

## **III.I Socio-Economic Factors**

## I. Socio-Economic Factors

### Comment III.I-1:

Every year when budget time comes the same thing in Yonkers, where we are going to get the money? Are we going to get it from the state, borrow from here, from there? The only way to solve this problem is development. We got Ridge Hill going that was a long battle; it is a great project going. This project is more important than Ridge Hill. This project makes Yonkers. It makes Southwest Yonkers whole. Just so you know, this project will be built. We have an agreement with the developers with the project labor agreement; will be done by local union trades. We will also put our training programs to work which we have done before in Yonkers down at Hudson Park, done it in New Rochelle, White Plains where I am sure the City Council will give us a list of names. We'll take those names. We will train people, put them in our programs and give them jobs for the rest of their life, not one job while this is going on and take care of people. Also you are going to have thousands of jobs, permanent jobs, and that means these jobs should be filled mostly by people that live in southwest Yonkers, and you read the paper, you got gangs, you got kids on the street. This is what you need. Yonkers needs jobs, and this is an opportunity to get jobs, and I am not going to have to describe the project because you already heard about it.

*(Ed Doyle, Resident, Public Hearing, 4/29/2008, Page 33-34)*

### Response III.I-1:

Comment noted.

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### Comment III.I-2:

The first phase of this project will create 13,000 construction jobs for people coming out of high school or coming out of college. Phase I also of this project will contribute 5400 permanent jobs.

*(Michael Carriere, Rep. of District Council 9, Painters and Allied Trades, Public Hearing, 4/29/2008, Page 36-37)*

### Response III.I-2:

Comment noted.

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### Comment III.I-3:

Yonkers desperately needs the tax revenues. This project will generate millions of dollars in property and sales taxes to the city where you don't have to keep going to the State for funds, you can get them here.

*(Michael Carriere, Rep. of District Council 9, Painters and Allied Trades, Public Hearing, 4/29/2008, Page 37)*

### Response III.I-3:

Comment noted.

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**Comment III.I-4:**

The city is falling apart and the roads are in dangerous condition, but all we hear about is the Mayor's pet project, which so far is underwhelming. Peter Kelly's restaurant is very nice – and well it should be at the prices charged – but as my wife put it, “I do not care to drive down to that area to get there.”

*(E. H. Symonds, Letter, 5/1/2008)*

**Response III.I-4:**

Comment noted.

**Comment III.I-5:**

A concern is the developers continued assertion that only 20% of the additional fire service costs the city will incur are related to the proposed project. The DEIS acknowledges the need for the additional companies and states that the new tax revenues will more than compensate for their 20% portion of the expense. I do not agree with this opinion. The Fire Department recognizes that the existing fire services in this area are already overtaxed, but we disagree that this project will only result in an incremental increase in demand. The very nature of the project, i.e. high-rise residential development and a sports facility will substantially increase the resident population and the daily visitors to the city. There will be increased demand for medical emergencies and automatic alarm responses, and the number of elevator rescues, gas & electrical emergencies, and carbon monoxide calls will increase proportionately. With the added population there will be a corresponding increase in structure fires. The City will need to add the two additional fire companies and incur the ongoing annual personnel and equipment expense.

*(Anthony Pagano, Commissioner, Fire Department, City of Yonkers, Letter, 5/1/2008)*

**Response III.I-5:**

The City of Yonkers Fire Department has had an opportunity to review the Proposed Action in more detail. See Appendix A of this FEIS for a report submitted on September 18, 2008 by Local 628 of the Yonkers fire fighters union. This report was reviewed by the Yonkers Fire Department and correspondence dated September 23, 2008 from Fire Commissioner Pagano was submitted; this memorandum is also included in Appendix A of this FEIS. Please also refer to the August 8, 2008 letter from the Yonkers Fire Department in Appendix A of this FEIS. Commissioner Pagano acknowledged the “comprehensive, accurate detailing of the staffing of the Yonkers Fire Department” included in the fire fighters union report but noted that the report “concerns itself with impacts of increased development throughout the entire city on the department” (i.e., beyond the Proposed Project of the Applicant). The commissioner further concurs with the union recommendation of “an analysis of the current and future needs as [Yonkers] grows beyond [the SFC] project.” Commissioner Pagano confirmed that the addition of staffing and equipment as described in the DEIS, consisting of an additional ladder company and an additional engine company, will be sufficient to address the incremental impacts of the proposed SFC project. Based on the Applicant's analysis of incremental fire services required for the Proposed Project, the Fire Department concurs with SFC that approximately 25% percent of the costs of a new

engine company and ladder company should be attributed to the Project. See also Response III.J-3.

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**Comment III.I-6:**

.Furthermore, housing requires costly increases in city services and public schools without producing compensating revenues, and a lot of these projects that these developers are going to build have to have major tax incentives, so Yonkers isn't going to get the revenues it thinks it's going to get.

*(Harry Hanger, Resident, Public Hearing, 4/29/2008, Page 42-43)*

**Response III.I-6:**

It is anticipated that even after paying the debt service associated with the tax increment financing bonds and the cost of additional municipal services, the taxes generated by the Project will provide revenues to the City of Yonkers of approximately \$5.4 million per year. See also Responses LA-20, III.I-136.

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**Comment III.I-7:**

SFC proposes a substantial development which will bring not only more people to live in the downtown, but will also expand the business community, and an expanded retail component is vital to the ongoing success of the growth of the downtown.

*(Barbara Carmichael, Representative, Collins Enterprises, Public Hearing, 4/29/2008, Page 46)*

**Response III.I-7:**

Comment noted.

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**Comment III.I-8:**

One, until guarantees are in place that will address the concerned issues of the Faith Base, which is what I represent, and the community at large, this development proposal cannot be supported, though we embrace economic development in the city of gracious living. Number two, we, the Faith Based Community, believes that by working with the Yonkers Alliance for Community Living, many of the community concerns we feel can be brokered through the meeting of the minds whereby all concerns can be heard and fully addressed. In other words, I don't believe that all concerns have been fully addressed yet, though you gave an elaborate array of entities on your introduction. Therefore, number three, we the Faith Based concern, we the Faith Based support wholeheartedly the collective efforts of the Yonkers Alliance for Community Benefit. We believe that since you partnered with other entities, you need to partner with us because we do feel that we have the heart of the community as well, and I want to say once again I am fully in agreement for economic development but not at the expense of the little man. Thank you.

*(Reverend Norman, Rep. of Solid Rock Christian Center, Yonkers Alliance for Community Benefit, Public Hearing, 4/29/2008, Page 49-50)*

**Response III.I-8:**

Comment noted. The Applicant has had on-going discussions with the Yonkers Alliance for Community Benefits, an association of some Yonkers-based organizations, as well as discussions with other groups in Yonkers in a concerted effort to ascertain community needs and concerns. The Applicant has also held more than 40 public meetings to educate the public about the Project and further its understanding of potential community needs, more than any other developer in the City's recent history, and has taken into consideration issues raised at these meetings. In its capacity as Lead Agency, the City Council will determine what mitigation measures are required to address the potential adverse impacts of the Project.

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**Comment III.I-9:**

The benefits of construction jobs with this project here in Yonkers are obvious. It is permanent jobs that will resonate well into the future. Monies generated for permanent jobs will contribute directly to the economic structure of Yonkers. Restaurants, retail and cinemas will generate a stream of revenue, and people who travel from surrounding areas spending money in Yonkers.

*(Vincent Gurgigno, President, Laborers Local Union 235, Public Hearing, 4/29/2008, Page 51)*

**Response III.I-9:**

Comment noted. The Applicant has already initiated discussions with the building trades and the Yonkers Employment Center on the development of the pre-apprentice program and will work towards to fully beginning the program to coincide with the start of construction.

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**Comment III.I-10:**

Born and raised in Yonkers, I chose to stay and raise my family here as well, buy a home, help support local retailers, and send my boys to Yonkers schools. Because I believe in Yonkers, and believe it has the potential for growth and prosperity, I urge the Council to expedite this project and continue the revitalization of Yonkers so that Yonkers could be on the forefront of the thriving communities in the county, in the country. Let's finish what we started at the waterfront, that's for members of the Council for you today.

*(Vincent Gurgigno, President, Laborers Local Union 235, Public Hearing, 4/29/2008, Page 52)*

**Response III.I-10:**

Comment noted.

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**Comment III.I-11:**

CURE supports the proposed development in that it will significantly contribute to the revitalization of the city, and at the same time respond to our local needs for affordable housing and job opportunities and training programs. CURE plans to continue to monitor and participate in the plans as they evolve, and be a part of a showing that the employment opportunities are available, and that affordable housing for Yonkers residents will be built. We look forward to

working with the city and the development team and urge the city to approve the proposal. Thank you.

*(Andrew Simmons, Employee, CURE, Public Hearing, 4/29/2008, Page 54)*

**Response III.I-11:**

Comment noted.

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**Comment III.I-12:**

I would like to thank you for this opportunity to address you. My name is Joan Jennings. I was born and raised in downtown Yonkers and I am currently a Yonkers resident and property owner. I am excited about the potential for progress that this represents, and in order to create the best city we can, we must keep open the dialogue between residents, community organizations and developers so as to best address the needs of the entire Yonkers community. I feel that the Yonkers Alliance for Community Benefits is the vehicle for this dialogue and will continue to contribute concepts similar to the ones outlined in Mr. Apicella's slides, great ideas from the community, and will ultimately enrich everyone for the City of Yonkers. Thank you.

*(Joan Jennings, Resident, Public Hearing, 4/29/2008, Page 55-56)*

**Response III.I-12:**

Comment noted. See Response III.I-8.

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**Comment III.I-13:**

The project has gone slowly. It needs to go more quickly. We are faced right now with a very uncertain financial time. Everyone that sees television or reads the newspapers realizes that the banks are in difficult straights right now. We have skittish places, and people are looking at things and they are not expecting to -- the expectations are not there. The positive feeling is not there. We are fortunate to have three of really the largest developers around, the SFC group that has taken an interest here. They have expressed to us that it is important that time is of the essence. I am not suggesting that the project should be approved without your input, I am just asking that you get down, get to work, roll up your sleeves and let's get this project approved hopefully within the next few months so construction can begin so that tenants can be secured and so that lenders can be comfortable that Yonkers is a good bet. Thank you.

*(Kevin Cacace, Public Hearing, 4/29/2008, Page 57-59)*

**Response III.I-13:**

Comment noted.

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**Comment III.I-14:**

I want to speak on behalf of St. John's Episcopal Church in Getty Square which is right next to this development. We were there when it was a prairie, 1693. We expect to be there as long as there is a Yonkers, and so we are delighted to see anything that helps Yonkers come forward,

helps the people provide meaningful jobs. We like to see people make money as well. We especially love when they put some of it in the offering plate in their house of worship and we hope you do that.

*(Father John Hamilton, Representative, St. John's Episcopal Church, Public Hearing, 4/29/2008, Page 59)*

**Response III.I-14:**

Comment noted.

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**Comment III.I-15:**

That is why I want to put a word in for the Yonkers Alliance for Community Benefits. What this does is, it doesn't have to be big things, it can be small things, but it looks at the details of how the project can influence and affect the community. What it does is, it situates the project in the community so people benefit. I think it makes the project more profitable in the long term, but it does take some time, so I want to say that I support the project, but I can't really give that unreserved support unless some sort of process is in place for there to be an agreement between the community and the developers about the details, and there be some instrument of accountability so that we know that there is going to be free parking spaces next to the river, okay.

*(Father John Hamilton, Representative, St. John's Episcopal Church, Public Hearing, 4/29/2008, Page 61-62)*

**Response III.I-15:**

Comment noted. See Response III.I-8.

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**Comment III.I-16:**

I am here to just -- I am desperate for this project to go under way. My son is in third grade. He has been going to the Pearls Hawthorne school since 2003, of which there have been a lot of programs that have been taken away, and while it's a great school and has great programs, science, no play field where he can he can accelerate in sports, arts, everything have been stripped down. We need the tax dollars that SFC is going to bring in, okay.

*(Jacqueline Booet, Resident, Public Hearing, 4/29/2008, Page 62-63)*

**Response III.I-16:**

Comment noted.

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**Comment III.I-17:**

We don't have [many amenities in the downtown area] because with all of the work of Collins, with all of the work of Cole Partners, we have a transient hub where people move in from the city, they live there for a few months, maybe a year, and then they move out because there are no amenities in the downtown area. We need commercial residents. We need more stores. We need

grocery stores. We need dry cleaners. We need bakeries. We need florists. We need support to help build a community, a community that while I am sitting on Main Street in Yonkers and I have people coming into my studio daily, they can't wait for it to happen.

*(Jacqueline Booet, Resident, Public Hearing, 4/29/2008, Page 64-65)*

**Response III.I-17:**

Comment noted. The Project is consistent with the goal of creating a more mixed-use and vibrant downtown area that provides more amenities to residents and businesses alike. It is anticipated that additional amenities will follow the proposed development making downtown Yonkers a more vibrant place.

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**Comment III.I-18:**

You would be remiss in your duty to represent your people to let this process move to the point where the money, that intricate part of that machine that we don't really know necessarily how it operates, but if that money is sitting and not growing for those people that want to get that thing going, the priming the pump, they are going to go someplace else and shame on us.

*(Peter Creegan, Business Agent, Mine Workers Local 508 NYC, Public Hearing, 4/29/2008, Page 68)*

**Response III.I-18:**

Comment noted.

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**Comment III.I-19:**

Well, ladies and gentlemen, I think that we have waited long enough, and I think that the City of Yonkers has before us a very exciting proposal that will increase our tax base, provide jobs, and make us become a showcase in our state and in our nation. What is going to happen if something happens? What happens if these good people sell the project and those people don't know about it? I really want to encourage the Council to work closely with the Community Benefits Agreement Alliance, and I am looking forward to that movie theater.

*(Jenne Martinelli, Representative, Yonkers Chamber of Commerce, Public Hearing, 4/29/2008, Page 70)*

**Response III.I-19:**

Comment noted. See Response III.I-8.

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**Comment III.I-20:**

I am here today to fight for the rights of me and all of the people who will be affected by this development that will leave many people homeless. I have heard that the School Street apartments are not even on the map. I don't understand that. My home, my grandson has a disability. I cannot afford to live anywhere else, and some of us, some of-- a lot of the other people are in the same situation I am. This is a community. We shouldn't have to be relocated.

How can I be stripped from this development if we are forced to move away? You are spending our tax money to help the rich get richer and the poor get poorer. We cannot afford the rent in the apartments, in the apartment plans for the development. Instead of using this money to make our community a better place, you should be using-- you should-- you are using this money to drive us out. Why not use the money to improve the housing we have, to train and higher Yonkers residents for the jobs. The cost of gas and food is getting more expensive and the rent is getting higher and higher. How are we supposed to survive? When the landlords hear how much development, how much the rent is going, how much rent you all are going to be charging, they are going to raise their rents too. The development is going to leave a lot of people homeless. Where are we supposed to go? I am going to give you my keys now because unless there will be housing and jobs for us, to low income people, residents, I am going to leave you my keys now because unless we are included in the low income housing, the residents -- brick by brick, wall by wall, feel for us all.

*(Phyllis Harrison, Representative, Human Voices Being Heard, Public Hearing, 4/29/2008, Page 71-73)*

**Response III.I-20:**

It is not anticipated that the Project will cause significant residential displacement, either direct or indirect. A discussion of the indirect residential displacement that may be caused by the Project is discussed in the DEIS, beginning on page III.I-16. Indirect residential displacement would be caused if the prevailing rents in the existing housing units increased beyond what the current tenants could afford to pay. As discussed in the DEIS, there are several reasons why significant indirect residential displacement is unlikely to occur. Southwest Yonkers is a very large area, larger than some of the State's small cities. The additional population will result in additional diversity downtown, but it will not completely alter the overall demographic composition of the area to the extent that it would be a significant adverse impact under SEQRA. More specifically, all housing units currently under the control of the Municipal Housing Authority of the City of Yonkers (MHACY) will remain under its control. The rents charged by MHACY will not be affected by this project. Second, the New York State Emergency Tenant Protection Act of 1974 regulates the rent increases that are allowable in buildings containing six or more units that were built before 1974. This act protects residents in such buildings from large rent increases. Many buildings in the study area are protected by this act. Third, the Applicant has committed to providing new affordable/workforce housing units equal to 10% of the residential units being constructed as part of the Project through new construction and a contribution to an affordable housing fund. Fourth, properties in the project area will not be subject to reassessment simply because their property is located in the redevelopment area. Rather, as discussed on page III.I-19 of the DEIS, the assessed values of properties in the redevelopment area will not be increased unless and until the property is improved. Finally, the Project is a continuation of an existing trend of residential diversification in the Project Area. The population of the Study Area will increase by 7.8% when the Project is completed. Downtown Yonkers will change and become more diverse as a result of this and other proposed project populations. However, this increase is not enough to alone cause a wholesale change in the character of the area.

**Comment III.I-21:**

We say it's a city. We all pay taxes here and I want to know because my taxes went up 36 percent this year. 9.9 million in property taxes based on proposals. You told us Stew Leonards will give it and we haven't gotten it. 4.2 million in sales tax, these are all charming ideas, but can you guarantee it?

*(Alvania Tyropolis, Public Hearing, 4/29/2008, Page 85-86)*

**Response III.I-21:**

The property, sales, income and other taxes that are projected to be generated by the Project are not guarantees. The estimates of those taxes, found in Chapter III.I of the DEIS and updated in Response LA-20, are based on sound methodology and are an accurate representation of what the actual taxes will be.

**Comment III.I-22:**

The other thing I am not crazy about, and I have nothing against wealthy people, but the only people who can afford those apartments, and I am educated myself, I can't even live on the waterfront, okay, but I also understand that, and I believe and I agree with the idea that it will help our tax base. You know, I can't afford to eat at Xavier's, but I will put up with that because I can walk along the waterfront and have fun in other ways, but at the same time I understand that we do need businesses in the city that will help with our tax base, because in the end, the little guy will get hurt if this development doesn't happen, because where is the money for the City going to come from? Our educational system needs money. Our government needs money, and I believe this project will infuse a lot of the money so we need this project, so I am willing to overlook all that other stuff even though I have my apartment picked out in the waterfront, I just can't afford it.

*(Anthony Felicissimo, Resident, Public Hearing, 4/29/2008, Page 93-94)*

**Response III.I-22:**

Comment noted.

**Comment III.I-23:**

We deserve to be able to stay and benefit from the incoming prosperity this development will bring. Instead of moving into the future, we seem to be going back to resegregating the community, so we are calling on our council members today to include low income housing and job training for Yonkers residents in this development.

*(Annette Arthur, Resident, Public Hearing, 4/29/2008, Page 97)*

**Response III.I-23:**

As described on pages III.I-26 and III.I-27 of the DEIS, the Applicant will create a job training program that will prioritize current Yonkers residents. The program will be aimed at pre-apprenticeship training that will help lead to permanent employment. The Applicant has committed to providing new affordable/workforce housing units equal to 10% of residential units being constructed as part of the Project through new construction and a contribution to an

affordable housing fund. For a discussion of the possibility of indirect residential displacement as a result of this project, see Responses LA-6, III.I-20.

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**Comment III.I-24:**

We believe jobs will be created, but who in the project areas are going to receive these jobs and how are we going to know that people actually from the project area actually receive the jobs? And are the jobs for more than 30 days to two months? So what we are asking for at this point is to be able to negotiate with SFC a community benefits agreement that will address a lot of issues that you heard so far tonight and you will continue to hear.

*(Vernon Brinkley, Representative, Yonkers Alliance for Community Benefits, Public Hearing, 4/29/2008, Page 100)*

**Response III.I-24:**

See Responses III.I-8, III.I-23.

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**Comment III.I-25:**

Four years ago I believed that you would be the next Brooklyn, and the opportunity was not happening, and we are waiting and we need those tax dollars to make a change for the owners. We need it for the kids. It's a horrible school. We need it for the city to do better.

*(Alex Cheblac, Business Owner and Resident, Public Hearing, 4/29/2008, Page 102)*

**Response III.I-25:**

Comment noted.

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**Comment III.I-26:**

By going ahead with a project like this which will certainly help, hopefully that we won't get property taxes increased year after year after year.

*(Dennis Shepherd, President, Hyatt Association, Public Hearing, 4/29/2008, Page 104)*

**Response III.I-26:**

Comment noted. It is anticipated that the Project will bring in approximately \$5.4 million more in taxes to the City of Yonkers than the City will have to spend on increased services and debt service.

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**Comment III.I-27:**

There is little or no incentive for me or any of my friends to come to this part of the town. There is no incentive for us to come down here. The proposed development will change all that. It would change Yonkers, will give the city a profile it deserves. Yonkers apparently is the fourth biggest city in New York State, and if you look at the downtown area, it's empty. There is

nothing here. The proposed development will provide not only jobs, but also a major resource and incentive to bring people downtown.

*(Donald Daly, Resident, Public Hearing, 4/29/2008, Page 106-107)*

**Response III.I-27:**

Comment noted.

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**Comment III.I-28:**

This project will bring long needed jobs to the residents of Yonkers. We are a city of proud and hard working people. More jobs will boost our Yonkers economy and help our small businesses. This will bring vitality to the City of Yonkers and at a time, ladies and gentlemen, when we are in a recession and I think we will go deeper into a recession.

*(Justin Tubiolo, Resident, Public Hearing, 4/29/2008, Page 111)*

**Response III.I-28:**

Comment noted.

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**Comment III.I-29:**

This project will bring additional tax revenues to Yonkers. As a property owner and taxpayer, I think we are in desperate need of these revenues, and as a result, the burden of the costs will no longer be solely absorbed by the property owners. Additional revenues will be given or brought to this city from this development.

*(Justin Tubiolo, Resident, Public Hearing, 4/29/2008, Page 112)*

**Response III.I-29:**

Comment noted. It is anticipated that the Project will bring in approximately \$5.4 million more in taxes to the City of Yonkers than the City will have to spend on increased services and debt service.

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**Comment III.I-30:**

For your information and the information of everybody here present, Mercedes Antionette and other speakers, their main concern is was what will happen with them, with the little people, with the poor people, where are they going to be relocated? Their rents will probably go high, and that was the main concern, that they are going to be destitute or evicted from their families.

*(Interpreter for Mercedes Antionette, Resident, Public Hearing, 4/29/2008, Page 115-116)*

**Response III.I-30:**

See Response III.I-20.

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**Comment III.I-31:**

Housing is going to escalate where the rents are going to be too high for our everyday worker. We have workers.

*(Ginger Keys, Resident, Public Hearing, 4/29/2008, Page 117)*

**Response III.I-31:**

See Response III.I-20.

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**Comment III.I-32:**

I am saying look out for the little people. They need you. Joe, you are from Yonkers and you know the southwest quarter has been low income. The east side has been upper income. Now you are trying to make the south quarter, but do us a favor, come in, we welcome you with open arms, but make sure housing has those 30 percent units. Thank you very much.

*(Ginger Keys, Resident, Public Hearing, 4/29/2008, Page 118-119)*

**Response III.I-32:**

The Applicant has committed to providing new affordable/workforce housing units equal to 10% of residential units being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The Council is evaluating this proposal. See Response LA-5.

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**Comment III.I-33:**

So many questions, so my question is, what will the City of Yonkers, as well as the developers of the River Park Center, plan for the hard working long time residents, senior citizens and financially impaired people of Yonkers?

*(Walter Lipscomb, Resident, Public Hearing, 4/29/2008, Page 120)*

**Response III.I-33:**

The project will bring construction and permanent jobs, job training, tax revenues, restaurants, stores, entertainment and publicly accessible open space.

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**Comment III.I-34:**

What this development is proposing is this ancient religious tenant is inherent in it. When you can either give a person a fish or teach them to fish. It's intrinsic in this entire opportunity that you have jobs, that you have now educational opportunity already infused into it as a response from the community concerns that there is educational opportunity, a trade school and other opportunities. It's in there to teach, to give jobs. That is the ancient credo of giving someone something like a job or something like that, teaching them a way instead of just handing them a fish for the day, for the hour, so I feel that this opportunity is on every level outstanding, and I feel that we have to go forward, especially in this economic climate.

*(Margaret Sotterholm, Resident, Public Hearing, 4/29/2008, Page 125-126)*

**Response III.I-34:**

Comment noted.

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**Comment III.I-35:**

I want to lend my support in the strongest terms to the community benefits agreement crafted by the alliance.

*(Toni Volchok for Jim Bostic, Executive Director, Cluster Community Services, Public Hearing, 4/29/2008, Page 129)*

**Response III.I-35:**

See Response III.I-8.

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**Comment III.I-36:**

Currently our government is talking about an economic stimulus package. Some families will get a hundred, maybe up to six hundred dollars in the next couple of weeks. That doesn't really do it for what we're up against. The only thing that works is development. It's proven time and time again that development works. We are in a recession. We need this project to go ahead, and I thank the Council.

*(Thomas Carey, Representative, Plumbers & Steam Fitters Local 21, Public Hearing, 4/29/2008, Page 132)*

**Response III.I-36:**

Comment noted.

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**Comment III.I-37:**

I just want to reiterate what people have been saying in terms of the help to the low income people there is a medium income range now of \$26,000 that is going to go up to \$200,000, and these are some of the things that the Council need to deal with in terms of keeping people here and exercising their rights in the community. Thank you.

*(Timothy Fawlkes, Yonkers Alliance for Community Benefit, Public Hearing, 4/29/2008, Page 133)*

**Response III.I-37:**

Comment noted. See Responses III.I-20, III.I-23.

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**Comment III.I-38:**

I am not for anyone losing their jobs or being in the street and being homeless, but I am for the progress of the neighborhood, and I do believe when you build that ballpark out there, I when I

came up here I looked out the fourth floor window and I said there is plenty of room there for a ballpark, other buildings, for opening up a waterfront and for jobs for the neighborhood, that is where my little thing is, so thank you very much.

*(Frank Casanova Jr., Resident, Public Hearing, 4/29/2008, Page 137)*

**Response III.I-38:**

Comment noted.

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**Comment III.I-39:**

I want to see everyone get what they want. I want to see new jobs. I want to see affordable housing, one of the most important things we heard tonight, right?

*(Vincent Wilson, Representative, Scrimshaw House (Pier Point on the Hudson), Public Hearing, 4/29/2008, Page 139)*

**Response III.I-39:**

Comment noted. The Applicant has committed to providing new affordable/workforce housing units equal to 10% of residential units being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The Council is evaluating this proposal. See also Responses III.I-20, III.I-23, LA-5.

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**Comment III.I-40:**

I don't see how the proposed plans can be anything other than a boon to the area. We have heard the facts repeatedly. The plans provide jobs, conveniences, new residents, destination points for shopping, entertainment, sports, parking, green space, government buildings, tax revenues, and the list goes on.

*(Tony Capone, President, Board of Act One Tenants Corp., Public Hearing, 4/29/2008, Page 144-145)*

**Response III.I-40:**

Comment noted.

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**Comment III.I-41:**

And speaking of residents, we need more. We need people to invest and own in the downtown area. I was very disappointed to hear that the Greyston work force housing complex was stopped, or at least delayed, for the time being. More home ownership is something that I think would greatly improve the area.

*(Tony Capone, President, Board of Act One Tenants Corp., Public Hearing, 4/29/2008, Page 146-147)*

**Response III.I-41:**

Comment noted. See Response III.I-17.

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**Comment III.I-42:**

We therefore support the efforts of the Yonkers Alliance of Community Benefits for a better Yonkers for all of us, not just those who are making six figures. Thank you.

*(Paula Crawford, Representative, Yonkers Alliance for Community Benefits, Public Hearing, 4/29/2008, Page 151)*

**Response III.I-42:**

Comment noted. See Response III.I-8.

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**Comment III.I-43:**

Well, this is the way to help the businesses in the downtown. We need feet to the street. This project on this unused piece of property is going to bring a lot of people down here, there is no question.

*(Mr. Kolenda, Resident, Public Hearing, 4/29/2008, Page 153)*

**Response III.I-43:**

Comment noted. See Response III.I-17.

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**Comment III.I-44:**

...so here in Yonkers there is a great deal of interest on the part of the youth to find jobs and find opportunities for themselves for the future, and this industry creates-- this job and this project will help to develop that idea and move forward.

*(Ross Pepe, President, Construction Council, Public Hearing, 4/29/2008, Page 181)*

**Response III.I-44:**

Comment noted. See Response III.I-23.

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**Comment III.I-45:**

My concern is, like I told you two years ago, I have no problem with this development, but I cannot support it now for one reason, is that it does not address the issue of affordable housing. When I say affordable housing, I am not talking about low income housing, I am talking about tier housing, housing that will be beneficial for all people, the children that are low income, moderate, and middle income would be able to afford it.

*(Diana Brown, Member, Yonkers Alliance for Community Benefit, Public Hearing, 4/29/2008, Page 185)*

**Response III.I-45:**

See Response LA-5.

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**Comment III.I-46:**

We are also a very diverse [labor] union. Tonight we had 50 of our present apprentices show up, mostly out there and there is a number of them in the back, and I point to the diversity and I am very proud of the diversity of our union because a question came up earlier as to who would get the jobs, and quite often it's thought of as the unions and the good old boys club and they don't include people. We are very inclusive, and we look forward to including more people as this project should take place.

