1.0 EXECUTIVE SUMMARY

Introduction

This Final Environmental Impact Statement ("FEIS") has been prepared in accordance with the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations, 6 NYCRR Part 617. The FEIS provides responses to substantive comments received by the City of Yonkers Planning Board, acting as lead agency, on the Draft Environmental Impact Statement ("DEIS") for the Buena Vista Planned Urban Redevelopment ("PUR") project. The project is located in the City of Yonkers, Westchester County, New York ("proposed action"). The regulations implementing SEQRA prescribe that the lead agency is responsible for the adequacy and accuracy of the FEIS.

The FEIS consists of this document, accompanying maps, and the Buena Vista Teutonia DEIS which is incorporated herein by reference.

1.1 SEQRA Process

The proposed action is a Type I action as per Section 617.4(b)(9) of the regulations implementing SEQRA, as the project incorporates the Trolley Barn, a National Register of Historic Places site, in the overall site layout. The SEQRA process commenced on October 16, 2009, when the Yonkers Planning Board circulated a notice of intent to declare itself Lead Agency for the proposed action. On November 18, 2009, the Planning Board assumed Lead Agency status. On the same date, the Planning Board, acting as Lead Agency, determined that the development may have a significant impact on the environment and issued a Positive Declaration, requiring preparation of a DEIS.

The Applicant submitted a draft Scoping Document with its special use permit and site plan application outlining the specific impacts and mitigation measures to be considered in the preparation of a DEIS. The draft Scoping Document was the subject of a public scoping session held on January 13, 2010, and was revised to incorporate comments raised by involved and interested agencies, the general public, and the City's consultants. A Scoping Document for the project was adopted by the Yonkers Planning Board on March 4, 2010.

The Yonkers Planning Board deemed the DEIS complete at a meeting held on December 8, 2010. Subsequently, a public hearing was held on February 9, 2011, to solicit public comment on the DEIS. The lead agency received written comments until February 25, 2011, following the close of the public hearing. Additional City agency comments were received thereafter.

In accordance with SEQRA, this FEIS provides written responses to substantive and relevant public comment received by the lead agency during the DEIS review period, including oral testimony made at the public hearing. The public hearing transcript is included in Appendix A of this document; copies of comment letters are included as Appendix B. Correspondence received after the close of the comment period are included as Appendix C.

This FEIS has been prepared in accordance with Section 8-0101, et. seq. of the Environmental Conservation Law, and the regulations contained in 6NYCRR, Part 617, implementing same.

1.2 Summary of the Proposed Action

The project sponsor, Teutonia Buena Vista, LLC, ("Applicant") proposes to construct a transit-oriented residential development in downtown Yonkers, Westchester County, New York (refer to Figure 1-1 for site location). The Applicant will redevelop a number of vacant and/or underutilized properties situated on Buena Vista Avenue just south of its intersection with Main Street. The Applicant proposes to construct a transit-oriented development whose primary component is the construction of a 25-story, 412 dwelling multifamily rental building with accessory parking provided in an automated garage.

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

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

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

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

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

The abutting property owners are also shown on Figure 1-2. Figure 1-3 presents an easterly elevation of the portion of the project proposed on the west side of Buena Vista Avenue. The elevation shows the proposed multistory apartment building attached to the existing Trolley Barn building. Immediately south of the multistory apartment building is an auto court providing access to the building and the automated garage. The hydroponic garden is located atop the garage. Figure 1-4 presents a concept elevation of the restored residential buildings located on the west side of Buena Vista Avenue.

Since preparation of the DEIS, the applicant, in consultation with the City, has prepared a plan that would introduce a widened sidewalk on the west side of Buena Vista Avenue. The sidewalk would be expanded from seven (7) feet to ten (10) feet, and the widened sidewalk would be constructed in front of the westerly PUR site. The northerly limit of the sidewalk would end at Main Street. Figure 1-5 illustrates the expanded sidewalk.

1.3 Proposed Alternative to the Proposed Action

Elevations

In response to comments regarding the proposed apartment building's massing and facade treatment, the Applicant has developed an alternative concept for the apartment building. Figures 1-6, 1-7 and 1-8 illustrate the revised concept. Figure 1-6 presents an aerial view of the alternative. As is evident from the illustration, the massing has been varied to address criticisms that the building is "boxy". Figure 1-7 is a rendering of the easterly elevation of the apartment building. The facade would incorporate a variety of materials including brick, a material present on the Trolley Barn facade. Also, windows would be nonreflective. The top of the building would be angled to provide added visual interest. However, the overall height of the structure is the same as the proposed action examined in the DEIS. Figure 1-8 presents a vignettes of the south, north, east and west elevations of the apartment alternative.

Entry Court Details

Figure 1-9 presents an entry court detail of the building alternative along with a description of materials to be used in the alternative building's facade. The location of the proposed identification sign is shown, and lighting within the courtyard is also presented. Figure 1-10 presents an enlargement of the same courtyard space, with the signage shown in greater detail. As is shown in both figures, the additional setback that is being created allows for the addition of landscaping materials along the entire front facade of the apartment building to "soften" the streetscape in front of the building. Sufficient area is provided to install street trees within the setback. All lighting will be directed downward to limit light spill and no uplighting is proposed to highlight the building. Elsewhere on the site, e.g., within the auto court, lighting will be installed and recessed within canopies to provide the same downward cast lighting effect.

It is noted that the proposed action would have comparable courtyard treatments.

Rear Facade Access Door

Figure 1-11 presents an enlarged view of the rear facade of the apartment building. This graphic illustrates the location of the proposed door which will allow employees to access and maintain the landscaped area to be situated between the building and the adjoining Metro-North right-of-way.

Trolley Barn Connection

Figure 1-12 illustrates the proposed connection that would be created between the Trolley Barn building and the new apartment building. The same connection would be installed under the proposed action as well. The first floor lobby of the new apartment building would be connected to an existing elevator lobby in the Trolley Barn. A ramp would be constructed within the new apartment building to match the Trolley Barn's 3rd floor. The size of the opening that would be created in the Trolley Barn's facade to allow this connection would be approximately six (6) feet wide by seven (7) feet high. Figure 1-12 also presents the lobby level amenities and utility areas for this alternative.

Floor Plan

Figure 1-13 illustrates a conceptual floor plan for the residential stories within the alternative apartment building. The floor plan has been modified as a result of the change, i.e., reduction, in the building's footprint, which is carried up the upper stories of the apartment building. The applicant would construct the same number of dwelling units, i.e., 412 units, and set aside 20 percent of the dwellings for affordable housing.

