be:
- No city water used at the greenhouse, and
 - There will be no direct discharge from the farm operation except for once annual maintenance?
 - Does the applicant mean that all packing and distribution work will also use no city water at all?
 - Geothermal Wells Page 3.4-17 Will the two days of maintenance once per year be for all of the wells? What impact will that have on the use of the sidewalks in the area?
77. Page 3.4-24 Potential Impacts Number 3. Pedestrian traffic will increase by the hundreds of residents in the buildings. Are the narrow sidewalks adequate in the area between the site and the rail road station?

78. Page 3.4-25 The mechanical equipment on the roof may not be visible from Buena Vista Avenue but will be visible from other areas that have the height to place them in view of the roof.
79. Page 3.4-27 By bringing the trolley Barn building into this PUR, as well as the frame buildings across the street, all of their parking demand should be accommodated by the proposed parking structure. This would make the area parking demand 464 spaces rather than the 412 spaces spoken about in the DEIS.
80. Page 3.4-27 Waivers The PUR allows waivers from the dimensional and parking regulations of the Zoning Ordinance. The Zoning Ordinance does not require compliance on public property. However, it is appreciated that the applicant points out deficiencies in area street lighting that could be off site mitigation.
81. Figure 3.4-2 Larkin Plaza is not an SFC project. It is a city of Yonkers effort.
82. Figure 3-4.2a Show approved/not built in a different color. Missing heights for the Riverview projects.
83. Figure 3.4-5 BR Restricted Business, Residence EXCLUDED.
84. Figure 3.4-6 The illustrations from the downtown rezoning study are test sketches and studies and are not a definitive statement about proposed zoning. They should not be over played as granting any preferential review of the proposed action.
85. Page 3.5-1 Traffic and Transportation Summary Findings As a general statement I find that the repeated expectation that bus transit will have any effect upon the trip generation or parking use by the proposed action to be unlikely. Bus usage in Westchester County is unlike that of NYC or other major metro areas. Buses are used by the poor or otherwise unable to drive population. Larry Salley, former WDOT Commissioner often noted that his system was not like NYC's in that it did not transport millionaires. Unless otherwise proven I see the bus system as a non-starter in this discussion.
86. Page 3.5-2 Farm How will materials be delivered? Will the farm actually be able to require that it's consumables not be delivered by tractor trailers? Where will the bus parking be accommodated if there are school groups?
87. Page 3.5-4 Riverdale Avenue and Nepperhan Avenue are NYS Arterials in the downtown area.
88. Page 3.5-7 No discussion was made of the sidewalks width and their capacity given the new 412 units with a pedestrian orientation towards the rail station. The Recreation, not Victorian, Pier has been restored and has a restaurant on the second floor and pedestrian, ferry/excursion boat uses on the first floor.

89. Future Pedestrian Environment Page 3.5-13 Given the new pedestrian load what would best practices indicate that the sidewalk width should be between the origin of ped and the likely area destinations?
90. Mass Transit Page 3.5-14 The fact that there are a number of Metro North Trains available and that the number of potential users equates to 1 per train does not equal “sufficient capacity exists to handle projected transit ridership...” What is the capacity of the peak hour trains? If they are at or over capacity one additional passenger puts the train beyond “sufficient capacity.” A statement by Metro North personnel would be sufficient.
91. Emergency Access Page 3.5-17 Is the parking prohibition being proposed to assist in emergency access? What equipment necessitates this removal of parking?
92. Construction Traffic Page 3.5-18 If the city owned sites are needed for city sponsored projects where will staging for the project take place? If these parcels are included in the project they need to be included in the analysis of impacts. Third Paragraph seems to have cut/paste typo's – will there be any “clear and grub materials or soil to be stock piled?
93. Page 3.5-23 Where is the NYC automated parking garage located?
94. Page 3.5-25 More information and thought needs to be provided about queuing and the operation of the automated garage. Will there be a limit to the amount of time in the “airlock” chamber or will people be able to putter around loading and unloading their car? Unlike a standard garage where the aisles serve as long queuing areas all of the waiting area for this garage impacts the street and other drivers/pedestrians. How will this be mitigated?
95. Page 3.5-27 Mitigation. Can the exit driveways from the garage be paired so that there is only 2 drives? Will this hinder the efficiencies of the garage? Can the exits be paired left only and right only?
96. Page 3.5-28 Ped Environs Mitigation What is the peak hour ped usage on the street? How many pedestrians can be accommodated on the street area from the building entrance to the Rail station, assuming that none of them choose to use the interior walkway? Ped improvements on one side of a street requires a “landing” on the other side of the street, that is if a drop curb is placed on the south side then a matching drop curb is required at the north side.
97. Aesthetic Resources Page 3.6-2 The large parking structure in the vicinity is a YPA public parking structure, not a USPS facility.
98. Page 3.6-4 Please confirm proposed site is not subject to Scenic Hudson conservation easement.

