

C101

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May 30, 2008

Questions on the SFC Phase 1 project DEIS

Please note that when a breakdown for each project site is requested, information should be provided for each site: River Park Center, Cacace Center, Palisade Point, and Larkin Plaza.

General

- 1) What is the acreage of each of the project sites?
- 2) What are the block and lot numbers of every tax lot at each project site?
- 3) What is the 2008 1) assessed value and 2) market value of every tax lot at each project site according to the City of Yonkers Tax Assessor?
- 4) What is the current ownership of every tax lot at each project site?
- 5) What is the anticipated ownership of every tax lot at each project site during construction?
- 6) What is the estimated 1) assessed value and 2) market value of every tax lot at each project site after any necessary demolition and during the construction phase?
- 7) What is the anticipated ownership of every tax lot at each project site when the project is completed?
- 8) In instances where ownership of tax lots will change, how will transfer of ownership be accomplished in each instance and what parties will be involved in each transfer (including City agencies such as the CDA and IDA, LDC's, etc.).
- 9) What is the anticipated 1) assessed value and 2) market value of every tax lot at each project site when the project is completed?

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Proposed TIF District

- 1) What is the acreage of the TIF district? What is the acreage of what is considered the Yonkers downtown area?
- 2) What percentage of what is considered the Yonkers downtown area does the TIF district comprise?
- 3) What is the total acreage of Yonkers combined commercial/shopping districts (including Ridge Hill, Central Avenue, Cross County, etc.)? What percentage of these districts does the TIF district comprise?
- 4) What are the block and lot numbers of every tax lot in the TIF district?
- 5) What is the current ownership of every tax lot in the TIF district?
- 6) What is the 2008 1) assessed value and 2) market value of every tax lot in the TIF district?

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- 7) What is the anticipated ownership of every tax lot in the TIF district during construction? (This can be general: SFC or affiliate, City, CDA, IDA, name of LDC, other owner, etc.)
- 8) What is the estimated 1) assessed value and 2) market value of every tax lot in the TIF district during the project construction phase?
- 9) What is the anticipated ownership of every tax lot in the TIF district when the project is completed? (This can be general: SFC or affiliate, City, CDA, IDA, name of LDC, other owner, etc.)
- 10) In instances where ownership of tax lots will change, how will transfer of ownership be accomplished in each instance and what parties will be involved in each transfer (including City agencies such as the CDA and IDA, LDC's, etc.).
- 11) What is the anticipated 1) assessed value and 2) market value of every tax lot in the TIF district when the project is completed?
- 12) Is the cooperation of Westchester County required to enable the creation of the TIF district? If so (or if not so), explain why.
- 13) Will there be any anchor tenants in the TIF district? If so, which ones?
- 14) What is the viability of the TIF district if one or more of the identified anchor tenants leave before the maturity of the TIF bonds?
- 15) What is the impact of the Empire Zone and Federal Empowerment Zone designations on the TIF district?
- 16) Which properties in the TIF district (identify by street address, Block and Lot Number) are also in the Empire Zone and/or the Federal Empowerment Zone?
- 17) Will the Yonkers IDA be allowed to issue bonds for projects, and to grant tax exemptions and abatements, in the TIF district? If so, specify which financial inducements will be permitted.
- 18) What will the criteria be for permitting YIDA financial inducements such as exemptions from sales tax, mortgage recording tax, and provision of PILOTS, in the TIF district?
- 19) Will YIDA financial inducements such as exemptions from sales tax, mortgage recording tax, and provision of PILOTS impact the ability of property owners to meet anticipated tax revenue projections for the TIF district?
- 20) What YIDA financial inducements are anticipated for each project site? Specify type, and amounts of projected tax revenues with and without the YIDA tax exemptions and abatements.

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TIF BONDS

- 1) How much money will be bonded through TIF?
- 2) What is the term of the TIF bonds? Will it vary or will they all be issued for the same time span?
- 3) Who will issue the TIF bonds?
- 4) What will the denominations of the TIF bonds be?

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- 5) Will investor letters be required?
- 6) Will the Bonds be rated or non-rated?
- 7) What is the expected rating of the Bonds, if any? What is this rating based upon?

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- 8) Will the TIF Bonds rating or non-rating be tied to the City's general obligation in any way?

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- 9) Will the TIF Bonds rating or non-rating be linked to the City's creditworthiness?

- 10) Do the TIF bonds count against the City of Yonkers debt limitations?

- 11) What happens if not all the TIF bonds are sold?

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- 12) Who is responsible for paying the TIF bond investors?

- 13) Who will administer the TIF bond revenue collection and payments?

- 14) Are there fees associated with administering a TIF district? If so, what are the anticipated fees? Who will retain these fees? Are there any limitations on the use of TIF bond administration fees?

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- 15) What is the anticipated cost of administering the TIF Bond mechanism?

- 16) What will it cost the City of Yonkers to administer the TIF bonds?

- 17) Can the TIF bonds be refinanced in the future? If so, can they be refinanced with GO bonds?

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- 18) What is the acceptable level of perceived project risk for the city to refinance the TIF bonds with rated GO bonds?

- 19) What taxes are expected to fund repayment of the TIF bonds (i.e. Yonkers property tax, Westchester County, sales tax, income tax, etc?)

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- 20) What percentage of property tax revenue at each project site is expected to be diverted to fund TIF Bond repayment on an annual basis during the term of the bonds?

Will this percentage remain consistent, or is it subject to change?

- 21) What percentage of property tax revenue in the TIF district is expected to be diverted to fund TIF Bond repayment on an annual basis during the term of the bonds?

Will this percentage remain consistent, or is it subject to change?

- 22) What is the anticipated gross tax revenue from each of the four project sites (River Park Center, Cacace Center, Palisade Point and Larkin Plaza) during the term of the TIF bonds? Provide **annual** breakdown per tax type (i.e. Yonkers Property, sales tax, income tax, etc.) for each site for the term of the TIF Bonds.

- 23) What is the anticipated TIF bond payment for each of the four project sites during the term of the TIF bonds? Provide **annual** breakdown per tax type (i.e. Yonkers Property, Westchester County, sales tax, income tax, etc.) for each site for the term of the TIF Bonds.

- 24) What is the anticipated net tax revenue to the City of Yonkers for each of the four project sites after the TIF Bonds are paid off? Provide **annual** breakdown per tax type (i.e. Yonkers Property, Westchester County, sales tax, income tax, etc.) for each site for up to five years after the end of TIF Bond repayments.