Site Plan for Alternative Design

Figure 1-14 presents a concept site plan for the apartment building alternative. Like the proposed action, the site plan has been modified to accommodate a widened sidewalk in front of the new apartment building - it will extend north to Main Street. The building, including the parking garage, has been setback a minimum of at least five (5) feet from the sidewalk to provide an additional setback between the building and the sidewalk. Immediately in front of the apartment building, this area will allow an expanded sidewalk/landscaping edge to improve the overall streetscape. Sufficient width exists to add street trees between the building and the sidewalk. As described in the DEIS, the decorative street lamps in front of the Trolley Barn would also be installed in front of the new apartment if the City is in agreement with this street improvement.

An additional five foot setback has been created between the daycare center and the proposed garage building. Presently, a chain-link fence exists along the shared property line, and a 5-foot setback exists between the chain link fence and the daycare center building. The Applicant proposes to work cooperatively with the center to remove the chain link fence, create a 10-foot courtyard between the daycare center and the southerly brickfaced wall of the automated garage, and enclose and secure the space from Buena Vista Avenue by installation of a decorative fence. The Applicant would grant, at no cost, an easement to the daycare center to utilize the space created on the project site for the daycare's use. An additional minimum setback has been provided between the building and the property's shared boundary with the Metro-North right-of-way to allow easier access for maintenance of the rear yard area of the site.

In summary, the alternative apartment concept varies from the proposed action which is the subject of the DEIS as follows:

- It reduces the building's footprint;
- It introduces an alternative facade design intended to appeal to persons who prefer a design that utilizes materials reminiscent of the older historic buildings of the downtown area, while still having modern appeal;
- It eliminates reflective glass;
- It sets back the apartment building 10 to 15 feet from the existing property line along Buena Vista Avenue. The additional setback will be landscaped, the details of which would be determined in consultation with the City during site plan review.
- An additional five foot separation is provided between the day care center located south of
 the project site and the building that will house the garage bays for the apartment building.
 The Applicant will work cooperatively with the center to create a secure, 10-foot wide
 courtyard between the daycare center and the southerly brickfaced wall of the automated
 garage at no cost to the daycare center.
- A minimum five-foot setback will be provided along the Metro North rail right-of-way to provide additional space to access the westerly facade and plantings for maintenance.

• The Applicant will expand the sidewalk in front of the new apartment building from approximately seven feet to ten feet in width, beginning in front of the automated garage (this is also true of the proposed action). The widened sidewalk would extend north to Buena Vista Avenue's intersection with Main Street.

Shadow Study

In order to address concerns with the potential effects of the shadows that would be created by the apartment alternative, additional shadow analyses have been prepared and are shown in Figures 1-15, 1-16, 1-17, and 1-18. The shadow cast by the building is presented at five time periods of the day during different seasons of the year. The longest shadows would be cast during the winter months - see Figure 1-18. The shadow will rotate from west to east, and locations within the project vicinity, especially outdoor public gathering spaces, would experience shadow for no more than two hours during the day. The shadows, as they are being cast during a time period when riverine or stream habitats would be dormant, would not have a significant impact on these resources. Shadows are also cast when the public gathering spaces are used to a much lesser degree than during other seasons, e.g., summer, of the year. Thus, the number of users that would be affected are not substantial.

The applicant has indicated that this alternative will be designed with the same mix of dwelling units as the proposed action. It will generate the same number of persons, schoolage children, and will place the same demand on utilities and community facilities as the proposed action. The same traffic would be generated and the same number of parking spaces will be provided. The project will be visible from the same locations examined in the DEIS, but its facade has been purposely redesigned to address the preferences of persons who would prefer a design that incorporates materials that are reminiscent of the downtown's buildings. It's footprint has also been reduced to provide additional setbacks from the westerly, easterly and southerly property lines of the property on which the apartment building will be located.

At the City's direction, the applicant will pursue the proposed action or the alternative presented here.

1.4 FEIS Format

The FEIS responds to comments raised during the DEIS public review period. The transcript of the DEIS public hearing is included as Appendix A. Substantive comments were raised by the following individuals at the DEIS public hearing:

- Terri Joshi, President, Yonkers Community for Smart Development
- Nick Papas, Resident
- John Finniger, Resident
- Diedre Rylander, Resident
- Joseph Kozlowski, Friends of the Old Croton Aqueduct
- Michael Guere, Representative of the Painter and Allied Trades Union, and Resident

Written comments were received from the following individuals/agencies (refer to Appendix B):

Table 1-1 Written Comments - Commentators			
Letter #	Author	Date	

Table 1-1 Written Comments - Commentators			
1	James Moran, P.E. Senior Professional Engineer City of Yonkers Department of Engineering	January 20, 2011	
2	Kenneth Greehan, Manager of Recycling and Refuse City of Yonkers Department of Public Works	February 17, 2011	
3	P.O. Roberta West, Planning and Technology Unit City of Yonkers Police Department	January 22, 2010	
4	Deputy Fire Chief John Flynn, Fire Prevention Division City of Yonkers Fire Department	February 25, 2011	
5	Albina Glaz, Water Engineer, City of Yonkers Water Bureau	February 23, 2011	
6	Edward Burroughs, AICP, Commissioner Westchester County Department of Planning	February 25, 2011	
7	Natasha Court, P.E., Associate Engineer, Bureau of Environmental Quality, Westchester Co. Health Dept.	January 18, 2011	
8	Kenneth Markunas, Historic Sites Restoration Coordinator, Historic Preservation Field Services Bureau, NYS Office of Parks, Recreation and Historic Preservation	February 23, 2011	
9	Patricia Dow, Majority Leader, Yonkers City Council	February 24, 2011	
10	Terri Joshi, President, YCSD	February 25, 2011	
11	Diedre Rylander, Member-at-large, YCSD	February 25, 2011	
12	Nell Twining, Member City of Yonkers Landmarks Preservation Board	February 25, 2011	
13	Harjit S. Jassal, Member City of Yonkers Landmarks Preservation Board	February 14, 2011	
14	John Pinegar, Resident	January 24, 2011	
15	Syrette Dym, AICP, VHB, Planning Consultant	January 24, 2011	
16	Philip J. Grealy, Ph.D, John Collins Engineers, Traffic Consultant	January 19, 2011	
17	David McInerney, AICP, RLA, PS&S, Engineering Consultant	January 21, 2011	
18	City of Yonkers Department of Planning and Development	Undated, received April 22, 2011	

The FEIS is arranged in sections, with comments and responses arranged by each topic included in the DEIS. The source of each comment is referenced. The format of each comment and response is as follows:

Comment # (Source): Comment text.

