

**C44**

**From:** rosslife1@aol.com [mailto:rosslife1@aol.com]  
**Sent:** Friday, May 16, 2008 8:18 PM  
**To:** Rocky Richard  
**Subject:** Fwd: Sorry I could not make meeting

-----Original Message-----

**From:** Peter Klein <pklein@fidelco.com>  
**To:** rosslife1@aol.com  
**Sent:** Fri, 16 May 2008 9:50 am  
**Subject:** RE: Sorry I could not make meeting

Ross –

Thanks for this email. You raise two important comments, and I encourage you to submit them to City Council by May 30<sup>th</sup> so they are officially part of the DEIS / approval process. They should be emailed to [rocky.richard@yonkersny.gov](mailto:rocky.richard@yonkersny.gov).

Here are my two cents on your comments:

- **Traffic**

Much of the traffic problems on Yonkers / Nepperhan Avenues are tied to on-street parking (and double parking) and a lack of traffic signal synchronization. We are proposing no more on-street parking (creation of off-street lots) and the synchronization which will definitely help minimize the impact of traffic (existing and new from our project). We are also proposing improvements to interchange of Yonkers Avenue and Saw Mill Parkway.

Specific details were submitted in our DEIS in the "Traffic, Transportation and Parking" section. This is online at:

<http://www.sfcyonkers.com/deis/pdfs/March2008/III-E%20Traffic%20Transportation%20and%20Parking.pdf>

Starting on page 15, see "**Recommended Improvements and Mitigation**"

- **Yonkers Businesses**

As you know, I have a personal interest in supporting local Yonkers businesses. SFC will pursue some sort of local hire/supply program once we are further into the approval process and once construction begins. Right now, our focus is on getting things approved and lined up for the start of construction as quickly as possible.

I am confident this is going to be a great project for all of Yonkers but it needs to move forward soon. We're battling market conditions to make things happen in an economically challenged area. Time is not on our side.

Hope all is well.

Peter

**From:** [rosslife1@aol.com](mailto:rosslife1@aol.com) [<mailto:rosslife1@aol.com>]

**Sent:** Wednesday, May 14, 2008 8:08 PM

**To:** Peter Klein

**Subject:** Re: Sorry I could not make meeting

Sorry I could not stick around to speak at the meeting. I was heading up to my house in Orange County after the meeting. I had to meet a repairman first thing Wed. morning at the house. How was your cruise? Sorry I will miss you at Thurs. meeting for Celebrity chefs. Linda and I were invited to the grand opening of the Chelsea Hotel in downtown NYC. It will be a casino night loaded with food and drinks.

Regarding your project. **III.E-5 (522) 5-14-08** I am very much in favor of bringing development to the downtown area. It has long needed a face lift, with viable businesses to support the people living in the area. However, I am very concerned about 2 issues. First, the traffic that will be on Nepperhan and Yonkers Avenue. There are times of the day that these roads can not handle the traffic that is already there. My drivers get caught up in this from time to time. I was recently informed that the town houses built on the corner of Ashburton and Nepperhan were built too close to the road. The proposed widening of Ashburton Avenue will not be able to occur as planned. You would know better than I if this widening is still possible.

1.1

Second, **III.I-75 (948) 5-14-08** 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 the 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 businesses first when looking for vendors.

1.2

I am still a strong advocate for your project. Yonkers has needed this development for a long time. I would hate to see some of the businesses that have stuck it out in Yonkers for so long to lose out now that growth is finally going to occur.

Ross

-----Original Message-----



From: Peter Klein <[pklein@fidelco.com](mailto:pklein@fidelco.com)>

To: [Rosslife1@aol.com](mailto:Rosslife1@aol.com)

Sent: Wed, 30 Apr 2008 9:36 am

Subject: Re: Sorry I could not make meeting

So sorry to hear about your office. Want a mess.

Meeting was a great success.

Your help at the next one - May 13th would be great if that works for your schedule.

There will be more meetings...but last night was a big momentum creator.

----- Original Message -----

From: [rosslife1@aol.com](mailto:rosslife1@aol.com) <[rosslife1@aol.com](mailto:rosslife1@aol.com)>

To: Peter Klein

Sent: Tue Apr 29 21:32:41 2008

Subject: Sorry I could not make meeting

Peter,

I am sorry I could not make tonight's meeting. My business was robbed on Friday morning while I was away. They broke in a back window and trashed my office looking for stuff. They damaged more than they stole. I have been trying to catch up since I got back. I was at work til 8:15 tonight. I was there til 8:00PM last night. I wish I could have been there to support your company's project. Hopefully, I will be able to attend a future meeting. Please keep me informed.

Ross

C45

May 14, 2008

**Statement**

Mr. Chuck Lesnick  
City Council President

Ms. Patricia D. McDow  
Council Member, District 1

Ms. Sandy Annabi  
Council Member, District 2

Ms. Joan Gronowski  
Council Member, District 3

Mr. John Murtagh  
Council Member, District 5

Mr. Liam McLaughlin  
Council Member, District 4

Ms. Dee Barbato  
Council Member, District 6

I would like to take this opportunity to express my opinion and let you know that I believe in the SFC project and that I am also hopeful that you will make the right decision, for the sake of our tax payers and the development of our great City.

Favorable housing needs to be looked at very carefully, but eminent domain should not be used carelessly.

Let me now ask you a few questions about my business located at 39 Palisade Avenue. These also reflect some of the concerns that are coming from others businesses in the area, especially the Latinos Businesses bordering Chicken Island.

1.1

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?

1.2

As you well know, the streets will be closed and access by customers to our businesses will be virtually impossible. This means that sales will be down but we will still have to make tax and rent payments and employee wages need to be paid.

How will we protect our investments? Some of these buildings have been bought by developers, and they do not want to renew some of these leases because they want to wait and see what will happen with the SFC project? In the mean time, we cannot sell if we want to, and we cannot move because all we have is the area and a name at that location.

I hope that you take these questions into consideration and find a rational solution to these issues.

By

Wilson Terrero  
Board Member, Yonkers CDA  
President, Dominican Cultural Association of Yonkers, Inc.  
Treasurer, Yonkers Federation Hispanic of Chambers of Commerce

C46

-----Original Message-----

From: Deane1@msn.com <deane1@msn.com>

To: Chuck Lesnick

Sent: Thu May 15 13:35:53 2008

Subject: Council meeting Re Downtown project.

Mr. Lesnick

I appreciate the opportunity to speak at the Council meeting regarding the Phase 1 development. I would like to reiterate my concern regarding the tax issues, as well as other issues addressed by citizens of Yonkers. Here is a brief summary of my questions and concerns.

Has the council looked at the following list of questions yet, and when can we expect to hear the results of your deliberations on these questions that apply to the TIF and to various kinds of tax exemptions for SFC? Also, I have questions about the management of the new public spaces that will be created.

1. I would like to see a specific breakdown of ALL infrastructure costs that would be covered by the TIF bonds: sewer upgrades, roads, parking structures, etc. on a parcel by parcel and street by street basis.

1.0

2. Specifically, what streets will be affected by the new separated storm sewers, what will the cost be?

1.1

3. Explain exactly how the proposed number of parking spaces was arrived at: ie number per residential unit, retail and restaurant square foot, etc. for all the components of Phase 1.

1.2

4. How many new parking spaces does the ball park alone require? If the ballpark was not built, and all other project components remained the same (NO additional retail), how many parking spaces could be cut from the project? What is the resulting cost savings?

5. 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?

1.3

6. 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?

1.4

7. 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?

1.5

8. Will Riverpark Center and the Hudson River esplanade/park be public or private property? Who will dictate the uses of the open space and will there be a charge for using these areas for community events? Who will be responsible for maintaining and policing the daylighted Nepperhan area/Hudson river esplanade and the ballpark? What

1.6

are the anticipated costs of administering, maintaining, and providing security for these areas?

9. What is the target consumer market, and estimated NEW 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.

2.1

Thank you

Sincerely,

Deane Prouty  
191 Park Hill Avenue  
Yonkers, NY 10705

914-965-9078

**C47**

**From:** MDALTON1951@aol.com [mailto:MDALTON1951@aol.com]

**Sent:** Monday, May 19, 2008 12:17 PM

**To:** Rocky Richard

**Cc:** Christine Sculti

**Subject:** SFC Plan

Dear Rocky,

FYI

In Table II-4-Reviews and Approvals Required  
Page II=42

1.1

There is no mention of the Yonkers Parking Authority or approvals.

Thanks for your help,

Michael Dalton

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PROPOSED QUESTIONS FOR THE  
SFC PUBLIC HEARINGS AND WRITTEN COMMENT SUBMISSIONS

*Councilwoman Patricia McDow has asked to see a complete, 3D rendering to scale of the entire downtown and waterfront, with all future planned development in place.*

*Support this request! Let's ask for this with every statement.*

*Find out what an eleven-story, multiblock Mall will look like in the downtown!*

*Find out what 25-story towers really look like on the waterfront!*

A. GENERAL QUESTIONS

1. The SFC Phase 1 has five major components:

Chicken Island Mall: (aka River Park Center) 11 stories of retail and movie multiplex movies PLUS two 60-condos with 950 units.

Baseball Stadium: 5500 seats for a hometown league (on top of the 11 story mall)

Parcels H&I on the waterfront (aka Palisades Point): – 435 apartments in 2 25-story towers plus parking

Cacace Center: Office building, hotel and conference center and city office space to replace the space lost in the destruction of 87 Nepperhan Avenue.

Palisades Office Building: On the corner of Palisades and Elm, 25-30 stories of commercial space.

*The Draft Environmental Impact Study lumps all of these projects together in terms of tax revenue and expenses. Would it not be better to analyze them separately? Bill Streuver, the “S” of SFC, himself said at a City Council Real Estate meeting that the builders envision these as separate projects. Accordingly, we should analyze them that way.*

1.1

2. Environmentally Sustainable Building

The Final Scoping Document for this project required the applicants (SFC) to explain in detail their plans for “green measures” to be used in building the projects. (See Scope Section Utilities 3.H). The resulting DEIS analysis does not begin to address the need for 21<sup>st</sup> century sustainable building and energy practices. “Energy Star” appliances and gray water collection are not sufficient for a city that has been enrolled by its current mayor in the U.S. Conference of Mayor’s Climate Protection Agreement through which we are committed to lowering the Yonkers’ carbon footprint by 2012. The building practices assumed to be acceptable in this DEIS will contribute to an increase in the carbon load, not a decrease.

1.2

### 3. Retail Stores

Many recent market analyses pointing toward a glut of retail merchants, particularly clothing and electronics, throughout the USA, along with a recession and inroads from internet shopping. Is there too much retail planned for Yonkers with Ridge Hill Village and the expansion of Cross County Mall? This project could be on a smaller scale and still meet the needs of all shoppers. Otherwise, rather than sales taxes, will we be inheriting closed stores?

2.1

## B. CITY-OWNED PROPERTIES/PARKLAND ALIENATION.

### 1. Public has a right to know the sales price of all public properties:

Chicken Island Mall, Parcels H&I, the current park next to the police station.

2.2

### 2. Parkland Alienation

The parkland alienation “swap” required by NY State law should be negotiated so that SFC contributes properties in the downtown to the open space parkland needs of the city. For example, there could be more open space allocated in Parcels H&I.

2.3

### 3. Chicken Island Build-Out

The current building plans essentially feature a complete “build-out” of the mall on every square inch of the property, except for the open area around the daylighted Saw Mill River that is assumed to run through the complex. In the renderings there is seating and place for outdoor restaurant dining next to the “river,” but there is NO other additional open space.

This is a HUGE building that will loom over the downtown and City Hall.

It is time for the City Council to negotiate a real park in the downtown. New York City only allowed Trump to build his enormous residential towers along the West Side Highway after he agreed to a 28 acre public park. *Why are we not requiring a similar quid pro quo?*

2.4

## C. SPECIFIC PROJECT COMPONENTS

### BALLPARK

#### 1. Loss Leader, Field Maintenance and Tax Revenues

The ballpark has been repeatedly described in public by the SFC team as a loss leader that ONLY the mayor wants to build. If the ballpark is not financially viable, what entity will sustain the financial loss:

2.5

Who actually owns this field? The “minor” league team? The developers as part of the mall? The city?

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 ball field 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?

3.1

## 2. No Ball Park Alternative in DEIS

The only alternative to the Ball Park proposed in the DEIS is another floor of retailers. Why doesn't the city negotiate an amenity for the public and require a green roof with the kinds of sports activities (soccer, Little League) and leisure activities (lawns and tables for picnics) as a specific Alternative Proposal under the DEIS guidelines?

3.2

## 3. Egress

How is the ballpark entered? In an emergency, will 5500 people PLUS those in a 2000 seat multiplex and shoppers all have to exit the entire mall through the same escalators? What if there is a fire in one of the condo towers over the ballpark? Will there be an uncontrolled panic in an attempt to depart?

3.3

## 4. Parking

Is there really enough parking for a weekend when there is a full multiplex, a full mall AND the occupants of 950 condominiums in the mix?

3.4

## 5. Letter of agreement about other uses

SFC assures the city that the ball club will allow the field to be used for Little League, soccer, concerts, fairs, etc. It is highly unusual for a ballclub to permit other activities on a carefully tended field.

3.5

Please clarify that a letter of agreement has been produced to this effect. Also clarify if the city must carry insurance or if there are other fees (ie a bond) for this kind of extra use.

## 6. Lights

What kind of lighting will illuminate the field during night games and activities? Will it be designed to be a) environmentally-sustainable and b) unobtrusive enough not to damage the quality-of-life of residents in the immediate vicinity?

3.6

## 7. Noise

What is the ambient noise expected during games and other events?

3.7

## 8. Team Finances

If the team is not making enough money on the games, will they leave the site and if so, what is the planned alternate use for the field?

3.8

## 9. Daily Maintenance

Who is responsible for maintenance of the ball field itself? Literally – who changes the light bulbs, who picks up the trash – who waters the field - will the Yonkers police force

3.9



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?

#### CHICKEN ISLAND MALL

*This is an 11-story mall that is at least 110' tall. By contrast, the Galleria and The Westchester are both 4-story malls. This structure is completely incompatible with the scale and architecture of the Yonkers downtown.*

*It is vital to understand that the Mall replaces NOT just the current Chicken Island parking lot but all the stores on New Main Street as well. To the east along Nepperhan Avenue it extends up to the edge of the church and around to Palisades Avenue. This is a mammoth structure.*

4.1

#### 1. Entertainment

Why do we need so many movie screens?

4.2

How about a small theatre for jazz/chamber/country music?

What about an "art house" movie theatre instead of all first-run stuff for teens? That would be something that would bolster the success of the classy restaurants on the waterfront and bring in a more monied crowd.

#### 2. Air and Light Quality

Will this structure compromise the light throughout the downtown? Ask the Council to pay particular attention to the shadow studies on Getty Square. This structure will be more than 75' taller than the residential buildings on Palisade Avenue and beyond.

4.3

#### 3. Traffic and Air Quality

What do the traffic studies show about the increase in cars throughout the already congested Getty Square intersection as well as further west along the river?

4.4

#### 4. 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?

4.5

#### 5. 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?

4.6

#### 6. Environmentally-Sound Building Practices

What U. S. Green Building Council LEED standard (Leadership in Energy and Environmental Design) does SFC plan to achieve with the Mall construction?

4.7

Will they use geo-thermal practices, as they must excavate anyway? What about solar?  
What about sustainable building materials?

## 7. 50 Story Condominium Towers

These buildings will actually be 60 stories tall, as they are to be constructed on the 11-story Mall “podium.”

Will it be possible to control a fire in buildings of this height? Who will pay for the additional, modernized firetrucks that will be needed to reach such heights?

5.1

When will these buildings be completed? How soon will the city be receiving property tax revenues?

5.2

What additional city services – *very specifically* – will be required for the 950 apartments? Has this been calculated into the city budgetary needs?

## PARCELS H & I

### 1. 25-Story Towers

Are just too tall because

They will set a precedent for all future development along the Hudson River waterfront.

5.3

They will cast permanent shadows to the east and west on the city streets and on the River.

5.4

They do not conform to the 1998 Waterfront Master Plan which requires that waterfront building blend architecturally and in scale with the current (1998) downtown.

5.5

They will depress property values on the streets behind them.

5.10

They will block light and air from the city residents.

5.7

It is environmentally unsound to build height along a major waterway.

5.8

This is the Atlantic Flyway for millions of migrating birds and they will be endangered by these structures.

5.9

With water levels predicted to rise by as much as 3 meters (9') over the next 75 years, it is unwise building practice to build tall structures so close to the water!

5.10

With water levels predicted to rise, how will Metro North raise its tracks if it must do that?

### 2. Open Space

Part of the “open” space that is being claimed as an enhancement for the city will actually be paved as a turnaround for the public parking (and will probably, in no time, be extra parking itself.)

5.11

There is not enough GREEN space. This is all paved in one way or another except for a bit of lawn and trees.

### 3. Impervious Paving/Storm Water Management

H&I current absorb a considerable amount of rainwater. The building footprint and the parking will create enormous amounts of impervious surface. At the very least, the parking should be pervious AND the public spaces should be grass/lawn/shrubs, NOT pavement of any sort.

6.1

### 4. Environmentally-Sound Building Practices

What U. S. Green Building Council LEED standard (Leadership in Energy and Environmental Design) does SFC plan to achieve with the H & I construction?

Will they use geo-thermal practices, as they must excavate anyway? What about solar?

What about sustainable building materials?

6.2

### 5. Tax revenues

When will these buildings 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?

6.3

### 6. 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?

6.4

### 7. Metro North

Will Metro North actually permit a bridge over the tracks?

## CACACE CENTER

### 1. Parkland Alienation

The mature trees and the green parkland that will be taken for the Cacace Center are a serious loss to the air quality of the downtown. Are replacement trees and open space planned for the downtown? What is the parkland replacement plan?

6.5

### 2. 87 Nepperhan Avenue

This is a beautiful Art Deco building adjacent to City Hall that will be replaced with a parking garage that will probably be as tall as City Hall and will block light and air from the east-facing office windows. This building should probably receive landmarked status as our premiere Art Deco building in the city and should be refurbished on the interior, which is in basically sound condition.

Leaving it in place would:

Eliminate the environmentally unsound practice of demolishing and disposing of still viable structures which violates good sense and smart development practices.

6.6

Reduce the need for such a tall structure on the Cacace parkland which could house a smaller hotel and conference center instead of replacement office space for 87 Nepperhan.

### 3. Environmentally-Sound Building Practices

What U. S. Green Building Council LEED standard (Leadership in Energy and Environmental Design) does SFC plan to achieve with the Cacace Center construction?

Will they use geo-thermal practices, as they must excavate anyway? What about solar? What about sustainable building materials?

7.1

## PALISADES OFFICE BUILDING

1. Can't this building be used for additional city office space, instead of overbuilding on the Cacace Center property and taking down 87 Nepperhan Avenue?

7.1

### 2. Environmentally-Sound Building Practices

What U. S. Green Building Council LEED standard (Leadership in Energy and Environmental Design) does SFC plan to achieve with the Cacace Center construction?

Will they use geo-thermal practices, as they must excavate anyway? What about solar? What about sustainable building materials?

7.3

## TIF and tax questions

1. How much property tax revenue (dollar amount) is estimated for the TIF district for each year over the next 20 years, from start of construction?

7.4

2. How much of the anticipated property tax revenue (dollar amounts) is from the SFC development, and how much from other property in the TIF district, broken down on a yearly basis for the next 20 years? Give a breakdown for each Phase I component: Riverpark center, Parcels H&I, Cacace Center, Larkin Plaza, etc.

7.5

3. How much of the anticipated property tax revenue (dollar amounts) on a yearly basis will go to pay the TIF bonds, and how much will revert to the city?

7.6

4. 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.

7.7

5. As per the Blackstone report, will the City be responsible for paying any shortfall between the property tax revenues and the TIF bond payments?

7.8

6. What happens if the property tax revenue is not enough to cover the TIF bond payments?

7.9

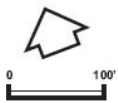
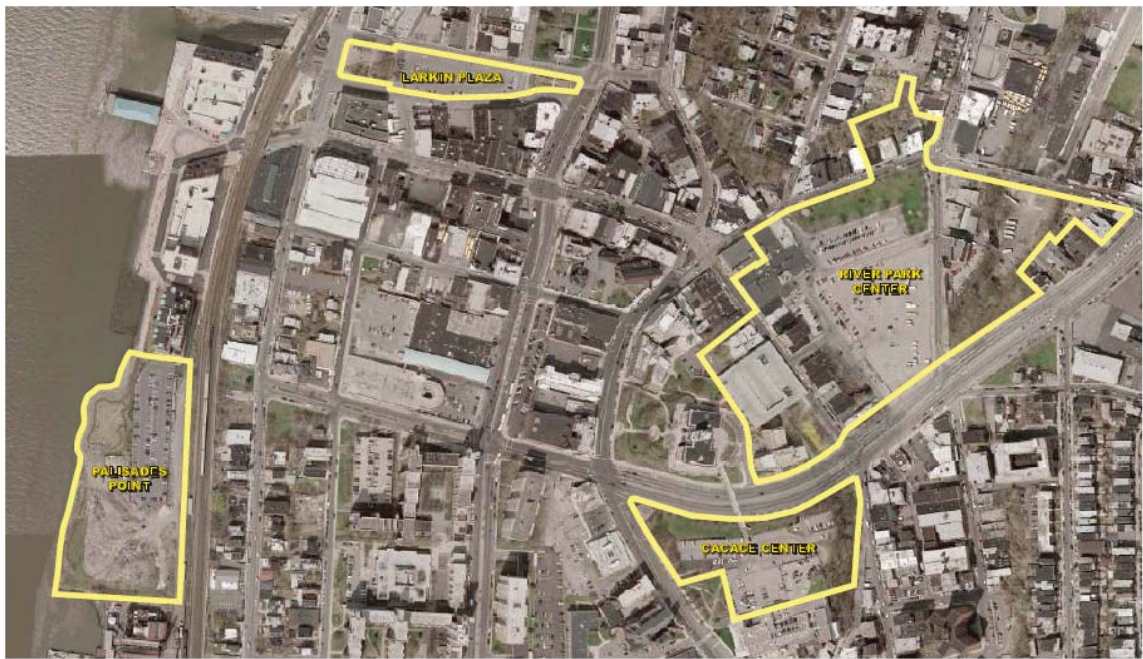
7. Give a specific breakdown of ALL infrastructure costs that would be covered by the TIF bonds: sewer upgrades, roads, parking structures, etc. on a parcel by parcel and street by street basis.

7.10

8. How much will the new separated storm sewers cost and where will they be installed. Specifically, what streets will be affected?

7.11

9. Explain exactly how the proposed number of parking spaces was arrived at: ie number per residential unit, retail and restaurant square foot, etc.	8.1
10. How many new parking spaces does the ball park alone require? If the ballpark was not built, and all other project components remained the same (NO additional retail) , how many parking spaces could be cut from the project? What is the resulting cost savings?	8.2
11. Who will pay for utility upgrades (electric and water) to the project sites? What is the anticipated cost of these specific upgrades?	8.3
12. 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?	8.4
13. 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?	8.5
14. Will Riverpark Center and the Hudson River esplanade/park be public or private property? Who will dictate the uses of the open space and will there be a charge for using these areas for community events? Who will be responsible for maintaining and policing the daylighted Nepperhan area/Hudson river esplanade and the ballpark? What are the anticipated costs of administering, maintaining, and providing security for these areas?	8.6
15. What is the target consumer market, and estimated NEW 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.	



BASE MAP SOURCE: NYSDOP/NYS GIS Clearing House

Exhibit II-1  
**AERIAL PHOTOGRAPH OF  
THE PROJECT AREA**

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**SFC PHASE I PROJECTS**

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STRUEVER FIDELCO CAPPELLI LLC



To: Lee J. Ellman, AICP, Planning Director

C49

From: Colleen Roche, AICP, Senior Planner 

Date: May 20, 2008

Re: SFC DEIS Comments

Attached are the comments for the Executive Summary, Zoning and Land Use, Natural Features, Noise and Construction Impacts.

Executive Summary

I-1

A. Proposed Project

1. Palisades Point

State in feet the height of the 25 story towers and the five story low rise wing.

2.1

Executive Summary

I-2

Table 1-1

State square footage of residential dwelling units and hotel rooms

2.2

Executive Summary

I-2

A. 1.(a) Publicly Accessible Open Space Along the Hudson River and Within the Site

State percent of publicly accessible open space at Palisades Point in terms of the site size

2.3

Executive Summary

I-3

A. 1 (a) Publicly Accessible Open Space Along the Hudson River and Within the Site  
Change Westchester County Riverwalk to Yonkers Waterfront Promenade

2.4

Executive Summary

I-3

A. 2 (a) River Walk

State square feet of the two residential towers of 950 dwelling units

2.5

Executive Summary

I-4

A. 2 (b) Daylighting Riverwalk at River Park Center

Discuss handicap accessibility at riverwalk

2.6

Executive Summary

I-5

A. 2 (c) The Ballpark

Discuss handicap accessibility at ballpark

2.7

Executive Summary

I-6

A. 3 Cacace Center

State square footage of hotel

State square footage of parking garage

2.8



Executive Summary

I-7

B. Zoning Amendments 1.b River Park Center and Cacace Center

“establish new parking ratios for the uses at River Park center that are consistent with ratios successfully utilized by the applicant at other similar mixed use urban projects in Westchester County and elsewhere” Relying on applicant’s opinion of parking requirements. Request additional analysis and outside research.

3.1

Executive Summary

I-7

B. Zoning Amendments 1.b River Park Center and Cacace Center

Take out the word supplemental, they are the parking requirements

3.2

Executive Summary

I-7

B. Zoning Amendments

a. Palisades Point

No control of uses for PUR Districts. While the City may desire the proposed uses for this project, once the PUR District is established there is nothing to stop the developer from selling to someone else and constructing undesirable uses. The City may wish to implement some zoning controls for established PUR Districts.

3.3

Executive Summary

I-8

B. Zoning Amendments

c. Other Proposed Amendments to the Zoning Ordinance

Explain the sentence “the individual lots into which a development site is subdivided shall not be required to comply with the dimensional requirements of this chapter.”

3.4

Executive Summary

I-9

B 4. Adoption of a Redevelopment Plan and Tax Increment Bond Financing under the Municipal Redevelopment Law

Under New York General Munipal Law Article 18-C parking is not specifically a purpose for TIF use but could be a general use. More information on why parking is part of TIF and not a general site plan requirement.

3.5

Executive Summary

I-14

E. Summary of Impacts and Mitigation

1. Land Use

"In response to concerns regarding building height, the proposed buildings at Palisades Point are sited perpendicular to the Hudson River, thereby maximizing view corridors." This conclusion does not address the impacts for the increase in height. They are two different arguments.

4.1

Executive Summary

I-14

E. Summary of Impacts and Mitigation

1. Land Use

Uses open to the public operating between the hours of midnight and 6 a.m. require a special use permit from the Planning Board and City Council pursuant to section 43-74(A) of the Yonkers Zoning Ordinance.

Executive Summary

I-15

E. Summary of Impacts and Mitigation

2. Visual

Require shadow studies

4.2

Executive Summary

I-15

E. Summary of Impacts and Mitigation

2. Visual

Discuss impacts of increase in height

4.3

Executive Summary

I-18

E. Summary of Impacts and Mitigation

5. Utilities

Storm drains and sanitary sewers, electric and gas systems, and telephone, communicants and cable television systems not discussed in executive summary.

4.4

Executive Summary

I-18

E. Summary of Impacts and Mitigation

5. Utilities

a. Water Supply Service

Has the applicant met with the Water Bureau and been able to comply with their requirements?

4.5

Executive Summary

I-18-19

E. Summary of Impacts and Mitigation

5. Utilities

With respect to water purchased from New York City and the COY's allotment. [We are nearing our water limit and would be charged at a higher rate] DEIS asserts that an increase in the number of residents increases our allotment. That must be checked.

5.1

Makes assumption applicant can institute water conservation measures to offset increase use of water.

Executive Summary

I-20

E. Summary of Impacts and Mitigation

5. Utilities

Drainage from Palisades Point will discharge directly into the Hudson River, all other drainage will discharge into Saw Mill River. Should confirm whether this is a Phase II site. In that case all discharge would have to be detained and treated on site. Propose no stormwater detention, only quality treatment. Phase II sites need both.

5.2

Executive Summary

I-20

E. Summary of Impacts and Mitigation

5. Utilities

Has the applicant met with the City Engineer and to comply with their requirements?

5.3

Executive Summary

I-23

E. Summary of Impacts and Mitigation

6. Traffic Transportation and Parking

Section should include an analysis of the requested parking variances

5.4

Executive Summary

I-26

E. 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?

5.5

Executive Summary

I-26

E. Summary of Impacts and Mitigation

8. Socio-Economics

a. Tax-Increment Financing

Analysis discusses "public" parking spaces, but these are required spaces arising out of the proposed development.

5.6

Executive Summary

I-29

E. Summary of Impacts and Mitigation

8. Socio-Economics

c. Environmental Justice

“...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.