25) What is the anticipated gross tax revenue for the entire TIF district during the term of the TIF bonds? Provide **annual** breakdown per tax type (i.e. Yonkers Property, sales tax, income tax, etc.) for the district for the term of the TIF Bonds.

26) What is the anticipated TIF bond payment for the entire TIF district during the term of the TIF bonds? Provide **annual** breakdown per tax type (i.e. Yonkers Property, Westchester County, sales tax, income tax, etc.) for the district for the term of the TIF Bonds.

27) What is the anticipated net tax revenue to the City of Yonkers for the entire TIF district after the TIF Bonds are paid off? Provide **annual** breakdown per tax type (i.e. Yonkers Property, Westchester County, sales tax, income tax, etc.) for the district for up to five years after the end of TIF Bond repayments.

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

4.1

Infrastructure

1) What infrastructure improvements will be made at each of the four Phase 1 project sites? Give a breakdown for each type of infrastructure improvement (i.e. parking lot, road improvement, bridge, sewer or water main upgrade, etc.) by the Block and lot number for each tax lot at each site. Improvements made on, in, above or under public roads, or utility easements should be specified by street name or easement location.

4.2

2) What infrastructure improvements will be made in the TIF district, and where? Give a breakdown and location for each type of infrastructure improvement (i.e. parking lot, road improvement, bridge, sewer or water main upgrade, etc.) by the Block and lot number for each tax lot in the district. Improvements made on, in, above or under public roads, or utility easements should be specified by street name or easement location.

3) What is the total anticipated cost of infrastructure improvements for Phase 1? Give a breakdown for each type of infrastructure improvement (i.e. parking lot, road improvement, bridge, sewer or water main upgrade, etc.) by the Block and Lot number for each tax lot. Improvements made on, in, above or under public roads and utility easements should be specified by street name or easement location.

4.3

4) What is the anticipated cost of infrastructure improvements at each of the four project sites? Give a breakdown of costs for each type of infrastructure improvement (i.e. parking lot, road improvement, bridge, sewer or water main upgrade, etc.).

5) What is the anticipated cost of infrastructure improvement in the TIF district? Give a breakdown and location for each type of infrastructure improvement (i.e. parking lot, road improvement, bridge, sewer or water main upgrade, etc.).

Improvements made on, in, above or under public roads and utility easements should be specified by street name or easement location.

4.3

6) What is the anticipated cost of infrastructure improvements for Phase 1 outside the TIF district, and where will these be made? Give a breakdown for each type of infrastructure improvement (i.e. parking lot, road improvement, bridge, sewer or water main upgrade, etc.) and its location (Block and lot number of tax lot). Improvements made on, in, above or under public roads and utility easements should be specified by street name or easement location.

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

5.1

8) How much of the total anticipated cost of infrastructure improvements for Phase 1 will be paid for with TIF Bonds?

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9) How much of the total anticipated cost of infrastructure improvements for Phase 1 will be paid for by the developer?

10) How much of the total anticipated cost of infrastructure improvements for Phase 1 will be paid for by the City of Yonkers?

11) How much of the total anticipated cost of infrastructure improvements for Phase 1 will be paid for by state and/or federal funding?

12) What amount of the cost of infrastructure improvements within the TIF district will be paid for via the TIF Bonds? If not all, how is the rest of the cost being paid and by what party?

13) What amount of the cost of infrastructure improvements at each project site will be paid for via the TIF Bonds? If not all, how is the rest of the cost being paid and by what party?

14) Who will own the infrastructure improvements? Detail ownership by type of infrastructure, project site, block and lot number, and street name or easement location.

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15) Who will maintain the infrastructure improvements? Detail by type of infrastructure, project site, block and lot number, and street name or easement location.

16) What is the anticipated yearly cost of maintaining the infrastructure improvements required for Phase 1? Give a breakdown by infrastructure type, project site, block and lot number, and street name or easement location.

17) What are the anticipated yearly revenues, if any, from the infrastructure improvements, particularly parking garages? Who will collect these revenues and who will retain them?

Municipal Services

1) What are the current annual costs of municipal services to the project sites, by service (i.e. Sanitation, DPW, police, fire protection, ambulance/emergency

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services, constituent services, code enforcement, education and school buses, etc.) for each of the four project sites?

2) What are the anticipated annual costs of municipal services to the project sites, by service (i.e. Sanitation, DPW, police, fire protection, ambulance/emergency services, constituent services, code enforcement, education and school buses, etc.) for each of the four project sites during the construction phase?

3) What are the anticipated annual costs of municipal services to the project sites, by service (i.e. Sanitation, DPW, police, fire protection, ambulance/emergency services, constituent services, code enforcement, education and school buses, etc.) for each of the four project sites upon completion for up to five years after project completion?

4) What are the current annual costs of municipal services to the TIF district, by service (i.e. Sanitation, DPW, police, fire protection, ambulance/emergency services, constituent services, code enforcement, education and school buses, etc.) for each of the four project sites?

5) What are the anticipated annual costs of municipal services for the TIF district, by service (i.e. Sanitation, DPW, police, fire protection, ambulance/emergency services, constituent services, code enforcement, education and school buses, etc.) for each of the four project sites during the construction phase?

6) What are the anticipated annual costs of municipal services to the TIF district, by service (i.e. Sanitation, DPW, police, fire protection, ambulance/emergency services, constituent services, code enforcement, education and school buses, etc.) for each of the four project sites upon completion for up to five years after project completion?

Demolition, Construction and Parking

1) How much will it cost to demolish the current Fire headquarters on School Street?

2) Who will pay for the demolition of the current Fire headquarters?

3) How much will it cost to move the current Fire headquarters to a temporary location?

4) Who will pay to build and outfit the new Fire headquarters? What is the estimated cost?

5) How much will it cost to move the current Fire headquarters to the new permanent fire headquarters? Who will pay for these moves?

6) Will response time be affected during and after these moves? If so, how?

7) How much will it cost to lease temporary fire headquarters space?

8) Who will pay to lease the temporary fire headquarters premises?

9) Who will own the new Fire Headquarters building?