99. Page 3.6-5 Table 3.6-1 Note that the Palisades Park is a National Natural Landmark and that Yonkers City Hall is National Register Eligible. Similar on Table 3.6-2 and that the Old Croton Aqueduct is a National Register Property (as well as holding several other historical designations)

100. Page 3.6-8 The closest point on the OCA to the site may not be the point at which maximum visibility from the trail occurs. As the trail crosses Nepperhan Avenue, on the aqueduct bridge, or as it intersects Yonkers Avenue may be the point where maximum visibility occurs. The topographic review tool should be used in conjunction with the map of the OCA to determine if these other locations yield visible points from the trail.

101. Page 3.6-12 Potential Aesthetic Impacts The applicant's opinion as to the compatibility and visual interest addition of the proposed building is their opinion and should be expressed as such. The buildings number of stories are similar to the height of the Palisades Point approved building but their proposed height would be more than 50 higher. To be compatible with Palisades Point the proposed building should take into account the ground elevation difference and account for that in the design. A compatible height design should be shown in the FEIS.

102. Page 3.6-13 The Palisades Point towers, which are above a five-story pedestal plate consisting of liner residential and parking garage space, are closer to 8,000 square feet in the tower elements and are the point tower configuration initially requested by the City of Yonkers.

103. The concern about the design of the proposed project and its aesthetic impacts is that the tower element, from base to roof, is a form and texture that is not in keeping with the character of the immediate neighborhood and of the greater downtown area. While it is true that there are grossly unornamented building in the area, those are not the buildings that are looked upon with any fondness by the community. The applicant needs to look to traditional forms in the area to find an example to work from. The two original "skyscrapers" in the downtown, 20 and 30 South Broadway, are considered handsome buildings and while they tower above the 2 and three story building around them they fit into the overall character of the community.

The applicant's building does not exhibit that same respect of its neighbors. The first floor does not respect the massing or the materials of the buildings around it. The upper floors do not bring with them the vocabulary of the architecture around them pull the existing buildings upwards with the new structure but instead ignores the community of buildings for a new and discordant façade. The applicants should compare the way that the Ritz Carlton building in White Plains stands away from its neighbors and contrast that with the way that the two tower buildings of the City Center project seem to draw the elevation of the adjacent buildings upwards with them.

104. Page 3.6-16 Lighting and Reflections I do not find the discussion responsive. There have been many cases where buildings have been built that have caused glare problems. There are also many cases where these glare problems have been fixed by retrofitting the buildings with alternate types of glass or coatings on existing glazing. It should also be possible at this point in the design of the building to consider if there will be planes of the building that are likely to create glare problems. If the designers assume highly reflective glass, they can then consider the likelihood of glare from this glass, and then point out places that alternative type of glazing need to be installed.
105. Page 3.6-18, Table 3.6-4 Complete the table. Are the blank cells supposed to be blank?
106. Page 3.6-18 Mitigation Measures. It is not the height of the building that is a problem as much as it is the bland, stark, cold blue contrast to buildings around it. Existing, loved buildings in Yonkers, as mentioned above 20 & 30 South Broadway, respect their context while hated buildings such as 7 Pines, Riverview 1 & 2 and the RAMP site building at the intersection of Yonkers Avenue and the Saw Mill River Parkway do not respect the buildings around them.
107. Figure 3.6-7a Why was the picture not taken from the middle of city hall. Given that there is a grand ceremonial staircase rising from South Broadway to the official (in underused) front door of the City Hall the picture should have been taken from that point instead of the more-advantageous-to-the-applicant viewpoint given. The picture should be retaken.
108. Figure 3.6-10a Photo appears to have been taken from the north end of the city's promenade. The Beczak is several hundred feet north of the site of photo.
109. Figure 3.6-12b The view is skewed too much to the north and is shot almost due west. The site is south west of this location. Given the parks location in a "bowl" retaking the photo is not necessary.
110. Figure 3.6-18B This is a view OF Copcutt Mansion. It is skewed northwest when the site is due west of the location. Given the bend of the Nepperhan Avenue it is unlikely to see the site from this location.
111. Figure 3.6-24 This illustration points out the stark and unbeneficial contrast between the character of the downtown and the proposed building. Not only does the building tower over the existing buildings in the downtown but it bears no relationship whatsoever to the other buildings in the area. Looking down Hudson Street there are five examples of fine architecture that could be incorporated (not all five at once) into a design that would better fit the downtown. The YMCA building, for example, the light brown brick with