Response #: Response text.

Please note that comments raised on information contained in the DEIS's Executive Summary section are addressed in Section 3.0 of this FEIS. For example, a comment on information

contained in the subsection "Transportation" of the DEIS's Executive Summary is addressed in Section 3.5, Transportation, of this FEIS.

1.5 Reviews, Permits and Approvals

The following reviews, permits and approvals are anticipated in order to implement the Proposed Action:

Table 1-2				
Buena Vista Teutonia PUR				
Reviewing Agencies				
Agency	Action			
Federal Aviation Administration	Notice of Proposed Construction or Alteration			
NYS Department of Environmental Conservation	- SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) Water Quality Certification/Section 404 Clean Water Act			
NYS Department of State	 Coastal Zone Consistency Review Potential Variances (Uniform Code Regional Board of Review): Handicapped parking per Chapter 11; Courts and fire-rating and percent openings per Tables 602 & 704.8 for fire separation distances. (See Section 3.4 for discussion) 			
NYS Office of Parks, Recreation and Historic Preservation	- Review of Cultural Resource Report			
Westchester County Department of Planning	- GML Section 239/County Administrative Code Review			
Westchester County Department of Health	- Water and sewer improvement review			
Yonkers Planning Board	- Approval of PUR Special Use Permit- Approval of PUR Site Plan- Riverview Urban Renewal Plan Amendment			
Yonkers City Council	 - Approval Resolution of PUR Special Use Permit - Amendment to Urban Renewal Plan - Temporary and Permanent Easements for construction tiebacks and geothermal wells in street ROW Ordinance approving Encroachment Agreement for Geothermal Wells 			
Yonkers Community Development Agency	- Riverview urban renewal plan amendment			
Yonkers City Departments: - Engineering	- street opening permit, stormwater and sanitary sewer design approvals - water main extension; sprinkler connection			
- Water - Traffic Engineering - Housing and Building - Department of Public Works (DPW)	 - access and parking review; traffic impacts - demolition, building, plumbing and electrical permits - sanitation if using City of Yonkers collection services 			
MetroNorth	- review of proposed plans as site abuts Hudson Line right-of-way; as per Applicant, no easement required			
Source: Buena Vista Teutonia Scoping Document, 2010; Tim Miller Associates, Inc., 2011.				

Table 1-3 lists the permits and approvals for the project and identifies the agency responsible for approving the permit and/or approval.

Table 1-3 Buena Vista Teutonia PUR Permits and Approvals				
Permit or Approval	Agency			
Notice of Proposed Construction or Alteration	Federal Aviation Administration			
SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001)	NYS Department of Environmental Conservation			
Water Quality Certification/Section 404 of Clean Water Act	NYS Department of Environmental Conservation			
Coastal Zone Consistency Review	NYS Department of State			
Potential Variances from NYS Building Code	NYS Department of State			
Review of Cultural Resource Report	NYS Office of Parks, Recreation and Historic Preservation			
GML Review	Westchester Co. Department of Planning			
County Administrative Code Review	Westchester County Department of Planning			
Water and Sewer Improvements	Westchester County Department of Health			
PUR Special Permit	Yonkers Planning Board Yonkers City Council			
PUR Site Plan	Yonkers Planning Board			
Riverview Urban Renewal Amendment	Yonkers Planning Board (recommendation) Yonkers Community Development Agency Yonkers City Council			
Temporary and Permanent Easements for construction tiebacks, geothermal wells	Yonkers City Council			
Review of site plan	Metro North Engineering Department			
Yonkers City Departments: - Engineering - Water - Traffic Engineering - Housing and Building - Department of Public Works (DPW)	 street opening permit, stormwater and sanitary sewer design approvals water main extension; sprinkler connections access and parking review; traffic impacts demolition, building, plumbing, and electrical permits sanitation collection services 			
Source: Buena Vista Teutonia Scoping Docu	ument, 2010; Tim Miller Associates, Inc., 2011.			

1.5 List of Involved Agencies and Interested Parties

This subsection lists the involved and interested agencies responsible for reviewing and/or approving the Project. As per the regulations implementing SEQRA, an "involved agency" is an agency that has jurisdiction to fund, approve or directly undertake an action. An "interested agency" is an agency that lacks the jurisdiction to fund, approve or directly undertake an action

but which wishes to participate in the review process because of its specific expertise or concern about the proposed action.

Involved Agencies

New York State

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

Westchester County

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

City of Yonkers

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

Interested Agencies

Federal

Federal Aviation Administration

New York State

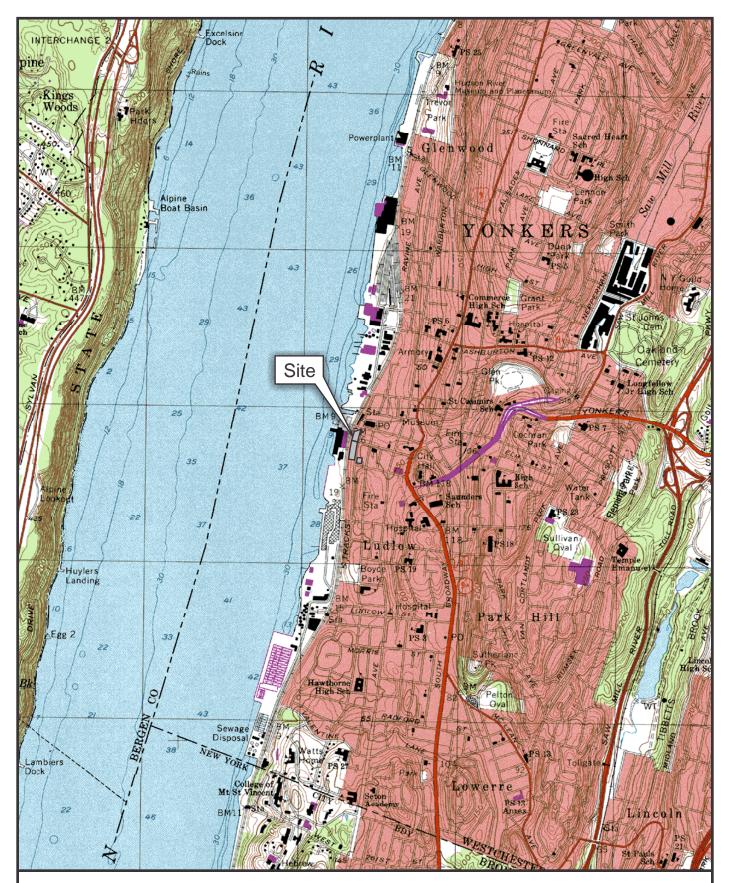
New York State Office of Parks, Recreation and Historic Preservation