- 10) Will the City lease the new Fire Headquarters, or own it?
- 11) If the City leases the new Fire Headquarters, what are the anticipated lease costs on an annual basis?
- 12) How much will it cost to demolish the 87 Nepperhan Building?
- 13) Who will pay for the demolition of the 87 Nepperhan Building?
- 14) Who will pay to build the new municipal building at the Cacace Center and how much will it cost?
- 15) Who will own the new building for municipal services at the Cacace Center?
- 16) Will the City lease space in the new building, and, if so, how much is it estimated to cost on an annual basis?
- 17) How much will it pay to move the current city services in 87 Nepperhan to the new building at Cacace Center? Who will pay for this move?
- 18) How will City services be affected by this move?
- 19) Will City services remain in 87 Nepperhan until the new building is completed, or will they have to temporarily relocate elsewhere?
- 20) Where will people park when the City Garage next to City Hall is demolished?
- 21) Is turning the city owned park JFK Marina into parking spaces for the developer's construction crews effectively parkland alienation? Please provide a legal opinion.
- 22) Will JFK marina be available for public events and festivals as usual while it is being used as a parking lot for construction crews?
- 23) During the construction phase, where will visitors to JFK marina park? Will the public have access to the marina during this period?
- 24) What city streets will be closed to, or have fewer lanes, during the construction period of Phase 1? Detail by street, direction and number of lanes, and time period.
- 25) What city streets, which currently provide on-street parking, will no longer provide parking during the construction period of Phase I? Detail by street and time period.
- 26) What city streets, which currently provide on-street parking, will no longer provide parking upon completion of the projects? Where will people wishing to patronize stores on these streets park?

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Historic Resources

- 1) When will a Phase 1B archaeological survey be done at each of the four project sites?
- 2) Why haven't Phase 1A and Phase 1B archaeological surveys already been done for each project site?
- 3) Given the historic and archaeological sensitivity of the majority of project sites, what will happen if historic artifacts and/or remains are located during the surveys or ground disturbance incident to construction?
- 4) Will historic resources consultants be retained on site during the construction phase to monitor excavations?

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5) When will the State Historic Preservation Office be consulted regarding the proposed Brownfield Remediation plan for Chicken Island? Wholesale ground disturbance without oversight could potentially destroy important historic artifacts now buried beneath contaminated soil.

8.1

6) Why wasn't an alternative explored that retained or adaptively re-used 87 Nepperhan while allowing the demolition of the Salvation army building and current government parking garage so that an expanded parking garage could still be built?

8.2

7) Why weren't any graphics or photo simulations provided of the visual impact of the projects on the various historic resources that were identified in the cultural resources survey? For example, we need visuals of the mall and 50 story towers at Chicken Island and how they relate to the historic City Hall, Getty Square, Main Street, Philipse Manor and other historic districts and buildings in the downtown.

8.3

Energy

1) What are the current and proposed energy needs for each project site?

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2) How are these needs broken down: i.e., heating and cooling, light, gas, other mechanicals, etc. at each project site? Will there be electric, oil or gas heat?

3) What percentage of the energy needs of each project site will be provided by electricity? By gas? By heating oil?

4) What percentage of the energy needs of each project site will be provided by geothermal, solar or wind power?

5) How will Con Edison customers in Yonkers be affected by the increased energy demands of the project sites?

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6) Will existing Con Edison facilities such as Dunwoodie and Ridge Hill be impacted by the increased electricity demands created by the project? If so, will they need to expand?

7) Will Con Edison customers in Yonkers have to pay higher bills as a result of the need to upgrade existing electric and gas lines, or to construct new ones? If so, what are the estimated increases and over what time period?

Natural resources

1) How will aquatic and riverine species, flora and fauna, in the Saw Mill and Hudson rivers be impacted by the Phase 1 construction? Give a breakdown by species in each river habitat and project site, including fish, amphibians, birds, insects, mammals, plants, etc.

8.6

2) How will aquatic and riverine species, flora and fauna, in the Saw Mill and Hudson rivers be impacted by the completed Phase 1 projects? Give a breakdown by species and location in each river habitat and project site, including fish, amphibians, birds, insects, mammals, plants, etc.

3) Will storm water runoff flow untreated into either river from the project sites?

8.7

4) What is the current storm water runoff from each project site?

- 5) What is the anticipated increase or decrease of storm water runoff from each project site during construction? After construction?
- 6) Will the Saw Mill River be temporarily relocated at any project sites?
- 7) If so, how much will this temporary relocation costs and who will pay for it?
- 8) How will temporary relocation of the river impact wildlife, including fish and other creatures living in the river, riverbed and riverbanks?
- 9) Will the Saw Mill River be permanently relocated at any project sites?
- 10) If so, how much will this permanent relocation cost and who will pay for it?
- 11) How will permanent relocation of the river impact wildlife, including fish and other creatures living in the river, riverbed and riverbanks?
- 12) What is the cost difference between creating and restoring a naturalized streambed and riverbanks to the Saw Mill versus creating a man made canal in a concrete culvert, as currently envisioned at River Park Center? What are the longer term cost differences in maintaining a healthy river environment between these two options?

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TO: Rocky Richard
 Chief of Staff
 Office of the Council President
 40 South Broadway
 Yonkers, NY 10701

COMMENTS ON THE SFC PHASE I DEIS

The Park Hill Land Conservancy, Inc. is a non-profit Land Trust for the City of Yonkers. We are concerned primarily with issues of open space and environment. We would like to submit the following comments on the Draft Environmental Impact Statement for Downtown Development: River Park Center, Palisades Point, Cacace Center and Larkin Plaza

Palisades Point - Parcels "H & I"

We support the 1998 Downtown Waterfront Master Plan, Alternative B, as the preferred use of this site. The financial and environmental costs that are the direct result of the increased density in this limited area are too great to make the other proposals acceptable. The proposals for 25 story towers are out of scale with existing structures, create an undesirable precedent for further waterfront development and do not supply sufficient parkland for the existing under-served residents or anticipated new population. The DEIS provides no justification for the radical modifications and changes of the accepted 1998 plan.

1.1

Specific Items:

The paved area at the South of the parcel, between the parking lot and the canoe/kayak launch cannot be included as part of the alleged 136,000 sf of open space. A paved area "to be used for occasional vehicle turnaround" is not open or green space. Not only does vehicle use impede public and pedestrian access but as has already happened near the City Pier, this will inevitably become additional parking space.

1.2

This entire area currently absorbs rainwater and run off next to the River. The building footprints and the paved parking and roadways will considerably compromise water absorption. Any plan should require all parking lots to be pervious surfaces and all public spaces to be planted areas: grass, shrubs and trees, with no impervious paving.

1.3

The request for PUR Zoning should be denied. Essentially, this removes any further control of the site by any public or City Agency.