white cornice structure on the southwest corner of Hudson and Riverdale Avenue, is a style that could easily be “grown” by 15 stories and still remain in context with the community. A simple building yet it illustrates how handsome a building is when there is a strong defined base, a façade with details for interest and a clearly defined top to the structure.

112. Figure 3.6-26 The perspective seems wrong in this simulation. The SFC buildings are 50 feet lower in elevation and not that much closer so should not seem as much higher as they do. This should be checked.
113. Figure 3.6-27 The proposed building in comparison to area character. The “Homes for America Building” is a new (circa 2005) structure that while clearly new, nonetheless blends in with the older buildings in the area. Interestingly, even the proposed greenhouse and Teutonia façade appears to work within the context of the project area better than the bland blue residential rectangle.
114. Figure 3.6-29 Shadow Analysis March 21. There should be an arc of the shadows shown for the project buildings similar to those shown for the SFC buildings. There are public open spaces, particularly the Ella Fitzgerald park in front of the train station, that are regularly used for recreation within the arc of the sun’s shadows on this representative day. The full shadowing effect of these buildings upon those spaces should be shown.
115. Figure 3.6- 30 Same comment as for comment 114. Show the full arc of the shadow impacts.
116. Figure 3.6-31 Same comment as for comment 115. Show full arc of shadow impacts.
117. Page 3.8-1 For the record Yonkers disputes the last several estimates from the ACS. It appears that the Census used the exact same number of units in three consecutive years even though the city provided information that was wildly variant in each of the years.
118. Page 3.8-1 General comment. DEIS uses 2000 census figures; can the analysis be updated to use the 2010 census demographic figures?
119. Page 3.8-3 If there is no municipal, state or federal money in the relocation of the residents of the multifamily buildings why is the applicant proposing to work with the urban renewal agency on relocations?
120. Page 3.8-3 the Planning Bureau provided the Board of Education consultants with information that lead to a new school children estimates. It should be available now.

121. “The public schoolage children multiplier per dwelling unit was 0.37 public school students per dwelling unit”. Please provide the source for this number and confirm if that is a citywide multiplier.
122. DEIS states that city wide there was [total] .48 students per dwelling unit, and in census tract 1.03 there is .74 public school students per dwelling unit. Compare apples to apples. i.e. public citywide to public census tract.
123. The public school multiplier section needs to be better explained. Page 3.8-2 states that citywide 0.48 students per dwelling unit produces a 0.37 public school age multiplier. Census tract 1.03 is 0.74 per student dwelling unit, yet the DEIS states that those multipliers are .07, .17, .27 and .45. Please explain how the multipliers were determined.
124. Page 3.8-3 Yonkers has a large number of its children, upwards of 40% of the school age population in private, parochial and other religious schools but the analysis did not mention any of these in the analysis. What is the expected impact of the project on school age children in private as well as public schools?
125. Page 3.8-8 The applicant does not propose to install any surveillance in the automated garage. What is the state of the art? What do other such facilities provide? Body heat or movement sensors would be more appropriate instead of expecting the police to monitor a private facility.
126. Page 3.8-11 Fire services. Are there any special water and fire needs specific to the farm or from the CPH turbines? Will there be potentially flammable fertilizer used in the farm to create the hydroponic solution? Will the fertilizer be stored in a manner the will avoid potential problems? There was no discussion of fire departments issues, if any, with high rise buildings and fire suppression.
127. Page 3.8- 11 DEIS narrative regarding police, fire and ambulance protection and services is based on a compilation from the previous DEIS’s from 2005 and 2007 and interviews from departmental personnel. Please confirm the data is up to date and accurate.
128. Page 3.8-15 Schools. Yonkers High School building also houses the 6 – 8 grade Yonkers Middle High School program.
129. Page 3.8-20 The old Croton Aqueduct Trailway extends 26 miles, not 41. The South County Trailway will be constructed on the bed of the Old Put line by Westchester County, not the Old Put will be constructed by the County.
130. Page 3.8-20 The applicant notes that there will be 56 school age children generated by the project and knows that there are school age children in their