*(Frank LeMoine, Local Union 46, Public Hearing, 4/29/2008, Page 187-188)*

**Response III.I-46:**

Comment noted. See Response III.I-23.

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**Comment III.I-47:**

My interest is in the waterfront, and one of the things that I started to do was to look at the H&I package and the Prospect Street Bridge. We are going to have to build a bridge which is not being paid for by the developers. It will either be part of the tax incremental financing or perhaps a general obligation bond, we are not sure, I presume, and that's the Prospect Street bridge which is an extension which is specifically to serve the two 25 story towers on H and I, and it's a perfectly valid project because clearly we can't put 435 units there and not be able to get a fire truck in there. I mean, you know, obviously we have to have access besides the bridge.

*(Terry Joshi, Yonkers Green Policy Task Force, Public Hearing, 4/29/2008, Page 199-200)*

**Response III.I-47:**

Given concerns expressed by area residents and others, as well as cost factors, the proposed Prospect Street bridge has been eliminated from the Proposed Action. These concerns include issues of safety, security and traffic congestion for residents of the Scrimshaw House, and issues of potential impacts on the children's playground and parents' ability to drop-off their children at the Queen's Daughter daycare facility.

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**Comment III.I-48:**

Where are the people that currently live in Pat McDow's district going to go? Where? What development? What development? Three percent, I am hearing, of affordable housing, three percent? Somebody has got to come up with a better number than that.

*(Shawn Spillman, Public Hearing, 4/29/2008, Page 204)*

**Response III.I-48:**

Comment noted. The Applicant has committed to providing new affordable/workforce housing units equal to 10% of residential units being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The Council is evaluating this proposal. See also Responses III.I-20, III.I-23, LA-5.

**Comment III.I-49:**

No one should be displaced because you would not want someone you love to be asked to move from their homes.

*(Ivy Reeves, Community Relations, Scenic Hudson, Public Hearing, 4/29/2008, Page 217)*

**Response III.I-49:**

Comment noted. Direct displacement from the River Park Center site includes 22 residences and 32 businesses. The businesses and families will receive assistance provided by the Applicant in finding new space and apartments. Regarding indirect residential displacement, see Response III.I-20.

**Comment III.I-50:**

We need the stadium. I believe the stadium-- 50 story towers, you know, if you reduce 50 story towers or 25 story towers, if you keep talking about reduction, you are taking away the available subsidization of the lower income or middle income people. You are taking away the possibilities. You are taking away the profits.

*(Mike McBride, Public Hearing, 4/29/2008, Page 231)*

**Response III.I-50:**

Comment noted.

**Comment III.I-51:**

I would like to read from the Executive Summary page I-30 three sentences that have caused us to be concerned about how the impact of this project is going to be on the community. Sentence number one: Continued support for public service organizations and not-for-profits is also anticipated. In 2006 and 2007 the applicant and its related entities funded numerous community organizations in Yonkers. The applicant will also consider supplemental funding of housing rehabilitation program to compliment the commercial rehabilitation program cited above. These are listed in a two-page section called Other in the Executive Summary page I-30 that I ask to you take a look at. It is that kind of coverage that gets us concerned about the impact of the project.

*(Greg Arcaro, Executive Director, Community Planning Council of Yonkers, Public Hearing, 4/29/2008, Page 234)*

**Response III.I-51:**

See Response GA-23.

**Comment III.I-52:**

Economic development is good but it has to benefit everybody.

*(Rick Magder, Executive Director, Groundwork Yonkers, Board Chair USA, Public Hearing, 4/29/2008, Page 239)*

**Response III.I-52:**

Comment noted.

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**Comment III.I-53:**

I created my own business right here. I worked two jobs to do my business, and now with everything that is going on, it's like-- now it's like you try to go to the downtown area, nobody says nothing about we are not a business. They put in the paper beautiful restaurants, what happened? The rent is very expensive, okay.

*(Jorge Funes, Public Hearing, 4/29/2008, Page 253)*

**Response III.I-53:**

Comment noted.

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**Comment III.I-54:**

You got the whole downtown area talking about five thousand dollars rent, seven thousand dollars rent, okay. How can you pay that? Why did The Legend go out of business? Why did the Jamaican restaurant go out of business? Why did the Dominican restaurant go out of business? My father owns properties in the Bronx, Tremont and University. You see people all over there. You don't charge seven thousand, you don't charge five thousand. How come even before they do this, they do this plan, they already are thinking about okay, we are going to start charging five, seven thousand dollars. Now when I move, my location, my business, nobody is giving any answers. Nobody is saying anything, so where am I going to move my business to go pay seven thousand dollars, five thousand dollars if there are no people there yet?

*(Jorge Funes, Public Hearing, 4/29/2008, Page 254-255)*

**Response III.I-54:**

See Page III.I-24 of the DEIS. This project will bring additional residents to the area with significant purchasing powers. Both during construction and after project completion, many area businesses will benefit. It is not anticipated that commercial rental rates will increase substantially as a result of this project..

The majority of the potential retail tenants for the proposed Project would be destination-type retailers, entertainment uses and restaurants. Therefore, the proposed Project is not expected to adversely impact the convenience-type stores that exist throughout the Study Area, since it is not in direct competition with them. Additionally, given the increase in residential units in the Study Area anticipated as a result of the Project and other approved and planned developments, and the major infrastructure improvements that are associated with the proposed Project, it is expected

that existing retailers in the Study Area and the existing restaurants would benefit from the development of the Project.

While it is certain that the retail rents in the proposed Project would be higher than the prevailing rents in the Study Area, these new facilities would not directly compete with the existing supply as they would be of an entirely different character appealing to different tenant types. Based on the Project's program, this new retail space would most likely attract retailers that currently have no presence in downtown Yonkers.

Commercial activity associated with the proposed baseball stadium in River Park Center would not compete directly with existing businesses because these would be of a different character, marketing to game-day customers. It is estimated that patrons who attend games will purchase food and drink in the area, either within the ballpark or at local establishments outside the stadium. It is estimated that approximately 20 percent (or  $\pm 1,200$ ) of ballpark visitors will arrive by mass transit including Metro North Railroad. The proposed Project will improve pedestrian access and mobility in the downtown area where the retail/restaurant frontages and sidewalk improvements will establish a primary pedestrian connection from the existing downtown shopping area in Getty Square to City Hall and the Cacace Center. These improvements will formalize the pedestrian route from the Yonkers Metro-North Station to the proposed ballpark, bringing substantial foot traffic through Getty Square and past many local off-site retail establishments.

While the overall retail climate in the Study Area should improve substantially, it is probable that some existing, marginal retailers would be at risk of indirect displacement by more substantial retailers with a higher rent tolerance. The Applicant will prepare a study, in conjunction with the Downtown Business Improvement District, of recommended business marketing and management strategies and techniques to help existing retail and service establishments to increase business activity as a result of their proximity to the proposed Project.

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**Comment III.I-55:**

4. How much are the increased municipal services--fire, police, sanitation, etc. necessary for the project's expected to cost (dollar amounts) for each year for the next 20 years? Give a breakdown for each project component of Phase I.

*(Michael Sabatino, Resident, E-mail, 5/13/2008)*

**Response III.I-55:**

Chapter III.J of the DEIS contains projections on the increased cost of municipal services that will be attributable to the Project. Anticipated revenues exceed projected costs. These projections have not been taken out to 20 years because of the uncertainty involved with such projections. For a discussion of why the impacts of each component of the Project are being considered together, see Response III.A-10.

**Comment III.I-56:**

Who will pay for utility upgrades (electric and water) to the project sites? What is the anticipated cost of these specific upgrades? Will the city pay for this or is it part of the TIF?

*(Deane Prouty, Resident, E-mail, 5/15/2008)*

**Response III.I-56:**

Infrastructure improvements will be paid for with TIF bonds and developer funds. For specific costs for the upgrades to the water and electric system, see Response III.H-45.

**Comment III.I-57:**

Will the SFC projects receive tax abatements from the Yonkers IDA? If so, what type of tax abatements (mortgage tax and/or sales tax exemptions, PILOTS, etc.) and what is the yearly dollar amount of the abatements and exemptions expected to be? Is it anticipated that the city will make up the lost revenue through sales taxes?

*(Deane Prouty, Resident, E-mail, 5/15/2008)*

**Response III.I-57:**

The Applicant intends to apply for Yonkers IDA benefits (including mortgage exemptions and sales tax exemptions during construction) but will not know the type or amount of abatements until both the final project program is completed after the SEQRA approval process and the Yonkers IDA decides on the benefits to confer on the project. Additionally, the Applicant intends to apply for both New York State Empire Zone and Federal Empowerment Zone benefits as afforded all businesses that qualify for such benefits located within the zones; the amounts of benefits cannot be determined until the project has been constructed and stabilized.

**Comment III.I-58:**

Will the SFC projects apply for Empire Zone and Federal Empowerment Zone tax credits and if so, what are the yearly dollar amounts of the credits expected to be?

*(Deane Prouty, Resident, E-mail, 5/15/2008)*

**Response III.I-58:**

See Response III.I-57.

**Comment III.I-59:**

What is the target consumer market, and estimated sales tax revenue from the retail and Chicken Island? Provide an analysis of how this retail will or will not affect sales tax revenues from other commercial areas in Yonkers like Cross County, Central Avenue, and Ridge Hill.

*(Deane Prouty, Resident, E-mail, 5/15/2008)*

**Response III.I-59:**

According to the Retail Market Study, included as Appendix 3.E of the DEIS, the target market for convenience-oriented stores is consumers located within approximately five minutes drive while the target market for comparison goods is consumers located within about 15 minutes drive (including those living within five minutes drive).

As presented in Table III.I-60 (Summary of Annual Fiscal Impacts, Proposed Development), the DEIS reports that the SFC Project will generate roughly \$13.4 million in sales and use tax annually. (This table has been updated and is included in Response LA-20.) The retail analysis conducted does not assume any level cannibalization of existing or known future retail centers based on new demand as indicated in the Retail Market Study. Therefore, it is not anticipated that the retail component of the SFC Project will negatively affect tax revenues from other commercial areas in Yonkers like Cross County, Central Avenue and Ridge Hill.

If tax exemptions are granted from the IDA, the Project would generate less tax revenue. However, it is not certain if the Project will receive tax exemptions, and if it did, what the size of the exemptions are.

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**Comment III.I-60:**

We fully recognize the desirabilities for a redeveloped downtown to attract high-income residents. As the decade old redevelopment of White Plains has shown, however, the realization of that objective need not eliminate the possibility of new housing including units priced within the affordability limits set by the County – which themselves are modeled on nationally accepted standards. In other jurisdictions, the proportion of all housing units set aside as affordable range and high as 20 percent. In Westchester County the broadly accepted set aside is 10 percent aimed at households with incomes of up to 80% of the County median. Since the housing market of the last couple of decades has increasingly made it impossible even for households with incomes that are considerably higher than 80% to find acceptable accommodations, the City of Yonkers might consider a mix of 10% up to 80% of the median and an additional 10% for households with incomes between 80% and 120%. The most important consideration should be that redevelopment on the scale contemplated in Yonkers at this time presents the City with a unique opportunity to create the kind of housing that would serve its evolving workforce demographic. We sincerely hope that the City will not allow this opportunity to slip away.

*(George M. Raymond, Westchester County Housing Opportunity Commission, Letter, 5/9/2008)*

**Response III.I-60:**

Comment noted. The Applicant has committed to providing new affordable/workforce housing units equal to 10% of residential units being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The Council is evaluating this proposal. Please note that 6% was the original affordable housing requirement in White Plains, however that percentage was recently increased to 10%. In addition, the Applicant has proposed provide assistance to businesses and residences in the immediate vicinity of the Project sites for building rehabilitation and improvements. Details of the affordable housing and rehabilitation programs will be defined by the City as part of its negotiation with the Applicant on the Land Disposition Agreements. See also Response LA-5.

**Comment III.I-61:**

Loss Leader, Field Maintenance and Tax Revenues. The ballpark has been repeatedly described in public by the SFC team as a loss leader that the Mayor wants to build. If the ballpark is not financially viable, what entity will sustain the financial loss: Who actually owns this field? The “minor” league team? The developers as part of the mall? The city?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-61:**

The field will be owned by the Applicant. The City will not be responsible for the field’s upkeep. The minor league team will be owned by Westchester Baseball, LLC. See Response III.A-13.

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**Comment III.I-62:**

Is it assumed that restaurant receipts and sales taxes from game attendees who linger in the mall will subsidize the annual operating expenses for this ballfield or will Yonkers taxpayers find that money that should be going to the school system and city services will instead be used for field maintenance, either directly or in the form of tax credits for the developers?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-62:**

See Response III.I-61.

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**Comment III.I-63:**

Daily Maintenance: Who is responsible for maintenance of the ballfield itself? Literally – who changes the light bulbs, who picks up the trash – who waters the field - will the Yonkers police force have to be paid overtime for games? What will that add to the city budget each year? What about sanitation services? Who will pay the water bill and maintain the locker rooms?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-63:**

The Applicant is responsible for maintenance of the ballfield. See Response III.I-61.

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**Comment III.I-64:**

Tax Subsidies: What are the tax subsidies being given to the developers for building this mall? How many years of sales taxes will it take to recoup the subsidies offered?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-64:**

See Response III.I-57.

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**Comment III.I-65:**

Employment: Mall owners typically lease their space to retailers and do not control hiring practices. The developers talk continually about employment for Yonkers residents. Will there be a method for guaranteeing priority for Mall jobs to Yonkers residents?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-65:**

As stated on page III.I-58 of the DEIS, based on journey-to-work information from the U.S. Census, specific for the City of Yonkers, it is estimated that approximately 46% of the Project's on-going employees will be Yonkers residents. The Applicant cannot, however, guarantee an exact percentage. It is possible that the actual percentage may be higher or lower.

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**Comment III.I-66:**

When will these buildings [residential towers at River Park Center] be completed? How soon will the city be receiving property tax revenues? What additional city services – very specifically – will be required for the 950 apartments? Has this been calculated into the city budgetary needs?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-66:**

As stated in Exhibit III.M-1 of the DEIS, the two residential towers are scheduled to be completed approximately 30 months after construction at River Park Center begins. Property taxes will be continuously collected by the City on non-exempt properties. When portions of the Project are completed, and properties are reassessed, the amount of tax revenue received by the City will change - it will increase. Chapter III.J details the various municipal services that might be affected by the Project. For a summary of those costs and a discussion of the impacts on the City budget, see Response III.I-136.

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**Comment III.I-67:**

The 25 story buildings on parcels H& I are just too tall because they will depress property values on the streets behind them.

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-67:**

It is not anticipated that the Project will depress neighboring properties' values. As stated in the DEIS, it is possible that the Project could increase surrounding property values, not decrease them.

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**Comment III.I-68:**

Tax revenues: When will these buildings [Palisades Point] be completed? How soon will the city be receiving property tax revenues? What additional city services – very specifically – will be required for the 950 apartments? Has this been calculated into the city budgetary needs?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-68:**

As stated in Exhibit III.M-1 of the DEIS, the north tower is scheduled to be completed approximately 21 months after the beginning of construction and the south tower is scheduled to be completed approximately 24 months after the beginning of construction. Property taxes will be continuously collected by the City on non-exempt properties. When portions of the Project are completed, and properties are reassessed, the amount of tax revenue received by the City will change - it will increase, mainly because of the improvements to the properties, but also because currently exempt (e.g., City owned) properties would go on the tax rolls. Chapter III.J details the various municipal services that might be affected by the Project. For a summary of those costs and a discussion of the impacts on the City budget, see Response III.I-136.

**Comment III.I-69:**

Prospect Street Bridge Construction: This bridge extension will be needed if the buildings are constructed on H & I. Is the minimum \$15,000,000 bridge cost to the city justified by revenues from the condos/rentals proposed on H & I, which will not be fully occupied for 3-5 years after construction according to the DEIS?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-69:**

Given concerns expressed by area residents and others, as well as cost factors, the proposed Prospect Street bridge has been eliminated from the Proposed Action. These concerns include issues of safety, security and traffic congestion for residents of the Scrimshaw House, and issues of potential impacts on children's playground and parents' ability to drop-off their children at the Queen's Daughter daycare facility.

**Comment III.I-70:**

How much are the increased municipal services... fire, police, sanitation, etc. necessary for the projects expected to cost (dollar amounts) for each year for the next 20 years? Give a breakdown for each project component of Phase I.

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-70:**

See Response III.I-55.

**Comment III.I-71:**

Who will pay for utility upgrades (electric and water) to the project sites? What is the anticipated cost of these specific upgrades?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-71:**

See Response III.I-56.

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**Comment III.I-72:**

Will the SFC projects receive tax abatements from the Yonkers IDA? If so, what type of tax abatements (mortgage tax and/or sales tax exemptions, PILOTS, etc.) and what is the yearly dollar amount of the abatements and exemptions expected to be?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-72:**

See Response III.I-57.

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**Comment III.I-73:**

Will the SFC projects apply for Empire Zone and Federal Empowerment Zone tax credits and if so, what are the yearly dollar amounts of the credits expected to be?

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-73:**

See Response III.I-58.

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**Comment III.I-74:**

What is the target consumer market, and estimated sales tax revenue from the retail at Chicken Island? Provide an analysis of how this retail will or will not affect sales tax revenues from other commercial areas in Yonkers like Cross County, Central Avenue, and Ridge Hill.

*(Aileen Kilcommon, Yonkers Rowing and Paddling Club, Letter, 5/19/2008)*

**Response III.I-74:**

See Response III.I-59.

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**Comment III.I-75:**

Second, I am concerned that Yonkers' businesses will not be given any favorable treatment with the new developments. My case in point is what happened to my business in regards to the Collins buildings. The original 2 buildings are using an out of city cleaner to do valet work. I have been told this has been corrected with the third building (with your help, thank you).

However, there are many existing businesses in Yonkers which may not see any additional business. I know this is the job of the business owner in conjunction with the chamber of commerce. However, I believe it should be strongly encouraged to the developers and businesses entering the city. I am a strong advocate at looking at Yonkers' based business first when looking for vendors.

*(Ross, E-mail, 5/14/2008)*

**Response III.I-75:**

Comment noted. The Applicant will work with the BID to develop a marketing plan related for existing businesses in the downtown area.

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**Comment III.I-76:**

Let me now ask you a few questions about my business located at 39 Palisades Avenue. These also reflect some of the concerns that are coming from other businesses in the area, especially the Latinos Businesses bordering Chicken Island. What will happen to my business and the businesses in the area when construction begins at Chicken Island? Are we going to receive incentives like the Developer proposed until the construction phase is completed?

*(Wilson Terrero, Board Member, Yonkers CDA, President, Dominican Cultural Association of Yonkers, Treasurer, Letter, 5/14/2008)*

**Response III.I-76:**

There will be impacts to nearby businesses as a result of the construction. It is anticipated that food and service establishments in the vicinity of the construction sites will see an increase in business during construction. See Page III.M-14 in the DEIS. In addition, the Applicant will work with the Downtown Business Improvement District to prepare a study of recommended business and marketing strategies to help existing retail and service business capitalize on their proximity to the Project. See Page III.I-26 of the DEIS.

Relocation assistance will be provided to the businesses on the River Park Center site, including help in finding new locations. The majority of the properties are owner-occupied and will be delivered empty to the purchasers. There are also some tenants that are month to month renters. Where leases are in place, certain benefits may be provided by the current owner. In addition the applicant will provide information on available space in the immediate area, helping tenants to fund suitable space in conjunction with the efforts of the BID and chamber of commerce. The tenants will not, however, receive financial benefits from the Applicant.

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**Comment III.I-77:**

Define the role of all agencies. Other agencies are mentioned in the draft EIS but the role they are anticipated to play - officially or unofficially is unclear. Will there be involvement by the Industrial Development Agency, the parking authority or other quasi-municipal agencies? If so, the specific role in implementation, funding and operation should be detailed.

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008; Westchester County Department of Planning, Westchester County, Letter, 5/29/2008 (C66))*

**Response III.I-77:**

The Yonkers Community Development Agency is the owner of certain of the properties proposed to be redeveloped, and will be a party to the Land Disposition Agreements for the Project (which is, among other things, a project under the Getty Square Urban Renewal Plan and the Riverview Urban Renewal Plan). The Yonkers Industrial Development Agency may participate in the construction of the new public parking facilities and other public infrastructure for the Project, and may provide financial assistance to the private components of the Project. The Yonkers Parking Authority may be involved in the management and operation of the new public parking facilities.

Table II-4 in the DEIS summarizes reviews and approvals by seventeen involved agencies, including the City of Yonkers' City Council, Planning Board, Community Development Agency and City Departments. City departments listed in that table include the Yonkers Parking Authority, which regulates parking and parking rates, the Yonkers Department of Public Works for review and approval of proposed sewer and water infrastructure improvements, and City's traffic engineer for review and approval of proposed roadway improvements. The Applicant has worked and will continue to work closely with all involved City agencies and departments to ensure that all elements of the Proposed Project meet all applicable regulations.

**Comment III.I-78:**

Consider community benefits agreement. Several communities have found the drafting of a community benefits agreement (CBA) to be a useful process for integrating community needs with the scope of a developer's proposed program utilizing informal but organized community input. Has such an approach been considered as part of community input, which is a required component of establishing a TIF district?

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008; Westchester County Department of Planning, Westchester County, Letter, 5/29/2008 (C66))*

**Response III.I-78:**

The Applicant has had on-going discussions with the Yonkers Alliance for Community Benefits (YACB), an association of some Yonkers-based organizations, as well as discussions with other groups in Yonkers in a concerted effort to ascertain community needs and concerns. The Applicant has also held more than 40 public meetings to educate the public about the Project and further its understanding of potential community needs, more than any other developer in the City's recent history. SFC has taken into consideration issues raised at these and other public meetings. SFC will continue discussions with the YACB to better understand and respond to its concerns. In its capacity as Lead Agency, the City Council will determine what mitigation measures are required to address the potential adverse impacts of the Project. With regard to a CBA, the Applicant notes that although a draft of a proposed agreement has been provided to the Applicant, the Applicant has informed the YACB that its concerns must be directed to and addressed by the City Council, and not through an agreement developed outside of the SEQRA process.

**Comment III.I-79:**

As noted in the Socio-Economic Conditions section on page 85, there appears to be a set-aside of 25% of the city tax increment to cover potential increases in operating costs that must be born by the city. The County has not yet determined the fiscal impact of the proposed project on County operations. However, it is clear there will be some increased costs. To the extent that an analysis indicates increases in the County's operating budget that are not covered by corresponding revenue increases, it would be necessary to set-aside some portion of tax increment growth to cover these costs. The EIS should provide for this.

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008; Westchester County Department of Planning, Westchester County, Letter, 5/29/2008 (C66))*

**Response III.I-79:**

The County will receive approximately \$3.577 million in County taxes (sales, property, etc.), excluding the TIF commitment, which will off-set services required to support the development. See the table accompanying Response LA-20.

**Comment III.I-80:**

The draft EIS states that the developer has a commitment to provide 6% of the proposed housing as affordable/workforce units, either through new construction or through the establishment of a housing fund. We support this commitment but encourage the city to require a higher percentage of affordable units and to require that all of the affordable units be provided within the proposed development. Providing affordable units is essential given that the proposed new market-rate condominium units are projected to range in price from \$450,000 for a one-bedroom unit to \$900,000 for a three bedroom unit, well beyond the means of a substantial portion of Westchester's workforce.

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008; Westchester County Department of Planning, Westchester County, Letter, 5/29/2008 (C66))*

**Response III.I-80:**

Comment noted. See Responses LA-5, III.I-60.

**Comment III.I-81:**

The draft EIS contains conflicting information on the potential displacement of residences and businesses. The Preliminary Redevelopment Plan in Appendix 1.F states on page VI-4, "No existing residences will be displaced as a result of the SFC Project." On page II-3 of this appendix, data is presented that 134 lots in the proposed Redevelopment Area are in residential use with multi-family as "the primary residential use". No number of total residential units is provided. Further, in the main text of the draft EIS, it is stated that an existing apartment building containing 22 dwelling units will be demolished in order to construct River Park Center. The potential impact on existing residential units should be clarified. The number of residential units to be demolished should be mapped and identified. The potential displacement within the Redevelopment Area should be quantified.

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008; Westchester County Department of Planning, Westchester County, Letter, 5/29/2008 (C66))*

**Response III.I-81:**

Direct residential displacement includes 22 dwelling units on the River Park Center site. These units will be displaced as a result of the purchase of private property by the Applicant. There is no condemnation proposed that would result in displacement by a governmental entity. The Redevelopment Area referenced in the Appendix is part of the TIF Feasibility Study.

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**Comment III.I-82:**

With regard to the existing apartment building containing 22 dwelling units, the draft EIS states, "all residential tenants will receive relocation assistance in the form of assistance in finding a new apartment to relocate to and/or relocation stipends to cover the cost of moving, possible rent increase, and relocating their residences." More information should be provided about the proposed relocation program, and more specifically, call attention to any tenants who may be receiving Section 8 rental assistance vouchers.

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008; Westchester County Department of Planning, Westchester County, Letter, 5/29/2008 (C66))*

**Response III.I-82:**

Details will be provided as part of the Land Disposition Agreements. Section 8 certificates and vouchers can be transferred from one building to another.

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**Comment III.I-83:**

In addition, the draft EIS also states that a number of existing businesses will also be directly displaced. The exact number and types of businesses to be displaced also needs to be identified. Displacement may require involvement from other agencies as well as adherence to a uniform relocation plan if federal money was involved in establishing or assisting these existing businesses. Whether or not this situation exists should be clarified.

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008; Westchester County Department of Planning, Westchester County, Letter, 5/29/2008 (C66))*

**Response III.I-83:**

The Uniform Relocation Act does not apply to the 32 businesses which will be acquired by the Applicant. Details of the relocation assistance will be determined by the Applicant and the City as part of the Land Disposition Agreements. A detailed inventory of affected businesses will be made prior to acquisition and relocation.

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**Comment III.I-84:**

The draft EIS presents a retail analysis which states that the proposed retail tenants would be destination-type retailers which would not be in direct competition with existing retailers in and

around Getty Square. We note that the traffic analysis assigns the highest percentage of retail trips (50%) as originating from north of downtown (via Nepperhan Avenue, Route 9A, North Broadway and Warburton Avenue with another 30% originating from south of downtown (via Riverdale Avenue and South Broadway) and the [mal 20% originating from east of downtown (Yonkers Avenue with 10% from the Saw Mill River Parkway and 10% from Central Park Avenue). It would appear that the analysis assumes the retail base would be independent of that of the Cross County Shopping Center and the now-under-construction Ridge Hill Village. What level of cannibalization of destination-type retailers was built into the retail demand analysis model?

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008)*

**Response III.I-84:**

The retail market analysis projects unmet demand potential for between 4.2 and 8.4 million square feet of retail space. These findings indicate sufficient unmet demand to support the retail program of the proposed Project and other future retail developments, including Ridge Hill Village (1.3 million square feet of retail and restaurant space) and the expansion of the Cross County Shopping Center (245,000 square feet). The retail analysis conducted does not assume any level cannibalization of existing or known future retail centers.

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**Comment III.I-85:**

Regardless of the market for destination-type retailers, we believe it is important for the city that there be retailers within the development that serve the surrounding and nearby community. We note that several businesses will be displaced by the proposed project; will the local community continue to have access to goods and services that they require in the event that displaced businesses choose not to relocate in the immediate area, or cannot due to increased rents?

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008)*

**Response III.I-85:**

As discussed in the "Direct Business and Institutional Displacement" portion of Section III.I (Socio-Economic Factors) of the DEIS, the total number of business establishments subject to direct displacement by the proposed Project is only 2.8 percent of the total number of establishments in the Study Area. This minimal amount of direct business displacement is unlikely to have a significant impact on access to goods and services within the Study Area. Further, the proposed Project is not expected to adversely impact the convenience-type stores that exist outside the Project sites, since it is not in direct competition with them.

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**Comment III.I-86:**

The Getty Square area is a busy retail center serving many people who can walk from nearby. It would be unfortunate if people who currently walk to Getty Square to shop for their day-to-day needs end up being required to travel longer distances (for example, by automobile) to meet those same needs if the future retail mix skewed the downtown towards destination retailers. We recommend that the EIS should address this aspect.

*(Westchester County Planning Board, Westchester County, Letter, 5/29/2008)*

**Response III.I-86:**

The proposed Project is not expected to adversely impact the convenience-type stores that exist outside the Project sites and provide highly localized neighborhood needs. The Project is not expected to be in direct competition with them. See also Response III.I-85.

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**Comment III.I-87:**

12. Discuss impact on other tax levies. Owners of properties in the TIF district are subject to other taxes such as sewer charges. Is it anticipated or proposed that there will be any changes in the assessment or collection of such taxes and charges?

*(Westchester County Department of Planning, Westchester County, Letter, 5/29/2008)*

**Response III.I-87:**

Special benefit assessments levied by the City or the County are not affected by Tax Increment Financing, and would continue to be assessed and collected in the same manner as they are currently.

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**Comment III.I-88:**

I see this project bringing tax relief from the retail stores as well as jobs. It will create jobs for our unions. It will create jobs for our young and for our city members, you know, residents of our city, and also our senior citizen can benefit from that. I see - - that's good for our seniors. They need their little jobs too. I also see it as beautification act for our downtown city. We are going green. It's environmentally friendly. I have read some articles on that and I am glad for that because we need to protect our planet.