City of Yonkers

Landmarks Preservation Board

Other

Metro-North Railroad





File 09044 7/03/11

Figure 1-1: Project Location Map Buena Vista Teutonia PUR City of Yonkers, Westchester County, New York Base: USGS 7.5-minute Topographic Map, Yonkers Quad Scale: 1"= 2,000"

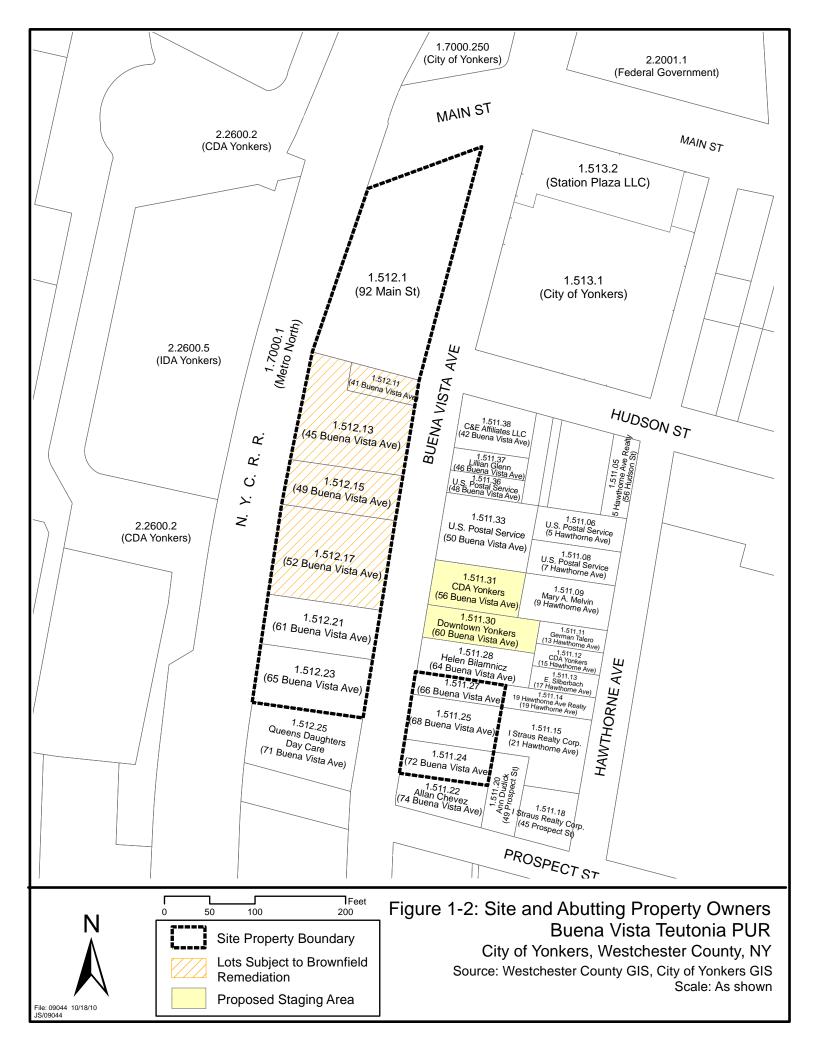
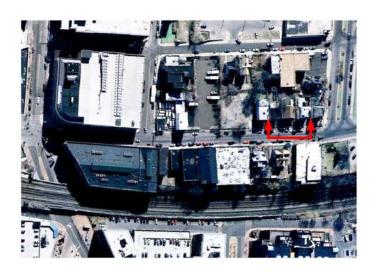




Figure 1-3: Concept Elevations - East
Buena Vista Teutonia PUR
City of Yonkers, Westchester County, New York
Source: The Lessard Architectural Group, P.C.
BKSK Architects, LLP
Drawing Date: 01/12/10



BUENA VISTA AVENUE - EAST ELEVATION



KEY PLAN

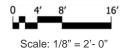


Figure 1-4: Concept Elevations - 3 Multi Family Buildings Buena Vista Teutonia PUR

> City of Yonkers, Westchester County, New York Source: The Lessard Architectural Group, P.C. BKSK Architects, LLP Drawing Date: 01/12/10





Figure 1-6: Apartment Alternative: Aerial View
Buena Vista Teutonia PUR
City of Yonkers, Westchester County, New York
Source: Lessard Design, 05/11/11