other neighborhood project yet considers that there is no recreation impact while not showing any playground space or equipment for these children. Where will these children recreate in the immediate environs of the site, closer than ½ mile? What is the national standard for school age children and tot appropriate places by distance?

131. Page 3.8-25 Community Services – waste services. Weak discussion of the problems. Will the compactor/recycling space be adequate for two week storage of recyclables? Has DPW been consulted about going on site with compaction or roll on pick up of trash from the site? Turning radii are not the only factor about compatibility with City of Yonkers equipment; have vertical clearances been investigated? Will the site be sized to accommodate the County change to recycling of all plastic types?
132. Page 3.8-24 DEIS cites Urban Land Institute’s 1994 Development Impact Handbook as a source for per household rate for solid waster generation. That source is 17 years old. Is there a more up to date source that can be used?
133. Page 3.9-6 Educational impacts. DEIS notes that the Yonkers schools operate at a 95-96% capacity but that this is considered as able to allow the system to handle added students. Is this in fact a capacity that will allow the inflow of new students or, like apartment buildings, is a 95% capacity considered full up?
134. Page 3.9-7 State the wage ranges of the “highly skilled positions in greenhouse maintenance and operations”. Will these be all of the positions or will there be lower paid pickers, packers and farmers?
135. Page 3.10-9 Construction impacts at Queens Daughter day care to reach 85 dBAs. What can be done to mitigate noise impacts?
136. Page 3.10-10 Noise Impacts. It is noted that screens will surround the HVAC and other noise generating mechanical equipment on the roof of the building and that noise at ground level will not be increased. What will the impact be at the nearby Scrimshaw house where noise receiving apartments are more proximate to the roof top of the new building? On the day care center?
137. Page 3.10-17 Wind & Snow impacts. Is there any way to gauge the wind and snow impacts upon the rail road tracks? This recent winter’s blizzard had areas around taller buildings where snow was piled on one side of the building but scoured from the other. Can the potential for this be estimated for this building and can there be any mitigation built into the rear area landscaping or walls?
138. Figure 3.10-1 the radius for the 1000-foot circle was drawn from the center of the site instead of edges. Would any other sensitive receptors be hit if the area

was taken from each edge? Why were the recreation pier and the Hudson River promenade not included as sensitive receptors?

139. Page 3.11-8 Explain how the sub-slab vapor ventilation system would work and how it would not simply disperse the pollutants into a wider area potentially impacting more persons?
140. Page 3.12 Construction Impacts Based upon the construction of the applicant's nearby building 66 Main Street the proposed staging lots are insufficient. No parking or staging of construction materials or trucks will be permitted on the city streets. Will the two small area lots be sufficient to handle the volume of materials coming and going from the site? A truck tire wash station will be required at the exit from the site until the site soils are stabilized.
141. page 3.12-2 What happens when the dust alarm sounds for the Queens daughters' site? What actions are taken?
142. Page 3.12.2 Any easements needed from the private site to public lands such as tie backs should be made a part of the site plan package. What fee is proposed for the use of these easements? Will the payment be annual or one time?
143. Page 3.12-4 "If practical" is not good enough protection of the day care center from delivery truck impacts. How will the project protect the ability of the day care center to drop off/pick up children from this long established institution?
144. Page 3.12-7 Construction Related Traffic. Please propose alternate means of soil transport or alternate routes that would not impact the downtown center. Is rail transport possible?
145. Alternatives. The most significant problem with the project as proposed is that the tower element does not in any way match the character of the rest of the community. It is 10 stories taller than any other building in the downtown area. It does not match the architectural character of the building in its immediate surroundings. In fact, it does not match the character of the other buildings that constitute the rest of the project. It is too bulky, too smooth, too blue.
The project sponsors have produced a sleekly modern office building style building for a residential project in a traditional setting. The unornamented blue monolith does not fit into the setting and does not reflect the sky or the buildings around it in a way that pulls the project together with its surroundings. The buildings bulk is unremitting in its plain unornamented starkness.
The applicants would do well to look to White Plains to make the contrast between the too blue, too tall, too sleek Ritz Carlton and the more appropriate residential building growing from the base of the City Center project. The more ornamented city center buildings appear to have grown from the more traditional downtown around them when the Ritz Carlton building seems to