*(Geri Esposito, Resident, Public Hearing, 5/13/2008, Page 10)*

**Response III.I-88:**

Comment noted.

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**Comment III.I-89:**

We need this, the jobs for the construction industry, the children of our city in Yonkers, the jobs that it will bring for them.

*(Donna Nolan, Resident, Public Hearing, 5/13/2008, Page 14)*

**Response III.I-89:**

Comment noted.

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**Comment III.I-90:**

We need to get past this and get building here, because if we don't do it, our schools are going to rot away, and we need to start doing something in Yonkers. Stop talking about it and we need to start building.

*(Donna Nolan, Resident, Public Hearing, 5/13/2008, Page 14)*

**Response III.I-90:**

Comment noted.

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**Comment III.I-91:**

Most important is, that west side of the city needs a face lift so that residents of the west side don't have to go to the east side for shopping or entertainment.

*(Om Dhiman, Building Manager, Public Hearing, 5/13/2008, Page 22)*

**Response III.I-91:**

Comment noted.

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**Comment III.I-92:**

There will be more than three billion in private investment. More than 32 million in new tax revenue to the city and the schools and Westchester County. New residents will spend 65 million dollars a year. That will reach poor sections of the city. The developers need to make a profit, otherwise why would they come here? They have to borrow billions of dollars and put here in Yonkers. They can go somewhere else where people are more receptive and have less hassles.

*(Om Dhiman, Building Manager, Public Hearing, 5/13/2008, Page 22)*

**Response III.I-92:**

Comment noted.

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**Comment III.I-93:**

We have to talk about the safety of those buildings. Is there an evacuation plan? Who's going to pay for additional fire equipment, modernized trucks? The other thing is, how is the city going to be receiving-- how soon will the city be receiving property taxes to pay for additional services? And specifically what additional city services are going to be needed to deal with 60 story high buildings?

*(Ann Miller, Public Hearing, 5/13/2008, Page 25)*

**Response III.I-93:**

See Responses LA-1, III.I-66, III.I-68.

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**Comment III.I-94:**

Finally, the mall owners typically lease space to retailers. Is there any way to guarantee that the money that is going to be paid to these employees is going to be a living wage and is going to benefit Yonkers residents?

*(Ann Miller, Public Hearing, 5/13/2008, Page 25-26)*

**Response III.I-94:**

In the Applicant's opinion, a "living wage" would adversely affect the City of Yonkers ability to attract retailers and would not create the desired jobs needed in this blighted urban area of the city. Additionally, in the Applicant's opinion, a living wage resolution would be counter productive to the City's Council's current efforts to attract new jobs and openings to this blighted area. In addition, a living wage resolution may disproportionately impact smaller retail and service businesses. However, adoption of a living wage resolution is a matter of City policy..

**Comment III.I-95:**

You may have heard real quick no real reasons being made for affordable housing. Six percent of affordable housing, no provision is being made for the low income housing. No provision is being made for handicapped and senior citizens. There is nothing in here. Your whole plan, buildings and everything is all beautiful, what about the people who already live there? People who already live there are low income. Nothing in here is for the people that live there, okay. So my question to you is, what about the people that live here? What are we going to give them? Where do we live? We get to move, get to watch everything come up, watch the prices soar. What happens to the people that already live there? Thank you.

*(Walter Lipscomb, Resident, Public Hearing, 5/13/2008, Page 27)*

**Response III.I-95:**

Residents in the area will benefit from construction and permanent jobs, job training, places to shop, restaurants, publicly accessible open space and the ballpark. For a discussion of the possibility of displacement, see Responses III.I-149 and LA-27. In response to City Council comments, the Applicant has increased the provision of new affordable/workforce housing units equal to 10% being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The City Council is evaluating this proposal. For further details regarding how the Applicant's proposed affordable housing initiative would be implemented, see also Response LA-5.

**Comment III.I-96:**

I don't want to repeat. They all took my speech, but in a nutshell, I think that we should seize on this proposal and get it done as quickly as possible. The revenues that we are going to get will pay for all of those extras that are required, I am sure.

*(Ron Salvatore, Resident, Public Hearing, 5/13/2008, Page 29)*

**Response III.I-96:**

Comment noted.

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**Comment III.I-97:**

Some of those questions are, what is the sale price of all the public properties, the Chicken Island Mall, parcels H and I, the part next to the police station.

*(Michelle Jacobs, Resident, Public Hearing, 5/13/2008, Page 34)*

**Response III.I-97:**

SFC and the City of Yonkers have ordered appraisals for the municipally owned properties to be used as a basis for negotiating a purchase price in the Land Disposition Agreements (LDA). The MDDA outlined a purchase price for municipally owned properties of \$1.2 million per acre which will also be used in the LDA negotiations. The final purchase price for all municipally owned properties will be part of the overall business deal between SFC and the City finalized in the LDA at the conclusion of the SEQRA process. The City Council will be responsible for approving the LDA.

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**Comment III.I-98:**

Will the SFC projects receive tax abatements from the Yonkers IDA? And if so, what type of abatements? Mortgage tax, sales tax, tax exemptions, pilots, et cetera. What is the yearly dollar amount of abatements and the exemptions expected to be? Is it anticipated the city make up the lost revenue through the sales tax? Will the SFC project apply for Empire Zone and Federal Empowerment Zone Tax Credits, and if so, what are the yearly dollar amounts? None of this has been put forward in any kind of concrete way.

*(Deane Prouty, Resident, Public Hearing, 5/13/2008, Page 38-39)*

**Response III.I-98:**

The Applicant intends to apply for Yonkers IDA benefits (including mortgage and sales for exemptions) but will not know the type or amount of abatements until both the final project program is completed after the SEQRA approval process and the Yonkers IDA decides on the benefits to confer on the project. Additionally, the Applicant intends to apply for both New York State Empire Zone and Federal Empowerment Zone benefits as afforded all businesses that qualify for such benefits located within the zones; the amounts of benefits cannot be determined until the project has been constructed and stabilized.

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**Comment III.I-99:**

What are the anticipated costs of administering, maintaining and providing security for these areas, police, fire and rescue?

*(Deane Prouty, Resident, Public Hearing, 5/13/2008, Page 39)*

**Response III.I-99:**

The Applicant will provide on-site security for all buildings with additional security and traffic control for events at the ballpark. The Applicant's plans also call for the construction of a sub-station for the Yonkers Police Department near the intersection of New Main Street and Nepperhan Avenue. For a discussion of the anticipated costs for police service, and the projected tax revenues that will exceed these costs, see Response III.I-136.

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**Comment III.I-100:**

What is the target consumer market and estimated new sales tax revenue from the retail at Chicken Island? Can you provide us with an analysis of how this retail will or will not affect tax revenues from other commercial areas in Yonkers like Cross County, Central Avenue and Ridge Hill.

*(Deane Prouty, Resident, Public Hearing, 5/13/2008, Page 39-40)*

**Response III.I-100:**

See Response III.I-59.

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**Comment III.I-101:**

And eleven stories of a shopping mall? I realize four stories will be devoted to parking, but that's still seven stories of shopping. This, in addition to Ridge Hill, which has only begun construction? And in addition to the expanded Cross County Mall. Just seven stories? The Westchester mall is only four stories. Even if we were not in a worldwide economic downturn, just what kind of shopaholics is Yonkers expecting to attract? We already have an example of this kind of planning gone completely wrong. Look at New Roc City. What has it produced? A hangout. Last year the hangers out got bored and rioted there. Is this what we want to plan for the downtown? And speaking of shopping, what is planned for this additional giant mall topped by a ballpark and two looming towers: Sacks Fifth Avenue and Nordstrom or Target and 99 cent stories.

*(Barrymore Scherer, Public Hearing, 5/13/2008, Page 43-44)*

**Response III.I-101:**

New Roc City is an entertainment center not a retail center. As such, it appealed to many young people. It is currently being repositioned as a retail center.

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**Comment III.I-102:**

Do you think the people who want to shop at Nordstrom would want to shop under a ballpark with several thousand sports fans and their litter? Who is going collect this litter and let alone pay for its collection?

*(Barrymore Scherer, Public Hearing, 5/13/2008, Page 44)*

**Response III.I-102:**

The Applicant will be responsible for making certain that all of River Park Center, including the publicly accessible Riverwalk, is kept clean and attractive.

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**Comment III.I-103:**

As far as the residential element of these building projects goes, we are in recession, yet this plan calls for an enormous volume of housing stock for which there is no guaranteed market. All these future residents, where on earth are they supposed to come from? And what if they don't come? What do we do then? And even if they do come, we are being told that these new residents and their taxes will go to supporting our schools, but who is to pay for all the infrastructure needed to support these new residents, the new roads, sewers, energy, police and fire? The developers won't pay for it. We will have to pay for it. Where will they go to school, all these children of the new residents? Will Yonkers need to pay for building another school or two? And will Yonkers have to coin its own money to do so?

*(Barrymore Scherer, Public Hearing, 5/13/2008, Page 44-45)*

**Response III.I-103:**

Market research conducted as part of the DEIS supports the development program. Research into demand for retail, residential, and office uses confirms market support for these uses.

The estimated number of public school age children for the proposed development, which is 162 and equates to a 0.69% increase in overall enrollment district-wide, is based on unit sizes, the downtown location and marketing of the project to young professionals and empty nesters. This estimate is conservative when compared with public school children being realized in similar projects, including recent projects on the riverfront in Yonkers. Given the limited number of school children anticipated to be generated by this project (0.69 percent overall increase in enrollment), a public school would not be necessary.

For a discussion of the impact of the project on the City budget, see Response III.I-136.

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**Comment III.I-104:**

Left out of the document is an answer to the question of what the developers are willing to contribute to ensure that such a college is established here. The Council for SUNY Yonkers would like to see in the Final Environmental Impact Statement, evidence of willingness to contribute to assure that SUNY cannot refuse Yonkers invitation. The Council for SUNY Yonkers urges the offer by the developers of a ten rent free allocation of space for such a college.

*(Julie Weiner, Executive Director, Council for SUNY Yonkers, Public Hearing, 5/13/2008, Page 48)*

**Response III.I-104:**

The Applicant supports the efforts to attract a campus of the State University of New York campus to Yonkers. The Applicant has been a financial supporter of many different community initiatives and of different non-profits and intends to continue to support these programs as

financially practical. Financially, the project economics are such that ten years of free rent for space for a college campus is not possible; however, rent reductions would be determined between the Applicant and SUNY.

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**Comment III.I-105:**

I represent the Yonkers Alliance for Community Benefits, and what we are, what we have been saying all along is yes, Yonkers needs development badly. Yonkers needs a lot of things very badly, but what the DEIS is not really specific on, things like the numbers. I mean, specific numbers of jobs, commitments, not, you know, numbers that are kind of made up. We want to see that the development is done right, that the people that live here now, that live in the affected area are the ones that are also able to benefit and not people from outside New York City and all of that, so in closing, we just wanted to be clear, we are not against the project unless these things aren't done properly and these questions aren't being addressed.

*(Vernon Brinkley, Representative, Yonkers Alliance for Community Benefits, Public Hearing, 5/13/2008, Page 63-64)*

**Response III.I-105:**

The job estimates were developed by Economics Research Associates. Estimates were reviewed by the City's consultants and were determined to be accurate.

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**Comment III.I-106:**

In addition, we believe that the affordable housing proposed as part of the project is insufficient to offset the displacement that it will cause.

*(Gavin Kearney, Esq., Representative, Yonkers Alliance for Community Benefit, Public Hearing, 5/13/2008, Page 67)*

**Response III.I-106:**

The 10% affordable housing proposal is not designed to off-set the displacement of existing project residents. They will receive relocation assistance, helping them find suitable replacement housing. In response to City Council comments, the Applicant has increased the provision of new affordable/workforce housing units equal to 10% being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The City Council is evaluating this proposal. See also Response LA-5.

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**Comment III.I-107:**

We are also concerned about the potential impact of this development on local services, particularly in light of the project's significant reliance on tax increment financing. One area of particular concern is the potential impact of this project on the local school system, and we believe that the DEIS underestimates this impact.

*(Gavin Kearney, Esq., Representative, Yonkers Alliance for Community Benefit, Public Hearing, 5/13/2008, Page 68)*

**Response III.I-107:**

The City will receive significant sales and income tax revenues which are not affected by TIF. Also see Response III.I-103.

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**Comment III.I-108:**

Of particular concern to our coalition is the lack of detail with respect to the affordable housing to be provided in the development and/or supported by the development over the short and long term.

*(Gavin Kearney, Esq., Representative, Yonkers Alliance for Community Benefit, Public Hearing, 5/13/2008, Page 68)*

**Response III.I-108:**

See Response III.I-32.

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**Comment III.I-109:**

The number and quality of jobs that will be made available to Yonkers residents during and after construction, and measures that will be taken to ensure that they go to local residents over the short and long term is another area where we think the DEIS is insufficiently detailed.

*(Gavin Kearney, Esq., Representative, Yonkers Alliance for Community Benefit, Public Hearing, 5/13/2008, Page 69)*

**Response III.I-109:**

See Responses LA-6, III.I-146.

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**Comment III.I-110:**

We also think that there is insufficient detail with respect to the support that will be provided to ensure that local businesses benefit from support that will be provided to ensure that the local businesses benefit from and are not displaced by the development over the short and long term.

*(Gavin Kearney, Esq., Representative, Yonkers Alliance for Community Benefit, Public Hearing, 5/13/2008, Page 69)*

**Response III.I-110:**

In the short term, 32 local businesses will be displaced as a result of the Applicant's acquisition of private property. Relocation assistance will be provided to the affected businesses, including help in finding new locations. The applicant will work with the BID to devise a marketing plan that would strengthen local businesses, making them more competitive in the revitalized downtown area. During the three year construction period, many local businesses will benefit from the influx of construction workers. After the project is developed, there will be a significant increase in purchasing power in downtown Yonkers with new residents and visitors spending money in both existing and new stores and restaurants.

**Comment III.I-111:**

As an advocate for our children I would like to speak in favor of the SFC program - - project, excuse me. The obvious revenues and monies that Yonkers will benefit will be able to eventually help our annual deficit problems. We will finally be able to stop depending on the state to take care of our children.

*(Kelly Chiarella, Resident, Public Hearing, 5/13/2008, Page 74)*

**Response III.I-111:**

Comment noted.

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**Comment III.I-112:**

This is reality. Reality is the Federal Government and the State Government isn't going to help, isn't going to get us out of the hole that we are in. Now, what do we do? We have to solve the problem. We need to have development so it brings additional funds. You need to make sure that you do your job and make sure that the residents who are here tonight, their concerns are addressed. There seems to me that there can be both. There can be development and there can be the concerns of the people who elected you to make sure that their needs are met as well.

*(Mike Romandelli, Public Hearing, 5/13/2008, Page 76)*

**Response III.I-112:**

Comment noted.

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**Comment III.I-113:**

This project has all the key ingredients of this economic times and things that we desperately need. First and foremost, the long needed jobs it will bring to our residents.

*(Justin Tubiolo, Resident, Public Hearing, 5/13/2008, Page 83)*

**Response III.I-113:**

Comment noted.

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**Comment III.I-114:**

Second, it will bring additional taxes to Yonkers. We are in serious need of additional revenues for our school children, our seniors and our property owners.

*(Justin Tubiolo, Resident, Public Hearing, 5/13/2008, Page 84)*

**Response III.I-114:**

Comment noted.

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**Comment III.I-115:**

If you don't do this project, this is something that nobody has brought up, Council, you segregate the city if you don't do this. How do you secretary gate the city if you don't do this project? Well, other people that don't live on the west side don't come to the west side now, they have a fear, and there is no reason to come, but we have started to develop the west side, and you know what, people from other parts of the city are starting to come to the west side.

*(Dennis Shepherd, President, Hyatt Association, Public Hearing, 5/13/2008, Page 87)*

**Response III.I-115:**

Comment noted.

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**Comment III.I-116:**

Now, I also heard that some people want to escape, you know, the city and come to Yonkers. There are a lot of people who want to escape Yonkers because of some downward trends that we have had, but we are turning it around. We are absolutely turning it around. The youth does want to escape, right now they escape into gangs, but if we do this development and give them opportunity and give them hope and give them dreams, they would want to stay, they would have something to do, so in terms of gang prevention, development is all about that. It's giving our youth a future and a reason to stay.

*(Gus Nathan, Development Liaison, Yonkers Chamber of Commerce, Public Hearing, 5/13/2008, Page 90-91)*

**Response III.I-116:**

Comment noted.

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**Comment III.I-117:**

I felt very hurt when I heard one person after another get up at the last hearing saying that they felt they were getting pushed out of Yonkers, and one lady even sat here keys down. I felt so sad about this, and I feel that it would be correct to have a task force to address this issue, and perhaps those real estate officials and so on can be part of the task force, so when people have to be relocated, that they are given great honor in this process and respect and care and support.

*(Gus Nathan, Development Liaison, Yonkers Chamber of Commerce, Public Hearing, 5/13/2008, Page 92)*

**Response III.I-117:**

Comment noted.

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**Comment III.I-118:**

If you have looked at any gentrified area you know that this is simply not true, that a small number of high income people demonstrates to landlords that they could get a higher return on their property if they could upgrade the property, if they could move lower income people out, whether by higher rents or other means, and then rent it at a higher amount, so there needs to be-- this is a natural development. It's happened in many areas, so there needs to be proposed mitigation.

*(Nan Beer, Resident, Public Hearing, 5/13/2008, Page 96-97)*

**Response III.I-118:**

The introduction of the proposed development will result in some direct and indirect displacement; however, the size of the area and other factors indicates that there will be additional diversity but not widespread indirect displacement in downtown Yonkers. See also Responses III.I-20, GI-1.

**Comment III.I-119:**

Six percent of high-end residential units, somehow the number was translated to 63, I am not sure how, for affordable or low income housing is not very much. We have a ballpark that everyone from the Mayor on down acknowledges is a lost leader, and my question to you is okay, that is great, usually when a store has a lost leader tries to make up the money somewhere else and I'd like to know how that is going to happen.

*(Terry Joshi, Yonkers Green Policy Task Force, Public Hearing, 5/13/2008, Page 104)*

**Response III.I-119:**

The ballpark should be considered as a project enhancement and a community amenity, much like the Riverwalk. Note that the total number of affordable units at 10% is 144 units.

**Comment III.I-120:**

Let's face it, you have to find other sources of revenue. You will need more money to meet your general, expenses especially in the immediate few years. I am not talking long term down the road when this project will produce income, yes, what will happen now? Will you be forcing homeowners, parent, families to tighten up on their budget by far more than they are now, because next year you are going to have to increase the taxes again.

*(Kevin Gorman, Public Hearing, 5/13/2008, Page 113-114)*

**Response III.I-120:**

Comment noted.

**Comment III.I-121:**

Also, how many units of affordable housing will many units of affordable housing will be built and where? And will the developer be asked to foot more of the cost rather than the City having to tax its citizens.

*(Kevin Gorman, Public Hearing, 5/13/2008, Page 116)*

**Response III.I-121:**

In response to City Council comments, the Applicant has increased the provision of new affordable/workforce housing units equal to 10% being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The City Council is evaluating this proposal. For the Applicant's affordable housing proposal, see Response LA-5.

**Comment III.I-122:**

I do have concerns, though, about viability of that baseball league. A New York Times article dated April 29, 2007 cited poor attendance at the Bridgeport Bluefish games. In ten years they have yet to make a profit and, in fact the article quoted Mr. McGregor as saying in 2006 they have lost \$500,000. Since the rooftop ballpark is only a small part of the proposed River Park Center, it may be a gamble that we can afford to take, but what I would like to ask the City Council is, that you take a good hard look at that part of the proposal and ensure that the taxpayers are not liable.

*(John Larkin, Representative, Nepera Park Grey Oaks Neighborhood Association, Public Hearing, 5/13/2008, Page 120-121)*

**Response III.I-122:**

The Applicant has committed to the construction of the ballpark. The baseball team will not be owned by the City of Yonkers. The team will be a lease tenant of the ballpark; the Applicant proposes to be the owner of the ballpark and lease the facility to management company. The Applicant has assumed the financial responsibility for raising public funds and/or financing the construction of the ballpark.

As the lessee, the baseball team will have detailed rights and obligations in their lease related to operations, maintenance, non-baseball use, etc. Many ballparks are made available to other users for events. The details of the use of the ballpark for these events (e.g., rental costs, use of concession/restaurant space and suites, security costs, etc.) would be event specific and subject to the terms of the baseball team's lease.

If the league or team was to fail, and no other baseball team was found to replace it, Yonkers would still have a recreational facility that would be available for high school baseball, soccer and other events.

**Comment III.I-123:**

The applicant is proposing six percent of the residential units be designated as affordable housing. Generally, when a developer receives tax breaks and incentives, the percentage of

affordable housing is earmarked at 20 percent. The City Council should seek to increase the percentage of affordable housing to meet the needs of the citizens, but do it within the project area.

*(John Larkin, Representative, Nepera Park Grey Oaks Neighborhood Association, Public Hearing, 5/13/2008, Page 123-124)*

**Response III.I-123:**

Comment noted. In response to City Council comments, the Applicant has increased the provision of new affordable/workforce housing units equal to 10% being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The City Council is evaluating this proposal. See Responses III.I-32, III.I-197, LA-5.

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**Comment III.I-124:**

I support the proposed SFC development because I believe it will be the most significant catalyst for the revitalization of our downtown. In addition to bringing economic renewal to the City, I strongly believe that this development will bring significant benefits to the 25,000 children, including my grandchildren who attend Yonkers public schools, the eldest attending Yonkers High School.

*(Richard Fitzgerald, Resident, Public Hearing, 5/13/2008, Page 125)*

**Response III.I-124:**

Comment noted.

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**Comment III.I-125:**

SFC needs to work with community organizations on an agreement addressing the community needs that will arise as result of the development, so this is truly a win win project for everyone.

*(Richard Fitzgerald, Resident, Public Hearing, 5/13/2008, Page 126)*

**Response III.I-125:**

The Applicant will work with whoever the City Council designates on these matters. See Response III.I-78.

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**Comment III.I-126:**

Second, the development will provide after-school weekend and summer jobs for many of our high school students, jobs that are currently in short supply in our City.

*(Richard Fitzgerald, Resident, Public Hearing, 5/13/2008, Page 127)*

**Response III.I-126:**

Comment noted.

**Comment III.I-127:**

I represent Local 21, plumbers and steam fitters. We have nearly 1,600 members and we cover Westchester, Putnam, Dutchess and Ulster Counties and I have said this before, SFC is good development I believe the City of Yonkers needs it.

*(Thomas Carey, Representative, Plumbers & Steam Fitters Local 21, Public Hearing, 5/13/2008, Page 138)*

**Response III.I-127:**

Comment noted.

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**Comment III.I-128:**

Let's not allow the developers to do what Harbor City Ratner did to us on the Ridge Hill project by not including the taxpayers of Yonkers in the planning of this project which still has unresolved traffic issues, and has to resolve some of the issues in the court. Let's not make this project too dense which would make the downtown area overcrowded and unhealthy. Let's hold our developers feet to the fire in order to get the most tax dollars for our precious land without the financial gimmicks that always enter into the financing of these projects. We must get a decrease in our taxes and not just a promise.

*(William Iannacelli, President, Sprain Lake Knolls Civic Association, Public Hearing, 5/13/2008, Page 140)*

**Response III.I-128:**

Comment noted.

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**Comment III.I-129:**

And another item that we are very much in favor of and like to see done which has little to do with the DEIS but we'll make our point anyway, which is that we'd like to see some kind of a semi-formal agreement, perhaps, between City Council and the developers whereby the procurement policies of the development project during construction and after construction be designed to that not only South Broadway retailers, many of whom can provide supplies and other goods and services to the project, would be given consideration. We are not asking for favorable, you know, favorable status or anything like that. We simply like to know that the hardware stores on South Broadway, that the locksmiths on South Broadway, et cetera, have an opportunity to sit at the table, if you will, during the construction phase and post-construction.

*(Jose Velez, Representative, Representative, Broadway Business Improvement District, Public Hearing, 5/13/2008, Page 146-147)*

**Response III.I-129:**

The Applicant will use its best efforts to utilize local businesses. It will publicly solicit bids for construction materials and services from Yonkers-based businesses, including those on South Broadway.

**Comment III.I-130:**

There is no answer. There is no like where are we going? Do I move forward? They have the owners in contract. You cannot sell-- I can't sell my business because they have a contract for almost three years already. There is nothing wrong with the stadium. Everything looks beautiful, but, I mean, where are we going to be standing for the past year, or what will happen with us?

*(Jorge Funes, Business Owner, (Palisades Avenue), Public Hearing, 5/13/2008, Page 153-154)*

**Response III.I-130:**

Relocation assistance will be provided to existing businesses in the River Park Center site. Other businesses in the area will benefit from increased purchasing power during construction and after project completion. Moreover, the Applicant will work with the BID to develop a marketing plan to help ensure that area businesses are properly positioned to benefit from increased activity in the revitalized downtown.

**Comment III.I-131:**

Westhab has developed housing many years now. We think that what is needed now is a real economic engine, with this project represents.

*(Jim Mitchell, Employee, Westhab, Public Hearing, 5/13/2008, Page 172)*

**Response III.I-131:**

Comment noted.

**Comment III.I-132:**

The first one I would like to cite is on page I-28. It says the applicant has committed to either the construction of new affordable housing, or an equivalent financial contribution to a city affordable housing fund thereby mitigating any impact due to the direct residential displacement of families in the project area. No quantification of how much. No quantification of when. Is it done in the beginning? These are the kinds of things that understandably come with a project that was developed from the private sector viewpoint.

*(Greg Arcaro, Executive Director, Community Planning Council of Yonkers, Public Hearing, 5/13/2008, Page 176-177)*

**Response III.I-132:**

See Response LA-5.

**Comment III.I-133:**

The applicant will also consider funding-- I am sorry. This program, to be known as the Yonkers Development Employment Initiative, will be designed to prioritize residential participation in various aspects of the construction project. Prospective workers will receive training and become union workers as a result of this program, so this is a description of how to get the Yonkers residents as construction workers, doesn't say how many, just says best effort. We see that a lot in this DEIS. We are talking tonight about the DEIS. We see a lot of best effort. No clarity on what is the number that we will achieve? When we will achieve it? What is the consequence of not achieving it?

*(Greg Arcaro, Executive Director, Community Planning Council of Yonkers, Public Hearing, 5/13/2008, Page 178-179)*

**Response III.I-133:**

There cannot be a specific commitment to the exact number of workers given the number of factors outside the control of the Applicant. For information regarding the apprenticeship program, see Response LA-6.

**Comment III.I-134:**

The development of the project will generate large revenue which the City can use and don't have to look anywhere else to find funding. 9.9 million in property taxes versus 500 and five currently. 4.25 million in sales tax versus 355 currently. Over two million in other taxes which total 16 million each year. This is a no brainer.

*(Michael Carriere, Rep. of District Council 9, Painters and Allied Trades, Public Hearing, 5/13/2008, Page 191-192)*

**Response III.I-134:**

Comment noted.

**Comment III.I-135:**

Growth for small business owners. Makes it better for them and coming downtown, Yonkers then turning away to another location.

*(Michael Carriere, Rep. of District Council 9, Painters and Allied Trades, Public Hearing, 5/13/2008, Page 193)*

**Response III.I-135:**

Comment noted.

**Comment III.I-136:**

How much are the increased municipal services, fire, police sanitation, et cetera, necessary for the projects expected to cost dollar amounts for each year for the next twenty years? Give a breakdown for each project component of Phase I.

(Deirdre Hoare, Resident, Public Hearing, 5/13/2008, Page 196)

**Response III.I-136:**

The estimated annual cost for municipal services is approximately \$3.4 million per year. There will be approximately \$5.4 million in City revenues after deducting the 75% for the repayment of the TIF bonds. See table below.

	<i>NY State</i>	<i>Westchester County</i>	<i>City of Yonkers</i>	<i>MCTD</i>	<i>Total</i>
<i>Sales and use tax</i>	\$5,995,276	\$2,550,767	\$4,255,000	\$638,000	\$13,439,043
<i>Hotel tax</i>		\$222,290			\$222,290
<i>Personal income tax</i>	\$6,175,781		\$1,647,000		\$7,822,781
<i>Mortgage recording tax</i>	\$595,000	\$198,000	\$428,000	\$257,000	\$1,478,000
<i>Real property transfer tax</i>	\$374,000				\$374,000
<i>Real Estate Property tax</i>		\$2,424,510	\$9,932,853		\$12,357,363
<b>Total Revenue</b>	<b>\$13,140,057</b>	<b>\$5,395,567</b>	<b>\$16,262,853</b>	<b>\$895,000</b>	<b>\$35,693,477</b>
<i>Amount allocated to TIF (at 75% of Property Taxes to both County and City)</i>		\$1,818,383	\$7,449,640		\$9,268,022
<b>Balance available</b>		<b>\$3,577,185</b>	<b>\$8,813,213*</b>		<b>\$12,390,398</b>

\* Costs for community facilities and services, estimated at \$3.4 million per year (see table below), leaving a balance of \$5.4 million per year in excess City revenues.