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The DEIS states that the project must be consistent with policies 12 and 12.1 of the

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NY State Coastal Management Program when, in fact, they should comply with the visual policies 24 and 25

The shadows cast for much of the day by 25 story buildings next to the river will have an unspecified impact on the river ecology. Most of the proposed riverfront park, the existing sculpture garden and adjoining Scrimshaw House will be in full shadow for much of the day except in the Summer. The towers will also cast shadows and block light and air for current inland residents year round.

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The increase in density requires a vehicle bridge. Not only is the expense of this bridge unspecified but the increased traffic will of necessity add noise and compromise air quality at the vulnerable river front.

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Some reliable studies predict that river water levels will rise as much as 9 feet over the next 75 years. If this should happen the height and density of this building is unwarranted and it could become necessary for Metro North to raise track levels No provision is made for this possibility.

2.4

In general the entire section on Visual Impacts (Exhibit III.B...) either does not supply the visual simulations requested in the scope, or is confusing, misleading and inaccurate.

The photograph on page 17 part 6, Visual Character shows the view from Sutherland Park to the South - not to the North-West as captioned. Since we know that this is in error we would ask that all the photographs purporting to show visual impact of the development be checked and re-captioned as necessary.

2.5

The statement page III.A-30, that "It is the applicant's opinion that the proposed building heights...will not create a negative visual impact" should be substantiated using both accurate visual simulations and a scale 3-D model of the proposed development area.

2.6

River Park Center

Plans appear to call for about half of the currently covered Saw Mill River to be 'day lighted' at this site. Further, a portion that is now open seems to be covered. There is no other open space on the site. The site appears to be a virtually complete "build-out", including a piece of existing dedicated parkland. Negotiations for parkland alienation 'swap' required by NY State must be within the downtown area in order to serve existing residents, not include the area day lighted at the river, and should require the developers to make appreciable contribution.

2.7

Cacace Center

Similarly, the parkland to be alienated must be replaced within the downtown area.

'GREEN' BUILDING

Other than passing statements on energy star appliances, low-flow toilets and some maintenance items this DEIS appears to include no reference to LEED or any other

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standards for green or energy efficient design in the proposed projects. The Final Scoping Document did require the applicants to explain in detail the 'green measures' to be used. This requirement has not been met. At a time when climate change is increasingly problematical and Yonkers is committed to lowering its carbon footprint by 2012 it is entirely unacceptable that the construction practices and the final structures proposed will both lead to an increase in the carbon load. At a bare minimum the developers must subscribe in writing to basic LEEDS standards and sustainable building practices and should be required to explore and report on the use of both geo-thermal and solar technology. Environmental awareness and technology in building is not new or experimental. A project of this size and long term impact cannot be allowed to proceed without 21st century standards.

Respectfully Submitted

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President

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May 30, 2008

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May 30, 2008

Via Email

Ms. Rachelle Richard - Chief of Staff
Office of the Council President
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RE: Comments on the Draft Environmental Impact Statement for the proposed redevelopment projects in the City of Yonkers, New York, known as Palisades Point, River Park Center, Cacace Center and Larkin Plaza

Dear Ms. Richard and members of the Yonkers City Council:

On behalf of the Yonkers Alliance for Community Benefits (“YACB”), New York Lawyers for the Public Interest (NYLPI) and Milbank, Tweed, Hadley & McCloy LLP submit the following comments on the Draft Environmental Impact Statement (the “DEIS”) for the proposed redevelopment projects in the City of Yonkers, New York, known as Palisades Point, River Park Center, Cacace Center and Larkin Plaza (collectively, the “Project”).

YACB is a citywide coalition of community-based organizations and individuals formed to ensure that development in Yonkers is responsive to community needs and to ensure that purported benefits of such development are realized. YACB is specifically interested in ensuring that negative impacts of this proposed Project are adequately mitigated and/or avoided and that benefits provided are commensurate with the Project, reflective of the needs and wishes of the community and create tangible improvements to the quality of life for Yonkers residents and the community.

NYLPI is a not-for-profit civil rights law firm that provides technical and legal assistance to YACB. NYLPI’s staff attorneys, community organizers and advocates engage in advocacy and impact litigation in the areas of environmental justice and community development, disability rights and access to health care. Milbank, Tweed, Hadley & McCloy LLP is a New York based global law firm, with approximately 550 lawyers who provide a full range of financial and business legal services to many of the world’s leading financial, industrial and commercial enterprises, as well as governments, institutions and individuals.

I. General Standards for State Environmental Quality Review Act (“SEQRA”) review

SEQRA mandates that, for applicable actions, a full examination of potential environmental impacts is conducted and steps are taken to avoid and/or mitigate environmental

harms. As the lead agency, the Yonkers City Council (the “YCC”) shall “use all practical means to realize the policies and goals set forth in [the] article including to act and choose alternatives which, consistent with social, economic, and other essential considerations, to the maximum extent practicable, minimize or avoid adverse environmental effects.”¹ Put another way, for the YCC to issue a positive findings statement for this Project, it must find that the action proposed in the Final Environmental Impact Statement is one that “*avoids or minimizes adverse environmental impacts to the maximum extent practicable.*”²

“For the purpose of determining [significance]...the lead agency must consider reasonably related long-term, short-term, direct, indirect, and cumulative impacts.”³ “The significance of a likely impact (i.e. whether it is material, substantial, large or important) should be assessed in connection with: (i) its setting (e.g. urban or rural), (ii) probability of occurrence, (iii) duration, (iv) irreversibility, (v) geographic scope, (vi) magnitude and (vii) the number of people affected.”⁴ The criteria for determining significance include “two or more related actions undertaken, funded, or approved by an agency, none of which has or would have a significant impact on the environment, but when considered together cumulatively would meet one or more criteria in [the] subdivision.”⁵

II. Comments

A. Land Use and Zoning⁶

1. Urban Renewal

The DEIS states that “[a]cquisition of privately owned buildings and land within the Project sites is being pursued by the Applicant without the use of the City’s power of eminent domain. This includes properties in the River Park Center site on New Main Street, Palisade Avenue, Elm Street and Nepperhan Avenue.”⁷ The YACB requests that the Applicant address potential issues that may arise with respect to the Project (including delays, increased costs and alternative plans) if (i) private property owners refuse to sell their property or (ii) Yonkers proceeds with a course that implements its power of eminent domain.

2.1

2. Other Districts and Regulations

With respect to the description of the benefits delivered from the Project being in a New York State Empire Zone, the DEIS notes that “[s]pecial reduced electric and gas rates may be available through investor-owned utilities in New York State. Businesses that locate or expand their operations in an Empire Zone may receive significantly reduced rates.”⁸ The YACB requests that the Applicant provide further details on any such program, including (i) the

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¹ ECL §8-0109(1).