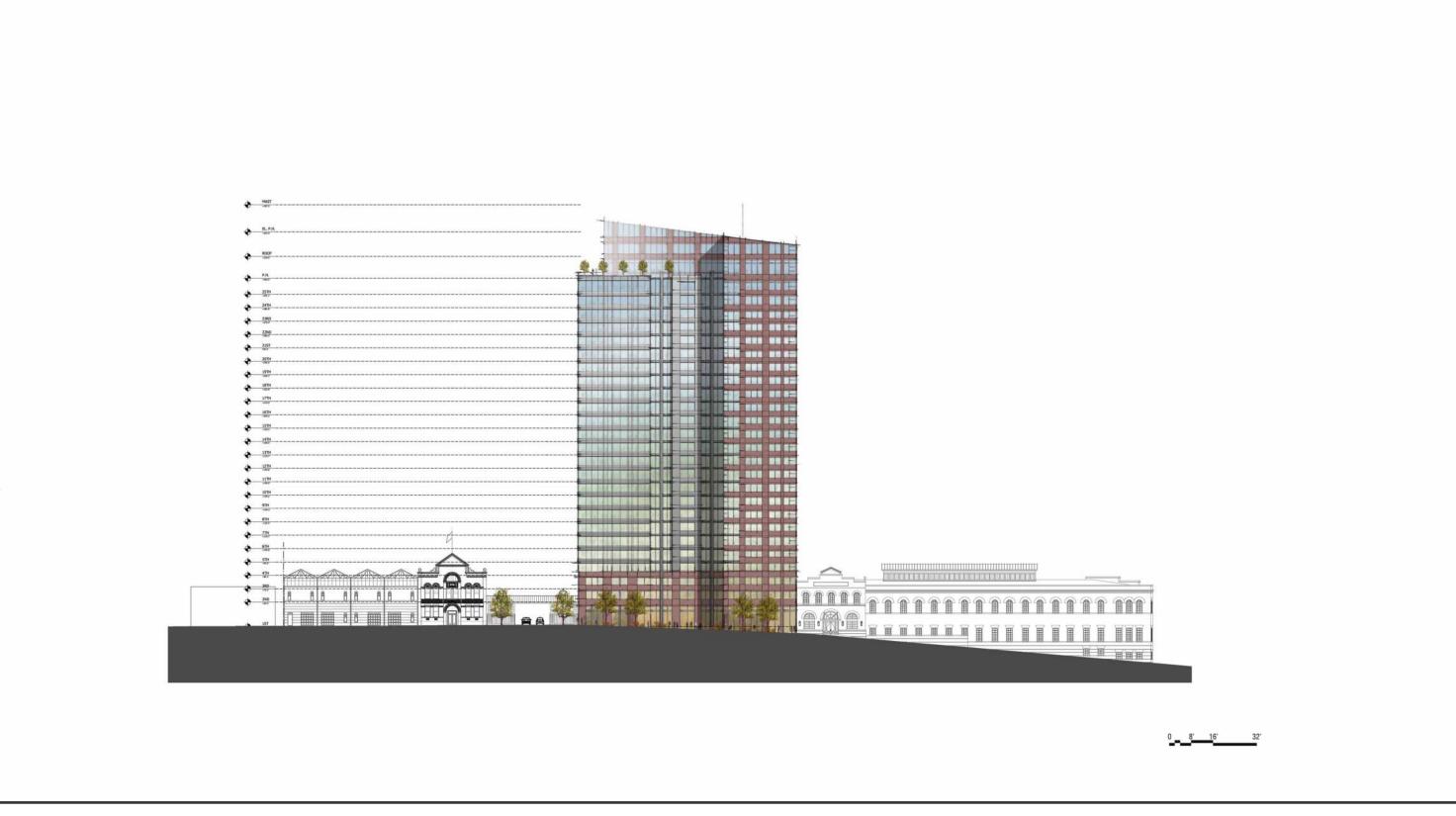


Figure 1-7: Apartment Alternative: Easterly Elevation
Buena Vista Teutonia PUR
City of Yonkers, Westchester County, New York
Source: Lessard Design, 05/11/11



Figure 1-8: Apartment Alternative - Elevations
Buena Vista Teutonia PUR
City of Yonkers, Westchester County, New York
Source: Lessard Design, 05/11/11