<b>Service Provider</b>	<b>Anticipated Cost Attributed to Proposed Action (millions)</b>
Schools	±\$ 0.672
Fire	±\$ 1.19
Police	±\$ 1.204
DPW	±\$ 0.23
Recreation	±\$ 0.091
Total	±\$ 3.387

**Comment III.I-137:**

More questions. Affordable housing. The section on alternatives quite frankly was a disgrace. Increasing the set-aside to 13.5 or 20 percent without extensive public subsidies is infeasible according to that very tiny paragraph in the alternative section. Since there are already extensive public subsidies for this project, it's not acceptable to refuse to examine these options. There is already legislation, I think Councilwoman McDow, pending to require a 20 percent affordable component for all new development. So this analysis must be provided.

*(Deirdre Hoare, Resident, Public Hearing, 5/13/2008, Page 197)*

**Response III.I-137:**

In response to City Council comments, the Applicant has increased the provision of new affordable/workforce housing units equal to 10% being constructed as part of the Project through new construction and a contribution to an affordable housing fund. The City Council is evaluating this proposal. See Responses III.I-32, III.I-197, LA-5.

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**Comment III.I-138:**

Where do they get the numbers for the number of people who would be living in the units? 436 units are supposed to create only 62 school-aged children. What assumptions were used at arriving at this figure? 262 units are supposed to generate 38 school-aged children. The difference, the 174 fewer units, if the original Downtown Waterfront Master Plan was followed, is only supposed to result in 250 less people and only 20 fewer students.

*(Deirdre Hoare, Resident, Public Hearing, 5/13/2008, Page 198)*

**Response III.I-138:**

Please refer to DEIS Chapter III.I pages I-17 through I-18 for demographic projections.

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**Comment III.I-139:**

What role will the Yonkers Baseball Inc. play in this development? Is it going to be used as a financial conduit? Will its activity as an LLC be subject to the freedom of information and open meetings laws? Who will own the ballpark? How many property taxes would the ballpark alone pay, just the ballpark? Who would be responsible for maintaining the ballpark and what are the estimated costs?

*(Deirdre Hoare, Resident, Public Hearing, 5/13/2008, Page 199)*

**Response III.I-139:**

It has not be determined if Yonkers Baseball Inc. will have any involvement in the development. For ownership and maintenance, see Response III.I-122.

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**Comment III.I-140:**

How much will the new office building cost? Who will pay for it? Who will own it? Will the City lease the space or we will actually own it? If we are going to be leasing the space, what are the estimated rent costs?

*(Deirdre Hoare, Resident, Public Hearing, 5/13/2008, Page 200-201)*

**Response III.I-140:**

The specific costs, financing, and ownership of the new office building have not yet been determined. The City Council will negotiate these terms as part of the Land Disposition Agreements. See Response III.I-252.

**Comment III.I-141:**

I feel one of the toughest parts of the plan will be housing for those who will be impacted by the construction which the City Council must consider in initiating this project. Nonetheless, I am convinced that the long-term results are hopeful for the City as the plans signal to be working to build a better City of Yonkers.

*(John Zenzano, Resident, Public Hearing, 5/13/2008, Page 204-205)*

**Response III.I-141:**

Comment noted.

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**Comment III.I-142:**

Now, most Yonkers citizens commute between here and New York City or even to White Plains daily. The SFC project will bring jobs to Yonkers, and could boost our city to become a major district of business in New York State.

*(John Zenzano, Resident, Public Hearing, 5/13/2008, Page 205)*

**Response III.I-142:**

Comment noted.

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**Comment III.I-143:**

This is not only a safety concern but an environmental justice issue as the motorist benefiting from this wider road passing through low income areas will be residents of expensive homes.

*(Jeff Anzevino, Senior Regional Planner, Scenic Hudson, Public Hearing, 5/13/2008, Page 209)*

**Response III.I-143:**

All traffic impacts have been mitigated to the maximum extent practicable. As a result there are no environmental justice issues with regard to traffic. (Also note that aside from the Saw Mill Parkway ramp at Yonkers Avenue, no road widening is proposed, though on-street parking is proposed to be eliminated and replaced with off-street parking areas.)

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**Comment III.I-144:**

The Prospect Avenue Bridge has come up, you know, as a question because that's an expensive part of the project, and does that take away from whatever tax would be generated from the 25 story buildings on H and I?

*(Robert Walters, Yonkers Green Policy Task Force, Public Hearing, 5/13/2008, Page 217)*

**Response III.I-144:**

Given concerns expressed by area residents and others, as well as cost factors, the proposed Prospect Street bridge has been eliminated from the Proposed Action. These concerns include issues of safety, security and traffic congestion for residents of the Scrimshaw House, and issues of potential impacts on the children's playground and parents' ability to drop-off their children at the Queen's Daughter daycare facility.

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**Comment III.I-145:**

So it seems like the study doesn't look at what could happen to everything around, specifically what one of the young men was talking about with his business, and I think there are a lot of businesses that service low-end, the low-end clothing stores and fruit markets that won't be able to afford seven thousand dollars a month in the new malls and the new surrounding retail, so you have to think about how many people and businesses are going to be displaced.

*(Kathryn Buckley, Public Hearing, 5/13/2008, Page 219-220)*

**Response III.I-145:**

Comment noted. See Response III.I-85.

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**Comment III.I-146:**

And they talk about the jobs, the 5,400 jobs that are going to be generated, but as I see it, all I hear about is retail and malls, the only kinds of jobs that are going to be generated are minimum waged sales clerks and cleaning people and the very lowest jobs. They are not going to be jobs that anybody is going to be able to pay the kind of rents and mortgages that are going to be necessary in the next 15 to 20 years.

*(Kathryn Buckley, Public Hearing, 5/13/2008, Page 220)*

**Response III.I-146:**

It is expected that the SFC Project will generate a diversity of employment opportunities in Yonkers. The Project includes residential, office, hotel, retail, restaurant, cinema, and stadium uses. The jobs associated with these uses will include executive, managerial, and other professional positions, as well sales, maintenance and janitorial positions. In addition, the construction phase of the project will support construction, engineering, architecture, financial and other jobs in Westchester County.

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**Comment III.I-147:**

I would be very grateful if there will be a room for specialty shoe stores so I don't have to go all the way to Eastchester for shoes for my son, but does it have to be in an 11 story mall? How many shoe stores do we need? And if shoppers go to this mega mall, will they still go to the same chain stores on Central Avenue? Wouldn't those jobs get lost? Who will go there? It's not like Minnesota where they have the Mall of America where they fly in shopping hungry Japanese by the bus loads.

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*(Heista De Vries, Resident, Public Hearing, 5/13/2008, Page 229)*

**Response III.I-147:**

Specific stores and store types have not yet been identified. See Response III.I-309.

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**Comment III.I-148:**

Who will come here? In the video that is currently on the SFC site, Mayor Amicone is saying that these projects will provide thousands of jobs and I think that's great. I am just wondering how many thousands are really needed for the people in Yonkers. With the project of this huge scope, common sense suggests that there won't be enough people in Yonkers to do all this work, so why not just adjust it down to a size that meets reasonable proportions, proportions that will sustain our current population and people that move in.

*(Heista De Vries, Resident, Public Hearing, 5/13/2008, Page 229-230)*

**Response III.I-148:**

In the Applicant's opinion, the scale of the SFC Project achieves the "critical mass" necessary to make it an attractive place to live, work, and visit. The SFC Project will draw on local and regional residents to staff the various uses within the project. For a discussion of where workers in Yonkers originate from, see Response III.I-184.

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**Comment III.I-149:**

The biggest concern that we have is the DEIS makes no mention, no statement of how they are going to address the small business owners like me. I am sure that you are aware of the footprint of this baseball stadium being expanded to Palisade Avenue. Well, I am very concerned about that because like I said, I just signed a lease in January for not one business, but two, and if this plan goes forward, I am a little bit concerned on number one, where am I going to go? Number two, how am I going to be able to support my family during this process that the stadium and downtown is being developed? And three, what is going to happen to my family and my businesses financially? How will be I be able to move back into the area?

*(Anton Briley, Business Owner, Public Hearing, 5/13/2008, Page 235-236)*

**Response III.I-149:**

The Proposed Project footprint does not expand to where Mr. Briley's computer repair business is located. At the May 13th Public Hearing, the Applicant confirmed the location of the store is outside of the plan development site. The development should have a positive impact on the business by creating greater business and residential density to utilize the services provided by Mr. Briley.

There will be impacts to nearby businesses as a result of the construction. It is anticipated that food and service establishments in the vicinity of the construction sites will see an increase in business during construction. See Page III.M-14 in the DEIS. In addition, the Applicant will work with the Downtown Business Improvement District to prepare a study of recommended

business and marketing strategies to help existing retail and service business capitalize on their proximity to the Project. See Page III.I-26 of the DEIS.

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**Comment III.I-150:**

First of all, please do not approve of this Phase I project unless there is a definite protection of our small businesses. As you heard tonight, they are worried sick about what is going to happen to them when the rents go beyond their means. You have got to put in a definite protection of these small businesses in the downtown Getty Square area, Palisades, west side. Jorge Funes, he was up here talking about his Palisades business and then someone else here. Here is what I propose. Using the -- I got my notes. Using the TIF language, I propose to help these folks who have been loyal and hard working citizens of Yonkers, and they are Yonkers, especially in the Getty Square area. We want to keep the diversity there. I am challenging you. Have the Yonkers area and Getty Square be diverse economically and culturally. Let's keep that there, all right? How do I propose this? Using the TIF language, let's set up a rent increment payment office. In short, RIP office. I hope the RIP stands for rent increment payment and never rest in piece, okay. This would be the RIP office where after perhaps the rent becomes greater than one-third of their income, just like the way we try to keep our rents one-third of what we bring in, once it goes past that, this office will help them pay for what they cannot afford, and this is something new. I am not proposing a small business help and so forth, and if the TIF does go by, does pass, part of it does belong to the City. It's not just for the infrastructure, that money can be used for the RIP office. Please help these folks.

*(Terry Nagai, Resident, Public Hearing, 5/13/2008, Page 262-264)*

**Response III.I-150:**

The Applicant has proposed to work with the BID in the development of a marketing plan to assist local businesses prepare for business opportunities that will be realized during construction and upon development of the project. The specifics of this study will be defined in consultation with the BID, making certain that the study scope addresses its critical needs. It is likely that the study would include seminars, workshops, and the like. No TIF funds will be used for the development of this plan.

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**Comment III.I-151:**

The affordable housing analysis provided for the Palisades Point site indicates that the economics are such that the project cannot support more than 6% of the units being affordable. There is no data to back up this statement and the analysis should be provided.

*(Sharon Ebert, Deputy Commissioner of Planning and Development, City of Yonkers, E-mail, 5/22/2008)*

**Response III.I-151:**

The affordable housing will not result in any profits for the Applicant, given labor and material costs. In response to concerns regarding the Applicant's initial proposal of providing 6% affordable housing, that percentage has been increased to 10% affordable housing. See Responses LA-5, III.I-32, III.I-197.

**Comment III.I-152:**

Do not approve of Palisade Point (2 25 story towers) on Hudson waterfront reasons: Economically unsound due to slow housing market.

*(Terry Nagai, Resident, E-mail, 5/30/2008)*

**Response III.I-152:**

Comment noted.

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**Comment III.I-153:**

I feel strongly that there should be absolutely no concessions to the developers for taxes. Any commercial development should lead to a decrease in our property taxes, not an increase. The development must contribute enough tax dollars to fund the increase in services, police, waste management, schools, etc. with some left over that Yonkers can apply to the more depressed areas of the city.

*(Karen Lorence, Resident, E-mail, 5/30/2008)*

**Response III.I-153:**

It is anticipated that even after paying the debt service associated with the tax increment financing bonds and the cost of additional municipal services, the taxes generated by the Project will provide revenues to the City of Yonkers of approximately \$5.4 million per year.

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**Comment III.I-154:**

The DEIS in Section III. I ("Socio-Economic Conditions") - c. Mitigation (page III. I-26) references a study to be prepared by SFC and the BID of recommended business marketing and management strategies and techniques. We would like to see further clarification of what this study will entail, the involvement required of the BID, the financial implications to the BID of the study, and generally more detail on the proposed study. Also we would like to see the Applicant in conjunction with the BID to conduct seminars for existing businesses on similar topics of the proposed study to supplement or replace the study.

*(Steve Sansone, Executive Director, Yonkers Downtown/Waterfront BID, E-mail, 5/30/2008)*

**Response III.I-154:**

The Applicant as a future Class A member of the BID (i.e., property owner) will pay its assessed levy to the City for distribution to the BID. It is estimated that the Applicant's annual contribution to the BID will be \$200,000 per year. This will increase the operating budget of the BID for an expansion of the services the BID provides to businesses in the downtown, including studies and seminars. Because of its involvement with other BIDs in other communities, the Applicant brings expertise and experience to Yonkers to be shared with the Yonkers Downtown/Waterfront BID as a BID member. Currently, an employee of the Applicant is a board member of the BID and supports the organization in its mission.

**Comment III.I-155:**

"Environmental Justice" (page I-29) makes reference to the Applicant providing the BID assistance to "further enhance its revenue". Further clarification is needed. Additionally, the Environmental Justice section (Section III.I - 5) does not include a further elaboration as to what is stated in the Executive Summary.

*(Steve Sansone, Executive Director, Yonkers Downtown/Waterfront BID, E-mail, 5/30/2008)*

**Response III.I-155:**

The BID will receive additional revenues for the development, which are estimated to be approximately \$200,000 per year. As noted in the DEIS, a trolley system is contemplated to be implemented in conjunction with the BID. The additional revenue to be generated by the Proposed Action would offset the eventual costs of operating the system. The specific costs are unknown at this time given that the exact route, timing, frequency and route stops have not been finalized. In addition the Applicant will fund a marketing study to help local businesses respond to new opportunities realized in a revitalized downtown, which will indirectly help the BID. The Applicant may also provide assistance to local business to help the enhance storefronts. See Response III.I-154.

**Comment III.I-156:**

My remaining beef has to do with affordable housing. I think SFC's offer of 6% is an insult to the people of Yonkers. I feel that we should ask for 20% and accept 15% as a minimum. Also SFC cannot construct all of their agreed upon affordable housing off their current project sites, nor can they wait to build or include it until after they have completed their main money making projects. This is very important. And the numbers and conditions listed above would qualify for all developers.

*(Toni Van Loan, E-mail, 5/30/2008)*

**Response III.I-156:**

Specifics on the affordable housing component of the Project will be part of the Land Disposition Agreements. See Responses LA-5, III.I-32, III.I-197.

**Comment III.I-157:**

But my bigger concerns are with the 11-story mall and the 50 story towers. I can't actually imagine an 11-story mall being profitable, it is just too big for an area (lower Westchester) that already has plenty of accessible shopping, including the County Center mall which is being revitalized itself. There is much too great of a risk of this mall being a commercial failure. Empty space or discount stores or a dirty, poorly maintained unprofitable space in downtown Yonkers is definitely not what we need. And again - what about parking and traffic? A two-story mall would be a much better plan.

*(Amy Litt, Resident, E-mail, 5/29/2008)*

**Response III.I-157:**

Regarding the retail market study contained in the DEIS, see Response III.I-309.

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**Comment III.I-158:**

Also, the market is terrible at the moment and we have no idea how long the recession will last. Will these units be occupied? Or will we have giant but empty towers, way out of proportion with all other construction in Yonkers, dwarfing all surrounding structures? They will look terrible, and if they are occupied, they will be parking and traffic nightmares. It would make much more sense to construct much shorter towers that conform to the master plan?

*(Amy Litt, Resident, E-mail, 5/29/2008)*

**Response III.I-158:**

The construction period for the SFC project would be roughly three years. The applicant anticipates improved economic conditions by the time the Project would be delivered. Long-run trends indicate strong market demand for the proposed Project.

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**Comment III.I-159:**

I'm worried that we taxpayers will foot a huge bill for this disproportionately huge project, which will ruin the views and skyline of Yonkers, increase traffic, noise, congestion, and parking problems, and quite likely be financial disasters. They are not well thought out in terms of today's market and in terms of what suits Yonkers.

*(Amy Litt, Resident, E-mail, 5/29/2008)*

**Response III.I-159:**

See Response III.I-158.

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**Comment III.I-160:**

What is the total cost of preparing the infrastructure (roads, sewage, water, etc.) be and who would pay for it, the developers or Yonkers taxpayers? What about upgrades to fire and police staff and equipment as well as training to deal with high-rise catastrophes?

*(Michelle Jacobs, Resident, E-mail, 5/29/2008)*

**Response III.I-160:**

Appendix 1.F of the DEIS outlined anticipated costs for preparing the infrastructure as part of the Tax Increment Financing process. Section III.J of the DEIS and as refined in Section III.J of this FEIS, outline anticipated project related costs for both the Fire and Police Departments. For specific responses concerning the costs of utilities and community facilities, see Responses LA-26, III.I-136.

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**Comment III.I-161:**

Why aren't we waiting to see the success of Ridge Hill? There is just so much shopping that the city can handle and Ridge Hill may well take us over the top

*(Michelle Jacobs, Resident, E-mail, 5/29/2008)*

**Response III.I-161:**

Comment noted. See Response III.I-84.

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**Comment III.I-162:**

I am very concerned that there is little that the Council can do to negotiate affordable housing in new projects. The City of Yonkers is not in the business of developing and construction housing and so all eyes are fixed on SFC, Homes for America to make affordable housing available. And you cannot rely on the good graces of the developers.

*(Tracy Fields, Resident, Letter, 5/30/2008)*

**Response III.I-162:**

Comment noted. See Response LA-5.

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**Comment III.I-163:**

Please list all grants for all phases of this project. Please include all City, County, State and Federal grants and list total amounts in dollars.

*(Martin McGloin, E-mail, 5/30/2008)*

**Response III.I-163:**

See Responses III.I-98, III.D-12.

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**Comment III.I-164:**

Please list all abatements, Payments in Lieu of Taxes, and any other tax breaks City, County, State or Federal.

*(Martin McGloin, E-mail, 5/30/2008)*

**Response III.I-164:**

The Applicant intends to apply for Yonkers IDA benefits (including mortgage and sales for exemptions) but will not know the type or amount of abatements until both the final project program is completed after the SEQRA approval process and the Yonkers IDA decides on the benefits to confer on the project. Additionally, the Applicant intends to apply for both New York State Empire Zone and Federal Empowerment Zone benefits as afforded all businesses that qualify for such benefits located within the zones; the amounts of benefits cannot be determined until the project has been constructed and stabilized.

**Comment III.I-165:**

Please list all properties and present day value of these properties owned by the City of Yonkers to be handed over to the developer SFC.

*(Martin McGloin, E-mail, 5/30/2008)*

**Response III.I-165:**

The tax lots which comprise each Project site are identified in the Table II-1 in the DEIS and are presented in Exhibits II-2 through II-9 in the DEIS. These exhibits show ownership information for each property. For agreed value of City-owned property, see Response III.A-12.

**Comment III.I-166:**

Please list and specify all tax breaks, incentives, land, and sales tax wavers and all other "breaks" to be given by the Yonkers Industrial Development Agency.

*(Martin McGloin, E-mail, 5/30/2008)*

**Response III.I-166:**

See Response III.I-98.

**Comment III.I-167:**

Please list all other incentives including Brownfield Grants, Empire Zone, Federal Empowerments and any other government benefits which will be given to SFC. List dollar amount and or benefit in kind.

*(Martin McGloin, E-mail, 5/30/2008)*

**Response III.I-167:**

In terms of brownfields, the River Park Center project has been accepted in the New York State Brownfield Cleanup program which entitles the Applicant to a partial refund of remediation costs and tangible property improvements. The dollar amounts of these refunds are not determined until the completion of the remediation and the construction, respectively. Also, see Response III.I-98.

**Comment III.I-168:**

List any other public monies, financial or property or other not specified in the DEIS been given to SFC

*(Martin McGloin, E-mail, 5/30/2008)*

**Response III.I-168:**

See Responses III.I-57, III.I-58, III.I-98.

**Comment III.I-169:**

What proof do you have that these proposals will actually improve Yonkers, through adding amenities and/or adding to the tax base? What well-paid permanent jobs will be created? Let us see some independent analysis of the costs of the Ballpark, and the benefits, for instance.

*(Chris & Geraldine Canty, E-mail, 5/30/2008)*

**Response III.I-169:**

The proposed project would create jobs, add to the tax base, and provide a variety of new retail, restaurant, and entertainment offerings in Downtown Yonkers. Research conducted as part of the DEIS, as well as this FEIS, indicates that the once the project is fully built and operations have stabilized, the project will support approximately 5,000 jobs. It will directly support more than 3,600 jobs. These jobs will include entry-level, mid-level, and senior positions in retail, restaurant, hospitality, real estate, professional, and entertainment, and other occupations. The spending associated these new jobs will “ripple” through the Westchester County economy, creating an additional 1,800 jobs in a wide diversity of occupations and industries there. The analysis also finds that once the project operations have stabilized, the project will generate a tax surplus of approximately \$5.4 million per year for the City of Yonkers. Finally, the project’s retail, restaurant, entertainment, hotel components will create a lively downtown district full of amenities for residents and visitor to enjoy.

The analysis indicates that the proposed ballpark alone will directly support 77 jobs and generate an additional 16 jobs in Westchester County. The City of Yonkers will collect income tax surcharge revenue and sales and use tax revenue from ballpark jobs and operations.

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**Comment III.I-170:**

Riverkeeper maintains that a complete and detailed analysis of low and middle-income residential displacement due to the proposed project be included in the DEIS. Adequate mitigation of such displacement would require relocation in the vicinity, in comparable or improved shelter, at a comparable rent.

*(Andrew Rafter, Legal Intern, Riverkeeper, Letter, 5/30/2008)*

**Response III.I-170:**

Comment noted. The Applicant will address all relocations described above. The direct displacement for the proposed development is 22 families. These families will receive relocation benefits from the Applicant, helping them find suitable housing in the area. For a discussion of the possibility of indirect residential displacement, see Response III.I-20.

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**Comment III.I-171:**

In addition, issues of environmental justice must be fully explored in the DEIS including alternatives that may avoid such issues. Where environmental justice implications of the project are inevitable, plans to mitigate any such impact must be fully explored and adopted by SFC.

*(Andrew Rafter, Legal Intern, Riverkeeper, Letter, 5/30/2008)*

**Response III.I-171:**

The Environmental Justice chapter of the DEIS indicated that other than short term noise from ballpark events and temporary construction impacts, all other project impacts were sufficiently mitigated to avoid environmental justice concerns. Special events at the ballpark, such as concerts or fireworks will be further controlled by the city through applicable noise regulations and scheduling such events.

**Comment III.I-172:**

There is no articulated basis for the amount of tax gains articulated in the DEIS. One of the major incentives for the City of Yonkers to participate in and encourage developments such as this one is that the City's tax base stands to increase substantially as new residences are constructed, property values rise, and new businesses open in the area. According to the DEIS, the tax gain for the City would total approximately sixteen million dollars per year. This includes \$4.2 million in sales tax, \$2 million in "income and other tax," and \$9.9 million in property taxes. It is unclear how these figures are arrived at, and when these figures can realistically be reached. Without any substantiating or corroborative evidence these numbers become mere conjecture and leave commenters with no way to gauge their accuracy.

*(Andrew Rafter, Legal Intern, Riverkeeper, Letter, 5/30/2008)*

**Response III.I-172:**

The tax revenues projection reported in the DEIS, and updated in this FEIS, reflect the real estate market values and economic activity that would be generated by the SFC Project once construction has been completed and operations have stabilized. These fiscal estimates have been calculated based on current tax rates, assessment and valuation methods, etc. The detailed methodologies and assumptions relied on by the analysis are included in Section III.I (Socio-Economics), subsection 6 (Economic & Fiscal Impacts), beginning on page III.I-49 of the DEIS.

**Comment III.I-173:**

My understanding based on SFC earlier presentation, the developer was okay with spending their own money in acquiring property. In fact they stated that they were in contract with almost all the store owners along Nepperhan Avenue and New Main Street. What changed?

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-173:**

The Applicant has consistently stated that it would acquire the properties needed for the River Park Center site provided that the \$10,000,000 State grant received by the City from ESDC and \$24,000,000 grant yet to be received by the City from DASNY is used by the City to reimburse the Applicant for the cost of the daylighting at River Park Center, which is currently estimated to be approximately \$42,000,000. Instead of making the \$24,000,000 grant directly available to the Applicant to defray its costs, the City is now proposing to use the grant to acquire certain

properties on which the daylighting at River Park Center will occur. The Applicant has no involvement with the New Main Street Development Corporation.

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**Comment III.I-174:**

How does the property and sales taxes earned from the current uses of River Park Center compare to similar areas?

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-174:**

Property tax generation rates cannot be compared to other areas because of the lack of similarly sized parcels owned by the City. Furthermore, land in different locations throughout the City is valued differently.

Data presented in the DEIS indicates that the Project Area currently generates about \$1.1 million in Sales and Use Tax and \$505,000 in Real Property Tax annually for all taxing jurisdictions.

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**Comment III.I-175:**

I would like a copy of the New York State Department of Environmental Conservation Policy Cp-29 (Environmental Justice and Permitting) to be given to the members of the City Council.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-175:**

Comment noted. Included as Appendix G of this FEIS.

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**Comment III.I-176:**

Please outline your affordable housing proposal which should include: Location, Number of Units, Inclusion of Women Minority Owners Construction Company. Assuming that the Housin Ordinance has been passed by the City Council, how will SFC work to fulfill the requirements made by the City Council?

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-176:**

The Applicant will hire a minority and women business recruitment consultant. This consultant will assist the Applicant in hiring local, minority, and women-owned businesses and employees for both the construction and permanent jobs associated with the Project. The Applicant is in the process of evaluating various agencies/companies for this effort. Some of the candidates are Westchester One Stop and Rapid Start. Also see Response III.I-197.

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**Comment III.I-177:**

What will be the terms or qualifications needed for the straight-lease transaction of City property?

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-177:**

See Response III.A-12.

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**Comment III.I-178:**

I would like to see Women and Minority Business Owners be given the opportunity to have business in the area of the Plaza located at the Riverwalk.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-178:**

The Applicant's space for lease in the area of the plaza located at the Riverwalk will be available for rent to all businesses. The Applicant is committed in the utilization of women and minority owned businesses in the project. The Applicant will hire a minority and women business recruitment consultant. This consultant will assist the Applicant in hiring local, minority, and women-owned businesses and employees for both the construction and permanent jobs associated with the Project. This assistance will likely include placing advertisements in publications which target minorities and women. The Applicant is in the process of evaluating various agencies/companies for this effort. Some of the candidates are Westchester One Stop and Rapid Start.

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**Comment III.I-179:**

I would like to see that something is worked out for Kingdom Baptist Church in the interior of the building at levels 113', 124' and 135' in addition to the provisions that were made for Mount Carmel Baptist Church School.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-179:**

The provisions proposed for Mount Carmel Baptist Church School were consideration for property to be acquired by the Applicant from the Church for the proposed project. Parking provisions for Kingdom Baptist Church could be provided; such an arrangement would not involve the Applicant who will not own the public parking spaces. A meeting occurred on September 16, 2008 with the Applicant with the Kingdom Baptist Church during which parking needs and how they could be served at River Park Center was discussed. It was noted that sufficient parking will be available in the River Park Center garage, but that arrangements for church use would be addressed by the Yonkers Parking Authority which will operate the parking facility..

**Comment III.I-180:**

I would like a list of the merchants and their inventory be made available to those members associated with the SFC project. It is my hope that the developer will encourage their team to purchase items from these vendors. Also a requested for my Minority Women and Business Owner list can be made available through my office.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-180:**

The list will be developed prior to the start of construction with assistance from the BID. The list will be utilized as described in Response III.I-129. The Applicant intends to engage a consultant to develop an outreach program for minority, women, and locally-owned businesses so they have an opportunity to participate in providing goods and services related to the Proposed Project. The Applicant will also utilize existing business lists of minority, women, and locally-owned businesses developed by entities (City Hall, Councilmember McDow, etc.) as the Project progresses.

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**Comment III.I-181:**

I would like to see the developers incorporate an apprenticeship program, with similar language drafted DC-9 Union.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-181:**

See Response III.I-23.

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**Comment III.I-182:**

Recently 70 Ashburton Avenue was deemed unsafe, and the tenants were asked to leave the location. These agencies are now scattered throughout the Westside causing a hardship to their clients in which many who are elderly. How does this recent incident affect the percentage of office space that this project will add to the Study Area and to the "South" Westchester County office market? What provision can be made for these agencies?

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-182:**

According to the CoStar Group, 70 Ashburton Avenue contains 70,010 square feet of office space, of which approximately 61.4 percent is leased. According to the DEIS Appendix 1.F (TIF Feasibility Study and Preliminary Plan for Municipal Redevelopment) there are 2.5 million square feet of office space in the "South" market segment that includes Yonkers as well as Bronxville, Larchmont, Mamaroneck, Mt. Vernon, New Rochelle, and Pelham. Therefore, 70 Ashburton only represents about 2.8 percent of the office stock in the "South" Westchester County office market.

The SFC project includes 475,000 square feet of office space that will be available for lease.

**Comment III.I-183:**

What provision will be or were made for these 22 displaced households?