6.1

Executive Summary

I-31

E. Summary of Impacts and Mitigation

9. Community Facilities

“The Fire Department also expressed a need for improvements to the obsolete water supply system....” This was not addressed in the water supply section; applicant should discuss.

6.2



Noise

III.F-3 b. New York State Noise Criteria

NYSDEC published a guidance documents that indicates that a noise increase of 10 dBA deserved consideration of avoidance and mitigation measured in most cases, and in non-industrial settings the SPL (sound pressure level) should probably not exceed ambient noise by more than 6dBA at the receptor. In most cases there was an increase of dBA at receptor. But ask the question is there any cases, [concert events] either during or post construction, where there will be a noise increase of 6 dBA's, and if so, what has been done to avoid or mitigate impact.

7.1

Noise

III-F-3

c. City of Yonkers Noise Code

Section 66-5(E) should be above seventy-five (75) DBA {not seventy (70)} during the period commencing at 7 AM and ending at 10 PM is evidence of a noise disturbance.

7.2

Noise

III-F-3

1. c. City of Yonkers Noise Code

Does not discuss subsections 66-5-A through D which are lower levels of dBA relating to residential noise levels. Residential levels range between 45 and 55 dBA. There are existing residential areas in the study area.

7.3

Noise

III-F-4

2. b. Selection of Noise Monitoring Locations

There are no strictly residential noise monitoring locations selected. Specifically the DEIS should have a section on the residential uses on the Hudson River and the train pass-bys. The Collins waterfront apartments would be an appropriate residential receptor.

7.4

Noise

III-F-15

3.a. (3) Traffic Noise Impact Analysis Results

"The existing and projected No-Build noise levels are just at or above the city of Yonkers' applicable daytime residential criteria of 70 dBA. The projected noise increase for the Build with Ballpark condition over the No-Build condition is less than 3 dBA, the incremental significant impact threshold." However there is no residential noise level at 70 dBA in the Noise Ordinance. It states that its at the "applicable daytime residential criteria of 70dBA. That is wrong. Simply put, what is the existing noise levels at the intersections and what is the increase. Residential on residential is 45-55 dBA. Residential from commercial, industrial public space or right away is 75 dBA. An increase of 3 dBA may put them over the 75 dBA depending on what they mean by at or just above 70 dBA.

7.5

Noise

III-F-17

3.b. (1) Baseball Games

"It is reasonable to consider the outdoor balconies on the two residential towers an extension of the stadium to some extent." Explain what that means and how that impacted the noise calculation for residential units. [Residential uses must be treated as residential uses under the noise ordinance.] Are the proposed residential units in compliance with the noise ordinance?

8.1

Baseball Stadium analysis fluctuates in their measurement mode, i.e. from dBA Leq to dBA Lmax. It would be helpful if explained why the change in decibel measurement for the layman.

Noise

III-F-18

3.b. (2) Building Material and Sound Transmission Loss

Yonkers Noise Code does not differentiate between indoor and outdoor noise limits.

8.2

Noise

III-F-19-20

3. b. (3) Concert Event Noise

Page 19 use "dB". Should that be dBA?

Noise levels for outdoor concerts for a sound mixing board located approximately 100 feet from the stage is 95dB. [dBA?] Concerts may reach the NYSDEC criteria for raising the noise levels by 6 dBA. In that case mitigation or avoidance must be considered. It appears that the noise levels during concert events could rise by 20 dBA. This should be further studied.

8.3

Noise

III-F-21-22

3. c Noise from Building Systems

States major equipment components generating noise include air handlers, chillers and any emergency generators. There are industry and or manufacturer standards of noise generated. The details of projected noise levels for the equipment should be provided. This should be done for the two boilers on the residential towers as well. The DEIS should specifically state the mitigation measures proposed as well as the resulting dBA. States that the mechanical systems will comply with the City Noise Code, but does that include the surrounding area, such as the ball park. Will that put the area out of compliance?

8.4

Noise

III-F-23

3.e. (2) Noise from mechanical systems

Require applicant to limit time of day permitted to test emergency generator systems.

8.5

Noise

III-F-23

3.e. (2) Noise from mechanical systems

States major equipment components generating noise include compressors, motors, fans pumps etc. placed on the roof or top floors. There are industry and or manufacturer standards of noise generated. The details of projected noise levels for the equipment should be provided. This should be done for the two boilers on the residential towers as well. The DEIS should specifically state the mitigation measures proposed as well as the resulting dBA.

9.1

Noise

III-F-24

3.e. (3) Trains

Yonkers Noise Code does not differentiate between indoor and outdoor noise limits.

9.2

Noise

III-F-26

4.b. Construction Noise

Spell out prohibited construction periods. Section 66-4(F) Construction prohibited between the hours of 6:00 p.m. and 7:00 a.m the following day or any time on weekends or legal holidays.

9.3

Noise

III-F-28

4.b. Construction Noise

The Noise Ordinance limits noise to a maximum of 75 dBA in the city, with lower levels at different uses [residential]. There is no exception for construction. "Noise associated with the construction phase of the Palisades Point site is estimated to range from 62 dBA to 77 dBA ...." The applicant should explain the noise levels at the different uses, whether they will be in compliance and any mitigation proposed.

9.4

Noise

III-F-28

4.d. Construction Mitigation

"Avoid nighttime activity." Construction activity is prohibited during nighttime. Spell out prohibited construction periods. Section 66-4(F) Construction prohibited between the hours of 6:00 p.m. and 7:00 a.m the following day or any time on weekends or legal holidays.

Noise

III-F-28

4.d. Construction Mitigation

"Noise mitigation such as temporary sound barrier panes should be considered.....  
Change considered to required.

9.5



Noise

III-F-30

4.d. Construction Mitigation

Notify neighborhood when blasting and other unusually loud work will be performed.

10.1

Noise

III-F-31-32

4.d. Construction Mitigation

Table III.F-9 Key to Sensitive Receptors

There are no residential uses listed on sensitive receptors, yet page III.F-28 specifically states "the most sensitive receptors located within 300 feet of the proposed site include... and residential dwellings."

10.2

Noise

III-F-31-32

6. Conclusions

Include estimated dBA generated from concert events at stadium for area residents.

Include estimated dBA generated from fireworks displays. Formulate a plan/system to notify area residents of increased noise event.

Include dBA noise levels from train pass-bys at Palisades Point Residential tower both indoors and outdoors.

Include dBA from building mechanical systems, air handler, cooling towers and emergency systems.

10.3

General Notes:

Does not address the fact that there are areas that are already out of compliance and the additional impact of this development.

10.4

Does not address the residential component

10.5

Would help if gave a list of examples of noises and associated dBA, e.g. train whistle, car horn, and two things working together.

Does not address the dual noise impacts of proposal and the Domino Sugar factory.

10.6



Natural Features

III.C-1

1.a Water Resource –Saw Mill river Conditions

During the last 25 years, 4 flood control projects have been constructed along the length of the river under the auspices of the Army Corps of Engineers. Have they given their approval of the daylighting concept?

11.1

Natural Features

III.C-6

1.c.(1) Daylighting Project I River Park Center

Daylighting requires Article 15 permit Stream Diversion Permit from NYSDEC. Statement that “on January 7, 2007 the NYSDEC Fish & Wildlife Division expressed concern over the river flow being diverted for this purpose.” Explain the concern and what form it was in. Was this a letter? If so, is it available? What is the status of their concern? “The applicant contends that the short-term impacts are overcome by long-term benefits because the debris often blocks the river flow in this river.” Are there discrepancies between the applicant and the findings of NYSDEC?

11.2

Natural Features

III-C-7-8

1. d. Storm Water, Erosion, and Sediment Impacts & Pollution Prevention, Soil Erosion and Sediment Control

III-8 The first four paragraphs of this section are convoluted and it unclear what permits are required from NYSDEC. The section first states that because the project disturbs more than an acre of land, NYS stormwater management laws apply. Then it states NYSDEC conditions for which complying with the ten and hundred year criteria do not apply, specifically no increase in impervious area or changes to hydrology that increase the discharge rate. In the description of the daylighting of the River Park Center applicant discusses impervious acreage and stormwater discharge and treatment measured, they do not specifically state whether they must comply with. Applicant should specifically state all permits and programs they must apply for and any conditions that need to be met. Does this project conform to the technical standards for stormwater quantity and quality controls for the NYS Stormwater Management design Manual??

11.3

Natural Features

III-C-8

1. d (2) Storm Water, Erosion, and Sediment Impacts & Pollution Prevention, Soil Erosion and Sediment Control

Daylight Project I-Larkin Plaza should be Daylighting Project II- Larkin Plaza

11.4

Natural Features

III-C-9

1. e Maintenance of Stormwater Management Measures

2<sup>nd</sup> line, “... decrease in capacity to of the underground portions... [Eliminate to or of]

11.5

Natural Features

III-C-15

1.k (1) Protection of Waters Permit

Appears to be an edit note that can be removed.

12.1

Natural Features

III-C-15

1.k (1) Protection of Waters Permit

As a condition of approval the NYSDEC can approve the manner and extent to which the channel is changed, limit the amount of material removed, and designate the area where material may be removed. Can the applicant elaborate whether there has been any discussion of changes or conditions imposed on approval?

12.2

Natural Features

III-C-16

1.k (1) Protection of Waters Permit

Applicant states the projects must receive water permit from the Army Corps of Engineers. The environmental issues associated with that permit and how this application meets those requirements should be discussed.

12.3

Discuss the overall time frame for permitting and construction

Natural Features

III-C-18

2. (a) Post-Development Stormwater Runoff

"To the extent possible, the drainage from the developed site will be conveyed by new separate storm drains and discharged to the Saw Mill River...." First, what does to the extent possible mean in terms of compliance with NYSDEC and will the discharge be going into the Saw Mill River?

12.4

Natural Features

III-C-35

4. (a) Floodplain [Palisades Point]

Confirm no wetlands will be disturbed

12.5

Natural Features

III-C-40

4. (g) Summary [Palisades Point]

Will there be any permits required from, for example, NYSDEC or ACOE, similar to the discussion at the River Park Center section.

12.6

Land Use and Zoning

III-A-7

1. a.(1) Commercial Uses

Are any parcels slated for eminent domain?

13.1

Land Use and Zoning

III-A-8

1. b Zoning Regulations

PDR zone was not adopted in 2000 zoning ordinance as a zone. The previous zone for all of the PDR blocks/lots is "I" industrial District. There should be a zoning confirmation by the Commissioner of DHB of the correct zoning district.

13.2

Land Use and Zoning

III-A-9

1. b Zoning Regulations River Park Center and Cacace Center. Housing is not a "component of a specially permitted PUR", rather uses and dimensions are.

13.3

Land Use and Zoning

III-A-11

1. c Urban Renewal

States sites being pursued by applicant without the use of city's power of eminent domain. Confirm applicant will not use power of eminent domain.

13.4

Land Use and Zoning

III-A-24

3.b. Proposed Development compared to proposed zoning [parking]

The amount of parking spaces both required and proposed to be provided should be explicitly stated. The requirement is 8,415 spaces and they are proposing to provide 5,904 spaces, which constitutes a proposed 2,511 parking space reduction or a 29.8% reduction. [calculated from the information supplied by the applicant]

The DEIS states that "The nearly 6,000 spaces takes into account shared parking for uses with different operating hours, as currently permitted in the Yonkers Zoning Ordinance. In the applicant's opinion, the proposed parking is sufficient to meet the expected public and private parking demand for the proposed project and surround land uses ...." The applicant must prove this. The applicant should explain the theory of the shared parking and how it will work. For example, perhaps a movie theatre would require minimal parking spaces during the day and an office would not require many parking spaces during evening and weekends. But the DEIS should have an analysis.

13.5

Section 43- of the Zoning Ordinance Shared Parking

The agency approving a site plan may allow off-street parking and loading spaces required for uses, buildings or structures on the same or on adjacent lots to be provided in



a common semi-public parking lot, or more than (1) said lots, or in a semi-public parking garage, subject to the following:

1. The total capacity of the common facility shall be the sum of the requirements of each individual use, except that said total capacity may be reduced by the approving agency, providing the applicant provide credible evidence to the satisfaction of the approving agency that the peak parking demand of the two (2) or more uses sharing such a facility do not coincide, and that the accumulated parking demand at any one time of the two (2) or more uses sharing the facility shall not exceed the total capacity of the facility. Such evidence shall indicate the use of the facilities by residents, employees, customers and visitors on both weekdays and weekends and both during the day and overnight.
2. No shared parking facility shall be located more than three hundred (300) feet from any of the uses, buildings or structures which it serves as measured from the property line of the uses, buildings or structures to the property line of the shared parking facilities.

The DEIS should address the question that the proposed parking reduction will be provided for the proposed development and that the shared parking is within three hundred (300) feet from the shared uses.

14.1

III a-27 6. Local Waterfront Revitalization Program

14.2

Compare stories to stories for the height of LWRP and the proposal at Palisades Point.

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

14.3

M. Construction Impacts

III-M-1

1. River Park Center

Does applicant pay for cost of renovation of temporary fire headquarters?

15.1

M. Construction Impacts

III-M-2

1. River Park Center

...“existing utilities will be relocated around the perimeter of the site a required to mainatin the integrity of the existing infrastructure systems.”

15.2

Provide an estimate of impacts of to relocate existing utilities, including duration and location of road closures and dig ups.

Estimate how long Palisade Avenue will be closed when diverting the Saw Mill River.

M. Construction Impacts

III-M-3

1. River Park Center

DEIS notes that construction trucks will arrive before 7:00 a.m., however City Noise Ordinance §66-4(F) states that “operating ... any tool or equipment used in construction” cannot start before 7:00 a.m. Request a zoning interpretation from the Commissioner of Housing and Buildings.

15.3

M. Construction Impacts

III-M-5

2. Cacace Center

Estimate number of truck trips for rock removal off-site.

15.4

M. Construction Impacts

III-M-7

7. Short Term Impacts b. Noise Table III-M-1

Typical Construction Equipment Noise Levels

Construction noise listed is between 80 and 101 dBA, which all exceed the city’s maximum noise level of 75 dBA, constituting a prima facie evidence of a noise disturbance according to the noise ordinance. The list does not include noise levels for blasting which they intend to do.

15.5

M. Construction Impacts

III-M-9

7. Short Term Impacts c. Construction Traffic

Proposed that the majority of construction workers will park off-site. The largest temporary construction parking lot is the JFK marina which would have 1,010 parking spaces available. The city has proposed to construct a 150 parking garage along JFK Drive within several years. Discuss the impacts of the potential construction at the JFK site if it coincides with the use of this auxiliary parking lot.

15.6

M. Construction Impacts

III-M-10 c. Construction Traffic--Table III M-2 Yonkers Project Truck Traffic Matrix  
Construction Months 2 through 6 has 435-455 additional truck trips associated with the project and months 7-17 has 250-310 additional truck trips. Note that this is a significant increase in truck traffic that should be studied and ensure that the city traffic engineer has reviewed the increase.

16.1

M. Construction Impacts

III-M-12

7. Short Term Impacts c. Construction Traffic

DEIS states 150 off-street merchant related parking spaces will be temporarily displaced from Project construction activity, (not including New Main Street, Palisades Avenue Elm Street.) State or map location of the displaced spaces.

16.2

M. Construction Impacts

III-M-13

7. Short Term Impacts e. Utilities

Include specifics or at least estimates re: duration and location of street closures, excavations, repaving for utility installation and

16.3

M-III-15 8. Other Impacts b. Con Ed M29 Line

Provide details for the M29 Line project, including location and duration of construction.

16.4

M. Construction Impacts

III-M-17

9. Mitigation Measures b. Rock Removal Protocol

States notify area users/inhabitants within 500 feet of site at least 48 hours prior to blasting. Question, do people normally get more notice?

16.5

M. Construction Impacts

III-M-18

9. Mitigation Measures b. Rock Removal Protocol

Rock drilling generates noise levels between 80 to 100 dBA and a typical rock crusher generates 94 dBA. These numbers exceed the city's noise levels. Applicant should provide specific noise mitigation of how he plans to muffle the noise "so as not to exceed a specified dBA." Second applicant must explain exactly what the "specified dBA" means. Does that refer to the city noise ordinance? If not, will the applicant comply with the city's noise maximum levels with mitigation?

16.6

M. Construction Impacts

III-M-20

9. Mitigation Measures c. Other Pollutant Controls (3) Temporary Facilities

Change may to must. (Waste management company **must** be contracted to arrive on site and provide the routine puming and sanization of the facility.)

16.7



M. Construction Impacts

III-M-20

9. Mitigation Measures

e. Other Construction Related Mitigation Measures (3) Hours of Construction.

For weekend, holiday or night time work applicant should be required to notify area users/inhabitants within 500 feet of site at least 48 hours prior commencement of work,

17.1

M. Construction Impacts

III-M-21

10. Detailed Construction Sequencing a. Cacace (2) Firehouse

Discuss handicap accessibility when sidewalk adjacent to work site is closed for duration of construction.

17.2

M. Construction Impacts

III-M-24

10. Detailed Construction Sequencing d. River Park Center (1) and (2)

Discuss impacts of relocating, rerouting and re-feeding utilities for River Park Center and Saw Mill River Diversion.

17.3

M. Construction Impacts

III-M-26-27

10. Detailed Construction Sequencing d. River Park Center towers Truck Traffic & Routing (e)(5) and (f)(5)

Months 7-12 130 truck trips consisting of 80 concrete pours and 50 delivery trucks

Months 13-18 160 truck trips consisting of 80 concrete pours and 80 delivery trucks

Discuss traffic and congestion impacts for increase in truck traffic including truck routes, timing, mitigation etc. [Also there is an additional 80 shuttle service trips per day for all sites.]

17.4

M. Construction Impacts

III-M-26

10. Detailed Construction Sequencing d. River Park Center towers (e) Months 7-12

Discuss details of cranes including height, size, safety precautions and maximum length of time on site.

17.5

M. Construction Impacts

III-M-27

10. Detailed Construction Sequencing d. River Park Center towers (g) Months 19-24

Discuss details of baseball field construction, e.g. staging, equipment.

17.6

M. Construction Impacts

III-M-31

10. Detailed Construction Sequencing

m. Larkin Plaza (1) New Parking Garage Months 1 thru 10

States "location to be determined." Are there any potential sites being studied? These should be included.

17.7





RECEIVED  
5/22/08

Rachelle Richard  
Chief of Staff  
Yonkers City Council  
40 South Broadway Room 403  
Yonkers, New York 10701

C50

date : May 20, 2008

subject : Public comments on DEIS for River Park Center Project

to the Members of the City Council :

I have been a resident of Yonkers most of my life, which makes me old enough to remember the end of the time when the areas around Getty Square and South Broadway were attractive places to live and shop, and a long subsequent period of gradual deterioration. I should, and I do, welcome the Streuver Fidelco Cappelli proposal to invest in Yonkers, after fifty years of stagnation. I have attended the public meetings and read the DEIS, and I have to commend the developers for the quality of what is being proposed. However, I do not agree with the point of view expressed in the public hearings that because we have had no investment in the City center for fifty years we should just accept whatever is being offered.

There are several important points to be considered, especially with respect to River Park Center.

1. The daylighting of the Saw Mill at least through the River Park Center site, must be a condition of approval, a contractual agreement between the City and the developer.

River Park Center is a massive concrete structure in the center of the city, out of scale with everything around it. Even in the developer's illustrations, it is a hulking presence. (In fairness, what is there now is equally depressing). I am willing to accept that structure as the centerpiece of the City of Yonkers, if that is what is required to make it profitable, as long as there are 125 meters of the Saw Mill with a landscaped border running through it, to soften its bleakness. If we cannot get the river, River Park Center is no longer River Park Center and should be scaled down to

1.1

something within the current zoning and appropriate to the surrounding area.

Although the Amicone administration claims to be supportive of daylighting, its actions suggest otherwise. I have been to several presentations by the Mayor regarding the projects under consideration here, and it seems that the Mayor's definition of development is limited to increased revenue and jobs, two considerations which are very important but not the only two. Development is not measured in cubic yards of concrete. There are important esthetic, environmental and historical considerations to any project, particularly this one, which will mark the center City for many years. It needs to be more than a concrete mall with a baseball field on top. The Council seems more aware of this than does the Administration, and it is my hope that the Council will be able to persuade the Mayor and the developer that those are also important considerations.

2. The traffic plan submitted by the developers specifies essential improvements for the streets in the immediate vicinity of River Park Center but fails to consider, unless I have missed it, the impact it will have on South Broadway and Riverdale Avenue.

2.2

Anyone who has driven these streets knows they are already highly congested. River Park Center and Palisades Point will add many additional vehicles. Where is the plan to deal with this? Riverdale and South Broadway are not the responsibility of the developers but the traffic on these streets affects everyone who lives on the west side and the Council must consider it.

3. The parking garages at Palisades Point are, to judge from the developer's illustration, the most prominent feature of the project when viewed from the river. Any devices to soften their prominence, either by architectural modifications or landscaping should be employed.

2.3

It is the parking garage sitting right on prime waterfront land in front of the library that brings this point to mind. That garage and the building next to it demonstrate the limitations of the argument that we should embrace development, any development, because we have had fifty years of no development.

On Palisades Point the developers have done an excellent job in aligning the towers and maximizing public access. The two garages, even with their landscaped roofs, undermine that effort. I have never seen a beautiful parking garage, and I do not think that any such can be built, but the developer should take a look at their own illustration and see if the garages can be improved.

Even though I have gone through this DEIS, I do not have sufficient expertise to be aware of what the developer may have omitted which may later cause us to regret hasty approval of what is proposed. Ridge Hill should be on the mind of every member considering this proposal. The developer of Ridge Hill gave the Council an ultimatum to approve the proposal by a certain time without any changes, and the Council did so. In doing so, they failed the people they represent twice : by giving them Battery Park City on the edge of the City's most beautiful parkland; and by possibly allowing their votes to be influenced in ways that have attracted the attention of the U.S. Attorney.

Please do not make the same mistake again.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerard Wilson", with a long horizontal flourish extending to the right.

Gerard Wilson  
154 Mansion Avenue  
Yonkers, New York 10704

**C51**

**From:** Sharon Ebert

**Sent:** Thursday, May 22, 2008 6:03 PM

**To:** Lee Ellman

**Cc:** Lou Kirven

**Subject:** My Comments to the SFC/ River Park Center DEIS

Hi Lee –

I have reviewed the DEIS and have a few questions based on the information provided:

1. I can not find any renderings, elevations, height information etc. on the proposed Palisades Avenue office building other than it will contain 436 parking spaces, 10,000 SF of Retail and 225,000 SF of Office space. Given the volume of pages in the DEIS I might have missed it. However, since it is on a separate parcel of land across from the River Park Center the DEIS should at a minimum address the building's overall height and massing, etc. From the floor plans provided in the DEIS, the building has 13 stories of parking garage before the first floor of office space is available: is this correct? Without more information it is impossible to know if there are any significant impacts. 1.1
2. The same comment can be made for the office building on the River Park Parcel that is located on the northeast corner next to the church property. 1.2
3. The two 50 story residential Towers sitting on the River Park Center 6 story platform appear to have major significant visual impacts from a number of street and visual locations, however the these significant impacts do not seem to be raised in the DEIS. Also the only documents within the DEIS that clearly show the height and massing of the two towers with respect to the River Park center are Exhibit II – 38 and II – 39. Since these two buildings pierce the skyline of Yonkers at 582' and 599' they will be the two tallest buildings by more than 100% of any other building in Downtown. 1.3
4. The residential market analysis provided in the DEIS for these two residential towers does not address sufficiently the need for 950 rental units in the downtown area (i.e., how will renting up these units compete with other rental units that will be coming on line along the waterfront)? If when the final design proposal is funded the two residential towers are not financially feasible, how does impact the repayment of the TIF bonds, since the bond monies go 1st and are to be repaid based on expected tax revenues? Building to this height is considerably more expensive than to 25 – 30 stories in height. Also there is no discussion on how the fire department is equipped to handle an emergency in such a high building. If residential density is needed at the downtown area, another alternative should be considered in lieu of these two towers. I would recommend cutting the two towers in half (25 stories max.) and consider locating the residential units in the two unknown office building locations discussed in my # 1 and #2 comments, thus maintain the residential density needed to support the retail, but reducing the office space. 1.4

5. Palisades Point site - the impact on the schools by construction 436 residential units with 2.5 people in each unit = 1090 people at this site indicates that only 62 school age children are anticipated and only 51 attending Yonkers public schools, thus there will be no impact on the school system. I would like to see how this conclusion was reached. 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. The approach to the Hudson River from Prospect Street does not invite people visiting Yonkers and traveling down Prospect Street, a major street to the river and the new esplanade that is planned for the river to be fully appreciated. Instead the street terminates and goes into a parking garage. I recommend more thought be given to this major vista and terminus and that a major public space be placed at the end of the street at the river's edge in lieu of the current rendered approach shown in Exhibit III B-4e.
6. Truck Traffic – DEIS states the number of trucks coming and leaving the construction sites daily, but does not delineate the routes that they will be traveling. I recommend that the routes be shown since 75 to 150 trucks daily along heavily traveled roadways will be a significant impact. Also show we know where off site all demolition debris is being carted to?

2.1

2.2

2.3

2.4

Sharon L. Ebert, A.I.A.  
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**C52**

**From:** Wendy R Nadel [mailto:wrnadel@ypie.org]

**Sent:** Thursday, May 22, 2008 5:53 PM

**To:** Rocky Richard

**Subject:** River Park Center, Cacace Center, Larkin Plaza, and Palisades Point

City Council Members,

As Executive Director of Yonkers Partners in Education, an education fund created to bring private investment to the Yonkers Public Schools, I write to voice my support for the proposed SFC development. I support the development because I believe it will be the most significant catalyst for the transformation of the Yonkers downtown from an area previously blighted by poverty and crime to one of economic prosperity and civic engagement. In addition to bringing economic renewal to the city, I strongly believe that this development will bring significant benefits to the 25,000 children who attend the Yonkers Public Schools for the following reasons:

1.1

First, the economic boom resulting from the proposed development will bring needed tax dollars to the city that will be funneled into our school district. The current funding formula that provides dollars from New York State to our public schools has seriously short-changed our children, which leaves the Yonkers Public Schools with significant budget shortfalls every year. Tax dollars generated from the SFC development will help to address these gaps.

Second, the development will provide after-school, weekend and summer jobs to many of our high school students – retail jobs that currently do not exist in our city.

Third, a downtown with a bustling center of activity will bring a sense of hope and optimism to children and families in Yonkers who have lived in a depressed inner-city. The experience of an economic boom will open eyes and create a sense of possibility. This coupled with job opportunities and increased dollars for the schools can only be a tremendous lift for Yonkers.

Last, my support for this project is grounded in the belief that any successful development needs to happen in partnership with the community. SFC needs to work with community organizations on an agreement that will address the community needs that will arise as a result of the development so this is truly a win-win project for everyone. Such an agreement should include funding for organizations like ours that support the public schools, organizations that work on low income housing, those that protect the environment and promote arts and culture for the community. An agreement that leaves the people of the community feeling “whole” will set an important precedent for future developments and will result in a community with a unified vision.

1.2

Wendy R. Nadel  
Executive Director  
Yonkers Partners in Education



**Wendy R. Nadel**

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C53

PLANNING BUREAU  
CITY OF YONKERS

**MEMORANDUM**

To: Rocky Richard, City Council President's Office  
From: Lee J. Ellman, Planning Director   
Date: May 23, 2008  
Re: DEIS for River Park Center, Cacace Center, Larkin Plaza and Palisades Point

I have reviewed the Draft Environmental Impact Statement for River Park Center, Cacace Center, Larkin Plaza and Palisades Point and wish to provide the following comments

CC: Christine Sculti



### **III.A Land Use Zoning and Public Policy**

Page III.A-2/ 2nd Para - The sentence is unclear and makes it sound as if River Park Center contains industrial uses. It should say that the site of River Park Center currently contains uses and zoning of those types.

2.1

III.A18 - Chart - Is the under construction county office space counted in this chart? 100,000 sq. ft. at the Warburton Avenue part of I park?

2.2

III.A-20 How will proposed uses and buildings "build" upon smaller scale retail? What will impact be to existing businesses?

2.3

III.A20 & 21 Explain why a "central focal point" is a desirable thing? What emerging land use patterns? This statement makes it seem as if there is building already taking place instead of planning that has yet to be approved. This is an inappropriate statement that does not explain the impacts of the proposed action. Define "major attraction"? Will there be a need to review the major attraction as a "SEQRA-able" use itself?

2.4

How will the Cacace center be "an even greater attraction" than Larkin Plaza? The statement is something of a non-sequeter

2.5

Please comment on the total height of the buildings. What kinds of rooftop mechanical equipment are expected and why cannot this be factored into the total height of the building?

2.6

With or without unaccounted for roof top mechanical spaces?

How will deliveries be accommodated? Moving vans and the like? What accommodations would be needed to South Broadway to allow truck access to this street for merely necessary uses?

2.7

Explain "suitable access?"