have been 'coptered in from mid-town Manhattan and dropped in a small suburban city.

146. The reconstruction of the Teutonia Hall façade and the construction and design of the clean tech garage is thoughtful and its scale, massing and materials fit well with the existing streetscape and with the historic Trolley barn, however, the base of the 25 story tower and the glass tower itself do not have the same attributes. The tower appears to be misplaced from some 1970s location in a major downtown. The glass base and tower are not appropriate for the existing context and the mirror like glass may be harmful to birds, or may cause sun concentration damage to nearby property and is therefore not recommended as a finish material.
147. Putting aside the height, massing and material of the tower for a moment, how does the base of the tower relate to the street?
148. How does the base of the tower's fenestrations relate to the existing street façade fenestrations?
149. Why introduce new materials to the street when the facades of the Trolley barn and the new garage are brick?
150. Massing – the buildings shear vertical shape without any street setbacks does not fit contextually within the narrowest of the block and the street. It would seem more appropriate for there to be a building set back at the street equal to the height of the Trolley barn of 10'-15' and then another 15' setback again, say 15 stories, which is approximately the next height currently prevalent in the downtown.
151. The character of the building also does not seem to fit contextually. The building should express what its function is. It reads as if it is an office building and not a place where people live. The buildings' fenestrations and form should reflect that this is a residential building. With the wonderful location why is there not balconies and/or groupings of windows to indicate vistas and views from the building?
152. There is a rhythm in the existing building facades of Teutonia Hall and the Trolley barn that should somehow be incorporated into the rhythm of the new residential building.
153. Alternative proposals: Built to current code This alternative does not identify any adverse impacts from developing a smaller building with fewer units other than less revenue would be produced from fewer units (120 units verses 412). Has a market analysis been performed? What is the expected absorption rate to fill 412 units in this economy? Has the developer factored into their absorption

- rate the possibility of Palisades Point coming on line at the same time (another 436 units on the water with a better location and with all approvals in place)?
154. Alternative with a standard parking garage, no roof garden. What would stop the developer from switching to this alternative after approvals are in place since the impacts and building footprints are almost the same? Site plan approval should condition the approval to include the roof garden, training classroom, community space, wider sidewalks, etc.
 155. Financing structure: Construction cost estimated at \$131,000,000. Total development costs including clean up 1.3 times the construction cost or \$170,300,000. Are there lenders out there to fund such a large project in this market??
 156. Green Building Standards and Design There does not appear to be any mention of how the tower will incorporate green building standards other than the possibility of a geothermal HVAC.
 157. Other Issues: Sidewalk as proposed is too narrow at 7' and should be widened to at least 10' along the entire site including the Trolley Barn building to accommodate new pedestrian traffic
 158. The location of the garage with four curb cuts raises issues at the morning rush hours with vehicles pulling out of the garage and people driving up to drop off small children at the Queens day care center. Since the Hydroponic garden is a nice feature, but not a necessity why is the location of the garage not located between the new tower the trolley barn and 66 Main Street since the application states that the garage will provide much needed parking for the Trolley barn and 66 Main St residents as well as the new residents of the tower?
 159. Shading analysis needs to take into consideration elevations around the site. Shading of public spaces should be analyzed between May 1st and November 1st between 9 AM and 4 PM. Public Space in shadow from a proposed new building more than 2 hours during a day during this time frame should be considered a significant impact.