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-183:**

The project is displacing twenty-two families in total. The Applicant will assist these families to relocate to new homes and/or provide financial assistance.

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**Comment III.I-184:**

Based on the reported findings of the journey-to-work information in section III.I, I think that we are under estimating the commute throughout Yonkers. With that being said, I would like to see a break down on journey-to-work traffic according to districts.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-184:**

Journey-to-work data from the US Census Bureau provides data on where people work and on their commute between home and workplace, and is commonly employed by planning and traffic consultants to determine where and how far people travel to places of employment. Journey-to-work data is produced decennially as part of the national census, and is considered to be the most accurate and accessible data source on the subject matter. Other localized sources generated by local, county or state governmental agencies may be available for specialized areas such as New York City (RCAD data), but to our knowledge no such sources exist for Yonkers. In some instances, transportation consultants conduct localized surveys to gain current data for a specific population. Further details on journey-to-work (such as mode of travel, duration of commute, etc.) can be tabulated from US Census Public Use Microdata Survey (PUMS) data, but these simply present more detailed information based on the same underlying US Census Bureau journey-to-work data. The Table below details the journey-to-work data used.

### Yonkers Workers by Place of Residence

Place of Residence	Count	Distribution
Yonkers city Westchester Co. NY	22,785	46%
Bronx bor. Bronx Co. NY	6,091	12%
Greenburgh town Westchester Co. NY	2,212	4%
Mount Vernon city Westchester Co. NY	2,038	4%
New Rochelle city Westchester Co. NY	1,238	2%
Manhattan bor. New York Co. NY	1,152	2%
Queens bor. Queens Co. NY	900	2%
White Plains city Westchester Co. NY	850	2%
Mount Pleasant town Westchester Co. NY	722	1%
Eastchester town Westchester Co. NY	685	1%
Yorktown town Westchester Co. NY	638	1%
Cortlandt town Westchester Co. NY	590	1%
<u>Other Locations</u>	<u>10,128</u>	<u>20%</u>
<b>Total</b>	<b>50,029</b>	<b>100%</b>

Source: Census 2000, Journey-to-Work Files; Economics Research Associates

The journey-to-work information from the U.S. Census (specific for the City of Yonkers) was used to estimate the number of the proposed Project's employees that will be Yonkers residents as part of the assumptions used to calculate personal income tax revenue (see page III.I-58 in the DEIS). Based on these data, the Applicant's consultant assumed that 46.0 percent of the proposed Project's employees will be Yonkers residents and 54.0 percent will be nonresidents. Should this estimate be low, as is suggested in the comment, it would result in a larger percentage of the proposed Project's employees being Yonkers residents.

#### Comment III.I-185:

Apart from the buildings themselves, we are in bad economic times, yet this plan calls for an enormous volume of housing stock for which there is no guaranteed market. If they do not attract residents, Yonkers will have traded one waterfront blight for another. What's more, a new complex is already nearing completion on the waterfront, and another building has just opened for rental on Main Street. Why don't we see how these do before building more?

*(B.L. Scherer, E-mail, 5/30/2008)*

#### Response III.I-185:

See Response III.I-158.

#### Comment III.I-186:

The same must be said for the commercial end: We already have a great deal of retail shopping on Central Avenue, including the Cross County Mall, which is due for expansion. Meanwhile construction has yet to begin on Ridge Hill. To build yet another giant mall on Chicken Island would only cannibalize the consumer base - a base that is retrenching in light of the present dim

economic forecast. Therefore to build further on this gigantic scale is not visionary but irresponsible.

*(B.L. Scherer, E-mail, 5/30/2008)*

**Response III.I-186:**

See Response III.I-84.

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**Comment III.I-187:**

The final "deal" must contain clauses that provide for leverage for the public welfare and good as the inevitable changes develop during the evolution of the projects. A Performance Bond must be part of the deal and a normal part of construction projects to insure that the contractor/developer doesn't get going when the going gets tough.

*(Barbara Howard, Memo, 5/30/2008)*

**Response III.I-187:**

Comment noted.

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**Comment III.I-188:**

Marketing: What is the demand for an 11 story mall? What is the demand for housing in the proposed price range? Demographic projections for ten years?

*(Barbara Howard, Memo, 5/30/2008)*

**Response III.I-188:**

Section III.I of the DEIS includes the findings of market research pertaining to the retail and residential uses. Additional detail is provided by the DEIS Appendix 1.F (TIF Feasibility Study and Preliminary Plan for Municipal Redevelopment) and Appendix 3.E (Retail Market Study). See also Response III.I-191.

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**Comment III.I-189:**

If the City Council as Lead Agency still desires the elimination of the Income Tax Surcharge, then the financial analysis of projected revenue should exclude projected Income Tax Surcharge revenues. In the alternative, the total projected revenues should have been presented in a side-by-side comparison with the total projected revenue including projected Income Tax Surcharge revenues versus total projected revenue excluding the Income Tax Surcharge revenues.

*(Barry B. McGoey, Resident, Letter, 5/30/2008)*

**Response III.I-189:**

As shown in the table accompanying Response LA-20, the Applicant estimates that the Yonkers Income Tax Surcharge revenue that would be attributable to the SFC project would be approximately \$1.647 million annually.

**Comment III.I-190:**

Currently the City of Yonkers owns the Health Center Building debt free. The Proposed Projects would require the City to turn this building over to the Project Sponsors thereby necessitating relocation of City offices to the proposed new building, which will be owned by the Project Sponsors. The Project Sponsors will undoubtedly be charging the City of Yonkers rent for the occupation of two-thirds (150,000 sq. ft. out of 225,000 sq. ft.) of the proposed new building. However, as of yet the terms of this part of the project have not been fully determined and/or negotiated, or if they have been, such terms have not been made available to the public. The DEIS did not determine whether such a transaction would be a sound economic business decision on the part of the City of Yonkers.

*(Barry B. McGoey, Resident, Letter, 5/30/2008)*

**Response III.I-190:**

This has still not been negotiated with the City of Yonkers, though the City has indicated their willingness to relocate. The replacement of 87 Nepperhan Avenue is based on cost to maintain and repair this building in the future based on its deteriorated condition and a recently completed "Need Assessment" completed by the City of Yonkers for current office space requirements. The ultimate decision to relocate or not is that of the City of Yonkers officials, however, the City has indicated its willingness to relocate its offices to the Cacace site. Until the Project has been approved, the Applicant will not pursue other potential tenants.

**Comment III.I-191:**

I know that both the City and developer have commissioned studies by experts. However, these studies have probably been limited to the non-public side: finance, engineering, and so forth. However, since the new facilities must appeal to a wide spectrum of the public-at-large to be commercially successful, perhaps a poll could be conducted on such basic questions as:

§ "Would you attend baseball games at this new venue?"

§ "How often might you attend?"

§ "Would you attend with family or friends?"

§ "How far would you be traveling?"

§ "Why might you shop in Getty Square, instead of the soon-to-be remodeled Cross County, or Ridge Hill?"

§ "Would you mind parking in an 11-story garage structure, on a winter afternoon, to do shopping in Getty Square?"

§ "Why else would you visit downtown Yonkers?" (It still retains the potential to be a charming oasis, near the Hudson, with wonderful atmosphere. If the atmosphere is obliterated, would they still come here?)

*(Bob Snyder, Letter, 5/28/2008)*

**Response III.I-191:**

Market research conducted as part of the DEIS supports the development program. Research into demand for retail, residential, and office uses confirms market support for these uses. In addition,

DEIS Appendix 1.F (TIF Feasibility Study and Preliminary Plan for Municipal Redevelopment) explains synergies between the entertainment/hospitality uses and retail uses. For example, the retail offerings will benefit from visitation to the proposed ballpark and cinema. The attractions will draw consumers who will dine and shop before and after events at the SFC Project. Further, the hotel component of the SFC Project will attract additional visitors that will make purchases at the Project's retail establishments.

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**Comment III.I-192:**

The DEIS states that most of the residents are expected to be 'empty nesters' and therefore will not put a strain on the Yonkers school system. How was this statement arrived at?

*(Paul Weiland, Letter, Not Dated)*

**Response III.I-192:**

See Response III.I-263.

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**Comment III.I-193:**

Given how many jobs will be created downtown, and there will be many, how many of the workers will be able to live downtown? Not many, probably, and I'd hate to think that Yonkers will buy into the idea that we can be "bought off" with some nebulous affordable housing plan built miles away from the proposed development. If they are miles away, what will the traffic plan be? The workers will still have to get to their jobs downtown.

*(Charlie Hensley, Resident, Letter, 5/30/2008)*

**Response III.I-193:**

Data from ESRI Business Information Systems based on the 2000 US Census in the area around the project sites is 24,586, providing a strong base of local employees for many of the jobs created by the development. Also, the downtown is a transit-oriented area with connections to the other parts of Yonkers, to the rest of Westchester County, and to New York City by bus, rail, and ferry as well as by an established road network. For further information on affordable housing, see Response III.I-197.

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**Comment III.I-194:**

How many times are we spending what's left of the new taxes after the giveaways to encourage the developers? Will we also be giving tax incentives to new businesses to come to Yonkers? I don't object to the concept of these incentives, I just want to make sure we're not double-counting, or setting up a zero-sum game where we never actually have the increased tax base touted by the mayor's office.

*(Charlie Hensley, Resident, Letter, 5/30/2008)*

**Response III.I-194:**

Comment noted. There is no double counting.

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**Comment III.I-195:**

During a time of enormous stress to the housing and credit markets, how will all the other neighborhoods in Yonkers compete with luxury waterfront housing? In a real estate market that will already need years to recover, a huge increase of high-end housing stock may well drive prices further down all over town.

*(Charlie Hensley, Resident, Letter, 5/30/2008)*

**Response III.I-195:**

See Response III.I-158.

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**Comment III.I-196:**

Executive Summary I-26E. Summary of Impacts and Mitigation 8. Socio-Economics What year will city begin to receive taxes? Is the \$35 million in tax revenues per year?

*(Colleen Roche, AICP, Senior Planner, City of Yonkers, E-mail, 5/20/2008)*

**Response III.I-196:**

The estimated revenue from all sources is approximately \$16,000,000 per year in gross revenues. That amount would be realized after the 3 year project construction. See also Response III.I-203.

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**Comment III.I-197:**

Create new proposed housing as affordable/workforce units, either through new construction or through the establishment of a housing fund. Appears that creation of housing has been more effective in providing affordable units than contributing to a fund.

*(Colleen Roche, AICP, Senior Planner, City of Yonkers, E-mail, 5/20/2008)*

**Response III.I-197:**

The Findings Statement from this SEQRA process and the Land Disposition Agreements will include details on the affordable/workforce housing requirement associated with this project, as determined by the Yonkers City Council as Lead Agency. It should be noted, however, that housing funds have been successfully utilized in other municipalities helping to create affordable housing, by providing financial resources otherwise unavailable through State or Federal grants. See also LA-6.

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**Comment III.I-198:**

1II A-27 Community Vision for Southwest Yonkers, Specifics on affordable housing, providing affordable housing more effective

*(Colleen Roche, AICP, Senior Planner, City of Yonkers, E-mail, 5/20/2008)*

**Response III.I-198:**

Comment noted. See Response III.I-197.

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**Comment III.I-199:**

The assumption that the proposed high rise housing in downtown Yonkers will not be particularly attractive to families with school-age children is misleading and may understate the impact of school aged children in the project area. Especially, if the population targeted to live in the project area is from NYC. In my experience, NYC residents may see an opportunity to move their family from a smaller apartment to a larger apartment and pay the same amount they are currently paying. The applicant sites their recent experience in White Plains and New Rochelle as why they believe young professionals and empty nesters will move in to Yonkers. I believe that assumption may work to some degree but Yonkers may be more attractive to families in that Yonkers is 15 - 20 minutes from NYC, has 3 metro north stations and Yonkers residents can easily take the 1, 9 or the 4 train into NYC. The number of school-age children per unit is based upon national multipliers and other similar projects in Westchester County. I believe that since the applicant is looking at targeting NYC residents to move to Yonkers they should look at NYC multipliers for similar projects.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-199:**

The Collins Phase I development in downtown Yonkers along the waterfront, which contains 266 units, 72% of which are 1 bedroom units, has resulted in four school age children from 266 units, or 0.015 children per unit. While the Applicant's proposes a 2-bedroom average size for their residential construction, they also used a school age children generation ratio significantly higher, 0.11 students per unit, than what has been experienced at the Collins Phase I development.

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**Comment III.I-200:**

The applicant also state that the urban lifestyle of this development would include families; however, once these children reach school age, it is likely that the families would move to town homes or single families homes. This may be true for some families but not all. Many NYC (Manhattanites) send their children to public schools and the City of Yonkers may be interested in pursuing families from the project area to enter the Yonkers School system. It would add to the quality of the school and to have families take an interest in the school system.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-200:**

Comment noted.

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**Comment III.I-201:**

The Yonkers Public Library consists of 3 branches. The Riverfront Library is the only one in the project area. The section on the Yonkers Raceway needs to be updated.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-201:**

Comment noted. Yonkers Raceway is a harness racing track and State-approved "racino" (a video-lottery terminal casino) located at the intersection of Central Park Avenue and Yonkers Avenue (between exits 1 and 2 of the New York State Thruway, near New York City border) at 810 Central Avenue, near the New York City border. Yonkers Raceway is currently undergoing continued renovations. These include the construction of a new 110,000-square-foot building, the renovation of the existing 275,000-square-foot clubhouse and 95 acres of site improvements. The completed project will accommodate 7,500 gaming machines, as well as food service and entertainment facilities. The recent activity at the Yonkers Raceway, although very important to the City, has no impact on the subject project.

**Comment III.I-202:**

The Downtown Waterfront Bid description needs to be updated. Ron Law is no longer the Director. The new Director's name is Steve Sansone.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-202:**

The following text was provided by Steve Sansone, Executive Director of Yonkers Downtown/Waterfront BID. In an effort to enhance the business climate of the downtown, The Downtown/Waterfront Business Improvement District, Inc. of Yonkers, NY ("BID") was created in 2002 as a 501(c)(3) non-profit corporation by the City of Yonkers. The BID was formed to build working partnerships, encourage investment, and support initiatives for a healthier commercial district in the downtown of Yonkers.

The public/private partnership between the BID and the City of Yonkers delivers supplemental services such as sanitation and maintenance, public safety and visitor services, marketing and promotional programs, capital improvements and beautification in downtown waterfront Yonkers. Additionally, the BID operates an up-to-date website [www.YonkersDowntown.com](http://www.YonkersDowntown.com).

The BID encompasses the City's traditional central business district, including Chicken Island, Getty Square, the City Pier, Larkin Plaza, St. Joseph's Medical Center as well as City Hall, the Health Center Building and the Riverfront Library. Generally, the BID is bounded by Palisades Avenue / North Broadway / Dock Street to the north, the Hudson River to the west, Nepperhan Avenue / Prospect Street to the south and School Street to the east.

The BID includes approximately 350 members: 190 property owner members and 160 lease holder members. The Board of Directors of the BID is comprised of seven property owners (Class A) and two tenants with commercial leases (Class B) in the downtown Yonkers geographic area defined in the establishing legislation. These members are elected by a vote of their respective class every two years at the Annual Meeting. Also on the board are one resident

(Class C) and three ex officio members (the Mayor, the Chief Financial Officer of the City and the Council person in whose district the BID properties lie) (Class D).

The BID has a professional staff currently of three full-time employees and manages a staff of street rangers that maintain the cleanliness of the district.

The BID serves to formulate, promote and implement the economic revitalization and general welfare of the District and the City of Yonkers. The BID forms public/private partnerships to maintain its streets, contributes to public safety, landscapes the district with flowers and greenery, markets special events and creates promotional opportunities to highlight the area. Additionally, the BID preserves and encourages the cultural, historic, tourist and civic interest of the District and the City of Yonkers. The BID mobilizes available public and private resources for the above purposes and provides a mechanism by which property owners, retail establishments, service firms, employers, citizens and others cooperate to develop business opportunities, employment, consumer choices, shopping facilities and general civic interest. Furthermore, the BID assists, participates and contributes to the activities of other organizations, individuals, public and private entities within and outside the City to promote the Business Improvement District.

Some of the initiatives with which the BID has traditionally and historically been involved are:

- \* Sidewalk Sales, with music at noon on Fridays
- \* Collaboration with the City of Yonkers and other sponsors to produce Riverfest, Jazz & Blues @ Dusk, Main Street Films @ Dusk, Jazz & Films on the Pier, and other special cultural events
- \* Maintain an up-to-date website
- \* Publish quarterly newsletters <<http://www.yonkersdowntown.com/newsletters.shtml>>
- \* Manage grants (awning and canopies, NYS Main Street Grant, etc.)
- \* Landscaping and beautification programs with Groundwork Yonkers
- \* Marketing assistance for existing business and other entities within the District
- \* Graffiti database and removal
- \* Continued advocacy for the specific needs of each business

As related to the proposed Project, the BID membership elected a representative of the Applicant to their Board of Directors, who will work closely with the BID to manage the upcoming changes to the downtown and waterfront.

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**Comment III.I-203:**

What is the estimated tax revenue the City of Yonkers is expected to receive from developing this project? The city is expected to pay for the increased costs for the Police Department, Fire Department and other municipal services to the project, as well as school district costs.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-203:**

Total revenue is projected at \$16 million per year, including property, sales and income tax. From that amount TIF bonds repayment and costs to service the development would be excluded. This still leaves a net balance of approximately \$5.4 million.

**Comment III.I-204:**

The paragraph that was added to this page that begins with "the task of identifying populations..." bases its premises on incorrect information. While it is agreed that the rent stabilization criteria does not match Census data, the statement indicating that buildings with five units or less are rent-stabilized is incorrect; it actually is five units or less are not stabilized. This is a very significant difference and has implications for the entire analysis. As a result, a very large, but uncalculated number according to the analysis (perhaps it is as much as 80%) is NOT covered by the Emergency Tenant Protection Act (ETPA) and therefore is at risk of secondary displacement. Similarly, the statement in the last sentence indicating that as much as 75% of the housing stock may be old enough to be protected under rent restrictions is also incorrect since an uncalculated number according to the analysis (perhaps it is as much as 75%) was built before 1974, the base year for ETPA regulations to take effect. Therefore all buildings containing five or more units built AFTER 1974 are not covered by ETPA, which other than the new waterfront buildings, represents few properties in the study area. It is recommended that accurate data may be obtained from the New York State Department of Rent Administration. It is believed that this information is very likely to verify that the population at risk due to secondary displacement is a major concern.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-204:**

Page III-1-7 of the DEIS states that "those housing units within structures of 5 units or less would be considered at risk since they are not rent-stabilized units". However, according to US Census Bureau data, buildings with only 4 units or less represent only 21.9% of the housing stock in the study area. Therefore the statement that as much as 75% of the stock is in buildings that are eligible is reasonable in the Applicant's opinion. The statement that as much as 80% of the stock is old enough to be eligible is also reasonable because 89% of the housing stock in the study area is pre 1979, and units constructed prior to 1974 are also eligible. The Applicant made numerous attempts but was unable to determine the exact construction date of the Glenwood Tower. It was determined that the building was constructed in the early to mid-1970s.

**Comment III.I-205:**

It appears that the assumption is that market increases have not kept up with ETPA increases is arguable, since the Westchester County Rent Guidelines Board votes on rent adjustments

annually. The larger question is what has been the effect of rent increases on non-regulated apartments and what is the implication for residents of these units due to secondary displacement.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-205:**

Annual adjustments granted by the Rent guidelines Board tend to reflect inflation, and for the past few years have been in the 2.0% to 3.0% per year range. Therefore it is reasonable to assume that market rates that are two to three times the 2000 census contract rent have risen at a considerably higher rate. The effect on non-regulated apartment rates will be minimized partly because these units represent a small proportion of units in the area and partly because the units in the proposed project will be significantly different than existing units in terms of amenity offerings, and therefore would not necessarily have a direct impact on the pricing of the existing housing stock.

In response to concerns by the Council as well as the community, the Applicant proposes to increase the percentage of affordable housing to 10%. 5% of that housing will be new construction. Half of the new construction will be built on-site at River Park Center, while the other half will be built off-site but within the Project area (i.e., within 0.5 miles from River Park Center). The other 5% of affordable housing will consist of a payment in lieu of construction in the amount of \$35,000 per affordable unit. This payment will go to an affordable housing fund and a rent subsidy fund. See also Response LA-5.

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**Comment III.I-206:**

It is important to note that a large number of the buildings in the Nodine Hill, Old 7th Ward, Hollow and St. Joseph's neighborhoods contain less than six units, and as a result of the Project may be subject to increases in value, demand and as a result increases in rent and/or secondary displacement.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-206:**

The level of rent that can be charged is a function of many factors including level of amenities, fit out, and overall condition. The units in the proposed project will be significantly different from those in small buildings and therefore would not necessarily have a direct impact on the pricing of these smaller older units.

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**Comment III.I-207:**

The analysis studies the office market in terms of Yonkers' inclusion in a south or lower portion of the County. However, as a separate issue the analysis should also look at the vacancy rates of the downtown office buildings in the immediate proximity (literally in the "shadow") of the Project and the impact that an additional 375,000 square feet could potentially have. This includes primarily four older office buildings, 20, 30, 45 and 53 South Broadway and also the newly constructed One Station Plaza at lower Main Street. Note that 20 and 53 South Broadway

have survived largely based upon the leasing of County and New York State space, while 45 South Broadway was condemned by the City, is unoccupied and is currently being rehabbed. In addition, 30 South Broadway operates as a commercial co-op, and has several vacant floors. The analysis therefore needs to demonstrate if the additional office space in the Project will be, like the retail, representative of a different market, and if it will have a positive or negative (or neutral) effect on the existing downtown buildings.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-207:**

The Applicant's experience in many other markets indicates that office users typically move into higher quality space as quality space is introduced into the market. Larger office users occupying "Class B" space will move into "Class A" space when it becomes available, while the vacated Class B space will be occupied by growing, more rent-sensitive tenants. Many of these tenants will be currently occupying Class B or lower quality space. Their movement into better quality space will vacate space that then becomes attractive to start-ups and extremely rent-sensitive tenants such as not-for-profit users. This has been the experience in White Plains and New Rochelle according to presentations made by real estate development professionals at the Third Annual "Real Share" Conference on Westchester County Development held on December 5, 2007 in White Plains. While the Project office space will no doubt command rents higher than those currently attained in the Study Area, this will not necessarily cause rents in less desirable buildings to increase. Rental rates in general are a function of supply and demand and because supply in the Study Area is expected to be sufficient to meet demand, it is unlikely that rents in the Study Area will rise substantially, especially for less desirable buildings.

**Comment III.I-208:**

As is the case with the office market, the analysis discusses "unmet demand" but does not discuss the effect that the new retail space will have on the downtown. The analysis should present the existing rents and vacancy rates of downtown commercial buildings and compare them to the proposed Project, in terms of cost and product. If there is sufficient unmet demand to absorb the Project's proposed retail space, the analysis should discuss if this will have either a positive or negative effect on downtown.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-208:**

The retail market study presented in Appendix 3.E of the DEIS documents the unmet demand in the trade area. Displacement impacts are addressed by the DEIS in Section III.I Subsection 4 (Anticipated Impacts). Also, as discussed in Appendix 1.F (TIF Feasibility Study and Preliminary Plan for Municipal Redevelopment), it is anticipated that the SFC Project will act as a catalyst that improves public perception of downtown Yonkers. The SFC Project will build on redevelopment projects that have already begun on the waterfront in downtown Yonkers, including residential, retail, and office development. The revitalization of downtown Yonkers will increase the popularity of the area as a destination. The amenities offered as part of the SFC Project, including the riverwalk, hotel and the ballpark will enhance the area's competitive

position, attracting additional visitors, as well as new residents and employees who will utilize the new retail facilities.

To assist local businesses, the Applicant will work with the BID to devise a marketing plan that would strengthen local businesses, making them more competitive in the revitalized downtown area. During the three year construction period, many local businesses will benefit from the influx of construction workers. After the Project is developed, there will be a significant increase in purchasing power in downtown Yonkers with new residents and visitors spending money in both existing and new stores and restaurants. The Applicant along with the BID will develop and implement the marketing plan to assist existing businesses immediately upon Project approval in order to capitalize on purchasing power during construction and subsequent purchasing power after Project completion. See also Comment LA-27..

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**Comment III.I-209:**

Regarding direct displacement, it is agreed that since only 22 households are being directly displaced, the existing vacancy rate should be capable of providing the required absorption. However, exception is taken to the statement concerning the 6% of the new residential units being affordable, since no definition of the level of affordability has been offered. If, for example 80% of AMI is the chosen income level, then a family of four would be required to make over \$81,000 income to afford an affordable apartment, whose rent could be over \$2,000, likely unaffordable to many of the residents currently living in the study area.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-209:**

In response to concerns by the Council as well as the community, the Applicant proposes to increase the percentage of affordable housing from 6% to 10%, with affordability based on Westchester County standards. Half of that commitment (5%) (72 units) will be new construction. Half of the new construction will be built on-site at River Park Center as part of the rental building based on the Westchester County standard of affordability (80% AMI), while the other half will be built off-site but within the Project area (i.e., within 0.5 miles from River Park Center). The other 5% of affordable housing will consist of a payment in lieu of construction in the amount of \$35,000 per affordable unit (72 units x \$35,000= \$2.5 million). This payment will go to an affordable housing fund and a rent subsidy fund to be overseen by the City. Payments to the fund will be made incrementally as the units receive Certificates of Occupancy.

The specific characteristics and locations of the off-site affordable housing units have not been determined, and decisions have not yet been made regarding rental versus for-sale housing, potential partnerships with not-for-profit housing developers, and other details including the income limits will be used to determine occupancy. Using income limits from New York City may result in exclusion of those individuals who work for the schools, police, fire, and other municipal agencies. The Lead Agency will evaluate the aforementioned proposal by the Applicant in consideration of the other impacts and benefits of the Proposed Action and provide a determination as part of Environmental Findings.

See also Responses III.I-197, LA-5.

**Comment III.I-210:**

Indirect Displacement - The analysis indicates that the new Mulford Gardens will contain 225 units and references Fr. Pat Carroll Green (62 two-family buildings) both as providing new affordable housing in the study area. However, according to the map provided in the analysis both Mulford Gardens and Fr. Pat Carroll Green are located outside of the study area, so for purposes of the analysis should not be included. In addition, Fr. Pat Carroll Green is substantially pre-sold and would presumably be sold out long before the Project is completed. And, while it may provide additional affordable housing upon turnover, due to the imposition of the subsidy restrictions, it is expected that unit re-sales would occur on a limited basis.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-210:**

Comment noted.

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**Comment III.I-211:**

The analysis also brings into the study the market rate rents for new waterfront buildings, which do not represent the overwhelming majority of the existing market. The analysis indicates that the Study Area will continue to diversify due to the new market rate housing, but does not indicate how this will affect the existing housing market, only to state "no significant indirect displacement is anticipated as a result of the Project. This statement has no basis of fact according to the analysis.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-211:**

The DEIS evaluated indirect residential displacement by examining a number of factors. It concludes that the redevelopment proposed and already underway will make downtown Yonkers a more attractive place to live. The development will not, however, create a significant adverse impact in SEQRA terms given the size of the downtown study area and that the new residences will represent less than a 10% addition. In addition, there are a number of factors that mitigate the impacts, including protection of existing tenants through the Emergency Tenant Protection Act and the Applicant's proposal to create new affordable housing in the downtown area. The City's efforts to stabilize and improve surrounding areas, including Nodine Hill, are also noted.

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**Comment III.I-212:**

The analysis again discusses ETPA and contradicts its original statement by saying (incorrectly) that six units or more are covered. It also contradicts itself by stating that 38% of the buildings are over five (it's now back to five) units, although earlier stated that this number could not be ascertained due to the reporting cohorts of the U.S. Census. The analysis further stated that the new residential components would not cause the Study Area as a whole to "shift its affluence" due to the small percentage of units added. However, since the analysis and supporting

statements above regarding secondary displacement are not supportable, neither is this statement. Finally, although the analysis mentions the number of affordable units added in the last decade, it does not indicate what the vacancy rate is for buildings housing these units, which is traditionally well below the average for the area. The implication that vacancies are typically available is therefore not substantiated nor supported by the data.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-212:**

The statement that 6 units or more built before 1974 (page III-1-18) is correct. The inability to discern the exact number of affected units due to reporting cohorts adopted by the US Census Bureau is also correct. Therefore the drawn conclusions are reasonable. See also Response III.I-204.

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**Comment III.I-213:**

I-19 - Direct Business and Institutional Displacement - The statement indicating that C.H. Martin would remain in Getty Square is not clear; is this referring to the building or the business? If just the business, has the owner agreed to move to another location and if so, where?

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-213:**

It refers to the building.

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**Comment III.I-214:**

The analysis states that there is 110,400 sq. ft. of occupied commercial space and states that this total "does not account for the transient nature of many retailers (i.e. month to month leases by tenants who make only limited capital improvements to the spaces", which doesn't seem to make sense, since this market referred to is part of the downtown retail market. The statement also refers to "in the vicinity" when discussing the number of vacancies, but doesn't define vicinity, as it did with "study area". Since it does make a distinction between "vicinity" and Getty Square, it is not clear how accessible this space contemplated for retail relocation would be for many of the downtown residents.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-214:**

The DEIS conservatively assumes that commercial businesses that will be displaced by the proposed project would not have relocated "but for" the project. In reality, some of these businesses have low barriers to enter or exit the market and might have chosen to relocate anyway. The DEIS discusses the availability of leasable spaces in the "vicinity" of downtown to provide examples of potential relocation sites rather than strict quantitative analysis.