What is the impact of elimination of parking at New Main Street? What is distance to closest proposed parking? What will impact be upon area land uses that depend on free over night parking? How will this removal of parking be mitigated?

2.8

Proposed parking ratios should be peer reviewed to determine if they are in fact successful in other settings

#### **III.A-23 Zoning**

The exception to the height of building proposed allows the exception to be applied in the entire GC and CD zone. The DEIS does not address and must address the number of other buildings that this exception would impact, the extra amount of floor area that

2.9

would be permitted and the additions to height that will be allowed beyond that already permitted. The DEIS treats this amendment as if it were specific to the applicant's project when in fact it applies to all current and future buildings in those two zones. The overall impact in those zones must be analyzed.

2.9

Explain what rooftop appurtenances are necessary to the operation of the building and why these cannot be built under the existing zoning guidelines

3.1

Explain where and how these architectural trends are being carried out. Give examples of sites. Explain why the height of the buildings under zoning cannot be expressed to include the rooftop equipment?

III.A28 Will like parking be provided for the uses that depend upon the on street parking? what will the community character impact be of the change in availability of parking? what will the impact be of changes in parking to area businesses?

3.2

III A-30 Is a 10 foot buffer in scale based upon the size of the adjacent buildings? Is a 65 foot set back adequate given the height of the adjacent buildings?

3.3

III.A30 What is the impact of the roadway adjacent to the day care center? Will there be any building mitigation to stem any noise, air quality or vibration impacts? What will be the impact upon drop off and pick up at the center?

3.4

III A-30 Visual impact may be mitigated but height is height. Orientation will not change the height.

Likewise, development at this site is mitigated by the open space component but the height is not mitigated by the ground floor land use.

3.5

### **III.E Traffic Transportation and Parking**

III E-6 Explain what this credit is? Is a 30% credit "normal"? What expectation is there for which transit use modes? Be clear about the demographics of what groups use which transit mode. Explain pass by trips

Explain how the trip distribution was determined?

4.1

III E-10 No trips from the thruway and then to the site by Yonkers Avenue?

4.2

III E-12 Variable message signs should be included with traffic signs to align traffic where it is best placed. Use these signs in the same manner as at air ports

4.3

III e 10 Who pays for the police officers directing traffic? At Cross County Shopping Center there will be charges back to the operator. Will this be the case at the ball park?

4.4

III E 10 What is difference between traffic control and police? Will there have to be legislation to allow traffic control personnel to be employed by the city? Can this be contracted out?

4.5

III E- 13 Truck Factor - does this mean that it is expected that 5% of the total traffic is trucks?

4.6

III E 15 What part of the traffic improvements needed are attributable to the proposed project? Are the projects payments via the TIF equal in percentage to needed traffic improvements?

4.7

III E-16 A Walkable downtown analysis needs to be conducted to determine which traffic and other improvements will most assist in pedestrian safety. Signal timing and pedestrian phases may not be sufficient to allow for ease of crossing. Changes from existing and common design may be necessary to accommodate.

4.8

III E-16 The provision of a center median in Yonkers Avenue is clear. The use of the center island for left turns at intersecting streets is not clear. Does this mean the island will be interrupted or that the cars will mount the island?

4.9

Will prospect street bridge be truck accessible? Will it hinder the Sugar house easement from that site to Main Street underpass?

Current problems exist with Domino sugar trucks using South Broadway to access the Degan via Van Cortlandt Park south. Will the new volumes on Yonkers Avenue have any impact on the route decisions of the sugar tankers?

4.10

III E 20 Trolley Loop. What provisions will be made to continue the trolley loop for the life of the project? Will there be guarantee for a nominal length of time?

4.11



### III E 23 - Pedestrian issues

Proposed project does not have significant pedestrian improvements beyond the statement that there should be ped phases in the new cross walks. Given the large increase in the number of cars, the opportunity to rebuild all of the downtown streets and the likelihood of increased pedestrian traffic there is a need for a wholesale revisiting of pedestrian downtown improvements. The downtown should be reworked with the latest in "walkable community" techniques. At a minimum, the wide arterials should be made far more pedestrian friendly by the addition of mid street refuge areas, the relocation of cross walks from the end of medians and the installation of ped friendly controllers potentially with median mounted signals and controls.

5.1

### III E 24 Trolley service

Who pays and for how long? What will the metric be to make the decision if the service is to be discontinued? What guarantee is offered to maintain the service?

5.2

### III E 24 Commuter impacts

is there a chance that the parking at the government facilities will be less expensive than that at the project and that employees will choose to park there instead of at the center? What impact will this have on commuter parking?

5.3

## **III.E.1 Parking**

### General Parking question:

There was not any discussion of church parking for Messiah Baptist Church even though their parking lot is proposed to be developed. What parking arrangements will be made for the church?

5.4

### III E.1-13

Parking assumptions for River Park Center and Waterfront project.

Chicken Island provides parking for businesses fronting the parking area and for businesses around the area and across the street.

Have these across the street businesses been taken into account in calculating the parking?

5.5

The Palisades Point parking provision of 1 per unit assumes current conditions of transit ridership and occupancy of the units.

Evidence suggests that the parking provision at Collins I have not been adequate and have been increased to 1.3 per DU in Collins

II. Why would Palisades Point be any different than Collins II in parking requirements?

What happens as the site demographics age and the site is no longer the hip location for young unmarrieds? Do residential projects age into added parking demand?

5.6

### III E.1-14 Parking Management

Will the Ballpark pay for cost of parking/police traffic assistance during events in a similar manner as with Cross County Shopping Center?

5.7

### III.F Noise

III F-15 Does the noise study take into account reflected noise ? For example noise at Nepperhan and School would now continue west but with the build would be reflected back to the south east. How is this accounted for?

6.1

Similarly, does the presence of a building as a noise screen give credit to a project? Would the proposed shopping center block noise from Nepperhan Avenue from impacting residences on Locust Hill Avenue to the west?

III-F-16 Tower residents must be made aware of traffic, noise, lighting and other operational impacts prior to leasing. The same should apply to the Palisades Point residents located next to the Sugar Refinery.

6.2

III F-20 Will the noise management plan be put into place before the site plan is submitted or as a part of the FEIS and findings?

6.3

III F-20 The idea that private baseball games are a municipal event strains the definition of a municipally approved celebration. This is not a once a year event such as a 4th of July or a block party but a 80 time a year event. What is the expectation of fireworks at each game?

6.4

III F-22 Noise This section does not address the impacts of locating a residential tower adjacent and "over" a primary industry location. The sugar house is an inherently noisy operation prone to occasionally extreme noise events. What is the impact of locating residents at such a location?

6.5

Will the location of residents over such a location have a chilling effect upon the industrial operation?

What mitigation can be offered to the existing use to insulate it from residential expectations that are antithetical to its continued operation? Can there be an industrial equivalent of an agricultural district with "right to farm" provisions created to protect the sugar house?

III F-26 Noise Did the DEIS evaluate the impact of Cacace construction noise upon adjacent sensitive receptors? Church, Church school, Hospital and court facility could be negatively impacted by the construction noise. Mitigation in terms of hours of day operation can address impacts upon these uses.

6.6

Noise III F-36 The Stadium will be on 11th floor of the project. I do not recall any discussion of impacts of noise upon residences located at Locust Hill Avenue which is at the same height or higher than proposed project. Statement was made that the area impacts would be lessened because area receptors were lower. What is impact upon equivalent height but more distant residences?

6.7

III F-36 Noise – The DEIS notes that River Park Center residents will be notified of events as a means to reduce noise impacts. What offer of mitigation are made to nearby residences?

6.8



### III.G Air Quality

III G 15 The sugar plant should be involved in the modeling. It appears that the modeling was done based upon available public information and that the plant was not contacted.

7.1

1. Was this the case?
2. Can the modeling be done with the plant's assistance as a part of the FEIS and any changes to the project incorporated within the FEIS?

III G 25 Balconies without patios? Please explain what this means?

7.2

III G 26 Will additional street sweeping of the construction area and construction routes assist in reduction of particulate matter pollution? Will sweeping after snow storms (after snow has melted) to remove grit and salt reduce particulate matter issues?

7.3

### III.H Utilities

Page: 2

H1 What constitutes an emergency condition?

7.4

Page: 4

III H3 how much of inadequacy of the mitigation is for current project and how much for future development need

7.5

III H3 will the lack of the comprehensive hydrological analysis hold over the FEIS from the charter provision about FEIS timing? Potentially the DEIS is incomplete without the analysis

7.6

H-6 No mention is made of the M29 electrical feeder cable project designed to pass by the site. Is this project a concern to the River park center project?

7.7

H 9

- What water conservation measures are being proposed and how will the applicant insure that they will continue into the future?
- how are these plumbing fixtures maintained in the residences and in other facilities? What is to stop a tenant/owner from changing the fixtures?

7.8

H-10 Why is there not a proposal to use recycled water for irrigation or to take water from the Saw Mill River? Why irrigate with potable water?

7.9

H17 The letter to Con Ed was sent in Nov 2007. the DEIS was accepted in 2008. Was there no additional information about potential off site impacts due to Con Ed street opening for the project? The FEIS should show at least the areas where the Con Ed feeds are located to allow at least an order of magnitude assessment of the impacts.

7.10

III H 20 The answer to the amount of new residents and the presumed increase in the amount of water allocated by NYC does not answer the fundamental question - Will

7.11

Yonkers be better off, worse off, or static when it comes to water issues after the proposed project is in place? will the addition of 1,950 residents and their allocation balance the water use by the proposed commercial and other uses?

7.11

III H20 Does the city of Yonkers water rate system result in a break even or better situation when all water usage in the proposed project is taken into account? Will the replacement of water mains result in less leakage loss and then a net gain in water rents for the proposed project?

8.1

III h-20 Water Mitigation Measures. The mitigation measures illustrated are common, "old fashioned" and do not seem to include more aggressive "LEED" type measures such as reclaiming water for secondary use.

8.2

- Why are such measures not being proposed? What sort of more aggressive measures could the applicant install?
- Can larger savings be gained in area buildings such as Schlobaum housing by the replace of fixtures with upgraded water saving fixtures?
- Are other easily controllable buildings/uses available for assistance within the primary area of impacts?

III H22 Are there other I&I methods that would save more ground water from going to the YJTP? Is there information from the county about other problem areas that might be more cost effective to mitigate rather than the project area?

8.3

#### **IV Significant Adverse Impacts That Cannot Be Avoided**

At the DEIS stage is this a true statement? They have not completed the hydraulic study. Are there impacts there that cannot be avoided?

8.4

This is foolish. How can truck access be prohibited when there are moving vans that need to be permitted? Where will parking take place given that there is no parking available at most of the buildings on Guion Street?

8.5

## Proposed zoning amendments

### General Comment:

Typical Developer zoning amendment. The amendment results in favorable treatment for client interests and puts exceptions into the zoning that are a problem for the other developments. Particular problems with the impacts that are citywide when there are changes to the parking regulations that are not limited to the downtown zones

### Zoning Amendment B Changes to regulations in the CB district:

The PUR does not need to appear in this location since the CB is not considered a residential zone. It is covered in the later chart where PUR is permitted for Business and Commercial uses.

9.1

### Zoning Amendment B Changes to regulations in the CB district:

Permitting apartment houses in the CB as a permitted use (versus as a part of a PUR) may tilt the market away from desirable downtown uses in favor of residential uses. This is a case of the use benefiting the client but not the city.

9.2

### Zoning Amendment B Changes to regulations in the CB district:

CD is not a residential zone. Need to amend definitions (definition of "Residential Zone") as well if this is to be used. Since the CB district is not a residential zone and since there is no desire to make it so this should be handled as a special use under the PUR or in the "sites greater than 10 acres" format.

9.3

### Zoning Amendment B Changes to regulations in the CB district:

The term "Development Site" should be defined in 43-8 Definitions. A further amendment to the code would be required.

9.4

### Zoning Amendment B Changes to regulations in the CB district:

Proposed zoning would allow the regulations to apply to the whole parcel and then to any sites which may be subdivided at a later time. That format has proven difficult in other settings where development site approvals are later refined to lot sized parcels that do not conform to the zoning.

9.5

### Zoning Amendment B Changes to regulations in the CB district:

There was no discussion in the DEIS of the idea of lots being divided that may comprise "wholly or partially subsurface land and or volumes of air space". This needs to be fleshed out in the text.

9.6

### Zoning Amendment E Changes supplemental requirement for accessory parking:

The distance regulations are badly written. Lot line from building to lot line of parking by shortest route for pedestrian travel does not take into account entrances. it should be entrance to entrance. The use of development parcels rather than lots allows the lot line to be at one end while the building entrance is at the other end of the parcel.

9.7



**Zoning Amendment E Changes supplemental requirement for accessory parking:**

These sections will change the parking regulations for all sites within the city. This has not been studied or commented upon in the EIS. Nothing in these sections limits this to the Downtown project.

10.1

**Zoning Amendment E Changes supplemental requirement for accessory parking:**

What is the benefit of adding the word "area" to the term parking? Should that change be reflected in the definitions section as well?

10.2

**Zoning Amendment E Changes supplemental requirement for accessory parking:**

The city specifically placed the terms "in the same ownership as the principal building" for off site parking to alleviate problems with shared parking that disappears after the site plan is approved. When under one ownership it is a controllable situation. If this change is needed to effectuate the downtown plan then it should apply only to the project.

10.3

**Zoning Amendment E Changes supplemental requirement for accessory parking:**

Why not add the DW zone as well into the exclusions for 5 parking levels?

10.4

Same comment as above. Distances are too great and the measurement from property lines is a problem. If this is appropriate in the downtown districts it should be so stated and not included in other areas without specific analysis as to those impacts.

**Required parking in the CB and GC districts.** These new ratios are available to all users within the two districts including future developments that cannot provide shared parking in the same format as at the SFC project. It would be more protective of the city's interests if there was a clause that explained that these ratios are only available when there is a development that allows for shared parking provision.

10.5

**Exception to the height limitation in the CB and GC district.**

This amounts to the automatic provision of an extra floor on each structure. it is clear that the amendment will be used to put all mechanical equipment on the roof instead of within the building, and to take an exception to the already increased height of 500 + feet.

10.6

**C54**

**From:** Loretta [mailto:lam6363@optonline.net]  
**Sent:** Friday, May 30, 2008 10:34 PM  
**To:** Rocky Richard  
**Subject:** SFC DEIS - comments of Loretta Miraglia

Personal comments of Loretta Miraglia:

At the March 20, 2008 “Yonkers: Gateway to the Hudson Valley” symposium, it was very appropriately stated that this is a short term game versus a long term vision. Yonkers is holding the cards. The developers want what Yonkers has. It is up to Yonkers to make the call.

It is up to the City Council in this case to make the proper call as to what plan is appropriate for the proposed development sites. It should not be dictated by the short-term goals of the developers. Rather, it is the long term needs of the City that should forge the path forward.

The City Council needs to carefully consider the comments of the many citizens who have thoughtfully reviewed and comments on the DEIS.

In addition to those comments provided by the Yonkers Committee for Smart Development, which I support and incorporate herein by reference, I offer the following individual comments and questions.

Is AKRF taking an appropriately hard look at this DEIS and providing the City Council, and the citizens of Yonkers, the level of critical review that is needed in order to make an informed decision on this project? Is there a conflict based on AKRF’s work for the CDA in developing the Alexander St. Master Plan? Should not an independent consultant be used to perform this important review?

1.1

Does this DEIS address the reasonable concerns of the public in a way that is cognizant of the impact it will have on the real people who are citizens of Yonkers? There are numerous analyses based on apparent acceptable standards. But do these standards and analyses reasonably address the concerns of the citizens that have spoken up publicly and in written comment have brought forth? Or do they provide a mere formulaic analysis of issues meant to further the plans of a for-profit organization seeking to make a tremendous profit on the natural resources of the City of Yonkers.

Why is in the City’s best interest to approve this Project?

1.2

What are the justifications for the requested changes to the Zoning Ordinance, to the Getty Square Urban Renewal Plan, to the Waterfront Master Plan? These laws and Plans are in place to protect the City. Why should the City amend them to benefit a developer? Why are alternate plans not pursued that would not require changes to these laws and plans? The only justification appears to be that this is what SFC

1.3



wants. But the City Council must decide what is appropriate and beneficial to the City, not to a private developer.

Why is it beneficial to the City to adopt the proposed TIF? The TIF relies on an increase in the assessed value of properties in the zone. What if there is no increase or a smaller increase than projected? What if the current housing slump fails to deliver the projected financing? Who will pay the difference? Will the Applicant pay into that?

2.1

The DEIS recognizes that the Hudson River and the view of the Palisades are natural resources of the City. Does this DEIS provide adequate justification for the permanent removal of these natural resources from the City's assets?

2.2

The DEIS makes promises of such things as open space along the waterfront for the benefit of the public and economic benefit overall, but fails to provide specific assurances to substantiate those promises. In the end, we will have given away a tremendous asset that the City now holds, but will the benefits actually be there or will we be staring at empty promises that have no means for accountability.

2.3

There have been major marketing efforts put forth by SFC asserting the benefits to the City of improvements to the City infrastructure, but even a cursory review of the DEIS shows that infrastructure improvements, except for those immediately necessary to the proposed projects, will be paid for by the City. What, then, is the actual benefit to the City? The advantage to the public that is being advertised by the Applicant is grossly misleading. This alone should cause the City Council to pause and assess the verity of the statements made throughout the DEIS. The City Council should seek to ensure that the public be made aware of the particular parameters of the Projects and the impact it will have on the City.

2.4

The analyses in the DEIS is broken down into four separate projects. Why is it appropriate to wrap the entire project into one development Plan with one approval instead of 4 separate projects with 4 separate approval proceedings? Having the projects approved as a single project will benefit SFC. Are there any benefits to the City in lumping it together into one project? Would it not be more beneficial to the City to analyze each project separately?

2.5

What guarantee to the City is there that SFC will complete all phases of the project in a timely manner? Will SFC only complete those portions of the project that are most lucrative or beneficial to them to comply, with no concern for the needs of the City? Will it leave other phases of the project unstarted or, worse, incomplete? Are there any consequences for partially completed projects? Is there money held in escrow so the City can have the remainder of the project completed using funds made by SFC? Are there penalties for time delays? Will SFC complete and benefit from luxury high rises on the Hudson River, while stalling the daylighting of the Saw Mill River and improvements to Chicken Island?

2.6

What justification is there to build 25 story towers on the banks of the Hudson River???

3.1

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?

3.2

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?

3.3

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?

3.4

How can the city services handle two 50 story towers?

3.5

Take a good look at the DEIS as a whole. Are the assumptions made in one section of the DEIS carried through to other sections? The Project projects huge numbers of jobs (7,664 construction and 3,543 permanent), shoppers, movie-goers and residences to fill the new development. However, the impacts of those huge numbers are minimized when considering the potential negative impacts on traffic, parking, and air quality. The assumptions are not consistent, and therefore the soundness of the analyses is called into question. For example, assuming (as the DEIS does) that events will be scheduled at the ball park 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? While parking impacts are proposed to be minimal, have they made accommodation for parking for the people filling the large number of new jobs that are supposed to be created? Will the minimal traffic impact be realistic given the large number of retail shoppers and movie goers that are estimated to frequent the Rive park Center?

3.6

3.7

When negative impacts are identified, "recommendations" are made to mitigate those impact. However, there are no (or only minimal) **requirements** for mitigation and no consequences for failure to mitigate. What justification is there for allowing such a

3.8

project that does not guarantee the mitigation of negative impacts. For example, see sections on air quality and hazardous waste.

Why doesn't the City Council consider and approve the Development alternative under existing zoning (alternative B)?

4.1

Loretta Miraglia  
Citizen Yonkers, NY  
133 Ritchie Drive

**C55**

**From:** Fred Polvere [mailto:[fredpolvere@yahoo.com](mailto:fredpolvere@yahoo.com)]

**Sent:** Tuesday, May 27, 2008 10:19 AM

**To:** Rocky Richard

**Subject:** Waterfront Project

Dear Council President Lesnick:

It saddens me to hear you say that the majority of respondents favor the waterfront project without enumerating just who constitutes this majority. From my observations, this majority is composed of union members who are in favor of any project which will provide them with jobs. While, I completely sympathize with their need for work, it should not be the reason, to endorse a project.

The issue that matters most is whether the project is good for Yonkers. We have seen project after project pushed through in the last two decades and yet, the financial state of our city seems to be deteriorating rather than getting better.

The building of such massive structures with such little public open space astounds me in its complete disregard for social and economic history. Open space, especially on the waterfront, has always been a major economic source of income for every community that has the wisdom to utilize it correctly. Consider how much of an economic engine Central Park is for New York City businesses. Instead of creating a real master plan that incorporates open space and "real" future revenue streams of projects, Yonkers continues to develop haphazardly - most often with sweetheart deals that enrich the developers and their representatives at taxpayer expense.

1.1

Please do not continue the failed policy of development at all costs and with no vision. Please remember that sales taxes do not increase permanently when new malls are built.

Please remember that new housing necessitates increased city services.

Please consider the environmental impacts on air, water, noise, congestion, views and quality of life as massive development continues unabated.

Please reject this project as too big and as doing too little for the long-term benefit of the City of Yonkers.

1.2

Thank you,

Fred Polvere  
41 Grand View Blvd  
Yonkers, NY 10710  
914.779.3431  
914.584.0702 (cell)  
[fredpolvere@yahoo.com](mailto:fredpolvere@yahoo.com)

**C56**

**From:** Linda Nitsch **On Behalf Of** Richard Narog

**Sent:** Tuesday, May 27, 2008 3:49 PM

**To:** Rocky Richard

**Cc:** Christine Sculti

**Subject:** DEIS Review Reminder

I have reviewed the DEIS as submitted.

1.1

I would point out that the Victor Street photos are  
actually 3 buildings located at the top of Riverview Place.

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C57

P.O. Box 140  
Yonkers, New York 10702-0140  
May 27, 2008

Chief of Staff- The Lead Agency  
The Office of the City Council President  
The City of Yonkers  
40 South Broadway  
Room 403  
Yonkers, New York 10701

RECEIVED  
5/30/08

Dear Ms. Richards:

The proposed Palisades Point, Cacace Center, River Park Center, and Larkin Plaza Projects will not help the City of Yonkers for the following reasons:

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 tax breaks. For example, the City of White Plains, the residents have to pay more taxes. 1.1
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 are 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 Ball Park 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 building 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?
7. Who will be paying to up grade the over one-hundred years old sewage pipes, water pipes, telephone wires, electricity wires, resources? 1.2
8. The Hudson River view will be lost forever with the tall buildings. If you stand on Metro-North platform, you will see buildings that are very tall. Also, the Middle Class employment are gone, and the last company Jack Frost(now Domino Sugar Plant) should stay open. 1.3
9. The money from the I.D.A. should be used to provide the City of Yonkers Firefighters with a new Fire House and the other requirements and training they may need to be safe. 1.4

Thank you for reading my letter and I hope my suggests will be consider in the above matter.

Sincerely,  
  
Valerie Perez

**C58**

**From:** Nancysarmast@aol.com [mailto:Nancysarmast@aol.com]

**Sent:** Wednesday, May 28, 2008 10:16 AM

**To:** Rocky Richard

**Subject:** (no subject)

I am most emphatically NOT in favor of the monstrosity being proposed for Chicken Island. Why destroy the views of the Hudson and the Palisades for all of us living in the hills of Yonkers? Nancy Sarmast

---

1.1

# Memo . . .

FROM BOB SNYDER

C59

May 28, 2008

Ms. Rocky Richard, Chief of Staff  
Office of the Council President  
City Hall  
40 South Broadway, Room 403  
Yonkers, New York 10701

*Comments on SFC Project*  
rocky.richard@yonkersNY.gov

Dear Friends:

I'd like to offer the following comments and open questions on the SFC Project, specifically its Chicken Island aspect. (A hard copy is being sent by postal mail for your files.)

- *TIF bonds*

Without passing judgment on the efficacy of such financing, approximately what would the rating of such bonds be? And roughly what interest rate would they offer?

Would they be available (in modest increments) to City residents who wish to invest in the City's future?

1.1

- *Engineering: Cleanliness of the river where it will emerge into the ballpark area*

The river has a distinctive odor where it is encountered downtown.

It is not a crystal clear mountain stream; unfortunately, the portions which will be daylighted, both in Getty Square and Larkin Plaza, are its final legs before it empties into the Hudson.

By this time it has accumulated various kinds of pollutants.

As a matter of public health and safety, before the final green light is given to daylight either location, the water should be tested.

Please bear in mind that on a hot, humid day, especially after precipitation, the river will be especially "fragrant." This may be disagreeable to people wishing to enjoy a snack (probably an expensive one) beside the daylighted river.

1.2

- *Public health and safety: Rats and vermin*

Rats are present in the downtown area, not only along the waterfront, but beneath Getty Square and Larkin Plaza, where water is available.



They are presently not as visible as their population would indicate, as they are underground.

However, when the river is daylighted, the rats will seek the shelter of its banks, and the foundations and basements of adjoining structures.

The attractions of the ballpark and shopping, in newly daylighted areas, will provide rats not only with water and nearby hiding places, but with food.

2.1

#### • *Engineering: Integrity of the flume*

The considerable upheaval of the area during construction may further crack those portions of the flume which will survive the construction.

The enclosure of the river, beginning in the late nineteenth century, was done with considerable skill. When the "rat pit" was finally covered, it was cause for great celebration in the 1890s.

A century later, the jackhammering for new sidewalks in the area, in 1995-96, is reliably believed to have cracked one or more portions of the flume between Getty Square and Mill Street.

The sinking of the Philipse Manor Hall, wet basements in the area, and collapsing sidewalks and roadways, are currently attributed to this work.

The impending construction will be much more severe.

Further opening of cracks underground will cause water to seep into adjoining foundations in greater volume.

Accordingly, much care should be taken, and regular inspections by qualified independent individuals of the flume and its underground walls should be conducted.

2.2

#### • *Market survey*

When Proctor & Gamble is considering a new scent for soap, or Campbell's a new recipe for soup, they don't "guess and hope." They conduct market surveys, focus groups, and other studies.

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?)

2.3

Simple, direct questions could be asked of men and women in the target area. The questions could be arranged in a manner which allows for sound statistical control,

so the answers will be instructive.

I'm sure that college students in business, marketing, psychology, and urban planning departments at local schools would be excited to undertake such work, at no cost to Yonkers, for the real-world experience.

•

• *Conclusion*

To ensure failures of the past are not repeated, the above things should be answered and analyzed by skilled persons, so that the devastating effects of previous Yonkers plans won't recur.

The newspapers of the 1890s had front-page reports of the rats running through downtown. (In 2008, after a rain, one can see them scampering in broad daylight.) The 1958/61 Master Plan, advocating wholesale destruction of downtown Yonkers, and widening of streets, has proven a dismal failure, though given almost half a century for vindication. The 1995/96 sidewalk and stormdrain work has had major unintended consequences.

Because of the magnitude of today's proposals, the City should be concerned with even greater unintended consequences than in the past. After the developers go home, we are all left with any problems that emerge.

It's entirely possible that some of the above items have already been addressed and are contained in the report. I haven't read all of it, because of its length, so please forgive me if that's the case.

I have confidence that the City will find a path that is beneficial to all.

With best wishes,



Bob Snyder

P.O. Drawer 821 • Yonkers, NY 10702

(9 Manor House Square in the new  
Philipse Manor Historic District)

1-914-476-8500



**Elliot Z. Levine**  
**30 Hillcrest Avenue**  
**Yonkers, New York 10705**

914 613 8437  
ElliotZLevine@gmail.com

C60

May 28, 2008

Rocky Richard, Chief of Staff,  
Office of the Council President  
40 S. Broadway, Room 403  
Yonkers, NY 10701

Dear Ms. Richard

I have many concerns about the development plan for Chicken Island. While I like the idea of the minor league stadium, (although I certainly wouldn't want to live close to that- consider the surrounding area of Yankee Stadium and Shea Stadium) the enormous size of the accompanying buildings I think is unwise. This is totally out of scale with the surrounding area.

1.1

1)There has not been sufficient study of infrastructure costs and how it will affect our taxes.

1.2

2)There is no provision for our fire department to deal with buildings of this magnitude.

1.3

3)Will this turn into another Roc City property tax debacle?

1.4

4) Our 1998 Master Plan specified buildings 8-12 stories high. This new plan seems a gross neglect of this plan.

1.5

5)While I favor development of the downtown area, this is looking like too much too soon and only a boon to developers and not to the future of Yonkers.

Sincerely yours,

Elliot Z. Levine

**C61**

-----Original Message-----

From: aileen kilcommon <amkok@verizon.net>

To: Rocky Richard

Sent: Thu May 29 23:15:53 2008

Subject: DEIS

In looking towards Yonkers' future, please keep in mind the lovely suburban appeal that has always existed in this city. Destroying the natural amenities and old charm of our city through overdevelopment will eventually benefit nobody other than the developers. Yonkers needs to lure stable businesses such as corporations, law offices, accounting, etc. if it wants to remain viable. We will have more malls than shoppers if Yonkers continues the path it is following. In particular, Yonkers needs to be respectful of our greatest asset of all - the Hudson River. It is a tremendous opportunity to prove ourselves thoughtful and protective of our great river versus taking actions that could prove mercenary and destructive.