² SEQRA Findings Statement (emphasis added).

³ 6 NYCRR §617.7(c)(2).

⁴ 6 NYCRR §617.7(c)(3)(i-vii).

⁵ 6 NYCRR §617.7(c)(1)(xii).

⁶ DEIS III. A.

⁷ DEIS III. A-11.

⁸ DEIS III. A-12.

likelihood of having such rates committed or guaranteed and (ii) a brief description of energy providers in the area, with an analysis on how including investor-owned utilities will increase competition, beneficially affect prices to local businesses and mitigate Project impacts.

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3. Anticipated Impacts

a. Land Use

The DEIS states that “[t]he Palisades Point development represents a continuation of the *emerging pattern* of multi-family housing and publicly accessible open space between the Metro-North tracks and the Hudson River.”⁹ The YACB requests that “emerging pattern” be further clarified and supported with data, including details on the other regional locations showing such patterns and a brief analysis on the beneficial and detrimental aspects of such patterns. The YACB also requests similar data and analysis at the various other places in the “Land Use”, “Zoning” or other sections that reference “emerging patterns” or “emerging land use patterns”.

3.1

b. Zoning

The DEIS references “recent architectural design trends” when discussing “[t]he supplementary regulation of the Zoning Ordinance providing for exceptions to building height [being] proposed to be amended to permit rooftop appurtenances to cover the entire “floorplate” of the roof.”¹⁰ The YACB requests that a detailed analysis be provided (possibly including published studies, articles and other media materials) that indicate such trends, both regionally and nationally, are beneficial to the relevant community at large. Also, later in the section of the DEIS entitled “Contributions to Urban Design and Architectural Character of Downtown Yonkers”,¹¹ the YACB requests that a similar analysis be presented with respect to the Applicant’s comments regarding “architectural styles.”

3.2

c. Existing Planning Studies – Community Vision for Southeast Yonkers

The DEIS states that “[t]he proposed Project will create new and permanent construction jobs, new stores and shops, and additional open space areas that address some of the plan’s major proposals. The Applicant will either provide affordable housing units equal to 6% of the total number of residential units or contribute an amount in lieu of but based on the 6% set-aside to a housing fund to compliment other City housing initiatives in the area.”¹² The YACB’s position is that 6% (in either case) is too small a commitment and that the Applicant has not supplied a reasoned explanation as to how such a small amount would offset potential residential displacement. The YACB requests that the Applicant provide details on affordability levels, size, and other pertinent factors, to determine whether such an amount is likely to serve those residents facing a likelihood of direct or indirect displacement.

3.3

⁹ DEIS III. A-20 (emphasis added).

¹⁰ DEIS III. A-23.

¹¹ DEIS III. B-22-24.

¹² DEIS III. A-27.

B. Visual Impacts¹³

1. Anticipated Impacts and Viewshed Analysis

The DEIS states that “[t]he Project is anticipated to create a unique and iconic statement for the City of Yonkers along its waterfront and redefine its downtown skyline. The maximum height at Palisades Point would be 25 stories, or 250 feet. For River Park Center, the maximum height for the proposed residential towers would be 500 feet for Residential Tower East and Residential Tower West (exclusive of the mechanical equipment penthouse.). The Cacace Center site would have a maximum building height of approximately 190 feet associated with the proposed office building/hotel.”¹⁴ The YACB believes that 25-story buildings on the waterfront will have significant adverse visual impacts and significant adverse impacts on community character and aesthetics. The YACB also believes that the DEIS should address the cumulative impacts from this and other current and proposed developments under consideration by the YCC. The YACB requests that a summary be included regarding the waterfront and downtown skylines and viewsheds that addresses community concerns and potential detrimental impacts in creating such an “iconic statement” through prominent vertical construction.

4.1

2. Description of Landscape Treatments and Proposed Site Amenities

In various places the DEIS references “artwork”, “artwalk” and “public art.”¹⁵ The YACB requests that the Applicant include commitments to support local community artists and display their work throughout the Project sites.

4.2

3. Contributions to Surrounding Community Character

The DEIS states that “[w]ithout the development of the proposed Project, downtown Yonkers can be expected to be redeveloped incrementally in the same manner as in the recent past. This type of redevelopment is characterized by the kinds of smaller, infill projects that have thus far been unable to provide downtown Yonkers with the critical mass necessary to compete with existing commercial centers found in the suburban periphery. Bringing a critical mass of commercial uses back to the downtown can be viewed as a positive contribution to the urban character of the Overall Land Use Study Area.”¹⁶ The YACB requests that more detail be given on the types of commercial uses envisioned in the Project to foster the downtown community, including descriptions of space for exhibits, studios, theaters and retail space.

4.3

C. Socio-Economic Factors¹⁷

In evaluating the social and neighborhood impacts of a proposed project, the various criteria to consider shall include: (i) “the creation of a material conflict with a community’s

¹³ DEIS III. B.

¹⁴ DEIS III. B-8-9.

¹⁵ For example, DEIS III. B-16, DEIS III. B-17 and DEIS III. B-22.

¹⁶ DEIS III. B-22.

¹⁷ DEIS III. I.

current plans [and] goals as officially approved or adopted”¹⁸, (ii) “the impairment of the character of quality of...existing community or neighborhood character”¹⁹ and (iii) the exceptional and/or unique character of the neighborhood and the social framework inherit therein. Courts have also considered whether nearby units are rent-controlled or owner-occupied, stating in *Chinese Staff & Workers Ass’n v. City of New York*, “...the potential acceleration of the displacement of local residents and businesses is a secondary long-term effect on population patterns, community goals and neighborhood character such that SEQRA requires these impacts on the environment to be considered in environmental analysis.”²⁰

1. DEIS

a. Demographics

i. Housing demographics

The DEIS states that “[t]he task of identifying populations at risk of displacement by quantifying housing units and/or household income by tenure is not possible with US Census data as the rent stabilization criteria do not match the data sets reported by the Census” and “in the Applicant’s opinion, it is possible that as much as 80% of the existing housing stock in the SA is old enough to be protected and as much as 75% of housing units is in building types that would be protected.”²¹ In this instance, and other instances throughout the DEIS, the Applicant forms and states opinions without giving detailed background on the methodology and reasoning behind such opinions. The YACB requests that the Applicant provide more detail regarding the sources of information and the calculations used in formulating its conclusions regarding the presence of rent stabilized housing in the Study Area.