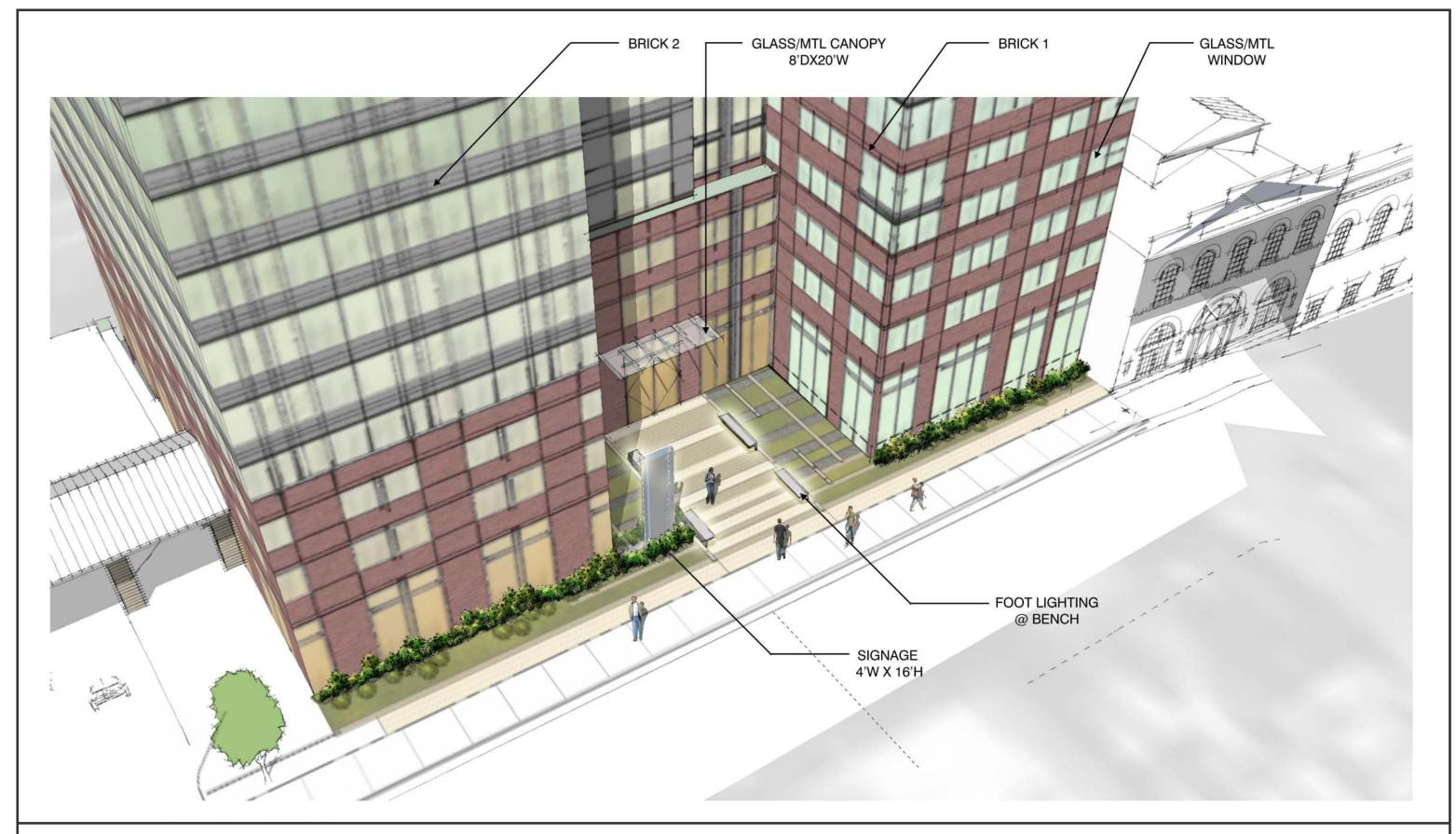


Figure 1-9: Entry Court Detail 1

Buena Vista Teutonia PUR
City of Yonkers, Westchester County, New York

Source: Lessard Design, 05/11/11

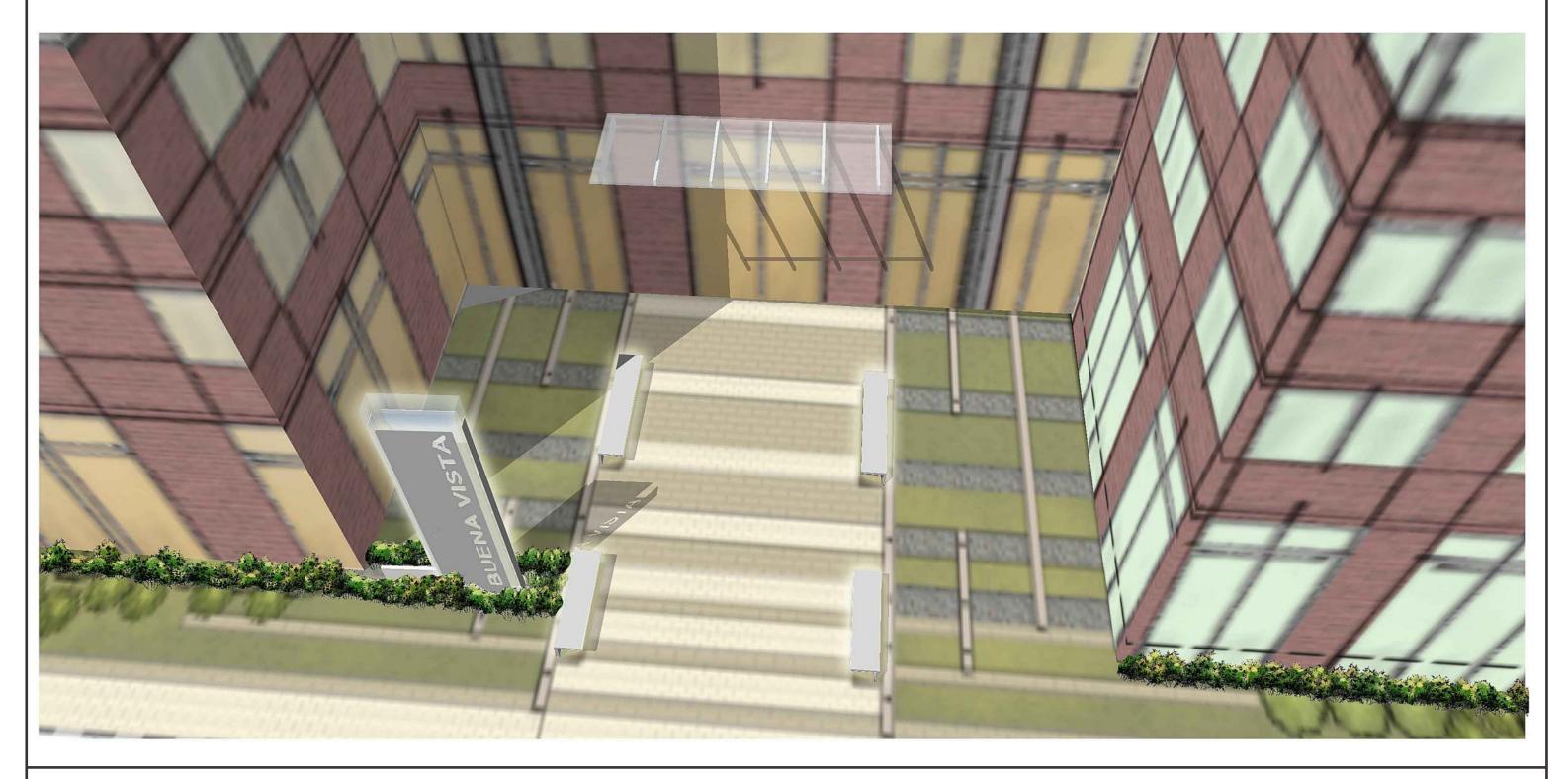


Figure 1-10: Entry Court Detail 2

Buena Vista Teutonia PUR
City of Yonkers, Westchester County, New York

Source: Lessard Design, 05/11/11



Figure 1-11: Rear Entrance - Westerly Elevation Buena Vista Teutonia PUR City of Yonkers, Westchester County, New York Source: Lessard Design, 05/11/11

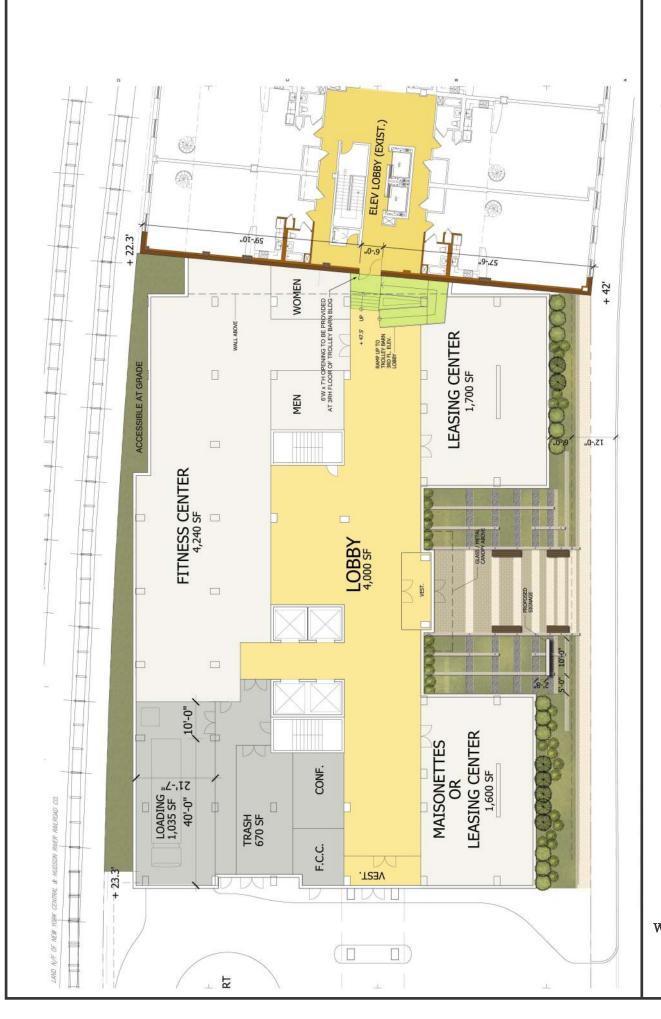




Figure 1-12: Lobby Level with Trolley Barn Connection Buena Vista Teutonia PUR City of Yonkers, Westchester County, New York Source: Lessard Design, 05/27/11