**C62**

-----Original Message-----

From: amy litt <amylitt@gmail.com>

To: Rocky Richard

Sent: Thu May 29 22:09:25 2008

Subject: Fwd: Fw: Urgent request!

Dear Mr. Richard,

I am writing to express my concern about the proposed development of Chicken Island. First let me say that I am very much in favor of the development of downtown Yonkers, and am very excited at the prospect of a new and revitalized city. Growth and development of the downtown area can only help everyone in Yonkers.

Nonetheless I have major anxiety about the mall, ballfield and towers planned for that site. I would absolutely love a minor league ball team in Yonkers but I don't really understand how that field will fit into this site. In addition it will increase traffic and parking will be problematic.

1.2

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.

1.2

I have similar fears for the 50-foot towers, which are much too big for Yonkers. It's my opinion that these will look grotesque and destroy the look and feel of historic Yonkers. 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?

1.3

1.4

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. The idea of a mall and towers is great - but scale them down to be in keeping with the rest of the city.

1.5

This also goes for the towers by the river - smaller please. Don't risk empty apartments! That would be an absolute disaster. Why do we think so many hundreds of families will be looking for places to live when the market is so bad?

1.6

I put my vote behind the daylighting of the river and construction of a park downtown. This will benefit those of us already in Yonkers, and will attract people to our downtown restaurant etc. Coupled with a smaller mall and towers, this could really make Yonkers a beautiful city that would attract people from all over.

Amy Litt  
30 Hillcrest Ave

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### C63

-----Original Message-----

From: B.L. Scherer <chellemore@verizon.net>

To: Rocky Richard

Sent: Thu May 29 23:22:56 2008

Subject: SFC DEIS comments

As a Yonkers taxpayer I am aware that Yonkers needs development, but I believe Yonkers needs sensible development. Therefore, I am writing to urge the City Council to re-think the SFC project as it is currently proposed. I have many concerns about the DEIS, including the fact that it contains errors and was paid for by SFC. I have additional concerns about the way that the developers are trying to bully the city into moving ahead with a plan that would seem to be a recipe for disaster, especially in our current economic environment. I am also concerned that neither the elderly nor the poor -- who are unlikely to have computers or have reams of paper to print out the 108 pdf files -- have even had access to the DEIS. Most of the city is sadly uninformed as to the exact nature of what is being contemplated, the jarring way in which it will change the landscape of Yonkers and its potential consequences if it fails. Much of the information and the imagery being supplied by the developers is misleading at best. We have prime real estate -- both Hudson River waterfront properties as well as other areas of Yonkers. There will be no shortage of developers who will line up to work with us on a project that makes sense for our city. However, once built, we will never take down the proposed monstrosities, which is why we need to proceed carefully, judiciously and slowly. Other cities have come up with attractive, well thought-out, well marketed plans for their downtowns. Why shouldn't we? Malls breed hangouts and gangs -- look at New Roc City. Yonkers owes it to its taxpayers to first come up with a proposal that makes sense for the nature and history of Yonkers. We are not just another city, we are the gateway to the Hudson Valley. All of Westchester, all of the Hudson Valley is watching us. Let's take the time and effort to get it right.

Among my specific concerns are:

-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?

1.1

-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

1.2

-how will we accommodate the additional waste from structures this large?

1.3

-how will we accommodate the additional children in our already overcrowded schools?

1.4

-why do we need a baseball field?

-why do we need another mall and such a huge one?

1.5



-if the ball field is used for other events (concerts, etc.) who will want to be in apartments with such close proximity to that level of noise?

-Yonkers is a city of hills; has anyone calculated just how tall the two 50-story towers atop the 11-story mall will sit as compared to the heights of our hills? What views will be lost? How small will City Hall appear in comparison?

2.2

-how will the two towers on the waterfront be serviced given the small size of the roads around them? What will it cost to create ample roads and services? What if, as predicted, the water level of the Hudson rises?

2.2

-the SFC Chicken Island and properties H&I are proposals for buildings that are totally out of scale with their surroundings; in the majority of the material proposed, the heights of the buildings are not shown; the City Council should have a 3-D to scale model on public view that includes the current architecture so they can see how truly inappropriate the SFC development would be -why are we letting the developers decide what our city looks like? Why aren't we giving them a plan that is in keeping with the city and let the developers bid?

2.3

-the city council has the 1998 Master Plan that was voted on and accepted. Why aren't we sticking to that plan?

There are many other questions to be asked. This is a bad economic time and a very flawed plan. I implore the City Council to do what is right for the city of Yonkers, not what the developers deem right so they can take their money and run.

Sincerely,

Michelle Jacobs

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STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
 ONE COMMERCE PLAZA  
 99 WASHINGTON AVENUE  
 ALBANY, NY 12231-0001

DAVID A. PATERSON  
 GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ  
 SECRETARY OF STATE

May 29, 2008

Ms. Rachelle Richard  
 Chief of Staff  
 40 South Broadway, Room 403  
 Yonkers, New York 10701

**RE: DEIS: River Park Center, Cacace Center, Larkin Plaza and Palisades Point**

Dear Ms. Richard:

Thank you for sending to our office for review the Draft Environmental Impact Statement (DEIS) for River Park Center, Cacace Center, Larkin Plaza and Palisades Point. We are pleased to offer comments on this important project in the City of Yonkers.

Coastal Consistency Requirement

In accordance with the federal and State consistency provisions of the federal Coastal Management Act (CZMA) and Article 42 of the State Executive Law, respectively, certain federal and State agency actions and activities requiring agency authorizations are required to be consistent with the enforceable policies of New York's federally approved Coastal Management Program (CMP) and Local Waterfront Revitalization Programs (LWRP).

Appendix 1.B of the DEIS, entitled "Response to NYS Coastal Policies," outlines 13 policies that some Local Waterfront Revitalization Programs have adopted. As the city does not have an approved LWRP, the 44 State Coastal Policies are the enforceable policies of the CMP for the area(s) where the activities are proposed. Therefore, the DEIS needs to adequately address the consistency of the project in conjunction with the 44 State Coastal Policies, not the 13 policies. Please note that in addition to the policy statements, the project must be evaluated for consistency with the CMP policy standards and conditions included as policy explanations. This is important because the policies are implemented, in large part, through the policy explanations. The 44 policies are located on our website at [www.nyswaterfronts.com](http://www.nyswaterfronts.com).

1.1

Please note, that while only two of the four components described in the DEIS, Palisades Point and Larkin Plaza, are located within the State Coastal boundary area, all four components are considered "the proposed project" and must be considered and analyzed as to their consistency with the CMP policy standards and conditions.

### Significant Coastal Fish and Wildlife Habitats (SCFWH)

CMP Policy 7 is aimed at the protection of fish and wildlife resources of statewide significance. This policy is implemented primarily through the designation of Significant Coastal Fish and Wildlife Habitat (SCFWH) areas throughout the State's coastal zone. When considering the consistency of proposed actions with the CMP, it is necessary for SCFWH habitats to be protected, preserved, and where practical, restored as to maintain their viability as habitats. This means that land and water uses, including shoreline stabilization, shall not be undertaken if such actions destroy or significantly impair the viability of an area as a habitat.

Portions of the proposed action are located adjacent to the Lower Hudson Reach, a State-designated SCFWH habitat. This designation affords special protection from potentially adverse federal or State actions which could impair the quality of the habitat. Narratives prepared for each habitat can be found at our website at

[http://www.nyswaterfronts.com/waterfront\\_natural\\_narratives.asp](http://www.nyswaterfronts.com/waterfront_natural_narratives.asp). These narratives describe each habitat, its fish and wildlife resources, and potential impacts. General information is also provided to assist in evaluating impacts of proposed activities based on characteristics of the habitat which are essential to the habitat's values. This information is used in conjunction with the habitat impairment test found in the impact assessment section to determine whether the proposed activities are consistent with the significant habitats policy.

The DEIS needs to clearly demonstrate that the proposed action would not impair the significant habitat and is consistent with Policy 7 of the CMP. If this cannot be demonstrated, alternatives to eliminate these impacts need to be identified and analyzed.

2.1

### Density and Visual Analysis

Overall, we are concerned with the height of the structures associated with River Park Center, and Palisades Point.

The Yonkers Downtown Waterfront Master Plan, which was adopted by the City as a guide for future actions, calls for a maximum building height of 80 feet, compared to 250 feet for the Palisades Point area. It also recommends 262 dwelling units rather than 436 units at this location. Design and planning principles were developed as part of the Master Plan to capitalize on the unique assets of a small-scale, historic urban city. The principles include establishing a small scale, yet urban, residential atmosphere; low-rise, high-coverage development; and reinforcing and enhancing visual connections from downtown through to the Hudson River and Palisades. The proposed project at Palisades Point is a departure from these planning principles, and amendments to the waterfront plan are part of the proposed action.

The visual impacts of the River Park Center, and Palisades Point structures on the views from Palisades State Park, upland areas, and users of the Hudson River needs to be further documented and analyzed with additional visual simulations. The existing and proposed views, as shown in Exhibit III, should be presented in a larger format. Rather than existing and proposed views presented on one page, each of these views should be shown on its own page in landscape, rather than portrait orientation. Proposed views should also be provided for all of the view corridors and resources identified in Exhibit III.B-5a.

2.2

The CMP analysis in the DEIS should describe how the action will improve adjacent and upland views of the water, and, at a minimum, not affect these views in an insensitive manner. If this cannot be demonstrated, alternatives to eliminate these impacts need to be identified and analyzed.

The coastal policy explanation provides siting and facility-related guidelines to achieve this policy, including:

1. Siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore.
2. Clustering or orienting structures to retain views, save open space, and provide visual organization to a development.
3. Using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

#### Water Quality

The DGEIS does not adequately address potential water quality impacts which may result from stormwater runoff generated by the proposed development and does not include any analysis of alternatives to the proposed storm water management system. Any activity that would further degrade water quality in the Lower Hudson Reach Significant Coastal Fish and Wildlife Habitat would adversely affect habitat values for fish and wildlife using the area. Many species of fish and wildlife would be adversely affected by water pollution through chemical or toxic contamination (including food chain effects), oil spills, excessive turbidity or sedimentation, and waste disposal. Impaired water quality or transient disturbances may result in barriers to migration that would have significant impact on populations of anadromous fishes that migrate to the Hudson River for spawning, generally throughout the year depending on particular species.

The applicant must examine both pre- and post- development conditions in order to compare changes in runoff volumes and water quality and demonstrate that the proposed stormwater management system is sufficient to avoid or minimize the potential impacts to water quality in the Hudson River as well as the ecological functioning of the designated Significant Fish and Wildlife Habitat. The applicant must assess the potential impacts associated with the whole action and not the individual project sites. Suggesting that compliance with the Stormwater General Permit will be sufficient to avoid or minimize impacts may constitute segmentation which is contrary to the intent of SEQRA.

3.1

The analysis of stormwater management should be presented at a level of detail sufficient for all interested and involved agencies to determine the potential effectiveness in preventing water quality impacts. At minimum, this analysis should include a preliminary/conceptual stormwater management plan that depicts the location of all components of the stormwater management system as well as the design of these facilities. The analysis should be sufficient to determine effectiveness in managing stormwater volume (quantity) and treating runoff to ensure stormwater quality is acceptable before being discharged to the Hudson River. The guidelines

3.2

included in Appendix E of the New York State Stormwater Management Design Manual should be included in a preliminary/conceptual stormwater management plan. Additionally, the applicant must include a plan for the long-term monitoring and maintenance of stormwater facilities.

The stormwater management plan should also address the potential impacts that may result from the construction activities associated with the stream daylighting component of the project, including the proposed best management practices or sediment and erosion control measures to address these potential impacts. Given the highly urbanized nature of the area, daylighting portions of the Saw Mill Creek could result in an increase in stream temperatures, which could adversely affect fish, macroinvertebrate, and mollusk species. The applicant should conduct an analysis of the potential thermal impacts to the Saw Mill Creek, including an assessment of potential runoff temperatures associated with impervious surfaces, rip-rap, and the plastic geotextile membrane proposed as substrate for the stream channel. The applicant should also assess the potential to mitigate thermal impacts through enhanced riparian vegetation. The potential impacts associated with the proposed in-stream maintenance should also be discussed and evaluated.

4.1

Notwithstanding the above, please note that if any element of this proposal will seek funding from or require a permit or authorization from a federal agency, the proposed activity would be subject to the consistency provisions of the federal Coastal Zone Management Act and implementing regulations in 15 CFR Part 930. Additional information regarding these requirements is available from this office or on the Department's web site located at [nyswaterfronts.com](http://nyswaterfronts.com).

If you have any questions regarding these comments, please contact me at (518) 473-0353.

Sincerely,

**Bonnie Devine**

Bonnie Devine  
Coastal Resources Specialist  
Division of Coastal Resources



**C65**

114

**Rocky Richard**

**From:** Joseph Akalski [jakalski@gmail.com]  
**Sent:** Friday, May 30, 2008 2:59 PM  
**To:** Rocky Richard  
**Subject:** SFC Re-Development SEQRA Comments from the Mar Mari Church Community  
**Attachments:** sfc comments from Mar Mari Church.doc

Dear Ms. Richard,

I am writing on behalf of the Mar Mari Assyrian Church located at 129 Buena Vista Ave. in Yonkers, and Mr. George Sarkissian, President of the Church's Executive Committee. Please accept the attached document detailing comments and concerns that we would like the Yonkers City Council to take into consideration with regard to the proposed development site between our Church and the Hudson River.

If any further information is needed Mr. Sarkissian can be reached at Mar Mari Church at 914-969-8885. I can be contacted at 914-260-1335.

Our community thanks you in advance for taking our comments and concerns into consideration.

Sincerely,  
Deacon Joseph Akalski  
Mar Mari Church

6/2/2008

**Mar Mari Assyrian Church**  
**130 Buena Vista Avenue**  
**Yonkers, New York 10701**

May 29, 2008

Yonkers City Council  
40 South Broadway  
Yonkers, New York 10701  
attn.: Rachelle Richard

re: SFC Proposed Re-Development  
SEQRA Comments

To the Lead Agency:

Please respond to the following questions and comments as they pertain to the above referenced matter:

- We have been a responsible and upstanding member of the community for over one hundred years, with our current church structure in place for nearly forty years.
- We selected the site to build our church for several reasons including the lovely views of the river, proximity to our parishioners, and ease of access.
- Over the years we have expended hundreds of thousands of dollars to repair, renovate, expand and improve our property.
- We have purchased neighboring properties to enhance our location.
- We have constructed large retaining walls on the west side of our property even before the railroad commenced its own capital improvement program and built another wall to the west of our wall.
- In order to build their wall the railroad obtained an easement in order to secure steel rods below the surface of our property.
- We have a vital congregation that attends our regular events and festivals.
- In light of the foregoing we are concerned about the impact of the proposed development during construction and once completed
- We want to be assured that the noise, dust, vibration, parking, traffic impacts during construction will be minimized to the greatest practical extent. Has there been a study of the foregoing impacts on our property and congregation? 1.1
- We want the Council to consider alternatives to the proposed structures that wont completely block our view and enjoyment of the river. 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. 1.2
- 1.3

- Will there be any provision made for our ability to continue to enjoy the views and the river after construction?
- How will the development effect the noise, emissions and odors that already emanate from the sugar refinery? Will they be intensified and concentrated directly on top of our property by the wall created by the proposed new towers? Who is responsible for avoiding/remedying that situation? 2.1
- What is being done to prevent us from losing the free flow of fresh air and sunlight that the towers will significantly obstruct? 2.2
- How will the proposed towers affect our municipal services ie water, sewer, sanitation? Will we lose water pressure and suffer sewage back ups? 2.3
- Does the plan for construction fo the new towers require any direct access to or through our property? If so will we have a choice in allowing any such access or will it be forced upon us? 2.4

We hope you can provide specific answers/responses to these comments and that you will consider our interests when you make your final decision regarding this proposal. We have been a hard working part of Yonkers for over a hundred years and we want to continue our efforts. We have always maintained and improved our property even when those around us did not. We never received a commendation for our efforts nor did we want one. We never complained even though it seemed as though the City was giving up on our neighborhood and letting it just deteriorate. However, in the face of such a massive proposal right in our backyard we have no choice but to remind you of our existence and our contributions to the community.

Therefore, please do not compromise our serious interests for those of the developer. Instead please make them accountable to the City and to their neighbors as we have been for so many years. Thank you.

Very truly yours,

George Sarkissian

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President, Mar Mari Church Executive Committee  
914-969-8885



Andrew J. Spano  
County Executive

Department of Planning  
Gerard E. Mulligan, AICP.  
Commissioner

May 29, 2008

Rachelle Richard, Chief of Staff  
City of Yonkers  
40 South Broadway, Room 403  
Yonkers, NY 10701

**Subject: River Park Center, Cacace Center, Palisades Point and Larkin Plaza  
Draft Environmental Impact Statement**

Dear Ms. Richard:

Several departments of the County of Westchester government have received a copy of a draft environmental impact statement (the draft EIS), dated accepted March 18, 2008, and prepared pursuant to the NYS Environmental Quality Review Act (SEQR) for the above referenced development projects on four separate sites in downtown Yonkers totaling 28.9 acres. As noted in the draft EIS and below, in order for the projects to advance various approvals from the county may be required. As described in Tables I-3 and I-4 in the draft EIS, the overall development proposed by Struever Fidelco Cappelli LLC (SFC, the developer) would consist of:

- 1,386 residential units
- 496,000 square feet of retail floor area
- 475,000 square feet of office floor area
- 150 room hotel
- 6,500 seat ballpark
- 80,000 square feet of restaurant floor area
- 80,000 square feet of movies
- 49,000 square feet city fire department headquarters
- 6,692 parking spaces (or 6,793 spaces as per page II-38 of the draft EIS); 1,618 existing spaces will be removed

The draft EIS states that the proposed development could not be constructed without the financial participation of the City of Yonkers. The draft EIS outlines a means for the provision of that financial support through the adoption of a Redevelopment Plan by the City Council in accordance with the New York Municipal Redevelopment Law. This action would permit the utilization of tax increment financing through the issuance of tax increment bonds by the City of Yonkers. The preliminary

Redevelopment Plan presented in the draft EIS encompasses 75.75 acres and 344 tax lots (per Table II-1 of Appendix 1.F), an area that includes the 28.9 acres of the proposed development sites that are the subject of the draft EIS plus an additional 46.85 acres.

The draft EIS also proposes that the County of Westchester provide the same means of financial participation. In order to do so, the Westchester County Board of Legislators would have to adopt the same Redevelopment Plan in accordance with the New York Municipal Redevelopment Law – a process that requires referral to the County Planning Board and the holding of a public hearing.

It is our understanding that tax increment financing as presented in the draft EIS has never before been implemented in New York State.

The Redevelopment Plan would provide the basis for a “tax increment financing district.” Up to 75% of the city and county property tax generated by an anticipated increased valuation over a base line valuation of tax lots in the “tax increment financing district” would be committed by the city and the county for debt service on tax increment bonds, “the proceeds of which would be used for the construction of the required public improvements and infrastructure” (page I-2 of Appendix 1.F). The current estimate of “the amount necessary to cover the costs of construction of public infrastructure, improvements and parking and bond issuance and related financing costs (including capitalization and a reserve fund)” \$186,903,000. (Page I-4 of Appendix 1.F sets this figure at \$192,000,000.)

The draft EIS also states, “it is proposed that Westchester County and the City enter into a so-called ‘joint undertaking’ under Municipal Redevelopment Law in which the County would appoint the City as its agent for the purposes of preparing the preliminary plan and redevelopment plan for the project area.”

The City of Yonkers has made tremendous progress in attracting new investment and development in the city’s downtown as well as throughout the city. The County of Westchester has welcomed the opportunity to partner with the city on several opportunities to facilitate private investment as well as to make direct investment in public resources such as Westchester RiverWalk, parks and affordable housing. The new set of development proposals for downtown Yonkers that are the subject of the draft EIS present an exciting vision for the future of Yonkers and Westchester.

The draft EIS makes very clear that the foundation for this next round of development is the proposed use of tax increment financing and that the developer has proposed the involvement of Westchester County in this financing plan. The county is open to considering the use of innovative approaches to promoting smart growth and a sustainable economy and recognizes that there are no better places for such development on a large scale than in the downtowns of Westchester’s four major cities. In order for the county government to participate in this plan and to obligate the county’s tax revenue, it is imperative that all aspects of the proposed Redevelopment Plan and tax increment financing approach be explicitly detailed. Such full disclosure and detailed facts are required by the county administration in order to make decisions and will be demanded by the County Board of Legislators and the taxpayers of Westchester County.



As an involved agency pursuant to SEQRA, we offer comments and recommendations for the city's consideration. Our comments focus on the details of the county's requested financial and legal participation in the proposed actions. We also offer comments of other aspects of the specific SFC development projects. We emphasize that these project-based comments must of necessity be preliminary as the development in downtown Yonkers (as per the procedure outlined in the draft EIS) will be subject to the overall vision of the final Redevelopment Plan which has yet to be drafted and presented to the County Board of Legislators for review and possible adoption. Final comments on the potential environmental impacts of the specific SFC development projects can be made only after the Redevelopment Plan is adopted.

Our current review comments on the proposed development projects highlight the incompleteness of the site plan information presented in the draft EIS. Many of our interests and potential concerns cannot be addressed or evaluated with the current available information. For example, it is in the interest of the city and the county to be able to ensure that flooding mitigation and stormwater quality and quantity management measures are fully incorporated in the project and infrastructure development plans; no plan details are now provided.

We anticipate that the city will provide for additional opportunities for public review of project details once such plans are prepared and made available.

## COMMENTS

### A. REDEVELOPMENT PLAN

The draft EIS identifies the preparation and adoption of a preliminary Redevelopment Plan and of a final Redevelopment Plan as the foundation for the entire SFC development scenario presented in the draft EIS. The Redevelopment Plan establishes the basis to create a tax increment financing district which is described as required in order for the private developments to proceed. In order for the County of Westchester to participate in the tax increment financing, the County Board of Legislators would first have to adopt the preliminary Redevelopment Plan and the final Redevelopment Plan. The draft EIS also notes that city and county should enter a 'joint undertaking' under Municipal Redevelopment Law in which the county would appoint the city as its agent for the purposes of preparing the preliminary plan and redevelopment plan for the project area."

This proposal raises several questions and concerns that are not addressed in the draft EIS. In order to have a solid basis for decision-making on actions that would commit the county government and its property tax revenues for many years, the following information is required and should become part of the preliminary Redevelopment Plan:

1. Define and outline the anticipated review/approval schedule. The important role of the Westchester County Board of Legislators and the Westchester County Planning Board in the process of creating the foundation for the SFC development projects is not readily apparent in the draft EIS text and tables. A timetable should be prepared outlining a sequence of already taken actions and anticipated actions by all parties that are expected to take action to realize the proposal as presented in the draft EIS. We note that submission of legislation to the Board of Legislators,

the convening of a public hearing and the referral to the County Planning Board will require time and attention. Each board, and the county administration, will expect to have all information requested as part of the county's review of the draft EIS on hand before taking any action. More detail must be provided on the meaning, implementation and commitments of the proposed "joint undertaking."

2. **Delineate the city's role as "agent".** The city's role as "agent" under the Municipal Redevelopment Law needs to be delineated. Would Yonkers issue TIF bonds on behalf of the county? What assurances and indemnities is the agent offering the county? What is meant by the "joint undertaking" by the city and county and what does it involve?

3. **Provide development expectations for included parcels.** The proposed Redevelopment Area encompasses 46 acres beyond the SFC development sites. Why are these additional parcels included at this time as the Preliminary Redevelopment Plan does not appear to directly provide development discussions for this additional land area? We are also concerned that while the draft EIS is limited to addressing potential impacts from development on the SFC sites, the Preliminary Redevelopment Plan states that the draft EIS is a sufficient basis to provide SEQOR compliance for adoption of the plan. The extent of, and justification for, the Redevelopment Area boundaries should be discussed at greater length.

4. **Describe the extent of the "tax increment financing district (TIF)".** The draft EIS uses several terms that presumably refer to the same geographic area, e.g. Municipal Redevelopment Project Area Boundary, tax increment financing district, designated project area and study area. This creates confusion where clarity and specificity is required. Do these terms refer to same grouping of tax lots? If not, what is the difference? Will all parcels included in the Municipal Redevelopment Project Area Boundary be subject to the tax increment financing provisions? Maps and diagrams of the relevant areas should be provided.

5. **Discuss impact of tax exempt properties and tax certioraris.** We performed an analysis of the tax parcels that the draft EIS identifies as being within the tax increment financing district. We found that 110 parcels are currently Exempt Parcels. We also did a sampling of properties in TIF district to see if any tax certioraris have been paid in the last three years. We found those properties sampled had tax certs filed on them for an average of 35% reduction in assessed value. The EIS should have a discussion of the impacts of these findings and how the city will be able to guarantee the base property taxes in the TIF area.

4.1

6. **Describe the calculation of base value.** Are all of the TIF district properties included in the Phase I projection when determining the base value? Where did the base value of \$658,840 come from on page 13 of bond projection documents? As we are not able to agree with the assessed values on properties shown, what was the source of the information? When will the "baseline" for the calculation of the incremental tax revenue be set?

4.2

7. **Discuss potential for Merged Tax Increment District.** There are several discrete project areas included within the redevelopment zone. Some are income producing and some would be

4.3



considered more in the category of providing amenities. Are the different areas to be considered a Merged Tax Increment district? The merged status would assure that all values created within the district would be subject to the repayment of the bonds in the first instance.

4.3

8. **Provide additional property details.** A review of the included properties raises other questions which should be addressed. Are there any properties that the city, or any other governmental agency such as parking authority, intends to take under eminent domain or through an urban renewal process? Who are the current owners of properties in the "blighted" area? When was the last time these properties transferred ownership?

9. **Describe proposed administration of tax increment financing district.** The staffing and administration necessary to operate the tax increment financing district must be identified, including identification of the responsible agency and projected costs and sources of funding.

5.1

10. **Identification of public improvements.** See the discussion and questions under B, directly below.

## B. IDENTIFICATION OF PUBLIC IMPROVEMENTS

The draft EIS makes both broad and specific statements about the proposed components of the public improvements that are to be funded through the tax increment financing program. There are also statements such as the work "will be undertaken by the Applicant" (page II-33) and the "improvements at Larkin Plaza are not a part of the Project proposed to be developed by the Applicant." However, we did not find a comprehensive list of proposed public improvements.

1. **Provide comprehensive list of proposed public improvements.** The EIS and the preliminary Redevelopment Plan should be revised to include a list that identifies each proposed public improvement, provide a concise description, identifies estimated cost, identifies responsible party for implementation and identifies if the cost of the improvement (or a percentage thereof) is proposed to be funded through the tax increment financing program. If public improvements are proposed to be made outside of the tax increment financing district, the EIS and the preliminary Redevelopment Plan should identify such improvements and explain how they are proposed to be funded? Are TIF funds permitted to be used in such situations? Is the TIF to provide funding for future public improvements that are not related to the SFC development proposals?

2. **Identify proposed role of Westchester County.** The draft EIS makes a number of statements about the expectation that Westchester County will participate in "various public improvements" related to the project. Specifically, the document mentions funding for the Westchester RiverWalk and Legacy funds. The EIS must provide more information on the proposed role for the county. Each component of the development where the county is assumed or anticipated to play a role must be identified and the public purpose of each proposed county-financed element must be explained. For example, if county funds are proposed to be utilized to replace municipal parking in-kind, what would be the benefit to county residents?



3. **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 authority, the parking authority or other quasi-municipal agencies? If so, the specific role in implementation, funding and operation should be detailed.

4. **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? For example, will the developer contribute facilities for a public school?

### C. TAX INCREMENT FINANCING (TIF)

Our review of the text explaining the basis, implementation and operation of tax increment financing identified several areas where more information must be provided in order for the county to understand its potential role and commitment. We request that the following questions and comments be addressed in detail:

6.1

1. **Provide a project pro-forma for the term of the TIF Bonding.** As the viability of the development hinges on the utilization of TIF as the financing mechanism for the public infrastructure to support this development, it is requested that the developer provide a pro forma for the anticipated timeframe from project start to satisfaction of the TIF of the project, showing sources and uses of funds for all components of the project including repayment of debt, TIF bonds, debt service, taxes, fees, PILOTs and mitigation set-asides for rehabilitation of housing and retail buildings, affordable housing and amelioration of any determined impacts. The pro-forma should include full project costs. In its sources, the pro-forma should detail applicable grants and abatements from any agencies, federal and state, and public authorities (such as an industrial development agency). All cost factors (such as inflation, interest rates) should be justified.

6.2

2. **Define nature and level of tax increment pledge.** Prior to committing a stream of revenue to support the proposed bonds, the county must be comfortable that the projected revenue level is actually attainable. This can be best accomplished by issuing debt only after the revenue flow has been realized. During the project's early years, it may be appropriate for the developer to provide appropriate credit support.