5.1

ii. New resident demographics

In connection with the analysis of new resident demographics, the DEIS states that “...new residents represent only 7.8% of the current Study Area population, too small a portion of the population to cause the character of the area to shift significantly, especially in light of the minimal direct displacement caused by the proposed Project. However, the population of the Study Area will continue to diversify as new market rate housing is introduced by the proposed Project and at Point Street Landing, Hudson Park North, and other developments.”²² Again, the YACB requests that the Applicant provide more detail on the methodology surrounding its conclusion that the number of residents added by the proposed Project is too small to affect the character of the Study Area and what threshold would have a significant impact. As is discussed below, the YACB also believes that the Applicant’s “population multipliers” for estimating project residents need to be revised and such revision will increase the proportion of the Study Area population attributable to the Project. The YACB requests that this proportion be recalculated and that the impact on community character be reassessed, with substantiation.

5.2

¹⁸ 6 NYCRR §617.7(c)(1)(iv).

¹⁹ 6 NYCRR §617.7(c)(1)(v).

²⁰ 68 NY2d at 367.

²¹ DEIS III. I-7.

²² DEIS III. I-18.

Furthermore, the YACB believes that the cumulative impacts of this and other current and proposed development within and near the Study Area should be evaluated in the EIS, cumulative impacts which the Applicant acknowledges when it notes that the population of the Stud Area will “continue to diversify” with the introduction of new housing. Additionally, the YACB requests that more detailed analysis and substantiation be provided regarding the Applicant’s assertion that “it is anticipated that Project residents will be empty nesters, young professionals and small families” and thus will have limited impacts on local services, including, in particular, the school system.

6.1

6.2

In concluding that there will be minimal indirect displacement from the proposed Project, the DEIS maintains that “the vast majority of land compromising [sic] the Project sites is presently vacant and/or underutilized and a significant proportion of parcels surrounding the Project sites...are either vacant or underutilized (i.e. partially vacant). Therefore, if these surrounding parcels were to be improved, there would be minimal primary or secondary population displacement.”²³ The YACB believes that such reasoning is logically flawed and that the presence of vacant and/or underutilized land in the Study Area does not mitigate the potential for indirect residential displacement. Whereas vacant and underdeveloped land may allow for development in the Study Area without direct displacement (i.e. there is potential for development without replacing existing uses), it does not necessarily follow that the existing housing stock would not experience increased rents and costs and thus that indirect displacement would occur. The YACB requests that the Applicant set forth further support for the assertion that the presence of vacant and underutilized land mitigates the potential for indirect displacement.

6.3

The DEIS also asserts that “...the Applicant has committed to providing affordable work force units equal to 6% of the new residential units either through new construction or through an equivalent financial contribution to an affordable housing fund.”²⁴ The YACB’s position is that 6% is too small a commitment to offset displacement caused by the Project. The YACB requests that the Applicant provide details on affordability levels, size, and other pertinent factors, to determine whether and to what extent such an amount is likely to serve those residents who may be displaced from the Study Area. Finally, the DEIS states that the potential for displacement is mitigated because “...there are existing affordable housing units in Yonkers and more are planned.” This assertion, however, is belied by Yonkers’ low vacancy rates, acknowledged elsewhere in the DIES, particularly for lower income housing affordable to residents of the Study Area.

6.4

The DEIS states that “[t]he proposed Project would also provide a significant number of employment opportunities available to local residents. These jobs, in addition to Applicant’s commitment to provide affordable housing in the area, will enable local residents to remain in the area and participate in a positive way in the growth and change that it already underway in downtown Yonkers.”²⁵ Though it does not necessarily dispute the claim, the YACB requests that mechanisms be put in place for ensuring that local residents benefit from job growth,

6.5

²³ DEIS III. I-19.

²⁴ Ibid.

²⁵ DEIS III. I-20.

including a means of tracking whether affected local residents are able to obtain employment at the Project. The YACB also requests that the Applicant provides analysis of the extent to which Project wage levels will enable employees to afford housing in the Project and the larger Study Area.

6.5

b. Analysis of potential Displacement

i. Residential Displacement

aa. Indirect Displacement

The DEIS estimates the Project-generated population by assuming that, on average, studio and one bedroom units will house 1.4969 residents and two and three bedroom units will house 1.3862 residents (“population multipliers”).²⁶ The YACB believes that it is erroneous to assume that larger units (two and three bedroom) will on average house fewer residents than smaller units (studio and one bedroom), and suspect that this may have been a mistake on the part of the DEIS preparers. In a similar development in New Rochelle, where Saccardi & Schiff also conducted the Draft Environmental Impact Statement, the multipliers used were 1.4969 for a one bedroom unit, 2.129 for a two bedroom unit and 3.006 for a three bedroom unit. Applying these multipliers to the present Project would result in a significantly larger projected population in the proposed Project.²⁷ The YACB requests that these projections be recalculated and that any projected impacts based upon the erroneous numbers be reassessed accordingly (e.g. calculations regarding the proposed Projects impact on the local school system). The YACB also requests that other areas of the DEIS that employ these flawed population multipliers (for example, projections of future growth without development) be recalculated and potential impacts be reassessed accordingly.

7.1

ii. Business Displacement

aa. Indirect Business and Institutional Displacement

The DEIS states that “[t]he majority of the potential retail tenants for the proposed project would be destination-type retailers ... Therefore, the proposed Project is not expected to adversely impact the convenience-type stores that exist throughout the Study Area, since it is not in direct competition with them” and “would be of an entirely different character appealing to different tenant types...[and] would most likely attract retailers that currently have no presence in downtown Yonkers.”²⁸ The YACB requests that the Applicant provide more information regarding these claims, including information on the businesses anticipated to lease space at the proposed Project. To the extent that a destination retailer in the Project sells goods and/or services similar to those of a convenience retailer in the Study Area, the YACB believes that there would be an adverse impact on the latter’s business.

7.2

²⁶ DEIS III. I-17.

²⁷ See: Church/Division EIS, Table IIIG-4 (p.III.G.-4)

<http://www.newrochelleny.com/church/III.%20G.%20Socioeconomic.pdf>

²⁸ DEIS III. I-24.