**Comment III.I-215:**

I-22 - Secondary Retail Displacement - this portion of the analysis explains how the new retail space would not directly compete with the existing supply of retail space. However, a sentence was added to this most recent version which states: "While the overall retail climate in the Study Area should improve substantially, it is probable that some existing, marginal retailers would be at risk of displacement by more substantial retailers with a higher degree of tolerance". This is confusing, subjective and seems to directly contradict the statements previously made in this section.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-215:**

As stated in the DEIS, the majority of the potential retail tenants for the proposed Project would be destination-type retailers, entertainment uses and restaurants. Therefore, the proposed Project is not expected to adversely impact the convenience-type stores that exist throughout the Study Area, since it is not in direct competition with them. Additionally, given the increase in residential units in the Study Area anticipated as a result of the Project and other approved and planned developments, and the major infrastructure improvements that are associated with the proposed Project, it is expected that existing retailers in the Study Area and the existing restaurants would benefit from the development of the Project. It is estimated that approximately 20 percent (or  $\pm 1,200$ ) of ballpark visitors will arrive by mass transit including Metro North Railroad. The proposed Project will improve pedestrian access and mobility in the downtown area where the retail/restaurant frontages and sidewalk improvements will establish a primary pedestrian connection from the existing downtown shopping area in Getty Square to City Hall and the Cacace Center. These improvements will formalize the pedestrian route from the Yonkers Metro-North Station to the proposed ballpark, bringing substantial foot traffic through Getty Square and past many local off-site retail establishments.

**Comment III.I-216:**

I-24 - Future w/o Proposed Project - first sentence on top of page. This states that those businesses which are to be displaced (doesn't specify if primary or secondary displacement) "do not constitute a concentration of any specific type of business..." If viewed in the context that the existing businesses are all of a specific (cost and product) type, serving the surrounding low and moderate income residents, this statement is therefore incorrect.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-216:**

Many of the displaced businesses are owners of the properties being sold to the Applicant; these businesses have decided to accept a purchase price for their property and move their business. The composition of businesses vary and include a supermarket, party supplies store, auto repair shop, coffeehouse/diner, etc. and does not represent a specific type of business.

**Comment III.I-217:**

Mitigation - the analysis states that the applicant will contribute funds to assist housing and/or storefront rehab. It is important that it be stated how much, what form (loan, deferred loan, grant, terms) will it be leveraged by bank financing, will it instead be in-kind contractual rehab services, etc. Additional commitments are therefore required and should be made during the DEIS phase.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-217:**

The details of this program will be subject to negotiations by the City Council and the Applicant as part of the Land Disposition Agreements, considering the variety of possible needs and the economic aspects of the project. However, as noted in Response to Comment LA-5, the Applicant has proposed that a portion of the affordable housing contribution be provided as an affordable housing fund of \$2.5 million. Said affordable housing fund could be used by the City to assist in a rent subsidy program which the City will administer.

The Lead Agency will evaluate the aforementioned proposal by the Applicant in consideration of the other impacts and benefits of the Proposed Action and provide a determination as part of Environmental Findings.

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**Comment III.I-218:**

In addition, further detail is requested regarding the statement that the Applicant will replicate an employment initiative program that was used in New Rochelle. The analysis also states here that many of the total construction and permanent jobs will be filled by Yonkers residents, but it is not clear what number and how firm a commitment this is.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-218:**

The pre-apprentice program in New Rochelle, a much smaller project, was limited to 15 persons in Yonkers. It could be larger given the size of the project and the potential availability of funds. Although many of the construction jobs will likely be filled by Yonkers residents, there is no way to commit to a specific number. The pre-apprentice program in Yonkers will be coordinated with the Westchester County buildings trades and the Yonkers Employment Center. Applicants will need to meet the requirements of the unions for which they are applying for membership (e.g., high school diploma/GED, drivers license, etc.), and will be sized based on the funding secured for the program and the availability of positions with the various building trades.

As part of a Project Labor Agreement, the Unions may agree to accept qualified local residents to participate in a pre-apprenticeship training program that may lead to entry into the State Certified Apprenticeship programs.

The pre-apprenticeship training prepares individuals for placement within the Union Apprenticeship program by providing them with the skills needed to enter and succeed in a State Certified Apprenticeship Program. A partnership with a number of different entities is needed to deliver a pre-apprenticeship training program. Among its partners are the Building and

Construction Trades Council of the Local area, the Construction Industry Council who represents the contractors, and a coordinating entity which may be a non-profit or a consultant.

The role of the coordinating entity will be to operate the program. This will require: recruiting and selecting the participants based on qualifications, assisting in developing the curriculum, working with the trades and contractors to identify job sites for on-the-job training, identifying journeyworker to work with the participants, handling payroll for the participants and lastly, assisting in placing participants in apprenticeship programs.

#### PROGRAM APPROACH:

The coordinating entity will recruit, assess, and drug test applicants to ensure that the best possible candidates are chosen for the training. Trainees will receive one week of classroom training and five weeks of on-the-job training under the supervision of a journeyworker. The classroom training can take place at the coordinator's office or donated space and the on-the-job training will take place at work sites throughout the identified county. During the six weeks of training, the participants will receive a stipend of \$8 per hour.

The one week of classroom training will include the following:

- Specific Skill Training – information about the various trades and the tools of the trade
- History of the Trade – pertinent information on being an apprentice within the trade
- Health & Safety – safety/health issues and skills to work safely
- Substance Abuse and Workplace – risks and accidents caused by substance use
- Occupation Information - individuals working in the field will be available for career information

At the end of the classroom training, the participant will choose a trade for the on-the-job training portion of the program. Based on their choice, a job site will be identified and the candidate will be assigned for five weeks. During that time, the coordinating entity will provide supportive services to assist the candidate and ensure program completion. At the end of the five weeks of training, the journeyworker will provide a performance review on the candidate and recommendation for union membership, if applicable.

Once the trainee becomes a Union member, the coordinating entity will work with the individual and the Local to ensure job placement in a timely fashion. The partnership between the Union and the coordinating entity will provide the Local with a qualified worker and will assist the unemployed/underemployed local residents in joining the Union and obtaining employment. Additional job counseling and support will be provided to ensure that the graduate remains successfully employed.

#### PROGRAM QUALIFICATIONS:

- 1) 18 years old or older

- 2) Unemployed or underemployed resident of identified county
- 3) High school diploma/GED
- 4) Pass a drug test
- 5) Possess a valid driver's license
- 6) Access to a vehicle
- 7) Strong interest in joining the construction trades

PROGRAM OUTCOMES:

- Train and prepare qualified candidates on the essential job and career requirements of the various building trades available in the identified county.
- Assist in placing individuals who complete the requirements of the Pre-Apprenticeship Program, including "on-the-job" training, in Union Apprenticeship programs or permanent union jobs.
- Provide a mechanism for the local residents to benefit from the various construction jobs throughout the county.

**Comment III.I-219:**

I-43 - Economic Impacts - The analysis includes a template for understanding ERA's Input/Output (I/O) Model. The results, as indicated in Tables III.I 21- 25 are significant in determining direct economic impacts of the Project. Notwithstanding the fact that the I/O Model is defined, the Tables are difficult to follow and would better serve readers if they were clearly footnoted with explanations as to how each number was derived. Assuming the Multipliers used in Table III 1-4 are accurate, it is not clear (to this reader) how the calculations in Table III 1-5 were generated. No methodology is shown as to how to get from the summary of data in III 1-4 to the impacts empirically delineated in III 1-5. For example, multiplying the hard costs by the multiplier for earnings in 1-4 (\$1,238,232,500 x.3433) yields a figure considerably less than the \$353,057,143. This may not represent the correct application of the methodology to be used to achieve the number(s) obtained under "Direct Impacts" as shown in III 1-5. However, no explanation is given of how these calculations were achieved, which is problematic for someone reviewing the analysis not familiar with RIMS II procedures. A review of the U.S. Bureau of Economic Analysis website did not provide any assistance in understanding how the "Direct Impacts" (earnings, employment and average wages) were derived from the information shown.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-219:**

The calculations described above are not detailed in the DEIS that was accepted by the City Council of Yonkers on March 18, 2008. The DEIS follows standard methodology for input/output analysis. Detailed descriptions of the RIMS II model, recommended analytical

techniques, and calculation that show the derivation of direct, indirect, and induced multiplier impacts can be reviewed at <http://bea.gov/regional/rims/index.cfm>.

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**Comment III.I-220:**

I-54 -Ballpark - A separate impact analysis was conducted to determine the operational impacts of the ballpark using data provided by Westchester Baseball LLC. Various assumptions were made regarding both the income and operating expenses of the ballpark when in operation. The operator estimates a 75% occupancy rate that will generate approximately \$3.1 million in ticket sales for the 68 home games, but does not provide any data to support these projections. It is reasonable to estimate a lower occupancy rate, at least for the first few years of operation and the analysis should take a conservative look at what that would mean for its income projections. Other income projections, for concessions and advertising may not be reasonable, but no additional supporting data has been included. Although the ballpark is no longer "driving the deal", it is nevertheless projecting over \$12 million in total impact and should therefore be more closely analyzed. The costs of the lease payments are yet to be determined. It is also not possible to determine if the operator is generating any profit within some of the operating expense lines, (for example "Ballpark Operations" and "General and Administrative"), as opposed to just the balance of the income after expenses once the lease payments are calculated.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-220:**

The baseball projections are based on data from the operations of the Newark Bears which plays in the Atlantic League and from Westchester Baseball LLC. The Atlantic League presently has eight teams including the Bridgeport Bluefish, Camden Riversharks, Lancaster Barnstormers, Long Island Ducks, Newark Bears, Somerset Patriots, Southern Maryland Blue Crabs and the York Revolution. The Newark Bears team is owned by one of the developers who make up the Applicant, and Westchester Baseball operates a separate team in the same league. The team proposed as the tenant for the Yonkers ballpark is expected to play in the Atlantic League. These estimates are fair representations of the economics of a team's operations for Yonkers in the review of the environmental review of the project. Please note that \$12 million of total impact represents a small percentage of the overall sales at River Park Center and does not require additional analysis.

**Comment III.I-221:**

1-63 - Personal Income Tax - at the bottom of the page a stated was added stating that "it is the opinion of ERA that the....of the residences" This statement requires more substantiation.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-221:**

Because a project of this nature has not been developed in Yonkers in the past, there is little relevant historical data to analyze. As a result, the DEIS analysis makes use of the project Applicant's experience in White Plains to understand the degree to which the residential component of the project will attract local residents. Based on comparable residential sales in

White Plains, the DEIS assumes that 80 percent of residential buyers and renters will come from outside of Yonkers.

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**Comment III.I-222:**

I-80 - mortgage recording taxes - the analysis makes a reasonable assumption on annual re-sales (1/6 each year) and cites a source for the information. However, mortgage amounts per sales value are estimated at 85%, which seems high (80% being the typical largest mortgage amount available with Private Mortgage Insurance). In addition, though not discussed it is likely that from a marketing prospective many of the larger two and three bedroom units may be sold to "empty nesters", who in selling their home could have a considerably larger down payment than anticipated. This is more likely than a first time homebuyer in this market. Should both of these situations occur, the result could nominally, or even significantly reduce the projected mortgage recording tax collected.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-222:**

The DEIS assumes that residential buyers will have a 15 percent down payment on average. However, it is true that if buyers put down more or less than 15 percent of the sale price in equity that the mortgages will have lower or higher values and the City would collect less or more in mortgage recording tax. It is important to note that mortgage recording tax reflects only a small share of the potential revenue for the City, about 2.5 percent.

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**Comment III.I-223:**

Collections for City of Yonkers transfer taxes are also projected, based on the same acceptable 1/6 resale rate, (Table III 1-25) but also assuming projected resale values of \$450,000 to \$900,000. Although this is a likely scenario based upon Cappelli's previous experience in Westchester, again no indication is given of how these resale values were computed.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-223:**

These resale values were estimated by the operating experience of the Applicant and by the experience of the Applicant's economists at Economics Research Associates who have completed numerous studies in Yonkers and Westchester County.

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**Comment III.I-224:**

Fiscal Impacts of the Proposed Ballpark - personal income tax revenues, Yonkers Personal Income Tax Surcharge and Sales and Use Tax for the ballpark are projected. Although much less income is generated for the ballpark than for the remainder of the project, again the analysis is deficient in explaining how jobs were allocated for Yonkers residents and non-residents (Table 1-27).

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-224:**

Job creation is estimated from the revenue generating potential of the ballpark, based on Westchester County data provided by the US Department of Commerce, Bureau of Economic Analysis. The analysis follows standard methodology for input/output analysis. A detailed description of the model and techniques can be found at <http://bea.gov/regional/rims/index.cfm>.

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**Comment III.I-225:**

Regarding capitalized value, the analysis utilized rents, vacancy rates, expense ratios and capitalization rates as provided by both the City Assessor and an outside consultant. To determine incremental value, a base value of approximately \$3.6 million is used, and then subtracted from the market value to determine the value to be converted to assessed value and then taxes. However, no calculation is presented to show how the base value was calculated and no justification for this value is shown anywhere, including the "Existing Conditions" at the beginning of the analysis.

*(Daisy Colon, Dept. of Planning and Development, City of Yonkers, Memo, 5/9/2008)*

**Response III.I-225:**

The base value is based on just those parcels for which development is included. No tax increment revenues are projected for properties in the district other than those shown in the projections, so the base value shown in the projections was limited to the properties shown as being developed.

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**Comment III.I-226:**

(2) I., p. 29 The DEIS states the Project would generate approximately \$200,000 funding for the BID each year. Clarify how the \$200,000 has been calculated. Clarify how, if at all, Tax Increment Financing or QEZE Real Property Tax Credits impact the Project's BID contribution.

*(Debra S. Cohen, Esq., Attorney, C.H. Martin, Letter, 5/30/2008)*

**Response III.I-226:**

The BID revenue contribution from the Applicant is a direct calculation of the assessed value of the properties. Working with the City Assessor, the Applicant developed a proforma re-assessed value for the proposed redevelopment which produced the estimated BID contribution of the Applicant. Neither the Tax Increment Financing nor the QEZE Real Property Tax Credits will have any impact on the Project's BID contribution.

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**Comment III.I-227:**

(3) The DEIS states that many of the construction jobs and permanent jobs created by the Project will be filled with Yonkers residents and references an employment initiative that will be patterned after a similar program developed by Cappelli Enterprises in New Rochelle. Clarify how many construction and permanent jobs were created for New Rochelle residents as a result

of this program and provide comparative estimates of how many construction and permanent jobs will be provided specifically for Yonkers residents by this Project.

*(Debra S. Cohen, Esq., Attorney, C.H. Martin, Letter, 5/30/2008)*

**Response III.I-227:**

See Response III.I-218.

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**Comment III.I-228:**

(15) III.A, p. 11-12 The DEIS states the location of the proposed project within the NYS Empire Zone will enable the Project to obtain EZ program benefits, including a QEZE Credit for Real Property Taxes. Clarify the economic impact and/or relationship, if any, of the QEZE Credit for Real Property Taxes and Tax Increment Financing.

*(Debra S. Cohen, Esq., Attorney, C.H. Martin, Letter, 5/30/2008)*

**Response III.I-228:**

There is no relationship between the QEZE credit and Tax Increment Financing.

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**Comment III.I-229:**

(27) III.I-44 Table III.I-20 Development Cost Assumptions states the anticipated cost of the ballpark is \$45,000,000 and Daylighting – River Park Center –Riverwalk is \$15,000,000. Clarify the cost breakdown for each and how each will be financed.

*(Debra S. Cohen, Esq., Attorney, C.H. Martin, Letter, 5/30/2008)*

**Response III.I-229:**

The estimated cost for the daylighting of River Park Center is \$41,252,189 and \$23,662,589 for Larkin Plaza daylighting. These estimated were developed by Ellana Inc/Bluestone Developers – Construction Cost Consultants for the City of Yonkers.

The Applicant will undertake all components of the Project except the daylighting of the Saw Mill River and other public improvements at Larkin Plaza, which the City may elect to undertake. The Applicant proposes to utilize available governmental funding (\$34 MM) to daylight River Park Center only.

The Applicant will undertake all components of the Project except the daylighting of the Saw Mill River and other public improvements at Larkin Plaza, which the City may elect to undertake. The Applicant proposes to utilize available governmental funding (\$34 MM) to daylight River Park Center only.

Also see Response III.D-41.

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**Comment III.I-230:**

(27) III.I-44 Table III.I-20 Development Cost Assumptions states the anticipated cost of the ballpark is \$45,000,000 and Daylighting – River Park Center –Riverwalk is \$15,000,000. Clarify the cost breakdown for each and how each will be financed.

*(Debra S. Cohen, Esq., Attorney, C.H. Martin, Letter, 5/30/2008)*

**Response III.I-230:**

The estimated cost for the daylighting of River Park Center is \$41,252,189 and \$23,662,589 for Larkin Plaza daylighting. These estimated were developed by Ellana Inc/Bluestone Developers – Construction Cost Consultants for the City of Yonkers.

The Applicant will undertake all components of the Project except the daylighting of the Saw Mill River and other public improvements at Larkin Plaza, which the City may elect to undertake. The Applicant proposes to utilize available governmental funding (\$34 MM) to daylight River Park Center only.

The cost of the ballpark is estimated to be \$45,000,000. The Applicant has taken on the task of raising funds to enable the building of the ballpark. The Applicant will be utilizing all governmental resources and grants available to make the ballpark a reality.

**Comment III.I-231:**

Clarify who will be the owner of the ballpark facility, to whom lease payments will be made, the status and future role (if any) of Yonkers Baseball Development Inc. (or any related entity), and responsibility for the ballpark structure should the league or team fail to be financially viable in the future. Clarify how the outstanding liabilities and debts of Yonkers Baseball will be resolved, including the \$670,000 loan from the Yonkers Industrial Development Agency to Yonkers Baseball.

*(Debra S. Cohen, Esq., Attorney, C.H. Martin, Letter, 5/30/2008)*

**Response III.I-231:**

The Applicant proposes to be the owner of the ballpark. It will lease the facility to a management company. The Applicant has assumed the financial responsibility for raising public funds and/or financing the construction of the ballpark. Yonkers Baseball Development Inc. is not involved with this Proposed Project and the City of Yonkers will resolve the outstanding financial issues involving this entity. Also see Response III.I-122.

**Comment III.I-232:**

Clarify the grant and tax credits being sought, obtained and/or applied to the ballpark. Clarify the grant and tax credits being sought, obtained and/or applied to the daylighting of the Saw Mill River and the construction of the River Park Center “Riverwalk”.

*(Debra S. Cohen, Esq., Attorney, C.H. Martin, Letter, 5/30/2008)*

**Response III.I-232:**

The Applicant is pursuing every possible economic incentive (grants, tax credits, etc) to ensure the economic livability of this project.

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**Comment III.I-233:**

17) Will the Yonkers IDA be allowed to issue bonds for projects, and to grant tax exemptions and abatements, in the TIF district? If so, specify which financial inducements will be permitted. 18) What will the criteria be for permitting YIDA financial inducements such as exemptions from sales tax, mortgage recording tax, and provision of PILOTS, in the TIF district? 19) Will YIDA financial inducements such as exemptions from sales tax, mortgage recording tax, and provision of PILOTS impact the ability of property owners to meet anticipated tax revenue projections for the TIF district? 20) What YIDA financial inducements are anticipated for each project site? Specify type, and amounts of projected tax revenues with and without the YIDA tax exemptions and abatements.

*(Deirdre Hoare, Resident, Letter, 5/30/2008)*

**Response III.I-233:**

Being in the "TIF District" has no impact on the availability to the Applicant or any other property owner of financial assistance from the Yonkers Industrial Development Agency. The Agency may provide financial assistance to eligible private components of the Project in the forms of sales tax and mortgage recording tax abatements. The Yonkers Industrial Development Agency may participate in the construction of the new public parking facilities and other public infrastructure for the Project, and may issue bonds for all or some portion of these public improvements.

If the Project is assisted by the Yonkers Industrial Development Agency and all or some portion of the Project is made real property tax exempt as a result, then the Applicant will pay PILOT equivalent to the amount of tax that would have been paid had the Project not been exempt.

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**Comment III.I-234:**

Will employer participation in the Empire Zone and/or Federal Empowerment Zone reduce the ability of property owners to fulfill their obligations as taxpayers in the TIF district?

*(Deirdre Hoare, Resident, Letter, 5/30/2008)*

**Response III.I-234:**

Neither Empire Zone or Empowerment Zone participation will affect the viability of Tax Increment Financing.

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**Comment III.I-235:**

How much will infrastructure improvements cost the average Yonkers residential property tax payer 1) within the TIF District and, 2) outside the TIF District?

*(Deirdre Hoare, Resident, Letter, 5/30/2008)*

**Response III.I-235:**

The TIF bonds will be repaid from the increment of additional revenue derived from the project. As such, there will be no effect on other property owners inside or outside the district.

**Comment III.I-236:**

14) Who will own the infrastructure improvements? Detail ownership by type of infrastructure, project site, block and lot number, and street name or easement location. 15) Who will maintain the infrastructure improvements? Detail by type of infrastructure, project site, block and lot number, and street name or easement location. 16) What is the anticipated yearly cost of maintaining the infrastructure improvements required for Phase 1? Give a breakdown by infrastructure type, project site, block and lot number, and street name or easement location. 17) What are the anticipated yearly revenues, if any, from the infrastructure improvements, particularly parking garages? Who will collect these revenues and who will retain them?

*(Deirdre Hoare, Resident, Letter, 5/30/2008)*

**Response III.I-236:**

All infrastructure improvements are expected to be owned by public entities. The projected revenues from the parking garages are included in the projections for the repayment of the TIF bonds as shown in Schedule XIII of Appendix D to the TIF Feasibility Study, which is included in the DEIS. Collection of parking fees at all City-owned parking garages will be the responsibility of the Yonkers Parking Authority. These revenues will be applied to repay the bonds proposed to be issued to finance the improvements.

**Comment III.I-237:**

1) How much will it cost to demolish the current Fire headquarters on School Street? 2) Who will pay for the demolition of the current Fire headquarters? 3) How much will it cost to move the current Fire headquarters to a temporary location? 4) Who will pay to build and outfit the new Fire headquarters? What is the estimated cost? 5) How much will it cost to move the current Fire headquarters to the new permanent fire headquarters? Who will pay for these moves? 6) Will response time be affected during and after these moves? If so, how? 7) How much will it cost to lease temporary fire headquarters space? 8) Who will pay to lease the temporary fire headquarters premises? 9) Who will own the new Fire Headquarters building? 10) Will the City lease the new Fire Headquarters, or own it? 11) If the City leases the new Fire Headquarters, what are the anticipated lease costs on an annual basis?

*(Deirdre Hoare, Resident, Letter, 5/30/2008)*

**Response III.I-237:**

The Applicant has indicated that the City of Yonkers' Fire Department will pay for its own relocation costs to its new headquarters and firehouse on New Main Street; the Applicant will pay for relocation costs to the temporary firehouse used during the construction of the permanent facility. However, these business terms will be finalized in the Land Disposition Agreements to be signed at the conclusion of the SEQRA process.

The demolition of the existing firehouse, which will be paid for by the Applicant will cost approximately \$200,000 including asbestos abatement. The relocation of the firehouse to a temporary location will cost between \$750,000 and \$1,000,000. The new firehouse in the Cacace Center site will cost \$20.3 million (as estimated by Ellana Inc./Bluestone Developers, Consultants to the City). The Applicant will pay for a "like-kind" facility; anything above this would be paid for by the City. Response times for the temporary and new facilities will not be affected by the new locations. Costs for the moves and leases are not yet determined, but will be determined as part of the Land Disposition Agreements. The new fire headquarters, however, will be owned by the City. The Applicant has had meetings with union representatives from the Fire Department, the Commissioner and Administrative officials. See Appendix A of this FEIS for a report submitted on September 18, 2008 by Local 628 of the Yonkers fire fighters union. This report was reviewed by the Yonkers Fire Department and correspondence dated September 23, 2008 from Fire Commissioner Pagano was submitted; this memorandum is also included in Appendix A of this FEIS. Please also refer to the August 8, 2008 letter from the Yonkers Fire Department in Appendix A of this FEIS. Commissioner Pagano acknowledged the "comprehensive, accurate detailing of the staffing of the Yonkers Fire Department" included in the fire fighters union report but noted that the report "concerns itself with impacts of increased development throughout the entire city on the department" (i.e., beyond the Proposed Project of the Applicant). The commissioner further concurs with the union recommendation of "an analysis of the current and future needs as [Yonkers] grows beyond [the SFC] project." Commissioner Pagano confirmed that the addition of staffing and equipment as described in the DEIS, consisting of an additional ladder company and an additional engine company, will be sufficient to address the incremental impacts of the proposed SFC project. As is standard operating procedure, the Applicant will coordinate with the Fire Department Commissioner assuming union concerns are thoroughly incorporated.

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**Comment III.I-238:**

If the developers are planning to use union laborers for the construction work then we would like to pursue with them and be included in the negotiations with the local unions on specific provisions to inform local qualified Yonkers residents about all union apprenticeship programs. We would like to be ensured that the local work force benefits from all of the construction activities.

*(Helen Tvedt, Office of Economic Development, City of Yonkers, Memo, 5/30/2008)*

**Response III.I-238:**

The Applicant would be pleased to work with the City on such a program. It intends to sign a Project Labor Agreement ("PLA") with the construction trade unions. This PLA will include the

details about the inclusion of using Yonkers residents and local businesses in the construction of the proposed project.

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**Comment III.I-239:**

We would also like to see specific language which mentions union construction jobs and services that clarifies using Yonkers residents and local businesses. We would like measurable numbers to what that definition would be to Yonkers. Mainly, specific language that would clearly define that residents and qualified businesses will be given first priority to bid on such jobs. Lastly, we would like to recommend that the outreach for all sub-contracted work be monitored and overseen by an outside source so that Yonkers residents and qualified firms here have a greater opportunity to compete for these jobs.

*(Helen Tvedt, Office of Economic Development, City of Yonkers, Memo, 5/30/2008)*

**Response III.I-239:**

Given the current economic climate, it would be difficult to agree to these provisions. There are a number of other considerations (expertise, manpower available, sequencing, logistics, material costs, etc.) that must be weighted when constructing a project of this size that would require the developer to give Yonkers businesses first priority to bid on such jobs.

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**Comment III.I-240:**

Yonkers Committee for Smart Development would like the Lead Agency and the city administration to demonstrate in practicable financial terms why it is in the best interest of the city to approve this Project. On Page I-32 of the DEIS Executive Summary it is indicated that “.....the City would have a tax surplus of approximately \$6,000,000.00 per year.” This \$6,000,000 figure is calculated by consistently minimizing the amount of expanded city services that will be required and by maximizing the potential tax revenues.

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-240:**

The Applicant believes that the DEIS demonstrates in detail the benefits and costs associated with the proposed Project, and that the outcome for the City of Yonkers will be positive. The Applicant and its consultants have made every reasonable effort to fairly evaluate the impacts on City services and potential tax revenues. This includes employing accepted methodologies and unbiased data sources. The estimates presented in the DEIS are the results of the methodologies employed and do not intentionally minimize the amount of expanded City services that may be required or maximize the potential expected tax revenues. The Applicant and its consultants stand behind the numerous analyses presented in the more than 4,400 pages of documentation.

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**Comment III.I-241:**

The proposed Municipal Redevelopment Project Area Boundary (see Exhibit II-1) and the New York State Empire Zone (see III A-12) overlap almost completely. The entire point of the

Empire Zone is to create a tax credit zone to encourage new businesses. Among these incentives is the QEZE Credit for Real Property Taxes. If Empire Zone standards are applied within a TIF Zone, will the Empire Zone standards supersede the TIF, thus reducing the TIF financial gains from reassessed properties?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-241:**

See Response III.I-228.

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**Comment III.I-242:**

TIF/PILOTS/TAX INCENTIVES: The developers allude throughout the DEIS to the tax incentives they expect to receive. a. To what extent will they reduce the anticipated tax revenues of the Project? (See I-10, 8): “YIDA financial assistance through mortgage recording tax exemptions and sales tax exemptions.” b. How many years do these exemptions run? c. Do the sales tax exemptions apply to all the lease-holders in the mall?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-242:**

The length of the benefit period has not yet been determined. The sales tax exemption could be extended to tenants for the constructions and equipping of their spaces, but only with the consent and participation of the Agency.

The specifics of the financial assistance provided by the Yonkers Industrial Development Agency will be by contract between the Applicant and the YIDA. The Board of the YIDA will convey by vote the duration and specific benefits provided to the Applicant. Any sales tax exemptions will be for the benefit of the Applicant only and not the lease-holders of the Project unless they complete an agreement with the YIDA.

See also Response III.I-233.

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**Comment III.I-243:**

How much are the increased municipal services: fire, police, sanitation, etc. necessary for the projects expected to cost (dollar amounts) for each year for the next 20 years? Give a breakdown for each project component of Phase I.