Will the owners of properties in the TIF district pledge, to the extent legally possible, not to appeal assessments in order to reduce their property tax payments?

6.3

3. **Adjust debt service schedule.** In the Socio-economic Conditions section on page I-85, it is noted that the debt service would increase over the life of the issue. As it is unusual for tax increment bonds to have upward sloping debt service and as the market expects to see flat debt service schedules, why is this present?



4. **Define "backstop" measures.** The draft EIS states that the Redeveloper has agreed to "backstop" the debt service on the bonds and will secure its obligation by providing the kind of security that is typical and customary in connection with tax increment bonding. Describe what this will be. 7.1
5. **Define responsible party for payment of TIF bonds.** Who is ultimately responsible for the payment of the TIF bonds in this project? Is it the tax district or the individual developer of the property? 7.2
6. **Identify responsible party for issuance costs of bonds.** The draft EIS names the city as the issuer of the TIF bonds. Although Section 970-o provides for municipalities to issue TIF bonds, it is our understanding that this is not the usual process that has been applied across the country. Who will be responsible for the issuance costs? 7.3
7. **Define project without county participation.** Page IV-1 in Appendix 1.F states that if the county does not participate in tax increment financing, then the amount of bonding will be adjusted so that debt service can be supported solely from the city tax increment and the revenues from public parking. A description of the project without county participation should be provided. 7.4
8. **Explain surplus in bond projections.** On page 17 of the bond projections, a surplus is shown in years 2018-2038 for both the city and the county. What are the conditions on the surplus, if any? 7.5
9. **Identify anticipated timing of tax payments.** The projected payment of debt service is not clear from Schedule XIII. What is the timing (month/year) of the first time that the county's portion of taxes would go toward TIF? We note that Yonkers remits 60% of property taxes to the county in May and 40% in October. 7.6
10. **Specifically address authority to access school district property tax.** Appendix 1.F notes that "statute does not permit school taxes to be allocated to the tax increment" but also states that there is an exception for the "big five" cities of the state. That exception is not clear. Does the City of Yonkers require State legislation in order to access the school district property tax? Can the project continue without access to the school district portion of the TIF? 7.7
11. **Address tax-exempt status of bonds.** Will any of the bonds be tax-exempt? If so, are any arbitrage issues foreseen? 7.8
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? 7.9
13. **Identify links between TIF and parking authority revenues.** How does the Yonkers parking authority and the revenues from the parking structures flow to the project? How much of the parking revenues will be pledged to the TIF bonds? We note that parking revenues are rarely, 7.10



if ever, pledged to the repayment of a TIF. The additional pledge of the parking revenues may complicate the pledge for the bonds. This aspect should be addressed as should the alternative of a separate parking revenue bond. We also note that the monthly parking fee is assumed to be \$75. Is that reasonable?

7.10

14. **Identify debt structure.** How will the debt be structured?

8.1

15. **Discuss "cost of services."** The section *How do TIFs Work* states that the TIF will pay the Cost of Services (for the projects). The Cost of Services must be defined as this item could be a significant drain on the cash flow for repayment of the bonds.

8.2

16. **Update and substantiate values and levels.** Several figures and references that appear in the draft EIS may be out-of-date and should be updated and other should be substantiated:

8.3

- The MuniCap, Inc. study was prepared on November 8, 2006. All of the values and levels should be updated to today's market environment.
- The MuniCap study on page 1 has the bond coupon rate at 6.25%. What does this rating level assume? The yield curve is a steeper now and the cost may be considerably higher for what would appear to be on its face in the BBB category.
- Construction costs have escalated appreciably since 2006. This should be taken into account.
- A contingency of \$7.57 million, as stated on page 2, appears low. A more appropriate contingency, subject to the advice of a consulting engineer, would be more in the range of 10% of the hard costs.
- On page 10, a high capitalization rate of 10% is presented. At this time, capitalization rates are more in the range of 6%. This should be addressed.
- The Tax Equalization rate used is the 2006 figure. The rate has changed from 2.94% to 2.27% for 2007.
- The reinvestment rate is identified as 4%. Is this typical? What is safety of the investments assumed to be used for these funds?

#### D. FISCAL IMPACT ON COUNTY

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.

#### E. STATUS OF PLANS AND AGREEMENTS

In order to fully understand the requested role of the county in the set of actions discussed in the draft EIS, we request that the following components be more fully presented:

1. **Discuss status of Redevelopment Plan.** As described in the draft EIS, the Redevelopment Plan is to serve as the plan for development of the redevelopment area. Logically, the draft of the preliminary redevelopment plan should be circulated, reviewed and commented on before reviews and comments are made on individual development sites. The draft EIS de-emphasizes the role of this plan and of the roles of agencies identified as required to review and to adopt the plan.
2. **Provide more detailed site plans.** While physical elements of the project are described in the text of the draft EIS, the lack of detailed site plans beyond 8.5" x 11" diagrams lead to confusion about the construction that is being proposed, particularly for the River Park Center element of the development. A better understanding of what is proposed to be built could be better conveyed through larger-scale site plan drawings.
3. **Identify agreements required.** The extent of all agreements required to implement the project need to be identified including the parties of such agreements. Are any agreements already in place; if so, what do they cover or provide for?

#### **F. IMPACTS TO COUNTY SEWERS**

The draft EIS states that the estimated average daily sanitary flows for the project sites are approximately 393,320 gallons per day for River Park Center, Government Center and Cacace Center and 100,920 gallons per day for Palisades Point – a total of 494,240 gallons per day – which would be treated at the county's Yonkers Joint Wastewater Treatment Plant. The draft EIS states that this figure assumes a 20% flow reduction from the use of water saving fixtures. Without the use of water saving fixtures, the total sanitary flow would be 617,800 gallons per day.

This additional flow, and potential construction impacts on the system, must be addressed as part of the project review and approval.

1. **Provide two types of mitigation.** The draft EIS correctly states that the County Department of Environmental Facilities has requested that the additional flow to the sewer system from the project sites be off-set by reductions in existing inflow/infiltration (I&I) at a three-for-one ratio. However, while the project proposes reducing I&I as part of the mitigation, it would not be on a three-for-one ratio, but instead implemented as part of a program which also uses other mitigation. This other mitigation includes:

- Physically separating stormwater from the sanitary sewer in the area of the River Park Center site
- Diverting stormwater from the existing combined sewer system through the construction of new stormwater drainage facilities in the project area

The combined sewer system separation should not be counted as part of the I&I mitigation. Storm/sanitary separation only addresses peak flows during storm events and mitigates combined sewer overflow but not average flows to the Yonkers Joint Wastewater Treatment Plant. We recommend that storm/sanitary separation be provided at a ratio of 3 to 1 and that I&I mitigation be provided at a ratio of 1 to 1.5.

The EIS should clarify who will conduct the mitigation work and how it will be paid for.

2. **Address detailed impacts.** The following comments on potential sewer impacts are provided by the county Departments of Health (DOH) and Environmental Facilities (DEF):

- Section III H-3 (c) states that "except for Palisade Point, sewage from the various sites will discharge into a 36"-48" City trunk combined sanitary and storm sewer." We suggest that sanitary discharges from this project be sent to separate sanitary sewers when practical. (DOH)
- Section III H-5 states that the existing 12" sewer serving Palisade Point does not have sufficient capacity and must be replaced with a larger sewer. Please document that the receiving sewer, to which this new sewer will connect, has capacity to handle these flows. (DOH)
- Section III H-14 speaks to the relocation of the combined sewer discharge to the Saw Mill River in the vicinity of Larkin Plaza. It is not clear whether the relocated pipe section is located before or after the regulator. If the discharge pipe to be relocated is after the regulator, it is acceptable; if before the regulator than it cannot be relocated. (DOH)
- DEF must have an opportunity to review the comprehensive hydraulic analysis for the City of Yonkers water system since there may be impacts with DEF's connection at Shaft 22. (DEF)
- The proposed access road for Palisades Point is directly over a county force main. The location of the main must be identified on the plans and the EIS must identify potential construction impacts and long-term traffic weight problems which could damage the main; maximum load limits should be established. (DEF)

#### **G. IMPACTS TO BEE-LINE BUS SERVICE**

The development of downtown Yonkers will have an impact on – and a dependence on the county's Bee-Line bus service. We recommend that the following aspects be considered in greater depth:

1. **Identify impacts to existing Bee-Line bus service.** Fourteen Bee-Line bus routes operate within the project area: routes 1, 2, 3, 4, 5, 6, 7, 8, 9, 23, 25, 30, 32 and 78. Over 8,000 passengers board Bee-Line buses daily (weekdays) at stops in and around the project area. Since the introduction of MetroCard on Bee-Line buses in April 2007, ridership has increased dramatically on routes that connect with MTA New York City Transit buses and subways in the Bronx. Several of these routes are in the project area. In addition, ridership on bus routes that travel through Getty Square is up over 7% for the first three months of 2008 when compared to the same period in 2007.

The noted increase in demand has led to capacity issues along several of the routes within the project area. To address the added demand, since January 1, 2007, over \$500,000 (annualized costs) in additional service have been added to bus routes that serve downtown Yonkers. During the same period, nearly \$1 million (annualized costs) has been added to the bus routes that serve the Central Park Avenue in corridor in Yonkers. Obviously, the county understands the role that bus service plays in the quality of life in Yonkers and works to meet the needs and residents and employers.



However, even after the service enhancements, there is currently no passenger capacity available on several routes that serve downtown Yonkers during weekday rush hours. This existing condition is not captured in the draft EIS. In fact, the draft EIS states that the "Westchester County Department of Transportation indicated that the Bee Line bus routes in the area generally have available capacity and if ridership increases bus service is adjusted accordingly." The draft EIS does not indicate when this statement was made. However, it is assumed that it was made early on in the review process, prior to the introduction of MetroCard.

As the draft assumes a 30% transit use/combined trips credit in its traffic projections, it appears that the project will necessitate an increase in bus service. The scale of this increase and the financial implications must be identified and addressed as a project related impact. The EIS should include quantified estimates of anticipated additional demand based on ridership numbers. The revised impact on ridership should include estimates for ridership increases for a typical weekday, Saturday and Sunday.

While it is difficult to determine the cost of service without defining the span of service, frequency of service and type of vehicle required, the EIS should describe a methodology that addresses how the additional cost is to be included as part of the mitigation measures dealing with the traffic and impact on community services.

The cost of additional service should not be assumed to become a public expense.

2. **Identify required revisions to bus service and costs.** Implementation of the project as described will necessitate several significant changes to existing bus routes and bus stops. Some of the project elements that would impact bus service include the elimination of New School Street and a reversal in direction of three one way streets (Palisade Ave/Elm Street and New Main Street). These factors alone will require a comprehensive assessment and re-alignment of the majority of all bus routes in the area of downtown Yonkers. In turn, this would necessitate the relocation of several bus stops in the area.

Required changes in service (routes and stops) that are the direct result of new development should be considered a project related impact and addressed accordingly. The EIS should identify a proposed re-routing and new ADA accessible bus stop locations to replace displaced routes and stops. Proper siting of new, and improvements to existing, bus stops should be planned in accordance with the county's publication "Bus Stop Guidelines;" items such as signs, poles, benches, shelters, curb cuts and waiting areas must be considerations in the re-development of downtown.

The anticipated cost associated with the provision of relocated service and stops should be presented.

3. **Define role of proposed trolley loop.** The draft EIS includes a discussion of a "trolley system" linking the several project areas with the Yonkers Metro-North train station. It appears

that portions of the proposed trolley loop route (included in the draft EIS as Figure No. 14) would be duplicative of existing Bee-Line bus service. The Westchester County Department of Transportation questions the viability of such a service that would replicate existing, long established bus service and reduce ridership on Bee-Line routes. The EIS should identify who will pay the capital and operating cost of a trolley system.

As a preferred alternative, we encourage the city to work with the county to identify means to adapt Bee-Line services to the needs of the city and its residents and employers. As noted above, the Bee-Line system is an important component of the quality of life in the city and it should be thought of in local terms as the transit provider of choice.

4. **Identify bus layover locations.** At the request of the City of Yonkers, Bee-Line buses are no longer allowed to layover at the Yonkers railroad station. Therefore, buses are terminating, originating and laying over at several different locations and streets in the downtown area; this decreases efficiency of operations and increases operating costs. A bus layover area is needed to consolidate and organize Bee-Line operations within downtown Yonkers. We recommend that the EIS address this aspect and identify accommodation for bus layovers as part of the redevelopment plan for the downtown.

#### **H. IMPACTS TO EMERGENCY AND PUBLIC SAFETY SERVICES**

The scale of the proposed downtown development projects of necessity raises concerns of increased need for emergency and public safety services. It is conceivable that the project will necessitate additional County Police services at increased cost to the county Department of Public Safety.

The EIS should examine the impact of the project on County-provided police services through the Department of Public Safety. For example, the proposed entertainment complex which includes a 6,500 seat baseball park in addition to movie theaters, shops and restaurants, will attract large numbers of people who will be traversing both local streets and the Saw Mill River and Cross County Parkways on their way to and from the venue. It is possible that before and after ballgames there will be a need for additional units from the County Police for traffic control, particularly since there is a possibility that traffic congestion on Yonkers Avenue may lead to back ups on both the Saw Mill River and Cross County Parkways.

#### **I. PROVISION OF WATER SUPPLY**

The draft EIS states that the impact of this project (568,000 Gallons per day) along with other planned developments results in a projected cumulative water demand of approximately 1 million gallons per day. The discussion of water supply raises several questions that we recommend be addressed:

- The draft EIS does not provide documentation that the city has sufficient source available to meet these demands. This must be clarified.
- If excess water charges are owed to the NYC Department of Environmental Protection due to increased water usage by the project, will these charges be paid only by those properties contained within the project area? This should be clarified.



- Page I-31 notes that the Yonkers Fire Department expressed a need to increase water pressure in the area from 40 to 60 PSI. However, if this is connected to Water District #1, have the impacts been addressed?
- The hydraulic analysis for the city's water system must be submitted for review by the County Department of Environmental Facilities to determine if there will be any impacts with the County's connection at Shaft 22.
- The NYC DEP capital program outlines several major repairs and interim service changes in the water supply system. The EIS should discuss these coming actions and the relationship to the proposed development in downtown Yonkers.

#### **J. BROWNFIELD CONDITIONS**

The draft EIS states that portions of the Chicken Island site are listed as brownfields and are eligible for inclusion in the NYS Department of Environmental Conservation Brownfield Cleanup Program. However, it is unclear whether the current planned remediation of the site required by the NYS DEC Division of Remediation will be adequate given that there is a proposed change of use on the site that will lead to greater public activity on the site in the future. This should be addressed.

Also, in keeping with the past practices of the Westchester County Department of Health, it is recommended that there be an active vapor mitigation system employed for the remediation. The proposed passive mitigation system approach may lead to public exposure to potentially harmful vapors before vapor recovery begins.

In addition, liability for the brownfield remediation must be defined for all participants in the project, including the county if a county role is assumed. Presumably the cost of remediation would be a project cost for the developer; this should be confirmed. What are the expectations for sites where the developer will be constructing a public facility such as public parking facilities and the new fire headquarters?

#### **K. DAYLIGHTING OF SAW MILL RIVER**

The proposed project describes the "daylighting" and reconfiguration of the Saw Mill River as it traverses the development area in two separate locations. Currently, the Saw Mill River runs in an underground flume through most of downtown Yonkers. About 400 linear feet of the river is proposed to be daylighted at the River Park Center site, adding to an existing segment of uncovered river to create a new 1,100 linear foot daylighted river segment. This section would be reconfigured to include a walkway amenity and public access to the river and would be constructed by the River Park Center developer. Downstream of the River Park Center site, the river would return into the existing flume. A second 800 linear feet section would be daylighted through Larkin Plaza. Due to the topography and hydrology of the river in this area, the draft EIS describes "two very separate and distinct riparian environments" in this daylighted section, separated by a proposed new dam. Above the dam would be a freshwater pool. Below the dam would be a marine environment dominated by tidal flows from the Hudson River. This section would proceed only if the city took on the project.

The proposed daylighting project is an ambitious proposal which may present a number of engineering challenges and other concerns which we recommend be addressed in the EIS:

1. **Flooding potential.** The concept of channeling a river underground, opening it up again, then putting it back underground, then opening it up again and then putting it back underground can create a situation where flooding can occur in the areas where the water is released above ground. The use of the proposed dam in Larkin Plaza appears to be an attempt to keep water in the daylighted sections of the river during times of low water volume. However, will this dam also cause problems during large storm events? The draft EIS states that "during any 100-year flood event, the river could be partially diverted through a concrete culvert that runs through the site to the north of the river." However, what are the impacts for a larger event?
2. **Impact of sewage flows.** The draft EIS states that sewer overflow pipes, "will need to be rerouted to the daylighted/open section of the river. To minimize the impact of the overflow sewers on the new Larkin Plaza Park, the overflow pipes should be rerouted to discharge directly into the enclosed section of the Saw Mill River at the western end of the park. This will minimize the visual and potential odor impacts of the discharge." However, we note that given that the western portion of Larkin Plaza will be a marine environment dominated by tidal flows, there should be a concern about the possibility that sewer overflows will be washed back into the Larkin Plaza Park during high-tide. This should be addressed.
3. **Filter maintenance.** The city should be concerned about what must be done to filter the river to remove floatables and sediment which would normally flow down the river and would cause problems in this reconfigured river environment. If screens are located upstream of the site to filter these objects out of the water, who will maintain this operation and regularly clean the screens? This is a substantial expense which must be addressed and assigned.
4. **Funding sources.** Funding sources for the daylighting projects should be clarified beyond the general statement that outside funding sources will be sought. Design and construction responsibilities should also be clarified for all aspects of the river daylighting project. For example, who will obtain permits for construction? Who constructs the parkland and pedestrian bridges? Who implements the stormwater and sewer work that must be done to accommodate the daylighting? Who will remediate any contaminated Saw Mill River sediments?

#### **L. INCLUSION OF AFFORDABLE HOUSING**

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.

In addition, we note that the draft EIS states that the anticipated occupants of the proposed housing are projected to include mostly empty nesters and young professionals. However, given that the proposed unit mix is overwhelmingly two and three-bedroom apartments, it stands to reason that these units may

be desirable for families. Provisions for family recreation and educational facilities should be a required element of the site planning for the residential structures.

## M. PARKING FACILITIES

As noted above, the draft EIS lacks clarity in explaining the proposed parking program, instead offering a multitude of charts and tables, each of which communicates the details of the proposed parking differently. We recommend that additional information be required.

1. **Prepare a parking facility table.** The city should require provisions of revised parking information that identifies all aspects of the proposed parking in a comprehensive table for better understanding. We recommend that the following information be presented:

- Location of each parking structure or lot
- The number of spaces in each structure or lot
- The intended users of each parking area, and specifically which areas are restricted to certain users
- The number of spaces in each structure or lot which are to be privately owned/assigned
- The number of parking spaces to be removed by new construction, and whether and where they will be replaced. It should also be specified if these in-kind parking replacements serve a particular use now, and whether they will continue to be used for that same use, or a different use, and whether they are public or private spaces
- Whether or not public funding or TIF will be used to fund construction of each particular structure or lot, or a portion of such structure or lot
- Ownership and maintenance responsibility of each structure or lot after construction
- Specific role of the parking authority, if any

2. **Identify relationship between new uses and parking demand.** The overall development is described as taking credit for shared parking so as to reduce the parking requirement under existing zoning requirements. This fact makes it appear that the proposed parking is being constructed to specifically fit the parking needs of the proposed retail and commercial tenants of the project. In almost all situations, this type of parking provision is considered an integral and required part of a private development proposal. It is not clear why the provision of such parking facilities requires, or is eligible for, public funding assistance. The EIS should address this aspect.

3. **Explain relationship between parking structure and ground floor uses.** The draft EIS does not explain who will be responsible for the construction of the storefronts that will be incorporated into the façade of the parking garages. If the garages are proposed as public improvements, will the financing of the storefront construction be separated out? Who would own the retail spaces and who would receive rent payments from tenants? Similar questions should be addressed as they relate to the proposed new Salvation Army headquarters space.

15.1

4. **Provide details on potential green building requirements.** Appendix 1.F states, "The potential impact of any green building requirements or standards for parking structures have not been assessed, but are generally considered higher than (sic) the costs estimates developed by the



Redeveloper and City's consultant.." As green building standards should be encouraged, we recommend that the EIS assess such potential measures and costs.

#### **N. RELOCATION OF EXISTING RESIDENTS AND BUSINESSES**

The draft EIS contains conflicting information on the potential displacement of residences and businesses. The Preliminary Redevelopment Plan in Appendix I.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.

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.

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.

#### **O. WESTCHESTER RIVERWALK**

We appreciate the inclusion of another segment of Westchester RiverWalk into the Palisades Point portion of the development. As the project moves forward, more details of the proposed public space should be provided including funding proposals for design and construction. We recommend that the city work to incorporate the county's design guidelines and signage for RiverWalk on this new section of riverfront access as well as on all already developed sections. Such compliance with design standards for the length of RiverWalk would be a condition of any future county involvement. In addition, the EIS should provide clarification, with mapping, of the Scenic Hudson easement on the site and how this project conforms to the conditions of that easement.



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Draft Environmental Impact Statement  
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Thank you for the opportunity to provide comments and recommendations. Please let us know if we can provide further clarification for any of the comments above.

Sincerely,



Jerry Mulligan, AICP  
Commissioner

cc: Lawrence S. Schwartz, Deputy County Executive  
Hon. Philip A. Amicone, Mayor, City of Yonkers  
Hon. Chuck Lesnick, President, City Council

Andrew J. Spano  
County Executive

County Planning Board

May 29, 2008

Rachelle Richard, Chief of Staff  
City of Yonkers  
40 South Broadway, Room 403  
Yonkers, NY 10701

**Subject: Referral File No. YON 08-007 — River Park Center, Cacace Center, Palisades Point  
and Larkin Plaza  
Draft Environmental Impact Statement**

Dear Ms. Richard:

The Westchester County Planning Board has received a copy of a draft environmental impact statement (the draft EIS), dated accepted March 18, 2008, and prepared pursuant to the NYS Environmental Quality Review Act (SEQR) for the above referenced development projects on four separate sites in downtown Yonkers totaling 28.9 acres. As described in Tables I-3 and I-4 in the draft EIS, the overall development proposed by Struever Fidelco Cappelli LLC (SFC, the developer) would consist of:

- 1,386 residential units
- 496,000 square feet of retail floor area
- 475,000 square feet of office floor area
- 150 room hotel
- 6,500 seat ballpark
- 80,000 square feet of restaurant floor area
- 80,000 square feet of movies
- 49,000 square feet city fire department headquarters
- 6,692 parking spaces (or 6,793 spaces as per page II-38 of the draft EIS); 1,618 existing spaces will be removed

The draft EIS states that the proposed development could not be constructed without the financial participation of the City of Yonkers. The draft EIS outlines a means for the provision of that financial support through the adoption of a Redevelopment Plan by the City Council in accordance with the New York Municipal Redevelopment Law. This action would permit the utilization of tax increment financing through the issuance of tax increment bonds by the City of Yonkers. The preliminary Redevelopment Plan presented in the draft EIS encompasses 75.75 acres and 344 tax lots (per Table II-

1 of Appendix 1.F), an area that includes the 28.9 acres of the proposed development sites that are the subject of the draft EIS plus an additional 46.85 acres.

The draft EIS also proposes that the County of Westchester provide the same means of financial participation. In order to do so, the Westchester County Board of Legislators would have to adopt the same Redevelopment Plan in accordance with the New York Municipal Redevelopment Law – a process that requires referral to the County Planning Board and the holding of a public hearing.

It is our understanding that tax increment financing as presented in the draft EIS has never before been implemented in New York State.

The Redevelopment Plan would provide the basis for a “tax increment financing district.” Up to 75% of the city and county property tax generated by an anticipated increased valuation over a base line valuation of tax lots in the “tax increment financing district” would be committed by the city and the county for debt service on tax increment bonds, “the proceeds of which would be used for the construction of the required public improvements and infrastructure” (page I-2 of Appendix 1.F). The current estimate of “the amount necessary to cover the costs of construction of public infrastructure, improvements and parking and bond issuance and related financing costs (including capitalization and a reserve fund)” \$186,903,000. (Page I-4 of Appendix 1.F sets this figure at \$192,000,000.)

The draft EIS also states, “it is proposed that Westchester County and the City enter into a so-called ‘joint undertaking’ under Municipal Redevelopment Law in which the County would appoint the City as its agent for the purposes of preparing the preliminary plan and redevelopment plan for the project area.”

The Westchester County Planning Board has reviewed the draft EIS under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. We offer the following comments and recommendations for the city’s consideration.

## SUMMARY OF COMMENTS

The City of Yonkers has made tremendous progress in attracting new investment and development in the city’s downtown as well as throughout the city. The County of Westchester has welcomed the opportunity to partner with the city on several opportunities to facilitate private investment as well as to make direct investment in public resources such as Westchester RiverWalk, parks and affordable housing. The new set of development proposals for downtown Yonkers that are the subject of the draft EIS present an exciting vision for the future of Yonkers and Westchester.

The draft EIS makes very clear that the foundation for this next round of development is the proposed use of tax increment financing and that the developer has proposed the involvement of Westchester County in this financing plan. The County Planning Board recognizes that there are no better places for smart growth development on a large scale than in the downtowns of Westchester’s four major

cities. However, it is critical that the details of the county's requested financial and legal participation in the proposed actions be precisely defined and we flag the need for additional detail as a concern.

We offer extensive comments of many aspects of the specific SFC development projects. We emphasize that these comments must of necessity be preliminary as the development in downtown Yonkers (as per the procedure outlined in the draft EIS) will be subject to the overall vision of the final Redevelopment Plan which has yet to be drafted and presented to the County Board of Legislators for review and referral to the County Planning Board. Final comments on the potential environmental impacts of the specific SFC development projects can be made only after a Redevelopment Plan is adopted by the city and potentially the County Board of Legislators.

Our current review comments on the proposed development projects highlight the incompleteness of the site plan information presented in the draft EIS. The diagrams provided in the report are difficult to read, given the scale of the projects, and many elements are not described or not legible. Many of our interests and potential concerns cannot be addressed or evaluated with the current available information. For example, it is in the interest of the city and the county to be able to ensure that flooding mitigation and stormwater quality and quantity management measures are fully incorporated in the project and infrastructure development plans; no plan details are now provided.

3.1

3.2

We anticipate that the city will provide for additional opportunities for public review of project details once such plans are prepared and made available.

The areas in which we offer preliminary comments and recommendations are:

- Redevelopment plan
- Identification of public improvements
- Tax increment financing
- Fiscal impact on county
- Complexity of draft EIS and consistency of information
- Impacts to county sewers
- Impacts to Bee-Line bus service
- Impacts to emergency and public safety services
- Provision of water supply
- Brownfield conditions
- Daylighting of Saw Mill River
- Inclusion of affordable housing
- Traffic impacts
- Traffic demand management and non-motorized transportation
- Parking facilities
- Amendment of Waterfront Master Plan
- Relocation of existing residences and businesses
- Parkland alienation
- Potential visual impacts



- Streetscape issues
- Westchester RiverWalk
- Relationship to sugar refinery
- Retail analysis
- Green building technology

## COMMENTS

### A. REDEVELOPMENT PLAN

The draft EIS identifies the preparation and adoption of a preliminary Redevelopment Plan and of a final Redevelopment Plan as the foundation for the entire SFC development scenario presented in the draft EIS. The Redevelopment Plan establishes the basis to create a tax increment financing district which is described as required in order for the private developments to proceed. In order for the County of Westchester to participate in the tax increment financing, the County Board of Legislators would first have to adopt the preliminary Redevelopment Plan and the final Redevelopment Plan. The draft EIS also notes that city and county should enter a 'joint undertaking' under Municipal Redevelopment Law in which the county would appoint the city as its agent for the purposes of preparing the preliminary plan and redevelopment plan for the project area."

This proposal raises several questions and concerns that are not addressed in the draft EIS. In order to have a solid basis for decision-making on actions that would commit the county government and its property tax revenues for many years, the following information is required and should become part of the preliminary Redevelopment Plan:

1. **Define and outline the anticipated review/approval schedule.** The important role of the Westchester County Board of Legislators and the Westchester County Planning Board in the process of creating the foundation for the SFC development projects is not readily apparent in the draft EIS text and tables. A timetable should be prepared outlining a sequence of already taken actions and anticipated actions by all parties that are expected to take action to realize the proposal as presented in the draft EIS. We note that submission of legislation to the Board of Legislators, the convening of a public hearing and the referral to the County Planning Board will require time and attention. Each board, and the county administration, will expect to have all information requested as part of the county's review of the draft EIS on hand before taking any action. More detail must be provided on the meaning, implementation and commitments of the proposed "joint undertaking."

4.1

2. **Delineate the city's role as "agent".** The city's role as "agent" under the Municipal Redevelopment Law needs to be delineated. Would Yonkers issue TIF bonds on behalf of the county? What assurances and indemnities is the agent offering the county? What is meant by the "joint undertaking" by the city and county and what does it involve?