The YACB also believes that the Study Area for business impacts is overly narrow, as destination retailers, by their nature, attract customers from a wide catchment area and requests that the Applicant revise its Study Area accordingly or provide substantiation for its current Study Area. The DEIS goes on to state, with respect to secondary office displacement, that “[w]hile rents for the Project space would be higher than the prevailing rents, it is likely that the bulk of tenants would be businesses that currently have no presence in the downtown, and the small amount of existing office space that might relocate in to the proposed Project would free up secondary space that would be available to smaller firms and start-ups.”²⁹ Again, the YACB requests that more detail be set forth regarding the basis for this assessment, including the categories of tenants that are expected to fill the spaces.

8.1

c. Mitigation

The DEIS states that “the Applicant will also contribute funds to assist in the rehabilitation of older housing and/or storefronts in the immediate vicinity of the Project, augmenting the City’s ongoing property rehabilitation efforts.”³⁰ The YACB requests that the Applicant provide more details on this aspect of the Project and further analysis on how it will mitigate displacement effects. Further, the DEIS states that “[p]atterned after a similar program developed by Cappelli Enterprises in New Rochelle, the Applicant will create an employment initiative for local tradesmen, focusing on pre-apprenticeship training and permanent employment. This program will be designed to prioritize residents’ participation in various aspects of the construction program in downtown Yonkers. Many of the total number of construction jobs and permanent jobs will be filled by Yonkers residents. The permanent jobs will include positions in management, office, hospitality, retail sales, restaurant, entertainment, and services.”³¹ The YACB requests that the Applicant provide more details about this aspect of the Project to determine the mitigation effect, including specific measures, if any, that will be employed to ensure that Project jobs primarily benefit Yonkers residents.

8.2

8.3

d. Economic and Fiscal Analysis

In the section entitled “Direct Impacts from Construction”, the DEIS appears to assume that all employment and wage benefits will go to residents of Westchester County.³² The YACB requests that the Applicant provide its reasoning as to the factual basis for this assumption. The YACB also requests a description of the measures that will be taken to ensure such a local impact. A similar assumption is made for direct economic impacts of ongoing operations of the DEIS³³ and, accordingly, the same questions apply. Furthermore, the YACB requests that the Applicant describe to what extent businesses and tenants within the development will be relocating within the region and to what extent they will be new to the region so that economic impacts can be accurately assessed.

8.4

²⁹ DEIS III. I-25.

³⁰ DEIS III. I-26

³¹ DEIS III. I-26-27.

³² DEIS III. I-47-48

³³ DEIS III. I-49-50

D. Community Services and Facilities³⁴

1. Schools

The DEIS states that “[i]n the Applicant’s opinion the proposed high rise housing in downtown Yonkers will not be particularly attractive to families with school-age children. The Applicant’s recent experience in downtown White Plains and New Rochelle has demonstrated that units are likely to be occupied by young professional and empty nesters, many of whom will be New York City-bound commuters. The urban lifestyle of this type of downtown development would include some families with pre-school children; however, once these children reach school-age, it is likely that most of the families would move to town homes or single family homes.” The YACB requests that the Applicant’s opinions be supported by details, facts and comparative studies for school systems in similar areas.

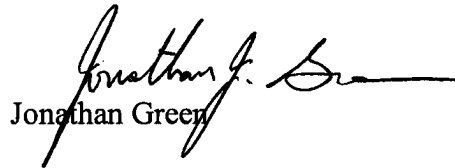
9.1

As described above, in Section C.1.b.i.aa. of this letter, a reassessment of the proposed population multipliers for projecting new residents from the project needs to be completed.

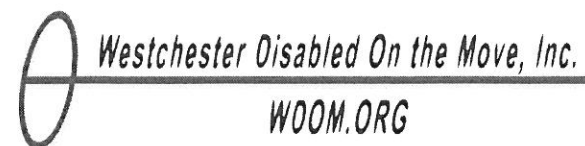
Thank you for your consideration of these written comments. If you would like to discuss our comments further, please contact us at (212) 244-4664, ext. 478.

Sincerely,


Gavin Kearney


Jonathan Green

³⁴ DEIS III. J.



984 North Broadway, Suite L-01, Yonkers, NY 10701

914.968.4717 Voice/TTY • 914.968.6137 Fax • info@wdom.org

May 30, 2008

C104

Councilmember Patricia McDow
City Hall
Yonkers NY 10701

Dear Councilmember McDow:

I am writing to support the concept of an independent disability organization such as Westchester Disabled On the Move Inc. consulting with the City of Yonkers by reviewing plans for new development for accessibility. This is extremely important given the Renaissance of the downtown area and the waterfront.

Unfortunately, WDOMI has on at least three occasions become aware of situations that required our intervention. Three years ago we made the City aware of a situation at the Pier View Restaurant where sidewalk dining obstructed an accessible route for people with disabilities. Earlier this year we made the City aware of a new curb cut at Hawthorne and Hudson that was constructed too steep to conform to the code. While both of these situations were remedied, they were only after the fact, with WDOMI's intervention. Full accessibility should be part of the planning process rather than an afterthought. This is the rationale for having an independent consultant with expertise in the area of accessibility for people with disabilities.

1.1

We just became aware of a situation at Xaviers on the Hudson, which is a city-owned building leased to the restaurant, where there is no access to the third floor, used for private parties, for people with mobility impairments. There is a long staircase and no elevator to that level. A telephone call to the Department of Buildings received a response that the building was renovated in compliance with the NYS Buildings Code and there was a legal exemption to providing access to the third floor. Frankly, I am concerned that without an independent voice advocating for people with disabilities and reviewing plans, that other interests may take precedence over providing full and equal access for people with disabilities.

Sincerely,

Melvyn R. Tanzman
Executive Director

Comments on the SFC DEIS for Phase 1

Submitted by Nan Beer, 431 Hawthorne Avenue, Yonkers 10705

May 30, 2008

INADEQUACY OF THE ECONOMIC ANALYSIS

The presentation of economic data is inadequate to assess the economic effects of the proposed development. Tables of anticipated income, net of TIF diversion, are in separate sections from non-tabular data about the millions of dollars that will be required for additional police, fire, school instruction, etc.

The developer should be required to present a comprehensive pro forma income and expense statement, from the perspective of the City of Yonkers, which presents the major elements, including a bottom line (net income) for each of the first ten years after completion of the project. That is to say, the city needs a business-plan type of analysis to determine if the economics of this development are in its best interest.

1.1

INADEQUACY OF THE SOCIOECONOMIC IMPACT ON CURRENT RESIDENTS OF THE STUDY AREA

The developers suggest that because the new residents will be a minority of the total downtown population, there will not be significant indirect displacement of residents as rising rents drive them from the area. This simply flies in the face of reality. Look at any area that has experienced what we now call gentrification and you will see that even with the protection of rent regulation laws, residents are subjected to higher rents or forced out of their rented living spaces as landlords see that they could be getting greater returns on their property.