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-243:**

See Response III.I-136.

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**Comment III.I-244:**

Will the SFC projects receive tax abatements from the Yonkers IDA? If so, what type of tax abatements (mortgage tax and/or sales tax exemptions, PILOTS, etc.) and what is the yearly dollar amount of the abatements and exemptions expected to be? m. Will the SFC projects apply for Empire Zone and Federal Empowerment Zone tax credits and if so, what is the yearly dollar amount of the credits expected to be? More importantly, how will this effect COY's ability to repay the TIF if these districts overlay one another?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-244:**

The Applicant will pursue all economic development programs; however, the amount of such assistance has not yet been determined since programs are subject to change and all of the plan's details have not been resolved. Such assistance will not affect TIF bonds. See Response also III.I-98.

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**Comment III.I-245:**

What is the target consumer market, and estimated sales tax revenue from the retail at Chicken Island? Provide an analysis of how this retail will or will not affect sales tax revenues from other commercial areas in Yonkers like Cross County, Central Avenue, and Ridge Hill.

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-245:**

According to the Retail Market Study included as Appendix 3.E of the DEIS, convenience-oriented stores will target consumers located within approximately five minutes drive from the SFC Project while retailers offering comparison goods will target consumers located within about 15 minutes drive from the SFC Project.

As presented in the table accompanying Response LA-20, the SFC Project will generate roughly \$13.4 million in sales and use tax annually. (The sales and use tax figures have not changed.) The analysis also estimates that the project will displace commercial businesses that currently generate sales and use tax revenue of about \$1.1 million. The net impact is over \$12 million in sales and use tax revenue.

The retail analysis conducted does not assume any level cannibalization of existing or known future retail centers. Therefore, it is not anticipated that the retail component of the SFC Project will negatively affect tax revenues from other commercial areas in Yonkers such as Cross County, Central Avenue, and Ridge Hill.

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**Comment III.I-246:**

The total of new police, fire and school services equals the \$2,775,000 expected to be generated in new property taxes (after 75% is deducted to finance the TIF.) This is a questionable figure as it is difficult to know how many new students there will be, and it is specifically stated that this does not include district-wide costs.

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-246:**

See Response III.I-136.

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**Comment III.I-247:**

SFC's TIF summary indicates that it could take 3-5 years for complete occupancy of the 1385 apartments in the Project. How will these additional services be paid for in the meantime? Will the developers contribute to the costs?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-247:**

The base taxes and 25% portion of the increment not devoted to Tax Increment Bond debt service will be sufficient to pay the municipal service costs of the Project even before full occupancy of the residential units.

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**Comment III.I-248:**

Will the tax abatements offered to the developers actually lower the anticipated revenues? Is this calculated into these figures?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-248:**

See Response III.I-233.

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**Comment III.I-249:**

If sales revenues are lower than expected at River Park Center, will this substantially suppress the amount available for general city budget?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-249:**

Because sales and use taxes are based on actual sales volume, if sales revenues are lower or higher than anticipated there will be less or more funding available to the City.

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**Comment III.I-250:**

Is this calculation based on Westchester County participation in the TIF or will it actually cost the city more to pay out on the bonds?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-250:**

The analyses assume County participation in the TIF program by also contributing 75% of the incremental gain in property tax revenue toward repayment of the TIF bonds. The County has not yet committed to the Tax Increment Financing program. If it does not, then the portion of the City tax increment allocated to debt service (currently projected to be 75%) would need to be increased and/or other public funding would have to be secured.

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**Comment III.I-251:**

Section III I-70 indicates that only one of the buildings at River Park Center is a condominium and that the other, one presumes, is a rental. Does this mean that only 475 apartments have been calculated into the property tax/mortgage recording taxes indicated in the anticipated annual revenues?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-251:**

As shown in Table III. I-49, the estimate of mortgage recording tax presented in the DEIS assumes that 475 River Park Center condominium units generate mortgage recording tax. Projected property taxes have been included for all residential units, whether rental or for sale.

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**Comment III.I-252:**

Will COY have to rent replacement offices in the Cacace Center? What will be the annual cost associated with losing a city-owned building in favor of paying for office space?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-252:**

The specifics of the City of Yonkers potential tenancy in the Cacace Center office building will be negotiated between the Applicant and the City of Yonkers. It is the Applicant's understanding that the City intends to purchase a condominium interest in the Cacace Center office building as replacement space for its occupancy in the 87 Nepperhan Avenue building. The terms of this condominium interest will be finalized as part of the Land Disposition Agreements currently being negotiated.

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**Comment III.I-253:**

The proposed average game attendance of 4700 people could be a wildly inflated figure. Financial analyses based on the Bridgeport and New Jersey teams does not take into account local proximity to the two Major New York ball clubs and the local fan base for these clubs. The Lead Agency should ask for a recalculation based on a more realistic level of game attendance as a comparison.

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-253:**

Local proximity is one of many factors used in estimating attendance for the proposed Yonkers baseball team. However, proximity to a major league team has both positive and negative impacts. The comparison of ticket prices and overall costs of a major and minor league game cause many families to choose to attend a minor league game instead of a major league one. Proximity to other professional baseball teams increases a community's understanding of the game and details of baseball as an entertainment option. Former major league players have played for minor league teams, adding to the attraction of the minor league game (e.g., former Yankee Ricky Henderson played for the Newark Bears). Overall, the estimates included in the EIS are a fair representation of the Applicant's expectations for the Yonkers minor league team; recalculation is not needed.

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**Comment III.I-254:**

SFC has made public statements that the ballpark can be used for public activities, specifically Soccer, Little League, and events such as fairs. This was always an unlikely promise, as what professional team, reasonably enough, would permit such use on its carefully tended playing field? The DEIS specifically does not include such activities. Baseball games would be played by high school and college teams that can use a regulation sized field. It is clear that the only public activities would be concerts, which would not involve the public walking on the playing field. a. Please clarify that a letter of agreement will be signed with the ballfield ownership allowing other uses. b. Also clarify if the city must carry insurance or if there are other fees (ie a bond) for this kind of extra use.

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-254:**

The ballpark will be operated and maintained by a private entity but will be available to schedule for public use including soccer games, high school games, festivals, etc. Terms, costs, insurance, and other details of this use will be determined by contract with the ballpark operator and on an event-specific basis. Also see Response III.I-122.

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**Comment III.I-255:**

2. Have the NY State Brownfield credit payments been calculated into the H & I building costs and if so, is it still necessary to build 2 25-story towers?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-255:**

The H&I site for the Palisades Point project is not eligible for the NY State Brownfield Cleanup Program. The site has already been remediated and is not eligible for cleanup credits.

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**Comment III.I-256:**

Will COY own this building? If not, how much rent will it cost COY when the city offices from 87 Nepperhan move to the Cacace Center?

*(Board of Directors, Yonkers Committee for Smart Development, Letter, 5/30/2008)*

**Response III.I-256:**

The specifics of the City of Yonkers potential tenancy in the Cacace Center office building will be negotiated between the Applicant and the City of Yonkers. It is the Applicant's understanding that the City intends to purchase a condominium interest in the Cacace Center office building as replacement space for its occupancy in the 87 Nepperhan Avenue building. Terms and conditions of this interest will be determined in the negotiated Land Disposition Agreement following the SEQRA process. See also Response.

**Comment III.I-257:**

The presentation of economic data is inadequate to assess the economic effects of the proposed development. Tables of anticipated income, net of TIF diversion, are in separate sections from non-tabular data about the millions of dollars that will be required for additional police, fire, school instruction, etc. The developer should be required to present a comprehensive pro forma income and expense statement, from the perspective of the City of Yonkers, which presents the major elements, including a bottom line (net income) for each of the first ten years after completion of the project. That is to say, the city needs a business-plan type of analysis to determine if the economics of this development are in its best interest.

*(Nan Beer, Resident, Letter, 5/30/2008)*

**Response III.I-257:**

The economic data included in the EIS for the project components is included for the assessment of the proposed program of the Applicant. As such the Applicant has met the requirements under SEQRA. Additionally, an estimate of the needed community services (police, fire, school instruction, etc.) is included but the funding of these services will be the decision of the City of Yonkers. The issuance of a TIF bond is an economic decision that the Applicant is recommending the City undertake; however both the specifics of the needed public infrastructure and the funding of them will ultimately be determined by the City and not the Applicant.

**Comment III.I-258:**

The developers suggest that because the new residents will be a minority of the total downtown population, there will not be significant indirect displacement of residents as rising rents drive them from the area. This simply flies in the face of reality. Look at any area that has experienced what we now call gentrification and you will see that even with the protection of rent regulation laws, residents are subjected to higher rents or forced out of their rented living spaces as landlords see that they could be getting greater returns on their property. The DEIS needs to better quantify the effects and propose mitigation. Absent a better job of quantification, it is impossible to know if the 6% affordable/workforce housing that is proposed will be adequate.

*(Nan Beer, Resident, Letter, 5/30/2008)*

**Response III.I-258:**

The DEIS does not conclude that there would be no indirect displacement. It concludes however, that given area demographic and other factors that indirect displacement would not be a significant adverse impact in SEQRA terms resulting in widespread gentrification of southwest Yonkers.

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**Comment III.I-259:**

The YACB's position is that 6% (in either case) is too small a commitment and that the Applicant has not supplied a reasoned explanation as to how such a small amount would offset potential residential displacement. The YACB requests that the Applicant provide details on affordability levels, size, and other pertinent factors, to determine whether such an amount is likely to serve those residents facing a likelihood of direct or indirect displacement.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-259:**

Comment noted. See Response III.I-197.

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**Comment III.I-260:**

In this instance, and other instances throughout the DEIS, the Applicant forms and states opinions without giving detailed background on the methodology and reasoning behind such opinions. The YACB requests that the Applicant provide more detail regarding the sources of information and the calculations used in formulating its conclusions regarding the presence of rent stabilized housing in the Study Area.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-260:**

Throughout the Chapter III.I of the DEIS, all methodologies employed were explained, and where the data is not able to be refined further, explanations were also provided. In addition, all relevant data used in generating the assumptions based on data were presented in tabular form throughout Chapter III.I and sources were cited accordingly.

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**Comment III.I-261:**

Again, the YACB requests that the Applicant provide more detail on the methodology surrounding its conclusion that the number of residents added by the proposed Project is too small to affect the character of the Study Area and what threshold would have a significant impact. As is discussed below, the YACB also believes that the Applicant's "population multipliers" for estimating project residents need to be revised and such revision will increase the proportion of the Study Area population attributable to the Project. The YACB requests that this

proportion be recalculated and that the impact on community character be reassessed, with substantiation.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-261:**

The Applicant's methodologies are studied in DEIS Chapter III.I. Also see Responses III.I-199, III.I-260.

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**Comment III.I-262:**

Furthermore, the YACB believes that the cumulative impacts of this and other current and proposed development within and near the Study Area should be evaluated in the EIS, cumulative impacts which the Applicant acknowledges when it notes that the population of the Study Area will "continue to diversify" with the introduction of new housing.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-262:**

Throughout the DEIS cumulative analysis are considered as part of the No Build condition that includes additional residential and non-residential projects in the downtown area.

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**Comment III.I-263:**

Additionally, the YACB requests that more detailed analysis and substantiation be provided regarding the Applicant's assertion that "it is anticipated that Project residents will be empty nesters, young professionals and small families" and thus will have limited impacts on local services, including, in particular, the school system.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-263:**

In general, urban infill housing, particularly at locations near transit, attracts single professionals, childless couples, empty nesters, and immigrants, according to both popular wisdom and sales activity (Jim Miara, "Residential Rebound," Urban Land, September 1999). The Applicant's projects in White Plains and New Rochelle have attracted these types of buyers.

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**Comment III.I-264:**

The YACB believes that such reasoning is logically flawed and that the presence of vacant and/or underutilized land in the Study Area does not mitigate the potential for indirect residential displacement. Whereas vacant and underdeveloped land may allow for development in the Study Area without direct displacement (i.e. there is potential for development without replacing existing uses), it does not necessarily follow that the existing housing stock would not experience

increased rents and costs and thus that indirect displacement would occur. The YACB requests that the Applicant set forth further support for the assertion that the presence of vacant and underutilized land mitigates the potential for indirect displacement.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-264:**

The comment references assumptions that were not made in the analysis. The DEIS analysis suggests that vacancy in existing residential units in the Study Area, not vacant land that could be developed, would, among other factors discussed, mitigate the potential for indirect residential displacement. As shown in Table III.I-5 of the DEIS, almost 93%, or 7,376 units, of the total occupied housing units in the Study Area were rental units in 2000, much higher than the City of Yonkers figure of 56.8%. Only 7.3% of the Study Area's occupied units were owner occupied in 2000. Between 1990 and 2000, the total number of owner occupied units increased slightly (1.2%) in the Study Area and 2.3% in the City of Yonkers. Vacancy rates decreased in the Study Area from 6.0% in 1990 to 5.1% in 2000. Conversations with real estate brokers indicate that the vacancy rate has continued to decline and is currently less than 5% in the Study Area and City-wide. However, actual current vacancy rates are not known.

Although there are no current estimates of Study Area residential vacancy, the 2000 Census indicated there were 434 vacant units within the Study Area. While brokers indicate that the vacancy rate has declined since 2000, the 22 displaced households would be only 5% of the vacancies recorded in the 2000 Census. Based on this data, there is expected to be sufficient current vacancy in the Study Area to accommodate the displaced households. In addition, the Applicant is also committed to providing affordable/workforce units equal to 10% of the new residential units through new construction and through a contribution to an affordable housing fund. All residential tenants will receive relocation benefits from the redeveloper, helping them find suitable housing in the area.

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**Comment III.I-265:**

The YACB's position is that 6% is too small a commitment to offset displacement caused by the Project. The YACB requests that the Applicant provide details on affordability levels, size, and other pertinent factors, to determine whether and to what extent such an amount is likely to serve those residents who may be displaced from the Study Area. Finally, the DEIS states that the potential for displacement is mitigated because "...there are existing affordable housing units in Yonkers and more are planned." This assertion, however, is belied by Yonkers' low vacancy rates, acknowledged elsewhere in the DEIS, particularly for lower income housing affordable to residents of the Study Area.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-265:**

The direct displacement for the proposed development is 22 families. These families will receive relocation benefits from the Applicant in the form of assistance in helping them find suitable housing in the area. In response to concerns by the Council as well as the community, the

Applicant proposes to increase the percentage of affordable housing to 10%. This commitment offered by the Applicant is not designed to offset the residential displacement, and is not necessarily that which is being recommended by the City Council. See also Responses III.I-32, III.I-197, LA-5.

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**Comment III.I-266:**

Though it does not necessarily dispute the claim, the YACB requests that mechanisms be put in place for ensuring that local residents benefit from job growth, including a means of tracking whether affected local residents are able to obtain employment at the Project. The YACB also requests that the Applicant provides analysis of the extent to which Project wage levels will enable employees to afford housing in the Project and the larger Study Area.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-266:**

The Applicant is not equipped to collect and maintain such data. Its commitment is to provide best efforts to employ local people and utilize local business throughout the construction process.

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**Comment III.I-267:**

The DEIS estimates the Project-generated population by assuming that, on average, studio and one bedroom units will house 1.4969 residents and two and three bedroom units will house 1.3862 residents ("population multipliers). The YACB believes that it is erroneous to assume that larger units (two and three bedroom) will on average house fewer residents than smaller units (studio and one bedroom), and suspect that this may have been a mistake on the part of the DEIS preparers. In a similar development in New Rochelle, where Saccardi & Schiff also conducted the Draft Environmental Impact Statement, the multipliers used were 1.4969 for a one bedroom unit, 2.129 for a two bedroom unit and 3.006 for a three bedroom unit. Applying these multipliers to the present Project would result in a significantly larger projected population in the proposed Project. The YACB requests that these projections be recalculated and that any projected impacts based upon the erroneous numbers be reassessed accordingly (e.g. calculations regarding the proposed Projects impact on the local school system). The YACB also requests that other areas of the DEIS that employ these flawed population multipliers (for example, projections of future growth without development) be recalculated and potential impacts be reassessed accordingly.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-267:**

Demographic multipliers were taken from the Urban Land Institute's "Development Impact Assessment Handbook, 1994". They are the Northeast highrise multipliers, not the townhouse multipliers as mistakenly cited in the DEIS. There is not a wealth of data to use to generate these multipliers and different sources do have slightly different figures. However, the Applicant believes the commenter in referring to a multiplier of more than 3 persons/unit is referring to a

multiplier generated for 'townhouses' and not highrises. The Urban Land Institute does not have a multiplier specifically for a 3 bedroom high rise, so the multiplier for all bedroom types was used in the DEIS. See Response III.I-199.

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**Comment III.I-268:**

The DEIS states that "[t]he majority of the potential retail tenants for the proposed project would be destination-type retailers...Therefore, the proposed Project is not expected to adversely impact the convenience-type stores that exist throughout the Study Area, since it is not in direct competition with them" and "would be of an entirely different character appealing to different tenant types... ~and] would most likely attract retailers that currently have no presence in downtown Yonkers." The YACB requests that the Applicant provide more information regarding these claims, including information on the businesses anticipated to lease space at the proposed Project. To the extent that a destination retailer in the Project sells goods and/or services similar to those of a convenience retailer in the Study Area, the YACB believes that there would be an adverse impact on the latter's business.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-268:**

See Response III.I-309.

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**Comment III.I-269:**

The YACB also believes that the Study Area for business impacts is overly narrow, as destination retailers, by their nature, attract customers from a wide catchment area and requests that the Applicant revise its Study Area accordingly or provide substantiation for its current Study Area. The DEIS goes on to state, with respect to secondary office displacement, that "[w]hile rents for the Project space would be higher than the prevailing rents, it is likely that the bulk of tenants would be businesses that currently have no presence in the downtown, and the small amount of existing office space that might relocate in to the proposed Project would free up secondary space that would be available to smaller firms and start. Again, the YACB requests that more detail be set forth regarding the basis for this assessment, including the categories of tenants that are expected to fill the spaces.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-269:**

Comment noted.

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**Comment III.I-270:**

Mitigation: The DEIS states that "the Applicant will also contribute funds to assist in the rehabilitation of older housing and/or storefronts in the immediate vicinity of the Project,

augmenting the City's ongoing property rehabilitation efforts. The YACB requests that the Applicant provide more details on this aspect of the Project and further analysis on how it will mitigate displacement effects.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-270:**

See Response III.I-217.

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**Comment III.I-271:**

Further, the DEIS states that "[p]atterned after a similar program developed by Cappelli Enterprises in New Rochelle, the Applicant will create an employment initiative for local tradesmen, focusing on pre-apprenticeship training and permanent employment. This program will be designed to prioritize residents' participation in various aspects of the construction program in downtown Yonkers. Many of the total number of construction jobs and permanent jobs will be filled by Yonkers residents. The permanent jobs will include positions in management, office, hospitality, retail sales, restaurant, entertainment, and services. The YACB requests that the Applicant provide more details about this aspect of the Project to determine the mitigation effect, including specific measures, if any, that will be employed to ensure that Project jobs primarily benefit Yonkers residents.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-271:**

See Responses III.I-218, III.I-227.

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**Comment III.I-272:**

Economic and Fiscal Analysis: In the section entitled "Direct Impacts from Construction", the DEIS appears to assume that all employment and wage benefits will go to residents of Westchester County. The YACB requests that the Applicant provide its reasoning as to the factual basis for this assumption. The YACB also requests a description of the measures that will be taken to ensure such a local impact. A similar assumption is made for direct economic impacts of ongoing operations of the DEIS and, accordingly, the same questions apply. Furthermore, the YACB requests that the Applicant describe to what extent businesses and tenants within the development will be relocating within the region and to what extent they will be new to the region so that economic impacts can be accurately assessed.

*(Gavin Kearney and Jonathan Green, Yonkers Alliance for Community Benefit, Letter, 5/30/2008)*

**Response III.I-272:**

The DEIS assumes that the direct economic impacts of the construction will be enjoyed within Westchester County. The Applicant will utilize a "first choice" employment policy, using best efforts to hire qualified Yonkers residents for jobs associated with the Proposed Project. The

ongoing operations of the Project will generate new employment opportunities in Westchester County. Specifically, the jobs directly supported by the project will be based at the Project sites. Economic impacts have been studied by the Applicant and are included in section III.I (“Socio-Economic Factors”) as well as in Appendices 3-E (“Retail Market Study”) and 1.F (“TIF Feasibility Study and Preliminary Plan for Municipal Redevelopment”). See also Response LA-6.

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**Comment III.I-273:**

Where is the justification for undertaking a project of this size in the current economic climate of stalled housing sales and, at least, recession-like financials? Once approved, will SFC merely sit on the project until a more beneficial financial climate is reached? How long will the City have to wait to reap the supposed benefits of the project?

*(Loretta Miraglia, Resident, Memo, 5/30/2008)*

**Response III.I-273:**

The Applicant made the economic decision that the project sites can support the proposed project with the described public support. The site plan to be submitted to the City after the SEQRA approvals are secured will reflect the current market conditions at the time. The private investment of the project will create immediate public benefits to the City through job creation, tax generation, and others.

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**Comment III.I-274:**

Why are existing businesses in downtown, run and supported by loyal citizens of Yonkers, being ignored in this project? Why do small business owners have to show up at public hearings in order to have their voices heard on this Project? Why are they not being consulted and included in the planning of the area they currently occupy? Why is the on-street parking in front of their businesses being taken away, and the impact couched as minimal?

*(Loretta Miraglia, Resident, Memo, 5/30/2008)*

**Response III.I-274:**

Local businesses have not been ignored in the planning for the project. There have been 40 community meetings held over the past year, including meetings with numerous business organizations. Replacement parking for on street parking is proposed within the proposed public parking structures.

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**Comment III.I-275:**

Why are current residents ignored? Why should the City try to attract high-end renters and purchasers of luxury units rather than trying to keep the upstanding and loyal citizens who currently reside in the downtown? Why doesn't the City address the needs of increased services to the current residents, rather than throwing so much of the City's resources to catering to high end development? When rents and purchase prices go down elsewhere, this new population will

leave for greener pastures. Why not support and retain current residents who have supported and stayed in Yonkers in good times and in bad times?

*(Loretta Miraglia, Resident, Memo, 5/30/2008)*

**Response III.I-275:**

Comment noted.

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**Comment III.I-276:**

Assuming (as the DEIS does) that events will be scheduled at the ballpark only when parking is available, would that not reduce the projected revenue from the stadium (where they would want to schedule events at peak hours in order to make the most profits), and therefore reduce the economic benefit to the City?

*(Loretta Miraglia, Resident, Memo, 5/30/2008)*

**Response III.I-276:**

Concerts and sporting activities typically occur during non-peak shopping hours since they are designed to attract patrons during evenings and on weekends when office uses are at peak usage.

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**Comment III.I-277:**

The "prosperity" being proposed by this huge project is unrealistic: rents for housing and retail stores will be too expensive and the buildings will have high vacancy rates. One has to just analyze the high turnover rates and vacancy rates for our over-saturated retail locations already existing in lower Westchester area.

*(Taffy Lee Williams, Resident, Letter, 5/30/2008)*

**Response III.I-277:**

Comment noted.

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**Comment III.I-278:**

1. The City of Yonkers will be very different place where the long time residents will be paying more or the majority of the taxes while the developers will be having ten or longer years of lax breaks. For example, the City of White Plains, the residents have to pay more taxes. 2. The developers want to make a major profit with chain stores while the long time small store will have to close. 3. The gentrification of Getty Square which destroy the historic buildings and remove the people who live and work in the area. 4. The developers should not be promising employment when they do not hire the persons or decide on the salary. If a chain store is hiring a person, the company will decide on the salary and who will get hired. Also, the workers on past construction in the area of Getty Square and Downtown were non-residents of Yonkers. 5. If the above Project is constructed, the City of Yonkers will need a Fifth Precinct for the Police. Who will be paying to train the Police for crowd order in the ballpark traffic, or any other problems? 6. The buildings will be glass for the ground to the sky, and there will be a special code or

cleaning crew if the glass breaks during a strong wind storm. For example, Main Street in White Plains, New York, one of the new buildings had the glass crack inside of the building. If the glass breaks outside of the Projects onto the streets, will the City of Yonkers be responsible for the damages?

*(Valerie Perez, Letter, 5/27/2008)*

**Response III.I-278:**

The Proposed Project addresses the blighted condition of the downtown part of the city and provides a substantial increase in taxes for the City of Yonkers (see Appendix 1.F (“TIF Feasibility Study and Preliminary Plan for Municipal Redevelopment”). The Proposed Project is located in a Yonkers-designated “urban renewal area”, identifying the need for private investment to address the poor economic condition of the area. While Yonkers will be a different place, the Applicant believes that this is a positive change and is confident that the Project will be a tax-positive occurrence for the City, and will not cause an increase in taxes to Yonkers residents. While some of the commercial tenants of the Proposed Project will be chain stores, others will be independent stores; small stores currently have closed in the Getty Square area and the Proposed Project will create economic opportunities for the existing area stores. The applicant will work with the BID to devise a marketing plan that would strengthen local businesses, making them more competitive in the revitalized downtown area. During the three year construction period, many local businesses will benefit from the influx of construction workers. After the Project is developed, there will be a significant increase in purchasing power in downtown Yonkers with new residents and visitors spending money in both existing and new stores and restaurants.

Any resident being directly displaced will be assisted with relocation by the Applicant, helping them find suitable housing in the area, as referenced on page III.I-16 of the DEIS. The Applicant will be the general contractor for the Proposed Project and will oversee the hiring of construction workers employed by the buildings trades; please note that employment estimates contained in the DEIS are not “promises” but predictions made by economists as to the employment figures are believed to be credible. The Applicant has worked with the Yonkers Police Department to ensure adequate services are provided. Finally, the Applicant will adhere to all City of Yonkers Building Codes and be responsible for damages that it causes to surrounding buildings. See also Response III.I-169.

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**Comment III.I-279:**

The DEIS calls for 6% of the planned units to be “affordable” and states that any larger amount would make the development “infeasible” without public subsidies. In addition, the 6 % affordable housing being projected as part of the redevelopment, according to the DEIS would be located “in the vicinity but not within the project buildings.” If do not believe this should be acceptable to the City Council. An 80/20 formula, where 20 percent of units are set aside for either low or moderate income families, is used in many New York City housing development efforts where public funds or tax incentives are used. Such an 80/20 formula would help insure that city employees, young families and those involved in the arts are able to live in our community.

*(William Dennison, Resident, Memo, Not Dated)*

**Response III.I-279:**

Comment noted. This matter will be addressed in the negotiations concerning the Land Disposition Agreements. See Responses III.I-32, III.I-197.

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**Comment III.I-280:**

Renters and condo owners don't pay the kind of homeowner taxes that actual property owners do. Yet in high-rise buildings, they will still generate tons of garbage, create a massive carbon footprint, and cost Yonkers millions in services (police, garbage pickup, sewage disposal, mail delivery, water pipes installation, electrical and fiber optic cable installation, etc.

*(Kris Dilorenzo, E-mail, 5/30/2008)*

**Response III.I-280:**

Comment noted.

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**Comment III.I-281:**

And who makes the profit on a stadium, the builder, stadium owners, team owners, and shareholders of their corporations-- none of whom are likely to be Yonkers residents-- not the Yonkers government or citizens.

*(Kris Dilorenzo, E-mail, 5/30/2008)*

**Response III.I-281:**

Comment noted.

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**Comment III.I-282:**

Yonkers will remain a lower priced, and lower quality place, frankly, unless we protect our waterfront access and Palisades view. We could be a world class city, but not if we destroy our views and river access.

*(Miriam Emery, E-mail, 5/30/2008)*

**Response III.I-282:**

Comment noted.

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**Comment III.I-283:**

What criteria was used to determine a percentage of 6% for affordable housing? Why would that affordable housing be placed outside of the proposed project buildings? What special experience does the developer need to build affordable housing within the proposed project area? Please define "in the area" Pg. III.A-27 (7) Community Vision for Southwest Yonkers).

*(Molly Roffman, E-mail, 5/30/2008)*

**Response III.I-283:**

The project area refers to downtown Yonkers as defined on DEIS Exhibit III.I-1. The Applicant's projects in White Plains and New Rochelle call for affordable housing in the downtown area or a contribution to a housing fund that the cities can utilize to assist other projects on a community-wide basis. For additional detail related to the Applicant's proposed affordable housing contribution as part of the Proposed Action see Response LA-5, .

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**Comment III.I-284:**

I am having a problem with this language. It is too broad a statement which means once again a problem for my community. I believe we need to know just where these units will be built before the council votes on this. The final amount of units to be determined by the council is one thing but the location is another I do not recall any other project asking for such a request You are requesting for 20% instead of 6% that SFC is asking for This is the correct thing to do, but asking for this housing to be throughout the city including SW Yonkers, is not Fair Housing is one thing, and this project is another. It appears to me, you are bargaining allowing this project's housing to be scattered throughout the city.

*(Theresa Lucadamo, E-mail, 5/30/2008)*

**Response III.I-284:**

Details will be determined in the Land Disposition Agreements, which is subject to City Council approval. See Responses LA-5, III.I-32, III.I-197, III.I-283.