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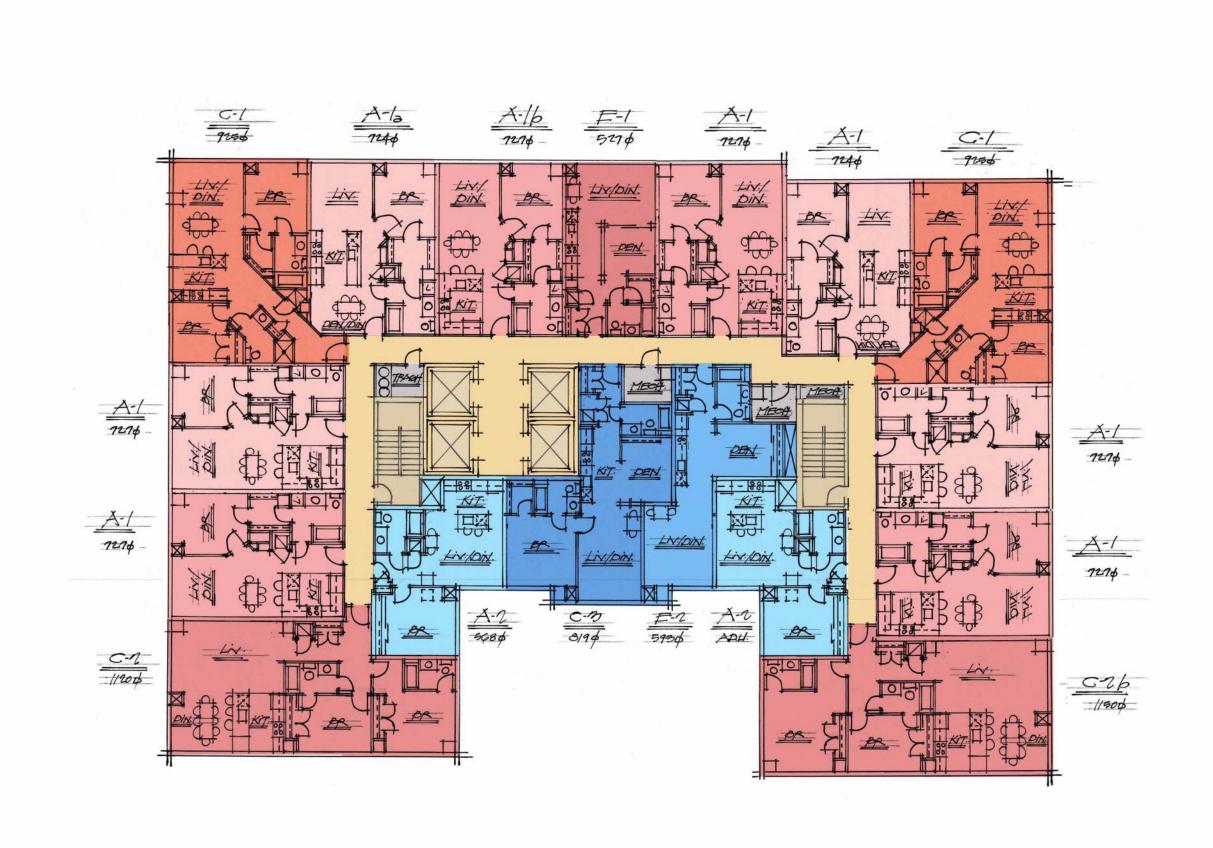


Figure 1-13: Typical Floor Plan Buena Vista Teutonia PUR City of Yonkers, Westchester County, New York Source: Lessard Design, 05/11/11

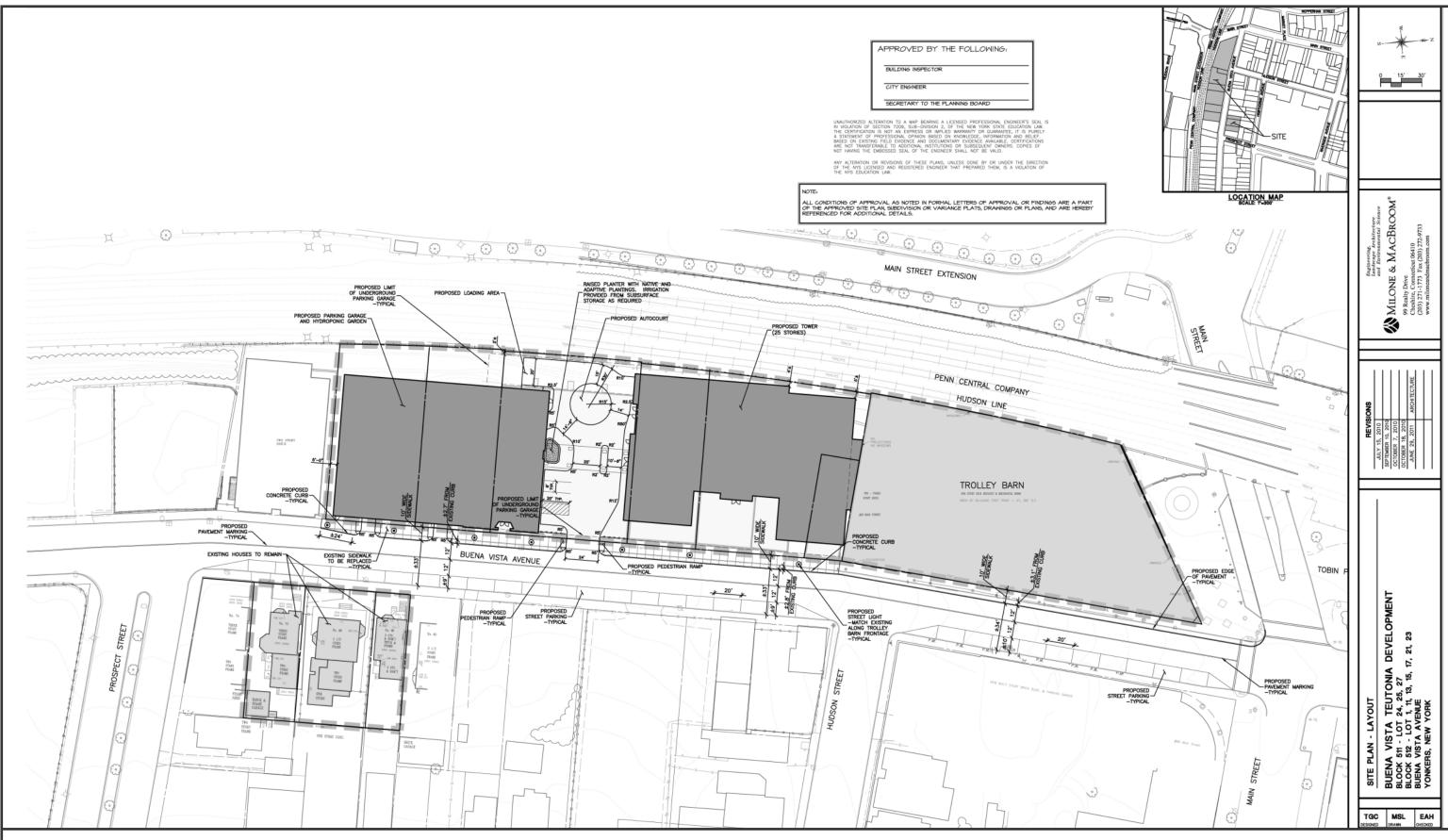
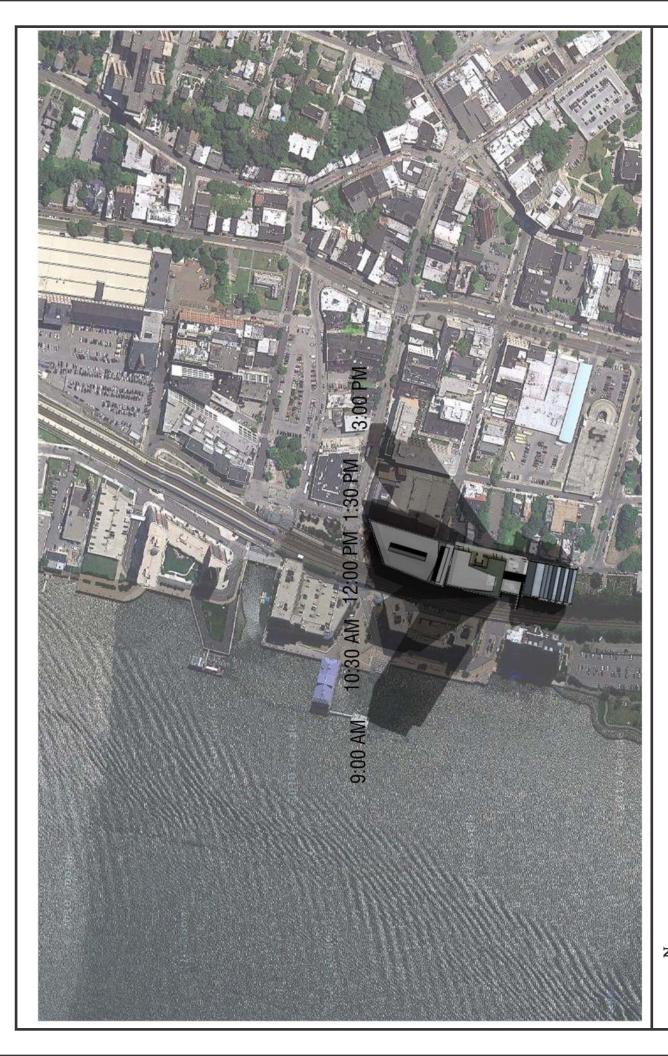