4.2

3. **Provide development expectations for included parcels.** The proposed Redevelopment Area encompasses 46 acres beyond the SFC development sites. Why are these additional parcels

4.3



included at this time as the Preliminary Redevelopment Plan does not appear to directly provide development discussions for this additional land area? We are also concerned that while the draft EIS is limited to addressing potential impacts from development on the SFC sites, the Preliminary Redevelopment Plan states that the draft EIS is a sufficient basis to provide SEQR compliance for adoption of the plan. The extent of, and justification for, the Redevelopment Area boundaries should be discussed at greater length.

4.3

4. **Describe the extent of the “tax increment financing district (TIF).”** The draft EIS uses several terms that presumably refer to the same geographic area, e.g. Municipal Redevelopment Project Area Boundary, tax increment financing district, designated project area and study area. This creates confusion where clarity and specificity is required. Do these terms refer to same grouping of tax lots? If not, what is the difference? Will all parcels included in the Municipal Redevelopment Project Area Boundary be subject to the tax increment financing provisions? Maps and diagrams of the relevant areas should be provided.

5.1

5. **Provide additional property details.** A review of the included properties raises questions which should be addressed. Are there any properties that the city, or any other governmental agency such as parking authority, intends to take under eminent domain or through an urban renewal process? Who are the current owners of properties in the “blighted” area? When was the last time these properties transferred ownership?

5.2

6. **Identification of public improvements.** See the discussion and questions under B, directly below.

## B. IDENTIFICATION OF PUBLIC IMPROVEMENTS

The draft EIS makes both broad and specific statements about the proposed components of the public improvements that are to be funded through the tax increment financing program. There are also statements such as the work “will be undertaken by the Applicant” (page II-33) and the “improvements at Larkin Plaza are not a part of the Project proposed to be developed by the Applicant.” However, we did not find a comprehensive list of proposed public improvements.

1. **Provide comprehensive list of proposed public improvements.** The EIS and the preliminary Redevelopment Plan should be revised to include a list that identifies each proposed public improvement, provide a concise description, identifies estimated cost, identifies responsible party for implementation and identifies if the cost of the improvement (or a percentage thereof) is proposed to be funded through the tax increment financing program. If public improvements are proposed to be made outside of the tax increment financing district, the EIS and the preliminary Redevelopment Plan should identify such improvements and explain how they are proposed to be funded? Are TIF funds permitted to be used in such situations? Is the TIF to provide funding for future public improvements that are not related to the SFC development proposals?

5.3

2. **Identify proposed role of Westchester County.** The draft EIS makes a number of statements about the expectation that Westchester County will participate in “various public improvements” related to the project. Specifically, the document mentions funding for the Westchester

5.4



RiverWalk and Legacy funds. The EIS must provide more information on the proposed role for the county. Each component of the development where the county is assumed or anticipated to play a role must be identified and the public purpose of each proposed county-financed element must be explained. For example, if county funds are proposed to be utilized to replace municipal parking in-kind, what would be the benefit to county residents?

5.4

6.1

3. **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 authority, the parking authority or other quasi-municipal agencies? If so, the specific role in implementation, funding and operation should be detailed.

6.2

4. **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? For example, will the developer contribute facilities for a public school?

6.3

6.4

#### C. TAX INCREMENT FINANCING (TIF)

Our review of the text explaining the basis, implementation and operation of tax increment financing found it to be incomplete and not presenting an easy-to-understand proposal for a county role and commitment. We recommend that this concept, its administration and its obligations on all participants be presented in greater detail. Without the availability of additional information, we question how possible it will be for governments to make critical decisions over involvement.

6.5

#### D. FISCAL IMPACT ON COUNTY

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.

6.6

#### E. COMPLEXITY OF DRAFT EIS AND CONSISTENCY OF INFORMATION

The proposed development projects are described as requiring the following eight major actions by the city (actions under County Planning Board jurisdiction are in *italic*):

- *Various zoning text amendments*
- *Amendments to the Urban Renewal Plan for the Getty Square Urban Renewal Area*
- *Amendments to the City's Master Plan & Design Guidelines for the Yonkers Downtown Waterfront (the "Waterfront Master Plan")*



- Approval by the City Council of a Redevelopment Plan under the New York Municipal Redevelopment Law and issuance by the city of tax increment bonds to fund costs of public improvements
- *Planned Urban Redevelopment special permit approval for Palisades Point from the City Council and Yonkers Planning Board*
- Alienation of certain city park lands
- *Official Map amendments to discontinue certain city streets*
- *Site plan approval by the Yonkers Planning Board*

*In addition, as discussed above, the draft EIS proposes that the County Board of Legislators adopt a Redevelopment Plan under the New York Municipal Redevelopment Law; that approval process requires a referral of the plan to the County Planning Board.*

Under ordinary circumstances, each of the four major development components described in the draft EIS would probably require their own EIS under SEQR. By combining the four developments into one environmental review, a "mega-EIS" has been produced that reviews the impacts of each project component, as well as tries to explain the inter-relatedness of each component. While it is appropriate that such a large undertaking is being examined as part of a broad comprehensive review, it may be unreasonable to assume that this initial review can identify and explore the details of each project. The sheer volume of the documentation poses a challenge, particularly for members of the public. The complexity and length also appears to have resulted in presentation of inconsistent, unclear or incomplete information.

7.1

We find weaknesses in the following aspects hinder effective and complete review:

1. **Discuss status of Redevelopment Plan.** As described in the draft EIS, the Redevelopment Plan is to serve as the plan for development of the redevelopment area. Logically, the draft of the preliminary redevelopment plan should be circulated, reviewed and commented on before reviews and comments are made on individual development sites. The draft EIS de-emphasizes the role of this plan and of the roles of agencies identified as required to review and to adopt the plan.

7.2

2. **Provide more detailed site plans.** While physical elements of the project are described in the text of the draft EIS, the lack of detailed site plans beyond 8.5" x 11" diagrams lead to confusion about the construction that is being proposed, particularly for the River Park Center element of the development. A better understanding of what is proposed to be built could be better conveyed through larger-scale site plan drawings. The diagrams shown in the draft EIS are difficult to read, given the scale of the project, and many elements of the plan are not legible. Detailed descriptions and renderings are also lacking certain key project elements such as the Palisades Avenue Office Building (a proposed 14-story building with 235,000 square feet of floor area) and the other office component of River Park Center. The lack of complete plans prevents a complete review. We note that the recently discussed proposal to construct a model should be a useful additional resource for the review process.

7.3



3. **Correct inconsistent parking information.** The details of the proposed parking program are not consistent throughout the document. A multitude of different tables and charts present information differently and sometimes use different numbers for the same facilities in different sections of the document. Since parking appears to be proposed as a major component of the public improvements to be paid for with the tax increment financing, clarity is required. In addition, since it appears that some parking will be in-kind replacement for existing municipal parking and other parking will be set aside for specific users, clarification should be provided as to which entity is to be financially responsible for the construction, ownership and maintenance of each portion of the parking program.

8.1

4. **Identify agreements required.** The extent of all agreements required to implement the project need to be identified including the parties of such agreements. Are any agreements already in place; if so, what do they cover or provide for?

8.2

## F. IMPACTS TO COUNTY SEWERS

The draft EIS states that the estimated average daily sanitary flows for the project sites are approximately 393,320 gallons per day for River Park Center, Government Center and Cacace Center and 100,920 gallons per day for Palisades Point – a total of 494,240 gallons per day – which would be treated at the county's Yonkers Joint Wastewater Treatment Plant. The draft EIS states that this figure assumes a 20% flow reduction from the use of water saving fixtures. Without the use of water saving fixtures, the total sanitary flow would be 617,800 gallons per day.

This additional flow, and potential construction impacts on the system, must be addressed as part of the project review and approval.

1. **Provide two types of mitigation.** The draft EIS correctly states that the County Department of Environmental Facilities has requested that the additional flow to the sewer system from the project sites be off-set by reductions in existing inflow/infiltration (I&I) at a three-for-one ratio. However, while the project proposes reducing I&I as part of the mitigation, it would not be on a three-for-one ratio, but instead implemented as part of a program which also uses other mitigation. This other mitigation includes:

- Physically separating stormwater from the sanitary sewer in the area of the River Park Center site
- Diverting stormwater from the existing combined sewer system through the construction of new stormwater drainage facilities in the project area

8.3

The combined sewer system separation should not be counted as part of the I&I mitigation. Storm/sanitary separation only addresses peak flows during storm events and mitigates combined sewer overflow but not average flows to the Yonkers Joint Wastewater Treatment Plant. We recommend that storm/sanitary separation be provided at a ratio of 3 to 1 and that I&I mitigation be provided at a ratio of 1 to 1.5.

The EIS should clarify who will conduct the mitigation work and how it will be paid for.



2. **Address detailed impacts.** The following comments on potential sewer impacts are provided by the county Departments of Health (DOH) and Environmental Facilities (DEF):

- Section III H-3 (c) states that “except for Palisade Point, sewage from the various sites will discharge into a 36”-48” City trunk combined sanitary and storm sewer.” We suggest that sanitary discharges from this project be sent to separate sanitary sewers when practical. (DOH) 9.1
- Section III H-5 states that the existing 12” sewer serving Palisade Point does not have sufficient capacity and must be replaced with a larger sewer. Please document that the receiving sewer, to which this new sewer will connect, has capacity to handle these flows. (DOH) 9.2
- Section III H-14 speaks to the relocation of the combined sewer discharge to the Saw Mill River in the vicinity of Larkin Plaza. It is not clear whether the relocated pipe section is located before or after the regulator. If the discharge pipe to be relocated is after the regulator, it is acceptable; if before the regulator than it cannot be relocated. (DOH) 9.3
- DEF must have an opportunity to review the comprehensive hydraulic analysis for the City of Yonkers water system since there may be impacts with DEF’s connection at Shaft 22. (DEF) 9.4
- The proposed access road for Palisades Point is directly over a county force main. The location of the main must be identified on the plans and the EIS must identify potential construction impacts and long-term traffic weight problems which could damage the main; maximum load limits should be established. (DEF) 9.5

## G. IMPACTS TO BEE-LINE BUS SERVICE

The development of downtown Yonkers will have an impact on – and a dependence on the county’s Bee-Line bus service. We recommend that the following aspects be considered in greater depth:

1. **Identify impacts to existing Bee-Line bus service.** Fourteen Bee-Line bus routes operate within the project area: routes 1, 2, 3, 4, 5, 6, 7, 8, 9, 23, 25, 30, 32 and 78. Over 8,000 passengers board Bee-Line buses daily (weekdays) at stops in and around the project area. Since the introduction of MetroCard on Bee-Line buses in April 2007, ridership has increased dramatically on routes that connect with MTA New York City Transit buses and subways in the Bronx. Several of these routes are in the project area. In addition, ridership on bus routes that travel through Getty Square is up over 7% for the first three months of 2008 when compared to the same period in 2007.

The noted increase in demand has led to capacity issues along several of the routes within the project area. To address the added demand, since January 1, 2007, over \$500,000 (annualized costs) in additional service have been added to bus routes that serve downtown Yonkers. During the same period, nearly \$1 million (annualized costs) has been added to the bus routes that serve the Central Park Avenue in corridor in Yonkers. Obviously, the county understands the role that bus service plays in the quality of life in Yonkers and works to meet the needs and residents and employers.



However, even after the service enhancements, there is currently no passenger capacity available on several routes that serve downtown Yonkers during weekday rush hours. This existing condition is not captured in the draft EIS. In fact, the draft EIS states that the "Westchester County Department of Transportation indicated that the Bee Line bus routes in the area generally have available capacity and if ridership increases bus service is adjusted accordingly." The draft EIS does not indicate when this statement was made. However, it is assumed that it was made early on in the review process, prior to the introduction of MetroCard.

10.1

As the draft assumes a 30% transit use credit in its traffic projections, it appears that the project will necessitate an increase in bus service. The scale of this increase and the financial implications must be identified and addressed as a project related impact. The EIS should include quantified estimates of anticipated additional demand based on ridership numbers. The revised impact on ridership should include estimates for ridership increases for a typical weekday, Saturday and Sunday.

While it is difficult to determine the cost of service without defining the span of service, frequency of service and type of vehicle required, the EIS should describe a methodology that addresses how the additional cost is to be included as part of the mitigation measures dealing with the traffic and impact on community services.

The cost of additional service should not be assumed to become a public expense.

2. **Identify required revisions to bus service and costs.** Implementation of the project as described will necessitate several significant changes to existing bus routes and bus stops. Some of the project elements that would impact bus service include the elimination of New School Street and a reversal in direction of three one way streets (Palisade Ave/Elm Street and New Main Street). These factors alone will require a comprehensive assessment and re-alignment of the majority of all bus routes in the area of downtown Yonkers. In turn, this would necessitate the relocation of several bus stops in the area.

10.2

Required changes in service (routes and stops) that are the direct result of new development should be considered a project related impact and addressed accordingly. The EIS should identify a proposed re-routing and new ADA accessible bus stop locations to replace displaced routes and stops. Proper siting of new, and improvements to existing, bus stops should be planned in accordance with the county's publication "Bus Stop Guidelines;" items such as signs, poles, benches, shelters, curb cuts and waiting areas must be considerations in the re-development of downtown.

The anticipated cost associated with the provision of relocated service and stops should be presented.

3. **Define role of proposed trolley loop.** The draft EIS includes a discussion of a "trolley system" linking the several project areas with the Yonkers Metro-North train station. It appears

10.3



that portions of the proposed trolley loop route (included in the draft EIS as Figure No. 14) would be duplicative of existing Bee-Line bus service. The Westchester County Department of Transportation questions the viability of such a service that would replicate existing, long established bus service and reduce ridership on Bee-Line routes. The EIS should identify who will pay the capital and operating cost of a trolley system.

10.3

As a preferred alternative, we encourage the city to work with the county to identify means to adapt Bee-Line services to the needs of the city and its residents and employers. As noted above, the Bee-Line system is an important component of the quality of life in the city and it should be thought of in local terms as the transit provider of choice.

4. **Identify bus layover locations.** At the request of the City of Yonkers, Bee-Line buses are no longer allowed to layover at the Yonkers railroad station. Therefore, buses are terminating, originating and laying over at several different locations and streets in the downtown area; this decreases efficiency of operations and increases operating costs. A bus layover area is needed to consolidate and organize Bee-Line operations within downtown Yonkers. We recommend that the EIS address this aspect and identify accommodation for bus layovers as part of the redevelopment plan for the downtown.

11.1

## H. IMPACTS TO EMERGENCY AND PUBLIC SAFETY SERVICES

The scale of the proposed downtown development projects of necessity raises concerns of increased need for emergency and public safety services. It is conceivable that the project will necessitate additional County Police services at increased cost to the county Department of Public Safety. Provision of fire emergency services is also a concern. We recommend that the following aspects be addressed:

1. **Address impact to public safety services.** The EIS should examine the impact of the project on County-provided police services through the Department of Public Safety. For example, the proposed entertainment complex which includes a 6,500 seat baseball park in addition to movie theaters, shops and restaurants, will attract large numbers of people who will be traversing both local streets and the Saw Mill River and Cross County Parkways on their way to and from the venue. It is possible that before and after ballgames there will be a need for additional units from the County Police for traffic control, particularly since there is a possibility that traffic congestion on Yonkers Avenue may lead to back ups on both the Saw Mill River and Cross County Parkways.

11.2

2. **Prepare fire access plans.** Based on the review of available plans, there is concern about how fire protection services will be delivered to some parts of the development sites. In particular, the EIS should clarify how fire trucks are able to get to the Palisades Point site, since there may be clearance issues with the train track crossing and navigation of the helix-shaped ramp off of the new Prospect Street bridge.

11.3

Also, since the new Fire Department headquarters is to be located on New Main Street, the EIS should demonstrate that adequate street width will be available to permit safe access by fire trucks

11.4



and other emergency vehicles. We note that New Main Street is a narrow street with a tight turning radius from Nepperhan Avenue.

11.4

#### I. PROVISION OF WATER SUPPLY

The draft EIS states that the impact of this project (568,000 Gallons per day) along with other planned developments results in a projected cumulative water demand of approximately 1 million gallons per day. The discussion of water supply raises several questions that we recommend be addressed:

12.1

- The draft EIS does not provide documentation that the city has sufficient source available to meet these demands. This must be clarified.
- If excess water charges are owed to the NYC Department of Environmental Protection due to increased water usage by the project, will these charges be paid only by those properties contained within the project area? This should be clarified.
- Page I-31 notes that the Yonkers Fire Department expressed a need to increase water pressure in the area from 40 to 60 PSI. However, if this is connected to Water District #1, have the impacts been addressed?
- The hydraulic analysis for the city's water system must be submitted for review by the County Department of Environmental Facilities to determine if there will be any impacts with the County's connection at Shaft 22.
- The NYC DEP capital program outlines several major repairs and interim service changes in the water supply system. The EIS should discuss these coming actions and the relationship to the proposed development in downtown Yonkers.

12.2

12.3

12.4

#### J. BROWNFIELD CONDITIONS

The draft EIS states that portions of the Chicken Island site are listed as brownfields and are eligible for inclusion in the NYS Department of Environmental Conservation Brownfield Cleanup Program. However, it is unclear whether the current planned remediation of the site required by the NYS DEC Division of Remediation will be adequate given that there is a proposed change of use on the site that will lead to greater public activity on the site in the future. This should be addressed.

12.5

Also, in keeping with the past practices of the Westchester County Department of Health, it is recommended that there be an active vapor mitigation system employed for the remediation. The proposed passive mitigation system approach may lead to public exposure to potentially harmful vapors before vapor recovery begins.

12.6

In addition, liability for the brownfield remediation must be defined for all participants in the project, including the county if a county role is assumed. Presumably the cost of remediation would be a project cost for the developer; this should be confirmed. What are the expectations for sites where the developer will be constructing a public facility such as public parking facilities and the new fire headquarters?

12.7

#### K. DAYLIGHTING OF SAW MILL RIVER

The proposed project describes the "daylighting" and reconfiguration of the Saw Mill River as it traverses the development area in two separate locations. Currently, the Saw Mill River runs in an



underground flume through most of downtown Yonkers. About 400 linear feet of the river is proposed to be daylighted at the River Park Center site, adding to an existing segment of uncovered river to create a new 1,100 linear foot daylighted river segment. This section would be reconfigured to include a walkway amenity and public access to the river and would be constructed by the River Park Center developer. Downstream of the River Park Center site, the river would return into the existing flume. A second 800 linear feet section would be daylighted through Larkin Plaza. Due to the topography and hydrology of the river in this area, the draft EIS describes "two very separate and distinct riparian environments" in this daylighted section, separated by a proposed new dam. Above the dam would be a freshwater pool. Below the dam would be a marine environment dominated by tidal flows from the Hudson River. This section would proceed only if the city took on the project.

The proposed daylighting project is an ambitious proposal which may present a number of engineering challenges and other concerns which we recommend be addressed in the EIS:

13.1

1. **Flooding potential.** The concept of channeling a river underground, opening it up again, then putting it back underground, then opening it up again and then putting it back underground can create a situation where flooding can occur in the areas where the water is released above ground. The use of the proposed dam in Larkin Plaza appears to be an attempt to keep water in the daylighted sections of the river during times of low water volume. However, will this dam also cause problems during large storm events? The draft EIS states that "during any 100-year flood event, the river could be partially diverted through a concrete culvert that runs through the site to the north of the river." However, what are the impacts for a larger event?

2. **Impact of sewage flows.** The draft EIS states that sewer overflow pipes, "will need to be rerouted to the daylighted/open section of the river. To minimize the impact of the overflow sewers on the new Larkin Plaza Park, the overflow pipes should be rerouted to discharge directly into the enclosed section of the Saw Mill River at the western end of the park. This will minimize the visual and potential odor impacts of the discharge." However, we note that given that the western portion of Larkin Plaza will be a marine environment dominated by tidal flows, there should be a concern about the possibility that sewer overflows will be washed back into the Larkin Plaza Park during high-tide. This should be addressed.

13.2

3. **Filter maintenance.** The city should be concerned about what must be done to filter the river to remove floatables and sediment which would normally flow down the river and would cause problems in this reconfigured river environment. If screens are located upstream of the site to filter these objects out of the water, who will maintain this operation and regularly clean the screens? This is a substantial expense which must be addressed and assigned.

13.3

4. **Funding sources.** Funding sources for the daylighting projects should be clarified beyond the general statement that outside funding sources will be sought. Design and construction responsibilities should also be clarified for all aspects of the river daylighting project. For example, who will obtain permits for construction? Who constructs the parkland and pedestrian bridges? Who implements the stormwater and sewer work that must be done to accommodate the daylighting? Who will remediate any contaminated Saw Mill River sediments?

13.4



#### **L. INCLUSION OF AFFORDABLE HOUSING**

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.

14.1

In addition, we note that the draft EIS states that the anticipated occupants of the proposed housing are projected to include mostly empty nesters and young professionals. However, given that the proposed unit mix is overwhelmingly two and three-bedroom apartments, it stands to reason that these units may be desirable for families. Provisions for family recreation and educational facilities should be a required element of the site planning for the residential structures.

14.2

#### **M. TRAFFIC IMPACTS**

The EIS should provide greater clarification regarding the 30% traffic credit taken for transit usage and shared trips. We note that the developer is not assuming a 30% transit credit for the proposed parking scheme; instead the draft EIS states that "by not applying a mass transit credit (10% - 20%), a 'cushion' is provided for parking during peak seasonal conditions."

14.3

If it is anticipated that parking will be full without applying a transit credit, this could potentially mean that the anticipated traffic impact may be under-estimated. If the transit mode share of trips to the new project is less than 30%, what additional mitigation would be required to be performed?

14.4

In addition, the EIS should be required to present a more detailed plan for parking garage entrance/exit access throughout the downtown, including all required signage.

14.5

#### **N. TRAFFIC DEMAND MANAGEMENT AND NON-MOTORIZED TRANSPORTATION**

The planning for new development in downtown Yonkers should seek to attain the highest amount of transit usage and non-motorized access as possible as a way to minimize the need for people to drive to the downtown. Given the wealth of transit access to downtown Yonkers, the fact that a number of trailways are near the project site and the fact that downtown Yonkers is a walkable environment, there should be plenty of opportunities to promote all forms of access to the project. While the draft EIS assumes a 30% traffic credit for transit usage and shared trips, the draft EIS does not present or discuss a program to encourage more people to use transit instead of drive. Bicycle access and bicycle parking are completely absent from the draft EIS. Perhaps the savings would be greater if such a program were explored.

14.6

1. **Identify TDM techniques.** We note that a discussion of enhancing transit use was called for in the final scoping document but it is not included in the draft EIS. The scoping document requires: "The study should discuss Traffic Demand Management (TDM) techniques as potential mitigation measures in order to encourage alternate modes of transportation. The TDM discussion

14.7



should include the installation and improvement of bicycle facilities (bike racks, etc) within the city, possible price incentives to encourage transit use, etc.” (page 19)

14.7

We recommend that the city require preparation of this discussion as originally required.

2. **Prepare comprehensive pedestrian plans.** We are concerned that pedestrian access will not be uniformly provided to all parts of the downtown development sites from surrounding neighborhoods. For example, the draft EIS states, “primary shopper access to the supermarket will occur from the parking garage.” Given that supermarkets are a necessity for both the new residents of the project as well as existing residents of the surrounding neighborhood (particularly because an existing supermarket on New Main Street will be demolished under the proposal), primary access should be from the street. Nearby residents should not be required to either drive or walk through a parking structure to buy groceries. While this is one example of inadequate pedestrian access described in the text of the draft EIS, without detailed site plans it is not possible to verify adequate pedestrian access from the street to other elements of the proposed developments. For example, will pedestrian access be provided on the new bridge over the Metro-North tracks connecting to Palisades Point?

15.1

## O. PARKING FACILITIES

As noted above, the draft EIS lacks clarity in explaining the proposed parking program, instead offering a multitude of charts and tables, each of which communicates the details of the proposed parking differently. We recommend that additional information be required.

1. **Prepare a parking facility table.** The city should require provisions of revised parking information that identifies all aspects of the proposed parking in a comprehensive table for better understanding. We recommend that the following information be presented:

15.2

- Location of each parking structure or lot
- The number of spaces in each structure or lot
- The intended users of each parking area, and specifically which areas are restricted to certain users
- The number of spaces in each structure or lot which are to be privately owned/assigned
- The number of parking spaces to be removed by new construction, and whether and where they will be replaced. It should also be specified if these in-kind parking replacements serve a particular use now, and whether they will continue to be used for that same use, or a different use, and whether they are public or private spaces
- Whether or not public funding or TIF will be used to fund construction of each particular structure or lot, or a portion of such structure or lot
- Ownership and maintenance responsibility of each structure or lot after construction
- Specific role of the parking authority, if any

2. **Identify relationship between new uses and parking demand.** The overall development is described as taking credit for shared parking so as to reduce the parking requirement under existing zoning requirements. This fact makes it appear that the proposed parking is being

15.3



constructed to specifically fit the parking needs of the proposed retail and commercial tenants of the project. In almost all situations, this type of parking provision is considered an integral and required part of a private development proposal. It is not clear why the provision of such parking facilities requires, or is eligible for, public funding assistance. The EIS should address this aspect.

15.3

8. **Explain relationship between parking structure and ground floor uses.** The draft EIS does not explain who will be responsible for the construction of the storefronts that will be incorporated into the façade of the parking garages. If the garages are proposed as public improvements, will the financing of the storefront construction be separated out? Who would own the retail spaces and who would receive rent payments from tenants? Similar questions should be addressed as they relate to the proposed new Salvation Army headquarters space.

16.1

4. **Provide details on potential green building requirements.** Appendix 1.F states, "The potential impact of any green building requirements or standards for parking structures have not been assessed, but are generally considered higher than (sic) the costs estimates developed by the Redeveloper and City's consultant.." As green building standards should be encouraged, we recommend that the EIS assess such potential measures and costs.

16.2

#### P. AMENDMENT OF WATERFRONT MASTER PLAN

One of the proposed actions covered by the draft EIS is an amendment of the "Master Plan and Design Guidelines for the Yonkers Downtown Waterfront." This document, known as the "Waterfront Master Plan," was adopted by the Yonkers City Council in April 1999. Page III.A-27 of the draft EIS describes the conflict between the adopted plan and the proposed development of Palisades Point as follows:

*"The Waterfront Master Plan suggests a different scenario that is currently proposed for Palisades Point in terms of building height and number of units. The Waterfront Master Plan calls for a maximum building height of 80 feet, compared to 250 feet for the proposed development. It recommends 262 dwelling units and 528 parking spaces, compared to 436 units and 658 parking spaces as proposed."*

To provide a basis for calling for a 212% increase in permitted maximum height and 66% increase in number of dwelling units for the site, the draft EIS states:

*"...the proposed height and density will build on the smaller scale retail, restaurants, and other uses that exists along the waterfront and within the downtown and will provide new housing opportunities, adding to the consumer base for not only the proposed commercial uses, but the existing stores and businesses in the downtown and greater Yonkers area."*

We recommend that the following aspects of amending the Waterfront Master Plan be addressed:

1. **Conduct planning process to assess need for and scope of amendments.** The County Planning Board recognizes that comprehensive plans and area master plans require constant monitoring and updating to remain relevant guidance documents for public and private

16.3



investments and initiatives. However, as we are emphasizing through our *Westchester 2025 Plan Together* program, it is critical that plans - and amendments of such plans - be based on an articulated long-range community vision that all interested parties can understand and rely upon.

16.3

From a regional perspective, the Yonkers Waterfront Master Plan appears to have served the city well in guiding the already existing, successful waterfront development. We suggest that an amendment of the plan should be based on a more comprehensive and broader discussion than to meet the needs of a particular applicant. The development of such a basis through a public planning process seems particularly critical in this situation where the requested amendments are so significantly at variance with the current, adopted guidelines.

2. **Provide current and proposed plan text.** We recommend that the proposed amendments be presented in a "delete/add" format. The text of the amendments contained in Appendix 1.E only provides new text.

17.1

3. **Explain parking calculations.** Though the proposed amendment would call for a 24% increase in the provision of parking spaces on the riverfront development site, it would appear to reduce the ration of spaces per dwelling unit from 2 per unit to 1.5 per unit. This would appear to be a smart growth initiative for a residential building in a downtown location near a train station. However, the draft EIS notes on page III.A-15 that the master plan total spaces of 528 includes 184 permanent replacement parking spaces for the adjacent Scrimshaw House. Are the same 184 spaces included in the 658 spaces to be provided in the proposed development? (We note that Table I-4 states that 669 spaces are to be provided.)

17.2

## O. RELOCATION OF EXISTING RESIDENTS AND BUSINESSES

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.

17.3

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.

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.

17.4



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.

18.1

#### R. PARKLAND ALIENATION

The draft EIS states that areas of existing City parklands (approximately 2.93 acres in total) are proposed to be alienated and transferred to the developer to allow the construction of the project. It is our understanding that none of the parkland to be alienated is active parkland.