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**Comment III.I-285:**

Can a community group, such as the Greyston Foundation, undertake "community gardens" on SFC rooftops (with a "garden membership club" specific to each one for security purposes) as a way to encourage healthy outdoor activities, the greening of roofs, and community spirit?

*(Margaret Setterholm, Resident, E-mail, 5/30/2008)*

**Response III.I-285:**

Green roofs for recreation purposes are included at Palisades Point and River Park Center. The Applicant will work with a qualified green roof consultant to develop the green roofs at these locations.

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**Comment III.I-286:**

The proposed redevelopment plan provides very little detail about how the private residential development in the SFC Yonkers development would address current and future community needs for affordable housing. It indicates that 6% of the proposed units may be developed for affordable housing, but it seems likely that the units developed would be priced at 80% of area median income, which is approximately \$70,000 for a three person household. Such units might have a monthly housing payment for rent and utilities of \$1,700. This would not be helpful for

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our members and many existing Yonkers residents who do not earn incomes high enough to qualify for such housing. Further, it is way beyond what is shown for the median rents or end the higher end rents for existing households in the study area.

*(Charles Bell, President, REAPS, Letter, 5/30/2008)*

**Response III.I-286:**

See Responses III.I-32, III.I-197.

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**Comment III.I-287:**

In addition, the proposed 6% set aside is lower than would generally be required under the Yonkers Affordable Housing ordinance that applies to North and East Yonkers. We question whether this plan is sufficiently balanced to protect the interests of city residents, 90% of whom will not be able to afford the housing in the proposed development.

*(Charles Bell, President, REAPS, Letter, 5/30/2008)*

**Response III.I-287:**

See Responses III.I-32, III.I-197, LA-5.

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**Comment III.I-288:**

Further, several similar developments are planned in the immediate proximity of this development that could simultaneously intensify and accelerate the effects of the proposed action, creating a significant cumulative impact on the housing stock and neighborhood character that should be addressed in the environmental impact statement. SEQRA explicitly makes note of such cumulative impacts and REAPS is bringing them to your attention so they can be adequately addressed prior to any rezoning decision.

*(Charles Bell, President, REAPS, Letter, 5/30/2008)*

**Response III.I-288:**

The DEIS addresses cumulative impacts as part of its no-build analyses, based on a list of proposed projects provided by the City.

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**Comment III.I-289:**

While the study notes that the proposed units would only add 12% to the population of the study area, the DEIS lacks a chart to show the cumulative impact of the SFC developments and other recent and planned market-rate developments. In addition, what is the contribution or non-contribution of upscale restaurants, shops, ballparks, offices, boutiques, and parking garages to increased property values and potential residential displacement? How might the DEIS quantify that contribution? It is misleading to suggest there is no tipping point, and that these developments have a marginal impact on housing opportunity, when taken in combination, there could well be a tipping point.

*(Charles Bell, President, REAPS, Letter, 5/30/2008)*

**Response III.I-289:**

Comment noted. See Response III.I-288.

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**Comment III.I-290:**

The DEIS also states that Yonkers produced 829 units of affordable housing between 1990 and 1999, however it fails to clarify that there were extenuating factors that caused the production of that housing, and it is not clear that that trend will continue. In fact, it seems unlikely that that level of production will continue, because of rising costs, scarcity of land -- in part due to rising prices and land speculation -- and expiration of the city's existing affordable housing ordinance, with uncertain prospects of renewal.

*(Charles Bell, President, REAPS, Letter, 5/30/2008)*

**Response III.I-290:**

Comment noted.

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**Comment III.I-291:**

While initially displacement impacts may be modest, the combined effect of the redevelopment may have a cascading effect when taken in combination with other trends that are adverse to maintenance of adequate workforce housing. We are concerned that without appropriate mitigation and compensatory measures, the proposed rezoning could destabilize the current neighborhood character and create pressures for gentrification and relocation of neighborhood residents. These potential impacts need to be carefully anticipated and mitigated through appropriate actions.

*(Charles Bell, President, REAPS, Letter, 5/30/2008)*

**Response III.I-291:**

Comment noted.

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**Comment III.I-292:**

In particular, we would like to know how the SFC Yonkers developments would address affordable housing for families who make less than \$50,000 a year, who make up about 75% of the people in the study area, and 50% of the people that live in neighboring areas, as noted above. We do not think it is sufficient to only address the housing needs of those who make the county median income or even 80% of the county median income, since those numbers are well above the incomes of more than half of neighborhood households.

*(Charles Bell, President, REAPS, Letter, 5/30/2008)*

**Response III.I-292:**

The median income for the area surrounding the proposed Project in 2006, the latest data available, was \$26,488. The same figure for the City of Yonkers was \$55,595. See Table III.I-4

in the DEIS. Specific details on the affordable housing component will be defined in the Land Disposition Agreements. See Responses LA-5, III.I-32, III.I-197.

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**Comment III.I-293:**

Page III.I-6 of the DEIS says that the number of housing units not protected by rent regulation cannot be determined with Census data because the Census reports buildings of five to nine units and buildings of five units or less are not rent-protected. However, it is not uncommon to examine the number of buildings of four units or less as a means of estimating the size of a population vulnerable to displacement. This analysis should not be avoided simply because of the slight complexity of the calculations required. The same discussion states that "in the applicant's opinion, it is possible that as much as 80% of the existing stock in the Study Area is old enough to be protected and as much as 75% of housing units is in building types that would be protected." No basis is provided for these assumptions, which may greatly overstate the proportion of rent regulated housing in the study area. Given the disproportionate number of low-income residents and the deteriorating building conditions attributed to the Study Area in the chapter, it is likely that market forces, rather than rent regulation, have depressed rental values in the Study Area and allowed many low income residents to remain there thus far.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-293:**

Buildings with 4 units or less represents 21.9% of the total housing stock in the Study Area. Therefore, the statement that as much as 75% of the stock is in building types that could be protected is reasonable. See also Response III.I-204.

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**Comment III.I-294:**

Although the DEIS refers to an influx of market-rate housing in and adjacent to the Area since 2000, no information is provided concerning recent rental values in the Study Area. This omission makes it impossible to compare recent rents in the Study Area with those provided for Yonkers as a whole, or to assess the effect that the referenced market-rate housing has had on the affordability of housing in the Study Area.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-294:**

No data is available on current overall rents in the Study Area. However, the 2000 contract rents in the Study Area were 18% less than the City of Yonkers as a whole. Recently added market rate rental units located in downtown Yonkers or along the waterfront range between \$1,625 per month for a one-bedroom unit to \$2,600 per month for a two-bedroom unit. These current market rents are significantly higher than the \$562 median rent for the Study Area reported in the 2000 Census. Because of this marked shift in housing market construction, a change in the character of the Study Area household incomes is already in evidence. Further, there are other waterfront projects in the planning/construction stages in the Study Area. These include "Hudson Park

North” which is currently under construction and will feature 294 one- and two-bedroom apartments in two buildings of 14 and 12 stories. With regard to affordable housing in the project area and in the downtown, it should be noted that between 1990 and 1999, 829 affordable units were built and a \$60 million renovation of Parkledge Housing (a 311 unit affordable housing development) on Yonkers Avenue was completed in 2005. The Yonkers Municipal Housing Authority is overseeing a HOPE VI urban redevelopment project along Ashburton Avenue to replace Mulford Gardens (adding a net increase of 225 affordable units) and construct 62 affordable two-family homes. Further, there are approximately 183 new affordable housing units to be provided by other currently planned projects in the Yonkers downtown. The Applicant has agreed to the provision of affordable/workforce units equal to 10% of the total number of residential units at the SFC Project; either new affordable units will be constructed, or the redeveloper will contribute equivalent value to an affordable housing fund to assist in the rehabilitation of housing and/or storefronts in the immediate vicinity of the proposed development. Once these projects are complete, the total number of housing units within the Study Area would increase by about 18% from the 2000 census total to approximately 10,000. The residential units of the proposed Project (1,386 units) would therefore add only 13.9 % to the total supply in the Study Area. (Note that this does not include the proposed “Point Street Landing,” which would include 1,219 units.)

Notwithstanding the information supplied by the Applicant concerning current and planned affordable housing, a member of the Council indicated that a number of affordable units have been removed throughout the City of Yonkers, including in the project area. However, it should be noted that the recent losses of affordable housing indicated by the Councilmember reportedly resulted from events and actions unrelated to the Proposed Project. Nonetheless, in recognition of this issue, the Applicant has increased its proposal for affordable housing from 6% to 10%. For details on this proposal, see Response LA-5.

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**Comment III.I-295:**

The definition of the Convenience Goods Trade Area as a radius within a five-minute drive of the Project (Retail Market Study, page 8) is too encompassing to properly assess competitive impacts on local convenience retail within the area immediately surrounding the Project. Many residents of downtown Yonkers cannot be expected to drive for convenience goods and services, as the DEIS itself recognizes.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-295:**

A five-minute drive radius is a reasonable trade area for convenience retailers. However, it is not anticipated that all consumers will drive in all cases. The trade area represents the region from which the majority of sales are likely to originate, and is employed in the analysis to calculate local area demand for these goods. The proposed Project will bring added convenience goods retailers and services providers into the downtown, which will provide local residents without cars expanded shopping options. Further, the Applicant is proposing that the BID develop a downtown trolley, which local residents will be able to ride to various shopping destinations in the downtown area. The locations of the trolley stops and other detail regarding service will be

determined by the BID with input from applicable City agencies including the Engineering and Planning Departments. And, as stated in Chapter III.E of the DEIS, the downtown is serviced by numerous BeeLine bus routes. Public access computers are available in the public library downtown branch.

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**Comment III.I-296:**

The description of relocation assistance for directly displaced residential tenants is extremely vague. (III.I-16.) The Applicant needs to commit to a specific relocation assistance program, or this discussion is meaningless.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-296:**

As is commensurate with such a large project, there will be a variety of relocation referral services provided by the Applicant to current commercial and residential tenants. The Applicant will assist and expedite the relocation of these tenants as follows:

Commercial Tenants – Many of the current commercial tenants, as part of their purchase contracts will receive relocation assistance at the time of purchase. Relocation personnel will assist displaced commercial tenants in finding new space for rent for their businesses. Broker's listings will be compiled and shared with commercial tenants wishing to remain in the downtown area.

Residential Tenants – All residential tenants will receive relocation assistance in the form of assistance in finding a new apartment to relocate to and/or relocation stipends to cover the cost of moving, possible rent increase, and relocating their residences.

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**Comment III.I-297:**

The DEIS notes at page III.I-17 the cost of recently added market rate units in the Study Area, but does not state how many of these units there are or provide any analysis of the effect they have had on rents in the study area in general. Understanding these effects is critical to predicting the market pressures that may be generated by the Project, which will contain a larger number of market-rate units.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-297:**

See Responses III.I-294.

**Comment III.I-298:**

Page III.I-18 concludes that the number of new, higher income residents introduced by the Project would not be significant, although it would be nearly 8% of the total population of the Study Area. This is not an insignificant portion, particularly considering the great disparity in the projected incomes of the Project residents as compared to the median Study Area income.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-298:**

Comment noted.

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**Comment III.I-299:**

Moreover, while minimizing the significance of the number of new, high-income residents the Project will introduce, the DEIS fails to consider the redevelopment and upward market pressures that could be induced by the commercial components of the Project. There is no question that the Applicant's intention is that the Project will make this area of Yonkers a more attractive place for higher-income people to live, as acknowledged at page III.I-20. This will likely induce additional residential development or gentrification of existing housing stock, a possibility that the DEIS glosses over. These impacts could occur even without the substantial influx of higher income residents that the Project itself will generate.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-299:**

Comment noted.

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**Comment III.I-300:**

Page III.I-19 concludes that Project-induced development would not result in displacement because the Study Area contains numerous sites that are either vacant or "underutilized." This conclusion seems to rely on the unlikely proposition that gentrification induced by this large and prominent Project would occur solely as infill. The far more likely scenario is that existing housing stock on smaller lots (which itself may be characterized as "underutilized" for the sole reason that it does not maximize development potential under zoning) will be demolished for larger, multi-lot projects such as the one under review. The Applicant says it will contribute to the refurbishment of existing housing but does not identify any specific parcels that will be the subject of such contributions or the amount it will contribute, or even represent that refurbished buildings would remain affordable through some rent-protection mechanism. It seems more reasonable to assume that as the area becomes more attractive for higher-income residents, refurbished buildings will attract those populations, at higher rents than are affordable to the majority of the existing population. Moreover, the "commitment" to refurbishing housing seems to be an acknowledgment of unaddressed significant adverse impacts; however it is not possible to assess the adequacy of mitigation for impacts that are not disclosed.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-300:**

It is not anticipated that the Project will cause significant residential displacement, either direct or indirect. Indirect residential displacement that may be caused by the Project is discussed in the DEIS, beginning on page III.I-16. Indirect residential displacement would be caused if the prevailing rents in the existing housing units increased beyond what the current tenants could afford to pay. As discussed in the DEIS, there are several reasons why significant indirect residential displacement is unlikely to occur. Southwest Yonkers is a very large area, larger than some of the State's small cities. The additional population will result in additional diversity downtown, but it will not completely alter the overall demographic composition of the area to the extent that it would be a significant adverse impact under SEQRA. More specifically, all housing units currently under the control of the Municipal Housing Authority of the City of Yonkers (MHACY) will remain under its control. The rents charged by MHACY will not be affected by this Project. Second, the New York State Emergency Tenant Protection Act of 1974 regulates the rent increases that are allowable in buildings containing six or more units that were built before 1974. This act protects residents in such buildings from large rent increases. Many buildings in the Study Area are protected by this act. Third, the Applicant has committed to providing new affordable/workforce housing units equal to 10% of the residential units being constructed as part of the Project through new construction and a contribution to an affordable housing fund, refer to Response to Comment LA-5 for further details related to the Applicant's proposed affordable housing initiative. Fourth, properties in the project area will not be subject to reassessment simply because their property is located in the redevelopment area. Rather, as discussed on page III.I-19 of the DEIS, the assessed values of properties in the redevelopment area will not be increased unless and until the property is improved. Finally, the Project is a continuation of an existing trend of residential diversification in the Study Area. The population of the Study Area will increase by 7.8% when the Project is completed. Downtown Yonkers will change and become more diverse as a result of this and other proposed project populations. However, this increase is not enough to alone cause a wholesale change in the character of the area.

The DEIS for the Project includes a socio-economic analysis that evaluates potential direct and indirect displacement of residential uses and environmental justice issues. A preliminary screening assessment of potential indirect displacement suggested a potential for impacts. A subsequent detailed analysis determined that no significant indirect displacement is anticipated as a result of the Project.

It should also be noted that any potential impacts would be mitigated by a number of factors. Yonkers is subject to The New York State Emergency Tenant Protection Act of 1974, which covers all residential buildings of 6 units or more built before 1974. While no exact figures can be discerned from the Census data, given the large proportion of rental buildings in the City (over 42,000), the size of these buildings (38% are more than 5 units) and the fact that over 93% of the multi-family housing stock is pre-1979, it can reasonably be assumed that many of the existing units in the City and project area are subject to the Act and the Westchester rent stabilization guidelines and the tenants are therefore protected from significant rent increases.

The task of identifying populations at risk of displacement by quantifying housing units and/or household income by tenure is not possible with available US Census data, as the rent stabilization criteria do not match the data sets reported by the Census Bureau. For example, those housing units within structures of 5 units or less would be considered at risk since they are not rent-stabilized units; however, the Census identifies housing units within structures with 5-9 units. Moreover, US Census data sets do not provide income data by tenure. However, it is possible that as much as 80% of the existing stock in the project area is old enough to be protected and as much as 75% of housing units is in building types that would be protected.

While no significant indirect displacement is anticipated, it is possible that the implementation of the redevelopment project in an area in which nearly 33% of all lots and buildings are determined to be in "poor" condition could increase surrounding property values and therefore create the potential for project-induced displacement. The likelihood of this occurring in the project area as a result of the Project is minimized by the following factors.

- The vast majority of the land comprising the Project sites is presently vacant and/or underutilized and a significant proportion of parcels surrounding the Project sites (approximately 41.7 acres) are either vacant or underutilized (i.e., partially vacant). Therefore, if these surrounding parcels were to be improved, there would be minimal primary or secondary population displacement.
- As has been discussed in the previous paragraphs, it is estimated that a significant proportion of the affordable housing in the project area is located in buildings protected by the New York State Emergency Tenant Protection Act of 1974.

While it is recognized that some secondary displacement may occur, it would not be significant given the overall demographics of the project area, and certain mitigation measures to be imposed in connection with the Project, including:

- The provision of affordable/workforce units equal to 10% of the total number of residential units at the Project; new affordable units will be constructed and the Applicant will contribute to an affordable housing fund, refer also to Response to Comment LA-5 for further details related to the Applicant's proposed affordable housing initiative. With regard to affordable housing in the project area and in the downtown, it should be noted that between 1990 and 1999, 829 affordable units were built and a \$60 million renovation of Parkledge Housing (a 311 unit affordable housing development) on Yonkers Avenue was completed in 2005. The Yonkers Municipal Housing Authority is overseeing a HOPE VI urban redevelopment project along Ashburton Avenue to replace Mulford Gardens (adding a net increase of 225 affordable units) and construct 62 affordable two-family homes. Further, there are approximately 183 new affordable housing units to be provided by other currently planned projects in the Yonkers downtown.
- Continued support by the Applicant for public services organizations. Since 2006, Struever Fidelco Cappelli LLC and its related entities funded an extensive number of community organizations in Yonkers that needed assistance in their efforts to address a variety of issues in the City. Among many others, these included the YMCA, YWCA, American Red Cross, Hudson River Museum, Beczak Environmental Education Center, Yonkers Public Schools, Family

Service Society, Groundwork Yonkers, Inc. My Sister's Place, Yonkers Community Action Program and Nepperhan Community Center, Inc. The Applicant estimates that total contributions to the community organizations total approximately \$400,000 to date. Of the Applicant's financial support to more than 40 Yonkers-based, donations greater than \$5,000 have gone to more than half of these charities.

- The Applicant has agreed to work with the City of Yonkers to create a fund to assist existing business owners in the area. This fund could be used to improve the facades and store frontages. Details of this fund will be subject to negotiation with the City of Yonkers as part of the Land Disposition Agreements and final project approval. The Applicant will also consider contribution of funds to assist in the rehabilitation of older housing and/or storefronts in the immediate vicinity of the Project, augmenting the City's ongoing property rehabilitation efforts. The details of this program will be developed in coordination with the City Council as part of the Land Disposition Agreements.

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**Comment III.I-301:**

The Applicant cannot rely on already planned affordable housing initiatives, which are not identified as being in the Study Area, as mitigation of the impacts of the Project. Such initiatives have either been introduced by governmental agencies to mitigate an existing shortage in affordable units, or have been proposed by other developers to mitigate the impacts of their own projects. Reliance on already existing affordable housing units is even more unreasonable, as they are part of the baseline against which Project impacts should be assessed.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-301:**

See Response III.I-300.

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**Comment III.I-302:**

Since the DEIS does not provide any estimate of the size of the Study Area population vulnerable to displacement, it is impossible to draw an informed conclusion as to whether the 80 affordable units the Applicant intends to construct, or provide funding equivalent to, will be sufficient to mitigate such displacement. Again, the DEIS implicitly acknowledges an impact for which mitigation is required, but the adequacy of the mitigation cannot be assessed as the impact is not disclosed. Moreover, the Applicant has not identified where such units would be constructed, which may not even be within the area where the Project will induce displacement. If that is the case, these units would certainly not mitigate for a displacement impact in the Study Area.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-302:**

The Project is directly displacing twenty-two families in total. All families directly displaced by the Project will receive some combination of assistance in finding a new apartment and/or stipends to cover the cost of moving and possible increased rent. It should be noted that the Applicant's experience is that relocation assistance needs vary from family to family, and the Applicant's response must be flexible enough to address differing needs. See Response III.I-300.

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**Comment III.I-303:**

Page III.I-16 describes only vaguely the relocation assistance to be provided to businesses directly displaced by the Project. No commitment is given to providing any financial assistance for relocation, including for moving costs, or rent or mortgage increases. Also, it appears that the Applicant only intends to provide relocation assistance to businesses that own the properties where they are located, as the text states that they will receive relocation assistance as part of the terms of purchase contracts. This leaves out tenant businesses that may form the vast majority of those displaced. Page III.I-22 states that much of the displaced commercial space is owner-occupied, but that is at odds with the previous sentence that says that many of the businesses are month-to-month tenants.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-303:**

In the short term, 32 local businesses will be displaced as a result of the Applicant's acquisition of private property. Relocation assistance will be provided to the affected businesses, including help in finding new locations. The majority of the properties are owner-occupied and will be delivered vacant. There are also some tenants that are month to month renters. Where leases are in place, certain benefits may be provided by the current owner. In addition the Applicant will provide information on available space in the immediate area, helping tenants to find suitable space in conjunction with the efforts of the BID and Chamber of Commerce. The tenants will not, however, receive financial benefits from the Applicant.

The Applicant will work with the BID to devise a marketing plan that would strengthen local businesses, making them more competitive in the revitalized downtown area. During the three year construction period, many local businesses will benefit from the influx of construction workers. After the Project is developed, there will be a significant increase in purchasing power in downtown Yonkers with new residents and visitors spending money in both existing and new stores and restaurants.

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**Comment III.I-304:**

The DEIS concludes at page III.I-24 that the retail in the Project will not compete with local convenience-type retail; however, the Project includes a 74,000 square foot grocery store. The EIS needs to analyze, at a minimum, potential competition of this grocery store on local groceries, and potential impacts on neighborhood character should local markets fail as a result of Project-induced competition.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-304:**

Comment noted. See Response III.I-309.

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**Comment III.I-305:**

The DEIS ignores the potential for this large Project to make the area more attractive for more upscale businesses, thus increasing rents in existing buildings, or, more likely, inducing redevelopment with new, higher rent buildings unaffordable to local businesses.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-305:**

According to the DEIS, while the Project office space will no doubt command rents higher than those currently attained in the Study Area, this will not necessarily cause rents in less desirable buildings to increase. Rental rates in general are a function of supply and demand and because supply in the Study Area is expected to be sufficient to meet demand, it is unlikely that rents in the Study Area will rise substantially, especially for less desirable buildings. Further, while the retail rents in the proposed Project would be higher than the prevailing rents in the Study Area, these new facilities would not directly compete with the existing supply as they would be of an entirely different character appealing to different tenant types.

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**Comment III.I-306:**

Almost 40% of employment in the Study Area, in 175 firms, is within the Health Care and Social Assistance sector. There is no analysis provided in the DEIS as to the space needs of such entities, their vulnerability to displacement, or their importance to the Study Area community or to Yonkers as a whole.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-306:**

The Project is not anticipated to have an adverse impact on the health care and social assistance sector. To the contrary, the new residents are expected to increase demand for high quality health care and social assistance. To the extent that any health care or social assistance provider is directly or indirectly displaced by the Project, the provider could either relocate to the new office space at the Project, other new and/or renovated office space in the downtown expected to come on line in the near future (such as 45 South Broadway), or to existing space vacated by tenants and owners who have relocated to these new and renovated spaces. See letter from St. Joseph's Medical Center in Appendix C in this FEIS.

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**Comment III.I-307:**

The DEIS acknowledges at least some of the costs attributable to Project development, and suggests that nearly all of those costs be borne by the City of Yonkers through Tax Increment Financing ("TIF") and/or other Project-generated tax revenues. Even setting aside sewer and other utility improvements (which are not itemized), the Applicant proposes in the DEIS that the City pay at least \$8,021,683 in annual Project-induced costs, and \$1,960,000 in one-time Project-induced costs.

*(Daniel Riesel, Esq., Sive, Paget & Riesel, P.C., American Sugar Refining, Inc., Letter, 4/28/2008)*

**Response III.I-307:**

The estimated cost for municipal services is \$3.4 million per year. There will be approximately \$5.4 million in City revenues after deducting the 75% for the repayment of the TIF bonds. See also Response III.I-136.

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**Comment III.I-308:**

I would like to see a breakdown of the number of tenants who have appeared before Tenant Courts and the number of tenants that lost their home for the last 10 years.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-308:**

This comment requests court data to support an assertion that a pattern of residential displacement has occurred over the last ten years as a result of new development in downtown Yonkers. The Applicant's consultant has determined that the data requested in the comment is unavailable for public release. According to Deneen White, Senior Court Clerk at Yonkers' City Court, the process for acquiring any data from the City Court would require a formal written request from the City Council to the court judge. At that point, the judge would evaluate the data request in light of the data that is available in court records and then direct the court staff to tabulate any relevant data. Ms. White also indicated that the data contained in court records may not provide much more than the raw numbers of people who have been served eviction notices, and that it would be difficult to ascertain the reasons for the issuance of said eviction notices. This is because the reason for eviction request is not always stated on the eviction notice. Ms. White also indicated that, while a majority of cases are brought before the Court by landlords against those tenants who have stopped paying their rents, the reasons for this can be the result of circumstances beyond a simple increase in rent. Other reasons that a tenant may stop paying rent include a loss of employment, poor maintenance performance on the part of the landlord, unexpected military duty, and other circumstances beyond rent increases. It is not clear as to whether the data requested in the comment would substantiate with certainty the number of people being displaced by increasing rents. With that said, the issue could be researched by the City Council.

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**Comment III.I-308:**

There has not been sufficient study of infrastructure costs and how it will affect our taxes.

(Elliot Z. Levine, Resident, Letter, 5/28/2008)

**Response III.I-308:**

Infrastructure improvements provided through TIF bonds will not affect existing taxes in the City.

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**Comment III.I-309:**

Will there be a market for the existing stores? I would like to see the BID or the Chamber of Commerce host a workshop to demonstrate how businesses can be transform to adapt to the new market. i.e. The local nail salon and Hair Salon can become partners and open a spa. The variety store can change their merchandise to baseball and Yonkers Souvenirs.

(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)

**Response III.I-309:**

The retail market analysis presented in Section III.I (Socio-Economic Factors) and Appendix 1.F (TIF Feasibility Study and Preliminary Plan for Municipal Redevelopment) of the DEIS concludes that there is sufficient unmet demand in the trade area to support the 573,700 square feet of retail and restaurant space included in the proposed Project. Unmet retail demand is over and above the sales of retailers currently operating in the trade areas.

As discussed in Appendix 1.F of the DEIS, it is anticipated that the SFC Project will act as a catalyst that improves public perception of downtown Yonkers. The SFC Project will build on redevelopment projects that have already begun on the downtown waterfront, including residential, retail, and office developments. The revitalization of downtown Yonkers will increase the popularity of the area as a destination, thereby growing the potential for retailers to capture sales. The amenities offered as part of the SFC Project, including the riverwalk, hotel and the ballpark will enhance the area's competitive position, attracting additional visitors, as well as new residents and employees who will patronize the local retail offerings.

The Applicant has agreed to work with the City of Yonkers to create a fund to assist existing business owners in the area. This fund could be used to improve the facades and store frontages. Details of this fund will be subject to negotiation with the City of Yonkers as part of the Land Disposition Agreements and final project approval. In addition, the Application will work with the Downtown Business Improvement District to prepare a study of recommended business and marketing strategies to help existing retail and service business capitalize on their proximity to the Project. Further, the proposed Project is not expected to adversely impact the convenience-type stores that exist outside the Project sites, since it is not in direct competition with them.

During the three year construction period, many local businesses will benefit from the influx of construction workers. After the project is developed, there will be a significant increase in purchasing power in downtown Yonkers with new residents and visitors spending money in both existing and new stores and restaurants.

**Comment III.I-309:**

Will this turn into another Roc City property tax debacle?

*(Elliot Z. Levine, Resident, Letter, 5/28/2008)*

**Response III.I-309:**

New Roc City has not presented a tax problem for New Rochelle.

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**Comment III.I-310:**

Please share the results of the study of recommended business marketing and management strategies that you are performing with the Council, Chamber of Commerce and BID.

*(Patricia McDow, City Council Member, City of Yonkers, Letter, 5/30/2008)*

**Response III.I-310:**

The study details will be further defined in the Land Disposition Agreements. The study will be undertaken in coordination with the BID. Once the Study is complete, the Applicant and/or the BID will share the results with the Council.

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**Comment III.I-310:**

Similarly, we want to know if there have been any studies of the impact such development would have on the value of our significant investment in our property and the improvements we have made over the years.

*(George Sarkissian, President, Mar Mari Church Executive Committee, Letter, 5/29/2008)*

**Response III.I-310:**

No specific study on the economic benefits to surrounding properties as a result of the Proposed Project has been completed. However, the \$1.6 billion investment in a designated blighted and urban renewal area should increase surrounding property values.

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**Comment III.I-311:**

It is my belief that the question, "should affordable housing stay within the building site of the SFC project or not" is a definite YES. First, it was stated by the residents that live there now that they wanted to remain in the area of the SFC project, not to be scattered throughout the city. Second, how may this affordable housing affect other existing communities? Will the people in other neighborhoods have a voice in rejecting this housing if they choose to? Will the city listen to and enforce this decision? Third, will it all be affordable housing or will it also be Section Eight Housing as well? Again, i say the homes of the residents that live now within the SFC project should be allowed to stay.

*(Warren Murphy, E-mail, 5/30/2008)*

**Response III.I-311:**

See Responses LA-5.