Figure 1-14: Apartment Alternative: Concept Site Plan Buena Vista Teutonia PUR City of Yonkers, Westchester County, New York Source: Milone & MacBroom, 07/15/10, last revised 06/29/11

Scale: As shown





Buena Vista Teutonia PUŔ City of Yonkers, Westchester County, New York Source: Lessard Design, 06/27/11 Figure 1-15: Apartment Alternative: Shadow Analysis (March 21)

File 09044 07/11/11 JS/09044

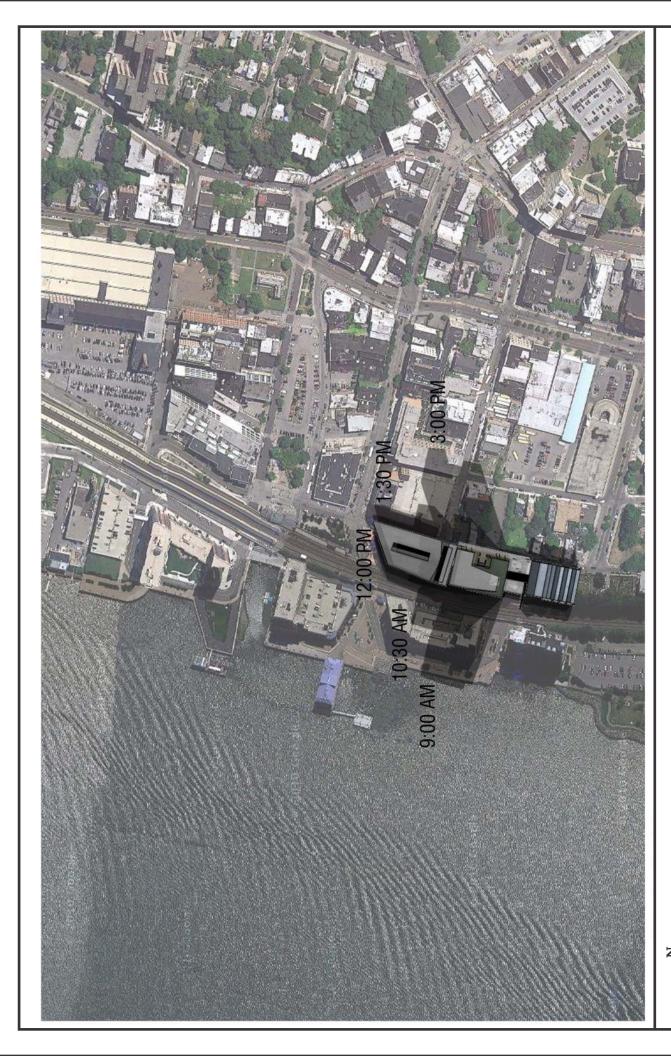




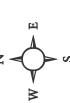
Figure 1-16: Apartment Alternative: Shadow Analysis (May 6)

Buena Vista Teutonia PUR

City of Yonkers, Westchester County, New York Source: Lessard Design, 06/27/11

> File 09044 07/11/11 JS/09044





Buena Vista Teutonia PUR City of Yonkers, Westchester County, New York Source: Lessard Design, 06/27/11 Figure 1-17: Apartment Alternative: Shadow Analysis (June 21)





Buena Vista Teutonia PUŘ City of Yonkers, Westchester County, New York Source: Lessard Design, 06/27/11 Figure 1-18: Apartment Alternative: Shadow Analysis (December 21)

File 09044 07/11/11 JS/09044



0 15 30 Scale in Feet

Proposed Action Building Outline

Figure 1-19: Comparison of Proposed Action to Building Alternative - Massing and Height Buena Vista Teutonia PUR City of Yonkers, Westchester County, New York Source: Lessard Design

Drawing Date: 05/11/11
Scale: As shown