18.2

To comply with State policy regarding replacement of alienated park land, the draft EIS notes that the City proposes to dedicate two City owned parcels as parkland, comprising a total of 8.25 acres: 4.95 acres at 1061 North Broadway (Block 3515, Lot 115) and 3.30 acres at 101 Odell Avenue (Block 3515, Lot 100). However, the draft EIS does not state what the current use of this land is, or what the City intends to do with the new parkland in terms of improvements for recreational or open space use. This should be clarified in the EIS. In addition, the EIS should verify if State legislation has been submitted and/or approved for the proposed alienation.

#### S. POTENTIAL VISUAL IMPACTS

The draft EIS provides a visual impact analysis which assesses a number of viewsheds from across the city, as well as from across the Hudson River. This analysis concentrates on an assessment of building bulk, height and massing; the analysis does not address building material, design or architectural treatment in detail or in a consistent manner. It appears that such aspects of the proposed structures are not yet defined. If this is the situation, then the EIS should very specifically clarify the scope of the analysis so that decisions resulting from this SEQR process are not based on assumptions and expectations generated by the visual images in the report when in fact there is no specific commitment at this time to design details.

18.3

With the understanding that design details are not complete, we have the following comments and recommendations:

1. **Conflicting information and renderings.** The draft EIS contains multiple renderings for elements of the project that are substantially different. For example, the Government Center garage is presented in two renderings that look very different. In addition, statements in the draft EIS about the visual form of the proposed project also conflict. For example, statements such as: "Palisades Point is proposed to use a brick and/or glass façade treatment along the waterfront that is consistent with the Scrimshaw House" indicate that no commitment is being made at this time to any particular material for the proposed buildings. The draft EIS describes the proposed "Carnegie Building" as intended to "evoke the old Carnegie Library that formally occupied the corner opposite the site" which is described as constructed with "stone facing". The renderings show a modern-style steel and glass tower.

18.4



2. **Lack of information for project elements.** Certain aspects of the project have no renderings or other visual details in the draft EIS. As a consequence, their visual impacts are not addressed. For example, there are no pictures of the proposed Palisades Avenue Office Building or the other office component building of River Park Center. This is of concern as the lower six floors of the Palisades Avenue Office Building would be a parking structure. Renderings and visual information were also not provided for the side of Palisades Point that faces away from the river. Also, the potential visual impact of the new bridge over the train tracks is not addressed. This bridge could impact adjacent properties as abutments may need to be constructed and the grading of the surrounding area changed.

19.1

3. **Screening of parking garages.** The draft EIS describes a façade for the project's parking garages that would incorporate "a metal tube system and steel mesh panels" to mimic windows. According to the draft EIS, this is being done "in order to lessen the scale of the structure." We question that this type of design treatment will lessen the appearance of the physical scale of a large parking structure. While better than simply having a parking garage with no screening, experience with similar garage designs in Westchester County has shown that mock windows alone do not encourage street activity or lessen the appearance of physical scale of the garage.

19.2

19.3

4. **Parking garage rooftops.** We urge the City to require consideration of providing public open space parks on the top level of both the Government Center and Cacace Center parking structures. This could either be done by adding another level to the proposed garages or by putting a level of parking underground in order to accommodate the park if a certain building height must be maintained. In addition to creating a positive visual impact for the higher floors of surrounding buildings including City Hall (which would otherwise overlook parking), having park space atop the garages would provide extra open space as well as environmental benefits, such as stormwater retention and a reduction in the urban heat island effect. To gain these benefits a natural vegetative surface should be used, as opposed to artificial turf.

19.4

5. **Screening of rooftop mechanicals.** As part of a program to improve the visual impacts of rooftops, we also recommend a screening program for all rooftop mechanicals on low-rise builds, preferably with green roof elements to obtain the benefits described above.

19.5

6. **Landscaping plan.** The draft EIS does not include information about a comprehensive landscaping plan. Given the visual impact of the project, particularly with the proposed parking garages, a landscaping plan could be an effective way to mitigate some of the visual impacts. We recommend that the landscaping plan include a specific tree planting plan so as to ensure that the provision of street trees is explicitly addressed in relation to public spaces, sidewalks and street frontage.

19.6

7. **Reflections.** The draft EIS should address the potential for sunlight reflection off the proposed new buildings and, where reflective surfaces may be proposed, identify effective mitigation. Recently constructed high-rise, glass-covered buildings have produced day-long harsh glare impacts throughout downtown White Plains.

19.7



## T. STREETScape ISSUES

The proposed project involves a number of aspects which must be carefully planned in order to result in an active, hospitable streetscape for pedestrians. The fact that a number of large parking garages are proposed to occupy the first several levels of several structures with street frontage may create building masses which defeat creating an attractive walkable downtown urban environment.

20.1

1. **Elimination of on-street parking.** The draft EIS describes that on-street parking is to be eliminated on New Main Street, Elm Street, Palisade Avenue and Yonkers Avenue so as to facilitate traffic flow. Presumably, this means that additional lanes of traffic would be added, or that lanes would be widened to permit higher vehicle speeds. With either change, the pedestrian environment will likely become more hostile since pedestrians will no longer have the buffer that on-street parking provides. Faster moving traffic immediately next to the curb can create more pedestrian/vehicle conflicts. We encourage the City to explore means to preserve as much on-street parking as possible.

20.2

2. **Reliance on pedestrian bridges.** The draft EIS describes the provisions of several pedestrian bridges as well as "sky lobbies" for the residential buildings. Pedestrian bridges connecting parking structures with buildings containing retail, entertainment facilities or apartments remove foot traffic from the sidewalks at street level, creating an insular environment for those who arrive to the site by private automobile. Such separate connections have been proven to reduce street activity, not enhance the urban environment. In special situations, such as the exiting bridge across the very wide Nepperhan Avenue, grade-separated pedestrian crossings are desirable. However, we question the reliance on additional pedestrian "skyways" if a goal of the City is to increase pedestrian activity at the street level.

20.3

3. **Location of amenities.** Several proposed outdoor amenities, designed to encourage street activity, may not be effective given their location next to high-volume, high-speed roadways, such as the Yonkers/Nepperhan Avenue arterial. For example, a proposed outdoor amphitheater is proposed for the corner of Nepperhan Avenue and New Main Street, one of the busiest intersections associated with the project. It is unclear how "friendly" such a facility will be for the proposed uses as either an "outdoor classroom" or as a "theater-in-the-round" for live music and performances.

20.4

4. **Relationship to surrounding community.** We recommend that the city give consideration to the integration of the new, large-scale development projects to the fabric of "old" Yonkers, from both short-term and long-term perspectives. For example, does the city contemplate that the redevelopment area be expanded to "ring" the new development with setback requirements or a green buffer or, conversely, with higher density zoning to promote redevelopment that will be able to be integrated in size and scale with this proposal? The city should evaluate what type of community planning approach would best establish an integrated downtown as opposed to superblocks of multi-story parking garages and large buildings.

20.5



#### **II. WESTCHESTER RIVERWALK**

We appreciate the inclusion of another segment of Westchester RiverWalk into the Palisades Point portion of the development. As the project moves forward, more details of the proposed public space should be provided including funding proposals for design and construction. We recommend that the city work to incorporate the county's design guidelines and signage for RiverWalk on this new section of riverfront access as well as on all already developed sections. Such compliance with design standards for the length of RiverWalk would be a condition of any future county involvement. In addition, the EIS should provide clarification, with mapping, of the Scenic Hudson easement on the site and how this project conforms to the conditions of that easement.

21.1

#### **V. RELATIONSHIP TO SUGAR REFINERY**

The draft EIS makes little mention of the sugar refinery which directly abuts the Palisades Point portion of the project site. We recommend that this discussion be expanded as there may be aspects of the sugar refinery operation which may conflict with residential uses if not properly mitigated, particularly if the sugar refinery were to expand operations in the future. Possible concerns include odor, noise, rodents and truck traffic.

21.2

#### **W. RETAIL ANALYSIS**

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 final 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?

21.3

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?

21.4

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.

21.5

#### **X. GREEN BUILDING TECHNOLOGY**

The draft EIS lists some "green" building efforts which may be incorporated into the project. For example, the draft EIS notes that stormwater measures will include using stormwater for irrigation of



Referral File No. YON 08-007 — River Park Center, Cacace Center,  
Palisades Point and Larkin Plaza  
Draft Environmental Impact Statement  
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planting areas wherever possible. Permeable paving would also be installed where conditions allow it. The draft EIS also states that "where feasible, portions of building roofs or terrace areas may include green (vegetated) roof systems" and that the buildings could also feature recycled content for building materials.

We support these efforts and encourage the developer to incorporate as many "green" or sustainable building methods and technologies as possible into the proposed development. Such efforts are increasingly common – and expected. Many communities have begun to amending local codes to make "green" design and building practices mandatory. Further, developments that have a type of environmental certification are recognized as environmentally responsible, profitable and healthy places to live and work. These developments are often seen as premium properties. Nationally recognized rating systems (such as LEEDS - Leadership in Energy and Environmental Design) and organizations can assist the City in recommending sustainable elements of building and site design and in the ongoing assessment of this project.

22.1

We urge the city to require green design and building practices.

We have attempted to provide comments that will be helpful and that can improve the overall project so as to enhance the quality of life for both Yonkers and Westchester residents. We appreciate the opportunity to comment. Please let us know if we can provide further clarification for any of the comments above.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

By:

  
Edward Burroughs, AICP  
Deputy Commissioner

EEB/

cc: Hon. Ken Jenkins, County Legislator, 16<sup>th</sup> District  
Hon. José I. Alvarado, County Legislator, 17<sup>th</sup> District  
Louis C. Kirven, Commissioner, Planning and Development, City of Yonkers

# The Greystone

1085 Warburton Avenue Owners, Inc.

C68

Comments on SFC Proposal for Yonkers Downtown area

Submitted by: Gary Weinberg, President  
1085 Warburton Avenue Owners, Inc.  
Phone 917-593-3938

Date: May 29, 2008

1085 Warburton Avenue Owners, Inc, aka “The Greystone” is the co-op apartment building located at 1085 Warburton Avenue. There are 204 apartment units in the building. Our “8-story” building sits on top of a 5-story garage complex for a total of 13-story height from the ground level adjacent to the Greystone train station.

The building enjoys a full view south to the New York City skyline including the Empire State Building, Citicorp Center, Chrysler Building, GE Building, as well as the George Washington Bridge, Statue of Liberty. The view continues up the Palisades to the Tappan Zee Bridge and beyond.

Automobile access to the area is (1) south from Hastings along Warburton Avenue, (2) East from the Saw Mill River Parkway to Executive Boulevard to North Broadway to Odell Avenue, and (3) north from downtown Yonkers along Warburton Avenue.

Based upon the needs of the Greystone area, it is critical that the following issues be addressed in the Environmental Impact Statement (EIS) for the FSC Yonkers downtown project.

## Views

As described above, the view to the New York City skyline is critical to property values. The current significant barrier to our view is the 27-story apartment building located adjacent to the Glenwood train station. This building completely blocks that portion of the New York City Skyline. We can still view The Chrysler Building to the East of the Glenwood building and the Empire State Building to the west of it.

The impact of the proposed two 50-story towers and two 25-story towers on views needs to be assessed.

Based upon our review of the topographical maps from the vantage point at 1085 Warburton Avenue, the two 25-story towers planned for the waterfront at Palisades Point appear to be in-line with the Glenwood building, blocking views to the East and to the West of it.

1.1

# The Greystone

1085 Warburton Avenue Owners, Inc.

Furthermore, the proposed Alexander Street Master Plan slates more 25-story towers staggered along the Hudson River. If built, each of these towers extends further to the west, similar to massive dominos staggered, ultimately blocking the entire view from the vantage point of the Greystone area.

If these towers were limited to a maximum of 6-stories (the height of the existing Glenwood Power Station where the roof meets the bottom of the smoke stacks) this would greatly limit the impact.

It is critical that the EIS examine the impacts on views of the 2 proposed 25-story towers from Greystone area.

## **Traffic**

There are already severe traffic flow problems in the Greystone area.

2.1

Executive Boulevard has high traffic during the day, peaking at rush-hour in the morning and the afternoon. Odell Avenue is a winding narrow road that is also over-crowded much of the time. Many automobiles access the Greystone area passing through Hastings.

It is critical that the EIS examine traffic at the following intersections: (1) Saw Mill River Parkway and Executive Boulevard, (2) Executive Boulevard and North Broadway, (3) North Broadway and Odell Avenue, (4) Odell Avenue and Warburton Avenue, (5) Warburton Avenue and Washington Street in Hastings, and (6) Warburton Avenue and Main Street in Hastings.

## **Construction Phase Traffic**

In addition to the traffic issues detailed above, it is critical that the impacts of the traffic during the construction phase be evaluated. The DEIS documents state that 1,000 automobiles will be parked at the JFK Marina located adjacent to the Glenwood train station. The impacts of the traffic to and from this site must be evaluated in the same light.

2.2

## **Attachments**

1. View of New York City Skyline from 1085 Warburton Avenue
2. Example of impact of staggered buildings along the waterfront.



# The Greystone

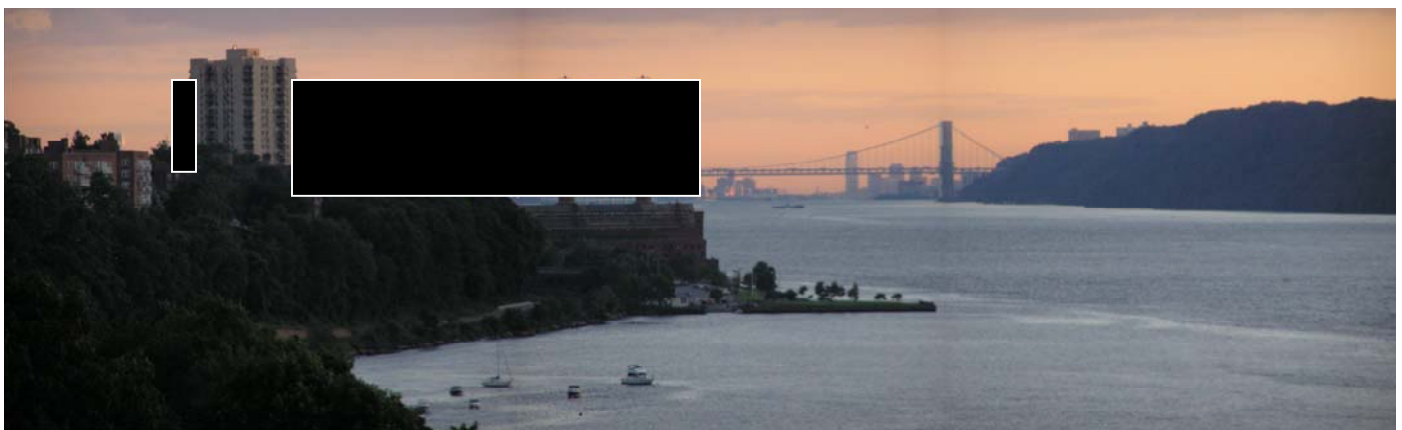
1085 Warburton Avenue Owners, Inc.



Current New York City Skyline from 1085 Warburton Avenue



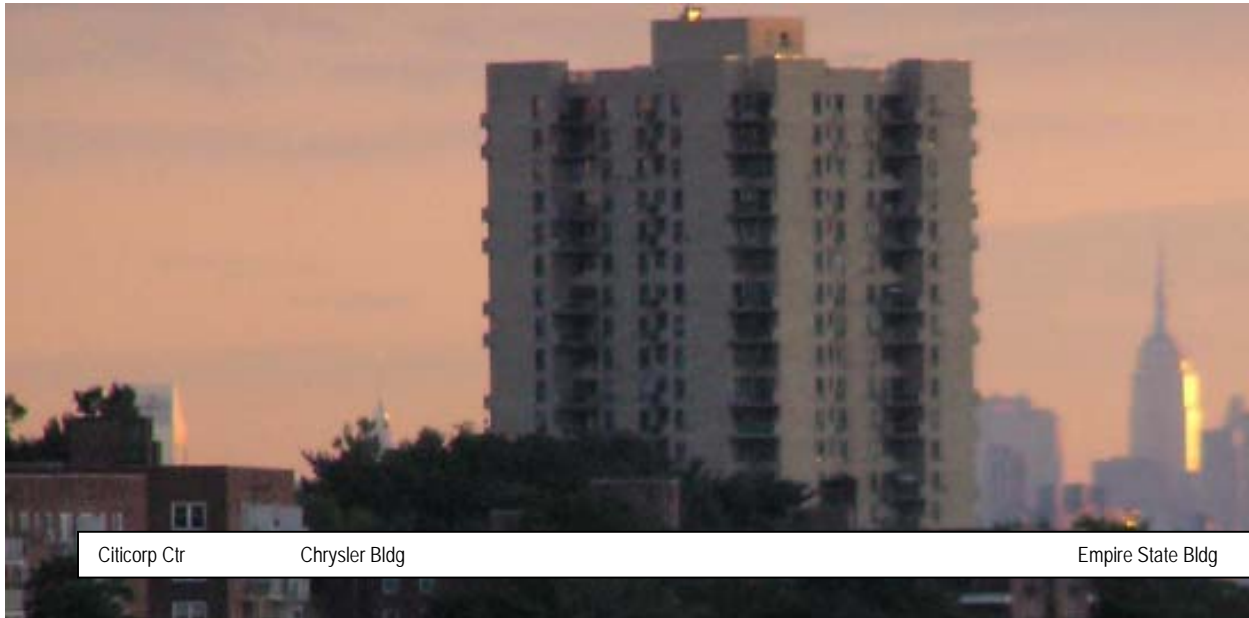
Projected impacts of SFC 25-story towers at Palisades Point on Views from 1085 Warburton Avenue



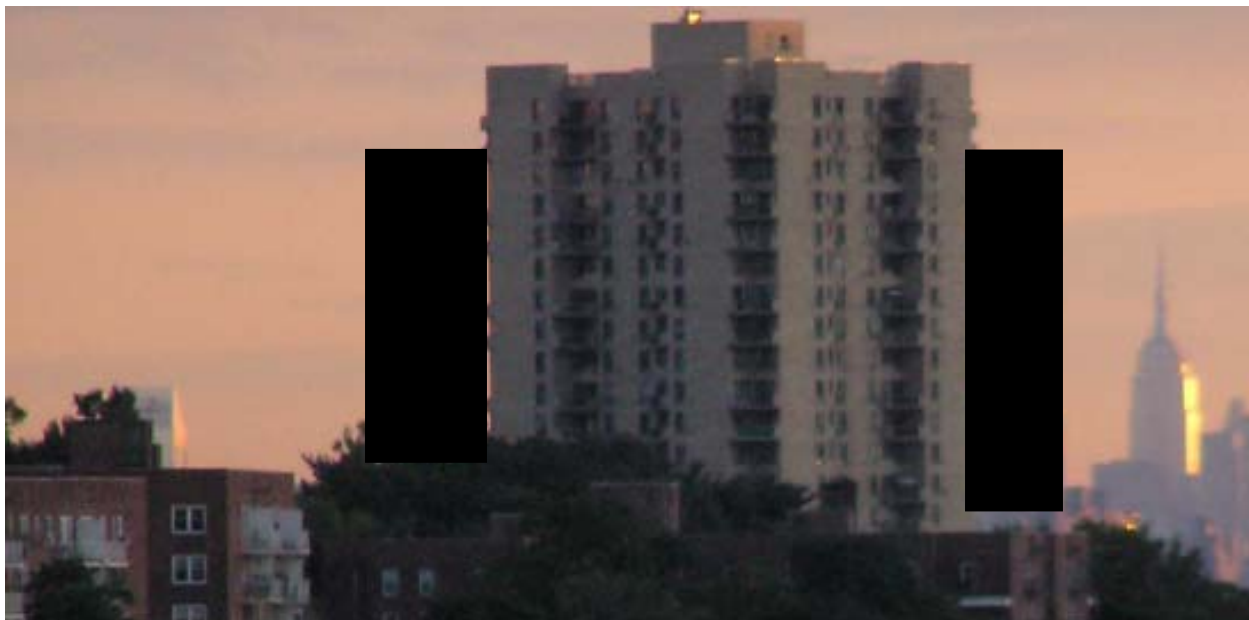
Projected impacts of SFC 25-story towers at Palisades Point and Alexander Street Master Plan on Views from 1085 Warburton Avenue

# The Greystone

1085 Warburton Avenue Owners, Inc.



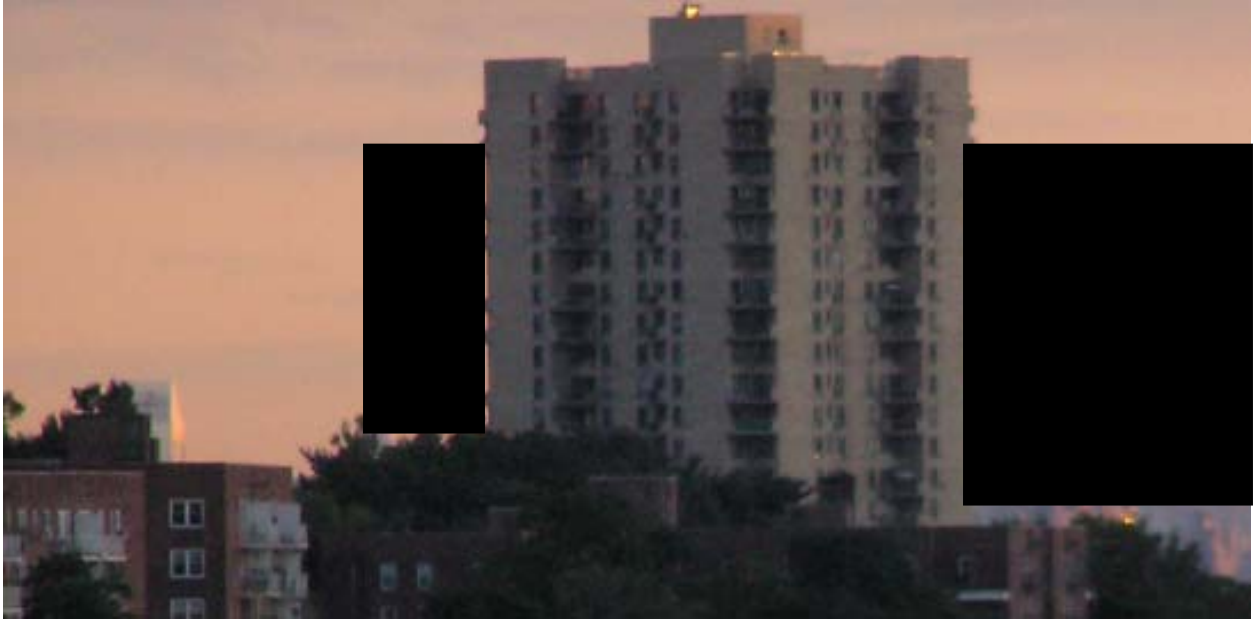
Current New York City Skyline from 1085 Warburton Avenue



Projected impacts of SFC 25-story towers at Palisades Point  
on Views from 1085 Warburton Avenue

# The Greystone

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Projected impacts of SFC 25-story towers at Palisades Point and Alexander Street Master Plan on Views from 1085 Warburton Avenue





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## Our Work in Yonkers

### What's at Stake?

New York's fourth-largest city, Yonkers possesses nearly two miles of Hudson River waterfront sitting directly across from the Palisades, one of the Hudson River's most impressive natural features. This sheer curtain of rock provides a stunning focal point for many residents living atop the city's myriad hills.



**The majestic Palisades cliffs form Yonkers' "natural skyline."**

*Photo: Nick Zungoli*

neighborhoods cut off from the Hudson since the 19th century. Yonkers could desperately use more open space; in a study conducted by Scenic Hudson of 15 comparably sized cities in New York and New England, it ranked 13th in per capita parkland acreage.

Few cities are presented with such an exciting possibility to transform themselves.

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Industry dominated this shoreline for most of the 20th century, but by the mid-1980s it was virtually abandoned and unsightly, contaminated with decades' worth of waste. Recognizing its potential for revitalizing the city, officials began encouraging development along the river. Adding to the site's appeal for developers are the proximity of Yonkers' Metro-North/Amtrak station and the city's downtown shopping district. A new commuter ferry service also connects the city to lower Manhattan.

More than ??? acres on or adjacent to the waterfront are available for development -- plenty of space for an economically vibrant mix of residential and commercial uses as well as generous amounts of public parkland offering river access to many

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## Our Work in Yonkers

### The Threat

Flaunting the downtown waterfront master plan created with substantial citizen input in 1997, as many as ?? high-rises are now on the drawing board along the Yonkers shoreline. These super-sized glass and steel dominoes -- some as tall as 30 stories—stand to obliterate river and Palisades views throughout the city. The 6,000 new residential units likely will strain schools, sewers, traffic and other municipal services.

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**Artist's rendering of latest proposal for Yonkers riverfront development.**

In the Alexander Street Redevelopment Area alone, 18 skyscrapers ranging in height from 12 to 30 stories are proposed for the 112-acre property. Plans call for 3,752 apartment units, 210,000 square feet of retail space and 213,000 square feet of office space. Only 13 acres is devoted to open space. This disparity is similar all along the shoreline. On Parcels H & I, where twin 25-story apartment towers are planned, just ?? of the total ?? acres is slated for parkland.

At public hearings about the Alexander Street development, residents spoke out forcefully against the high-rises. Their concerns are shared by the state Department of State, which concluded that the project "appears to be an over-development of the site" that "will affect community character, beneficial public access, adequate provision of open space, public views and in-water habitats."

Even some of the city's business leaders realize these colossi don't belong on the Hudson River. "We don't want to have a Miami Beach effect here in Yonkers," said John Kolenda, president of the Downtown Waterfront Business Improvement District.

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## Our Work in Yonkers

### A Vision for a Better Future

Scenic Hudson's Alternative Concept Plan for the Yonkers waterfront was developed after engaging in a months-long dialogue with numerous community groups. It reflects the views of Yonkers residents to reconnect with their Hudson River after generations of being cut off from the shoreline by factories and blight. It recognizes that the city has a once-in-a-lifetime opportunity to get this right—to transform its waterfront into a place for the people, not a wall of skyscrapers blocking them from the river forever.

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**Our alternative proposal for the Yonkers waterfront balances low-rise residential buildings with parks offering public access to the Hudson.**

The vision is to create a string of community parks every half-mile from Yonkers' southern boundary to JFK Marina. This will include existing parks and a number of new parks that will create powerful connections between Yonkers neighborhoods, the Hudson River and the Palisades. Much like Hudson River Park—which has turned Manhattan's once-moribund waterfront into a breathtaking, economically vibrant series of public spaces offering myriad opportunities for recreation, entertainment and relaxation—this necklace of greenery will provide a spark plug for renewed and lasting prosperity in downtown Yonkers.

The Alternative Concept Plan includes all lands currently under development or in discussion for development -- Hudson Park

Phase II, H & I parcels and Alexander Street Redevelopment Area. It proposes to incorporate new parks within a redeveloped waterfront featuring residential, retail and commercial space. It complies with the city's downtown waterfront master plan, which limits building heights along the riverfront to eight stories.

### Key features of the Alternative Concept Plan:

- Public parkland will occupy one-third of the redeveloped waterfront—doubling the acreage in current development proposals.
- All parks will meet the highest design standards.

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- Parks will be connected by a river-edge esplanade and greenway at minimum 100 feet wide.
- Each park will be connected across the railroad tracks to adjacent neighborhoods.
- Views of the river and Palisades from adjacent neighborhoods will be protected and enhanced by the new parks.

### New parks in Alternative Concept Plan (from south to north):

1. Lenape Village Park, Ludlow, connecting to existing O'Boyle Park.
2. Ella Fitzgerald Park, created on city-owned property in conjunction with the development of parcels H & I. The Alternative Concept Plan proposes 200 residential units and the new 2.6-acre park.
3. Yonkers Unity Park, Alexander Street Redevelopment Area. At 5.5 acres, this will be the largest of the new parks, offering space for recreational uses and city-wide events.
4. Point Street Park, a 3.2-acre park for the adjoining Glenwood neighborhood.
5. JFK Marina Park, north of the Glenwood Power Station, will become a dramatic extension of existing Trevor Park.

The concept also envisions creating a much-needed sports/recreation deck above a portion of the Yonkers wastewater treatment facility – similar to Riverbank State Park in Harlem.

### Existing waterfront parks:

- Hudson River Esplanade Park, near Yonkers Pier
- Habirshaw Park, Beczak Environmental Education Center
- Esplanade under construction as part of Hudson Park Phase II

The Alternative Concept Plan would be a boon to residents and investors. According to a cost-benefit study of Parcels H & I conducted for Scenic Hudson by a credentialed Manhattan investment analyst, the alternative would provide investors with a return of more than 30 percent -- the top-of-the-industry standard.

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## Rocky Richard

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**From:** Molly Roffman [amroffman@worldnet.att.net]  
**Sent:** Friday, May 30, 2008 2:00 PM  
**To:** Rocky Richard  
**Subject:** Questions on SFC Proposal

C69

1.1

Question Submissions for proposed SFC Development Project.

1. The term "green" as used repeatedly in the Executive Summary of the EIS is not clearly defined. Please define the term "green" and elaborate on the definition's criteria with regard to established definitions and guidelines of the United States Green Building Council (LEED Standards, etc). At what point will the developer know with certainty what level of sustainable building practices will be used in the project?

2. 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).

Respectfully submitted,

1.2

Molly Roffman  
Armour Villa Neighborhood Association

**C70**

From: Ann van Buren <avanburen@riverdale.edu>

To: Rocky Richard

Sent: Fri May 30 10:47:29 2008

Subject: downtown development

1.1

I am appalled at the proportions of development in the Yonkers downtown area. At a time when Climate Change and a collapse in the real estate market are true threats to our society, we should be building only "green" buildings and on a very small scale that is in harmony with the historic industrial and residential architecture of Yonkers. When I recently went to visit the waterfront of Yonkers, I was so dismayed to find myself in the shadows of tall buildings under construction. Where is our moral conscience as a people? Develop the city of Yonkers for the people of Yonkers and as a place where there is a respect for our earth and our interaction with nature. Urban communities that rely on immense amounts of power to serve masses of people confined to a small amount of space are not sustainable.

Thank You.

Ann van Buren

Hastings-on-Hudson



Rocky Richard

**From:** B.L. Scherer [chellemore@verizon.net]  
**Sent:** Friday, May 30, 2008 12:24 PM  
**To:** Rocky Richard  
**Subject:** Comments on SFC DEIS report

C71

While I am in agreement that areas in downtown Yonkers need to be developed further than they are, the magnitude of the current proposals is so great, and the questions raised by the DEIS are so many that the city government cannot – must not – proceed in haste. We must put on the brakes and take the necessary time to consider all the possibilities and the possible results.

First of all, the fact that the DEIS was paid for by the developers makes it suspect. Any Environmental Impact Statement not undertaken by a disinterested third party will be biased. Moreover, as a document it is massive – thousands of pages long. It is also published exclusively on-line. Therefore it is available only to those Yonkers taxpayers who have access to a computer, and who have the sophistication to search for it – no easy task. What about the rest of the electorate? How can they have had access to it? Thus the DEIS has not really been presented to the greater public with true candor or transparency. And this is a further reason to doubt that SFC truly has Yonkers' interests at heart, and not purely mercenary interests.

1.1

What's more, the few images of the various projects supplied by the developers do not convey the magnitude or sheer bulk of the buildings they want to erect. In effect, they are deliberately concealing the truth. So the first thing to call for is a three-dimensional scale model of the proposed developments, on the waterfront, downtown and Chicken Island – a model that also shows the surrounding buildings and topography, so that the public can see how drastically these looming towers would affect everything around them.

1.2

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?

1.3

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.

1.4

Please, please slow down this process. Let us return to the 1998 Master Plan, which called for sensible development on a more human and reasonable scale. Do not let Yonkers be bullied by these developers.

1.5

Our wonderful city has its problems, but it also has its great appeal inherent in its character. Many new residents have come here and made their investment in the Yonkers neighborhoods as they stand. To change those neighborhoods with a wall of skyscrapers that diminish the topography, the hills, would be a betrayal of their trust and the best interests of the city. We have come to Yonkers for Yonkers, not for a copy of White Plains or New Rochelle.  
Sincerely,  
Barrymore Scherer

Rocky Richard

**From:** Brian Winkler [winkler12780@live.com]  
**Sent:** Friday, May 30, 2008 1:25 PM  
**To:** Rocky Richard  
**Subject:** Yonkers redevelopment

C72

Dear Mr. Richard,

I understand that today is the final day to submit written concerns regarding the planned Yonkers redevelopment to the City Council. While I have not had the opportunity to understand the full scope of the redevelopment plan, I wanted to write to urge you, as others have, to reconsider whether the scale of the buildings and development plans are well-aligned with the type of community we would all like to see grow and develop in Yonkers. Well designed, smaller-scale buildings will continue to develop the Yonkers community and its place in Westchester. Large, monolithic apartment complexes along the historic waterfront will be a detriment environmentally and will cause Yonkers to become more urban, as we have seen in places like Jersey City. It would be nice to see a more thoughtful plan put into place, one that considers the small town feel of the Yonkers community and the unique natural beauty of the local environment and Hudson waterfront.

1.1

Sincerely,  
Brian Winkler  
a Yonkers resident

E-mail for the greater good. Join the i'm Initiative from Microsoft.

**C73**

**From:** Chris & Geraldine Canty [mailto:cgcanty@optonline.net]

**Sent:** Friday, May 30, 2008 7:51 PM

**To:** Rocky Richard

**Subject:** comments on SFC proposal to develop Chicken Island etc.

these are the comments of Chris and Geraldine Canty of 61 Beechwood Terrace, Yonkers, NY 10705.

1. We are completely in favor of the idea of developing downtown Yonkers. However, this particular proposal is ugly, excessive and improves nothing.

1.1

2. The proposal is too complicated to review sensibly. the three projects should be discussed separately (Ballpark building, Cacace Center and Palisades Point) and the finances dealt with separately.

2.1 The Ballpark building with two high-rises and a token piece of open space thru the daylighting of the river is probably far too big - who will want to rent there? what anchor tenants do they have? who needs a commercial ballpark - Yonkers should provide for kids to play ball, not watch ball. who needs a commercial ball park in the heart of a congested city with no easy road access? If the mayor wants a ball park put it by the racetrack.

1.2

2.2 the Cacace Center is unbelievably ugly. What's wrong with building in keeping with City Hall and the elegance of former days? Who will rent there apart from the City?

1.3

2.3 Palisades Point is even worse - let's build to enhance the waterfront not fill it full of supersized glass towers. and we need real open space by the water - not just roads and token parkland.

1.4

3. What community consultation was done during the development of these ideas? Presentations by the developers is not the same as genuine consultation.

4. What proof do you have that these proposals will actually improve Yonkers, thru 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.

1.5

5. The environmental impact of these proposals will be huge - and you will lose forever the opportunity to do something great for Yonkers if you do not guide the development away from cheap and tawdry.

Geraldine Canty  
(914) 751-3623



**C74**

-----Original Message-----

From: Joan Jennings <joanjenn@gmail.com>

To: Rocky Richard

Sent: Fri May 30 08:29:00 2008

Subject: Request for info re: SFC DEIS lots H&I

1) Please document chain of ownership of Lots H & I on the waterfront from ownership by Andrus in late 19th century through the present, i.e., deeds, sales/transfers, etc. From whom did the city of Yonkers buy the land so as to transfer ownership to CDA, whom I believe is the current owner and who would ultimately transfer deeded rights to developers?

1.1

2) Please present detailed information on the content of the landfill that created lots H&I. Is any of the components of the landfill toxic? corrosive? deteriorating due to rust or other natural chemical or biochemical activity so as to render the landfill unstable to the point that construction of a building of this scope can be safely supported?

1.2

3) Please present data on shadow studies in relation to the Hudson River, i.e., what effect will the height of the buildings have on river temperatures because of decreased sunlight as the buildings cast their shadows on the river, and how this will affect plant and fish life in the river.

1.3

--Joan Jennings

**C75**

From: joseph kozlowski <kozlowskijoe@yahoo.com>

To: Chuck Lesnick

Sent: Fri May 30 22:49:42 2008

Subject: sfc

Traffic study omission yonkers av. @ nepperhan av. needs a northbound access point, taken away when arterial was built to connect to walsh rd. & ashburton av to create an alternate route to downtown. Current waterfront plan adopted in late '90's not followed

1.1

by sfc on palisade point area ! Saw mill river daylighting compromised by developer highjacking funds for building acquisitions along with river realignment proposal to accomodate developer not to restore & protect the river along chicken island area,

1.2

historical dam foundations are ignored in the proposal, this area had a profound influence on industrial yonkers after the phillipse manor subdivision & might have a place in the green initiative inspired by the council to provide a learning environment for the schools, & maybe a small hydro project to power an area along the downtown.

1.3

**C76**

From: Karen Lorence <KAREN@gs-america.com>

To: Rocky Richard; Rocky Richard

Sent: Fri May 30 09:57:34 2008

Subject: Downtown Development

Dear Sir,

I support the Yonkers Committee for Smart Development position that the current SFC plan is not right for Yonkers in its current form.

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.

1.1

Development for the sake of development is insane. In this economic climate, there should be no rush to build. There are not enough shoppers to support the number of retail location proposed, nor can the roads or parking support the increased traffic.

Furthermore, I am opposed to any development of the downtown area that includes structures over 12 stories tall. The riverfront and the downtown area should maintain a "human" scale, in keeping with the SUBurban landscape of the area.

1.2

Karen Lorence

34 Hillside Drive

Yonkers, NY 10705



Rocky Richard

**From:** McCarthy, Kevin @ Stamford [Kevin.Mccarthy@cbre.com]  
**Sent:** Friday, May 30, 2008 12:21 PM  
**To:** Rocky Richard  
**Subject:** Yonkers Development

C77

The planned development in downtown Yonkers is a very exciting commitment that SFC has made to revitalize the area. As the leasing agent for 20 South Broadway, you want the project to be approved quickly and for construction to commence and finish as soon as possible. The proposed SFC project is an economic boost for the downtown and a direct beneficiary of this is 20 South Broadway. However, the Council should be aware that 75% of our tenants in the building depend on the current Government Center Garage as the primary parking location. Direct access to the garage is provided from the building's southern (back) entrance and many tenants are monthly permit holders. In addition, the steady wave of traffic that we have through our main lobby, connecting retail shoppers with Broadway have direct access to the parking garage through our 3rd floor entrance.

The to-be created new Government Center Garage should continue to provide direct access from 20 South Broadway's southern entrance. Otherwise, the tenants of the building would be adversely affected, as well as access to local retailers by potential shoppers.

1.1

Thank you

Kevin J. McCarthy| Senior Associate  
CB Richard Ellis | Brokerage  
177 Broad Street, Suite 700 | Stamford, CT 06901  
T 203 352 8932| F 203 352 8998 | C 914 659 6695  
kevin.mccarthy@cbre.com | www.cbre.com

**C78**

From: Kimberley Lopez <kalopez@optonline.net>

To: Rocky Richard

Sent: Fri May 30 09:48:17 2008

Subject: Yonkers Waterfront Development - Questions/Concerns

Mr. Rocky Richard, Chief of Staff  
Office of the Council President  
40 S. Broadway, Room 403  
Yonkers, NY 10701

Dear Mr. Richard,

I'm an owner/resident at Pier Pointe-on-the-Hudson (formally known as the Scrimshaw House) and would like to say that my husband and I are looking forward to the upcoming development that will be taking over our parking lot. The renovation that has been done these past 5 years has been much needed to put Yonkers on the map as a great city to live and to work. I do have some concerns about the development that I'd like to bring to your attention.

Pier Pointe on the Hudson's parking lot will be replaced by the development and a bridge is proposed to be constructed very close to the building.

1) Ownership of the parking – We currently lease 187 assigned spots, including spaces for visitors that we lease from the City of Yonkers. Our parking lot is convenient and safe for us. Who will own the parking lot? What rights will we have? Can there or will there be an increase in the dollar amount of our lease agreement with the City instead of having the development own our parking spaces? What are our options?

1.1

2) Direct Access from the parking lot to the Building – As stated above, our parking lot is conveniently located next to our building with several security cameras and lighting. We are concerned about direct access from our cars to the building and safety for the residents;

1.2

3) Drop off point - We currently use the south side entrance as a drop off point for packages and heavy deliveries. Where will residents be able to unload packages after a long days food shopping or unload furniture if someone is moving? Additionally, when having work done on the building, where will contractors be able to unload their equipment (i.e. scaffolding, etc)?

1.3

4) Residents with Disabilities - We have a number of elderly and people with disabilities in the building who will find it difficult to travel a long distance from the building to the parking garage. How will they be accommodated?

1.4

5) Parking Spots - How can we ensure that all 187 spots will be replaced.

1.5

6) Views – The south side of the building currently have views of the Manhattan skyline and residents that live in the corners have views of both the Manhattan skyline and the Hudson River. How will views of the Hudson and Manhattan Skyline be impacted by the development and the proposed Prospect Bridge?

2.1

7) Interim plans during construction – Considering the issues stated above (safety, access, elderly and residents with disabilities), where will we be parking during the construction period and how long?

2.2

Prospect Bridge concerns:

1) Building safety - the proposed bridge can create a safety concern for the residents of our building (crime, vehicular traffic and exhaust emissions)

2.3

2) Privacy - how high will the bridge be and how close to the building will it pass? Will pedestrians and/or passengers in cars be able to look into the windows of our building?

2.4

3) Noise: if the bridge is open 24 hours and so close to the building, will the car noise and pedestrians walking/talking disturb residents.

2.5

4) Car lights - will car headlights constantly illuminate the building disturbing residents?

2.6

I want to state again that I do not want the project delayed. The majority of the residents/owners want to see this project begin as soon as possible. The purpose of this communication is to document my concerns, not to slow the process. I have also met with representatives of SFC who have been understanding and willing to discuss with us my concerns once the project is closer to becoming a reality.

Please contact me directly if you have any questions, need more information or would like clarification on our comments.

My contact information is:

Kim Lopez  
23 Water Grant Street, 7B  
Yonkers, NY 10701  
914-457-8023

Sincerely,  
Kim

---



## Rocky Richard

**From:** KRIS DILORENZO [dilorenzok2004@msn.com]

C79

**Sent:** Friday, May 30, 2008 1:50 PM

**To:** Rocky Richard

**Subject:** Final Comments re SFC proposals

Please tell Phil Amicone there are other, more financially found ways to make his mark than having a tiny stadium named after him:

The bottom line is: SFC'S PLANS BENEFIT NO ONE BUT SFC. **DO THE MATH.**

Nobody wants Yonkers to look, sound, and smell like Manhattan, with skyscrapers blotting out half the sky, noise, traffic, pollution, and garbage galore around the clock, people throwing crap into the river, and no place to park except expensive garages. I *left* Manhattan after 28 years to live by the Hudson River, and there are thousands more people like me who live in the area and spend money in Yonkers.

### Downtown Yonkers:

SFC's plans for the downtown area will make Yonkers end up looking and sounding like Times Square. Or "Times Scare," as my sister once called it. Nobody wants to live in or near a honkytonk district.

Central Park Avenue and the Cross County Mall have enough chain stores; downtown Yonkers doesn't need such retailers. Boutiques and restaurants that fit the scale of the locale, as in Bronxville, Scarsdale, other towns, and the entire length of Cape Cod, are doing very well financially--no high-rises needed.

Even 11-story buildings are too tall for downtown Yonkers. 25-30 story office buildings are a thing of the past, and are **economically as well as environmentally unsound** propositions in this era. They are firetraps, consume far too much fuel, and are eyesores.

New commercial buildings like MetLife headquarters in Ossining and the Rexson complex in White Plains are sleek, relatively low, surrounded by GREEN SPACE, have adequate parking on the ground, and don't destroy their landscape. They're designed to fit in with the environment, not to overwhelm and disfigure it.

### Waterfront:

25-story buildings on the waterfront would be a disaster, completely spoiling the main attraction of Yonkers: the Hudson River. Only people paying \$2500 a month for a one-bedroom apartment would be able to see it! And those people will be working and spending their money *in Manhattan*, not Yonkers. 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.

**Who do you think will pay for this?** Not SFC. Yonkers will be footing the bill for the rest of the century. Is SFC prepared to pay for all those services **for the lifetime of the proposed buildings?** I think not!

Yonkers would be better off having SFC build low-rise townhouses, two-family, and single-family homes like those in Hastings and Dobbs Ferry, and lower-rise commercial buildings (e.g., along Nepperhan Ave.) which actually bring in tax revenues. SFC would still make plenty of money, and Yonkers would not suffer.

### Stadium: DO THE MATH!

As for the proposed bush league stadium, what are the advantages? More crowds (IF people buy tickets to see teams they've never heard of), more garbage strewn all around the building and floating through the air down to the street and into the river, more crime around the building, more traffic, pollution, and noise--people drinking, fighting, vomiting, urinating, and chucking beer cans everywhere. Have you seen the area around Yankee Stadium? Did the new stadium attract more retailers or restaurants? NO.

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. And unless the stadium is enclosed, it's useful only half the year, making it a financial liability. The city of Yonkers will still have to police it, shovel snow off it, and clean it up, costing the city money.

Even with 50 games a season (unlikely), at \$30 a ticket (which most people can't afford and wouldn't pay for a team that's not the Yankees or the Mets), and every seat sold (also unlikely), here's how the finances break down: Gross: \$9,750, 000.

After Federal & State taxes, stadium owners' and team owners' shares, and ongoing expenses such as insurance, policing, fire prevention systems, emergency systems, electricity, phone service, water, garbage removal, printing

(tickets, scorecards, etc.), personnel, maintenance of the playing field, etc., come off the top, it'd be miraculous if \$500,000 were left. (That's assuming the parking garage or lot pays for itself.)

But that sum doesn't go to Yonkers. All the city gets is a small tax on the income of stadium workers (who will mostly be minimum or low-wage workers), and whatever property tax the stadium owners pay.

As for any ripple effect:

People attending a local game aren't going to spend \$100 a head at the expensive riverfront restaurants.

They aren't going to go shopping after the game.

Advertisers won't clamor for electronic board space to reach a small, local, not exactly high-end audience.

There are many more reasons that a stadium on top of a mall is an idiotic idea. If Yonkers' only motivation is money, this project doesn't make sense.

If Amicone's stubbornness about this stadium idea continues, there's only one conclusion we can draw: he's getting something substantial under the table. Part ownership after he leaves office? Shares in the corporation that owns it? Makes us all wonder.

### ALTERNATIVES:

Here's a list of other ways for SFC to make the same amount of money, and for Yonkers to gain continuing--and increasing--revenue streams:

Build an aquarium on the river around the Beczal Center. Build biotech facilities at the aquarium (research labs, conference center, pharmaceutical and technology company offices, etc.). **Name THAT complex after Amicone.** Now THAT'S a legacy-- he'll be remembered for revitalizing tourism, business, and education all in one fell swoop. (Note what the Norwalk Aquarium did for that city!)

Build a film and television studio, like Astoria Studios in Queens. That brings in Hollywood revenues and creates work for area residents.

Rehab the old theatre downtown to make it a functional venue for live events. More revenue, more jobs. I know that Tarrytown Music Hall is interested in doing this.

Build a community college. That generates more revenue and more jobs.

Make SFC fix the public schools as a tradeoff: they get one compromise for every \$2 million they put into physical rehabilitation, technology upgrades, school supplies, teacher raises, etc.

**PLEASE PUT THESE FACTS AND IDEAS IN FRONT OF AMICONE. I have written up details on what I'm saying, based on research I've done. I'd be glad to do more as a consultant.**

**Kris DiLorenzo**  
**914-231-5491**

2.1

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**Rocky Richard****C80**

**From:** setterholm@aol.com  
**Sent:** Friday, May 30, 2008 4:13 PM  
**To:** sawmill@bestweb.net; Rocky Richard; Patricia McDow  
**Subject:** questions for SFC's EIS

Dear Bob,

My questions for the SFC EIS review are as follows, and I would appreciate if these are officially forwarded on behalf of the GPTF. Thank you. I've forwarded this in its entirety to Rocky Richards and to Pat McDow.

- 1 In the initial draft EIS, for "utilities", it was stated that energy efficient appliances would be used in the buildings for the tenants. Appliances do indeed stress the energy grid of a municipality, and this planning thus far is excellent, to obtain energy star appliances from the beginning. What appliances will be energy star rated, and will this be a standard maintained by management for any changes that tenants want to make for their units? 1.1
2. What are the design elements of the SFC master plan that are specifically energy efficient, beyond tenant appliances? Some of these design elements are found in the *voluntary guidelines* of the LEED standards. What are the voluntary steps taken by SFC to become energy efficient overall. What are the renewable energy sources, if any, and will this be something to be incorporated in the future - when costs for it are lowered - if not now? And is SFC availing itself of all Federal and State incentives for energy efficiency in design? Has "geothermal" been a consideration, such as has been successfully used by 66 Main Street in Downtown Yonkers? 1.2
3. If affordable housing is planned for a separate unit, in an undetermined part of Yonkers, will this also be energy efficient? 1.3
4. Will "green roofs" like the ballpark, be designed for any other rooftops? These reduce heat in the summer, and increase warmth in the winter. Are these planned for the parking garages or other units, or will it be something that can be done at a future date? 1.4
5. 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? 1.5
6. Much is "car centric" in American cities. How is SFC encouraging walking, and biking, for obvious health benefits, but also for the greening of the designs. 1.6
7. Recycling bins strategically placed in public (such as on the train platforms today) help to remind, encourage, and facilitate recycling 24/7. Will SFC make recycling a commonplace design feature throughout Yonkers? 1.7
8. Can SFC use hybrid vehicles or clean burning systems throughout the construction period, and after? 1.8
- 9 Is pervious paving material being used to cut down on rain water runoff? San Francisco uses a variety of methods like this to cut down on runoff. 1.9

Thank you for answering these few questions.

Margaret Setterholm  
 Green Policy Task Force,  
 First District, for Pat McDow, Councilwoman.  
 City of Yonkers,

6/2/2008



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Rocky Richard

**From:** Mark Keeney [mkeeney@abbeyroadadvisors.com]  
**Sent:** Friday, May 30, 2008 11:52 AM  
**To:** Rocky Richard  
**Cc:** ncampofranco@abbeyroadadvisors.com  
**Subject:** Government Center Garage, Yonkers NY

C81

Dear Rocky,

We are the Managing Member for the entity which owns 20 South Broadway in Yonkers, NY. The planned development in downtown Yonkers is a very exciting commitment that SFC has made to revitalize the area. To us, it is the one of the final pieces to the puzzle the Mayor and many others have been working hard at completing with local area developers and business owners. We realize the proposed SFC project is an economic boost for the downtown and a direct beneficiary of this is 20 South Broadway. We just want the Council to know and understand that 75% of the tenants in our building depend on the current Government Center Garage as the primary parking location. Direct access to the garage is provided from the building’s southern (back) entrance and many tenants are monthly permit holders. In addition, the steady wave of traffic that we have through our main lobby, connecting retail shoppers with Broadway have direct access to the parking garage through our 3rd floor entrance.

Please make sure the to-be created new Government Center Garage continues to provide direct access from 20 South Broadway’s southern entrance. Otherwise, the tenants of the building would be adversely affected, as well as access to local retailers by potential shoppers.

1.1

Many thanks,

Mark Keeney

Partner

Abbey Road Advisors, LLC

33 Riverside Avenue - 4th Floor

Westport, CT 06880

203-227-9798

203-227-9778 (Fax)

[mkeeney@abbeyroadadvisors.com](mailto:mkeeney@abbeyroadadvisors.com)

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**C82**

**Comments on the Draft Environmental Impact Statement for River Park Center,  
Cacace Center, Larkin Plaza, and Palisades Point.**

**Department of Public Works**

After reviewing the Draft Environmental Impact Statement, I have identified the following concerns. Please address each concern by indicating the section that addresses each concern. Should a concern require no response please list.

1. There should be installations of trash racks at various points along the Saw Mill River to control any litter or tree related debris in the river. It is understood that the DPW will not be responsible for the maintenance of the racks therefore no additional personnel will be required for DPW concerning this maintenance item. In addition, when a storm event occurs additional debris will be entering the waterway and may be caught at various points. The maintenance to ensure clean water is paramount not only in the visible aspect of the day lighting effort but in all aspects. Also, the flume from the waterway that travels or is controlled by private entities is a major concern. The Flume Study currently identifies that portions of the flume have trees and garbage which will be removed as part of this project. Once the project is complete how will this be stopped going forward to ensure that this does not occur? It is clearly stated that the ownership by private entities of various parts of the flume will be kept after the project. 1.1
2. Should the plan include aeration stations in the day lighting section to ensure proper oxygen levels in the water as it is flowing? The current plan includes step downs to control hydraulic velocities, what will the maintenance plan be after major storm events to repair any deterioration that may have occurred in the channel? 1.2
3. There should be access points included in the day lighting effort to ensure the placement of equipment to remove items that may have entered the river area. In addition, equipment will be needed to maintain the entire channel. In order to ensure that blockages can only occur in visible sections of the waterway, barriers must be installed to ensure that no debris can collect in the flume areas that are not exposed. 1.3
4. All services that will be required to perform maintenance of the waterway on a daily basis should be identified inclusive of the equipment required. Once this is completed calculations should be included identifying the estimated costs for the maintenance personnel and equipment needed to maintain the waterway so this can be compensated in the new budget. 1.4
5. Provision should be made to ensure that once the new water mains are installed as proposed the corresponding flow rate should be checked and plans should include additional work if the minimum required flow rates are not met. The sequence of the installation will be critical to ensure not only those current 1.5



facilities improve water flow but the new facilities achieve the proposed water flows.

6. Are all storm water connections attached to the river? If so will there be retention basins located to time the delivery of additional storm water into the channel to control the flow rate? What is the rate of sediment build-up that will occur and the corresponding removal time frames with a full description of the proposed disposal of material?

2.1

7. It should be identified whether the residential buildings are planning to request curbside collection or container collection. Either way sufficient storage will be required by the residential buildings. Additionally, storage space must be included in the design of the buildings to allow for weekly storage of recyclables.

2.2

**C83**

From: Martin Mc Gloin [<mailto:mmcgloin@verizon.net>]

Sent: Friday, May 30, 2008 11:59 PM

To: Rocky Richard

Subject: Comments on the SFC DEIS sent 11:57pm May 30th 2008

Please address and answer the following questions not clear or defined in the sfc deis.

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

1.1

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

1.2

3. 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.

1.3

4. 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.

1.4

5. 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.

1.5

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

1.6

**Rocky Richard**

**C84**

**From:** Miriam Emery [miriam.emery@gmail.com]  
**Sent:** Friday, May 30, 2008 1:19 PM  
**To:** Rocky Richard  
**Subject:** Smart Development in Yonkers

Dear Mr. Richard,

I am writing to add my voice to the discussion regarding development in Yonkers. I have lived in Yonkers for 6 years and grew up in the Rivertowns; I was essentially priced out of the Rivertowns further North along the Hudson, but I enjoy Hudson River living and the proximity to the city Yonkers affords. I am for "Smart Development."

If you look at great cities and great towns and villages within the U.S.--within the world, arguably--these are places that have public access to natural beauty. 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.

1.1

If money is what the city is after, they need only look at the towns North of us that are expensive and have very high taxes...these places have kept their waterfront access and careful zoning laws to save their communities from sinking.

Please vote and/or advocate for smart, small-scale development. Thank you!

Miriam Emery (Odell Ave. in North Yonkers)

--

Contact: 914.375.2178 or 914.512.7139  
[Miriam.Emery@gmail.com](mailto:Miriam.Emery@gmail.com)

6/2/2008



**C85**

**From:** nortrud spero [mailto:nortrud.spero@verizon.net]

**Sent:** Friday, May 30, 2008 11:57 PM

**To:** Rocky Richard

**Subject:** Comments to the DEIS.-SFC doc.doc

## Comments to the DEIS

### River Park Center

### Cacace Center

### Palisade Point

### Larkin Plaza

## III. H. Utilities

### 1.c.

The Westchester County Yonkers Wastewater Treatment Plant was designed to satisfactorily treat 92MGD or of 65% of Westchester County's sewage. Even with upgrades over the years, it came on line in 1979, it is an aging facility.

Frequently, in the 1980s -1990s, Westchester County was fined by the DEC for excessive flows at the plant – over 300MGD at times. The cause were aging sewer lines which allowed for I&I. To correct the problem, the County was required to not only address the I & I problem but make upgrades to the YJWWTP plant in order to receive a SPDES permit from the DEC to allow for the higher flow.

Over the years, sewer lines were repaired & otherwise improved in the district's municipalities, reducing I & I. A lower flow rate to the plant had been anticipated.

However, because of an ever expanding population and an increase in commercial activities in the sewer district the anticipated lower flow never happened.

The plant now operates with the same capacity for the SPDES permit (120MGD low flow - 140MGD high Flow) which originally permitted the plant to operate under emergency circumstances and to avoid DEC fines.

Given the plants age and its history as a poor neighbor, the ability of the plant over the long term to effectively treat a more concentrated sanitary flow and a much larger quantity of sewage is questionable.

1.1

Several factors need to be further identified and are missing from the DEIS & need to be included in the FEIS:

A comprehensive list of all developments anticipated to require sewer hook-ups in the service area of the YJWWTP within the next five years – i.e. housing, commercial, industrial or recreational projects

Provide a similar list of projects in Yonkers requiring sewer connections in the next five years – i.e. the anticipated flow rate for the Alexander Street & the expanding Cross County Shopping Center are not mentioned in the DEIS.

Provide a list of large parcels of land in the service of the YJWWTP that have a potential for large scale development.

Sewer mains – In a 1993 survey, problems with City-wide sewage collections system were identified – a new, comprehensive analysis of all affected sewer lines needs to be do, especially trunk lines which will be downstream of the project & will be affected by a significant increase in flow leading to the plant.

2.1

Nortrud Wolf Spero  
5/30/2008