1.2

The DEIS needs to better quantify the effects and propose mitigation. Absent a better job of quantification, it is impossible to know if the 6% affordable/workforce housing that is proposed will be adequate.

INADEQUATE ANALYSIS OF THE EFFECT ON THE SCENIC ENVIRONMENT

2.1

The developers propose various amendments to zoning and to the existing Downtown Riverfront Master Plan. If approved, the result will be substantially taller buildings, with no setbacks, and with larger floor-to-area ratios. The changes are proposed not only for the SFC Phase 1 developments but also for the entire plan area. The developer's renderings of proposed development show only the towers that they propose to build, not additional development that likely will follow, and that will presumably take advantage of these same proposed zoning or master plan changes to increase height and bulk. So the DEIS offers no way to evaluate the effect on the scenic environment despite the fact that "the most significant natural resources in downtown Yonkers are the Hudson River and the Palisades..." (quotation from the DEIS Executive Summary).

INADEQUACY OF THE TRAFFIC PLAN FOR THE PROPOSED BALLPARK

2.2

The DEIS recognizes that there will be substantial traffic when an event at the 6500-seat ballpark lets out and people get into their cars to drive home. It then suggests a route which it concedes will likely not be used by drivers, and then offers "mitigation" in the form of traffic police and better signage. This will do little or nothing to address traffic, noise and air quality concerns.

The developer should be required to consult with the MTA and put forward a genuine traffic mitigation plan, one that makes public transportation more attractive and reduces the number of cars moving through the area. The proposed trolley does not constitute such a plan.

C106

From: Taffy Lee Williams [mailto:tlwilliams@optonline.net]

Sent: Friday, May 30, 2008 11:33 PM

To: Rocky Richard

Subject: Comments - SFC

**Taffy Lee Williams / 191 Westchester Avenue / Yonkers, NY 10707
914-793-9186 / tlwilliams@optonline.net**

May 15, 2008

Rachelle Richard, Chief of Staff
Office of the Council President
40 South Broadway, Room 403
Yonkers, New York 10701
Phone: (914) 377-6060
Fax: (914) 964-1949
Rocky.richard@yonkersNY.gov

Re: DEIS, SFC consists of Cappelli Enterprises as well as Struever Bros. Eccles & Rouse of Baltimore and Fidelco Realty Group of Millburn, N.J.

Dear Mr. Richard:

I am submitting these comments on the proposed redevelopment project which includes River Park Center, Larkin Plaza, Cacace Plaza and Palisades Point. The project includes a plan to "daylight" the Saw Mill River as well. This project, comprising the first phase of SFC's massive \$3 billion project to redevelop the downtown and Hudson River shoreline, is certainly a development "extreme."

I would first like to comment that considering the size of this project, the length of time given for the comment period is unreasonable, one wonders if this was meant to stifle the public's input simply because of the lack of time available to working people to study the far-reaching project. Again, there has not been a reasonable amount of time to thoroughly investigate this project's merit, scope and physical components.

1.1

There have been many comments at public hearings on the size of this project - and the extent of public comment is that redevelopment is good, however, with a reasonable approach to creating neighborhoods and retail/office areas. We do not need overwhelming towers along the Hudson River, we do not need to mimic the cold stark retail centers of White Plains, where "expensive" is the common adjective of description. Where is the character and charm that this development should entail? Uncreative, lacking imagination and style, that's what the tall square buildings will present to others. It is outrageous that with a project of this magnitude, a 3D scale model that includes all

1.2

phases of this project has not been presented to the public for their consideration! Please put this together and present it at once.

Concerns arise with the planned height of towers along the Hudson River, which would create an unimaginative skyline of tall square buildings, cold and uninviting. These would landmark Yonkers as a city whose planners lack the vision to create environments with character, charm and warmth. The buildings along the river should conform to moderate heights such as seen in other shoreline communities with a maximum of perhaps 5 stories. One wonders how Yonkers can be dismissive of the needs of residents, who reside east of the Hudson River, who will be so adversely impacted as to lose their views of the river. The goal should be neighborhoods that are "people-friendly" without the immensity and overcrowding that is likely to occur at full capacity once these towers and apartment buildings are finished - and the buildings should reflect some character beyond the tall square monotonous buildings so common in modern urban landscapes.

2.1

Why hasn't LEEDS green building practices been incorporated into the four components of this project? (Energy Star and grey water collection are not nearly enough!) Independent power plants - solar photovoltaics and heat collectors (for preheating water) for each building, superinsulated walls, natural ventilation systems, autoclave-aerated cement exterior surfaces, residential tankless hot water heaters, pervious paved surfaces at ground level, even LED lighting fixtures indoor and out - these are easily doable and shamefully not even mentioned here, despite the enormous energy costs plaguing our nation today. This environmentally shortsighted project is far from "green" and sustainable, and in today's climate of environmental duress the lack of serious attention to energy consumption and "greenness" is UNACCEPTABLE.

2.2

How has Yonkers worked with local non-profit organizations and environmental group to ensure the citizen's acceptance of these projects? What happened to the Scenic Hudson proposal for a limit of 8 stories for residential buildings along the waterfront? They believe, as do most Yonkers residents, including me, that the taller, unwieldy 25-story buildings would obscure views of the Hudson River for everyone else. Has this proposal been unreasonably and unfairly tossed aside? What is the view of the Beczak Center Board of Directors, the Yonkers Paddle and Rowing Club (YPRC), the New York Whale and Dolphin Action League, and others, for the planned height of buildings?

2.3

A major problem with these projects is the amount of runoff that will be created and the inability of the paved surfaces to allow proper percolation. No one believed the Bronx River and Saw Mill River would so severely flood in April of 2006, yet the catastrophe happened. One should compensate for flooding expected in the future, especially in these days of global warming and severe weather events all around the world. Yonkers needs to be overly cautious as to the projected storm intensities during planning. The Saw Mill and Hudson Rivers need vast wetland buffers to protect developed areas lining the waterways. Wetlands protect inhabited spaces from the effects of flooding and ravages of storms. The developments and paved surfaces are too close to the watercourses, and will allow immense runoff events to overwhelm the rivers. Daylighting won't help, and

2.4

in fact might make things worse as the river can carry its overload to previously protected areas. Also, how does the project relate to FEMA projected flood zones with proximity to the two rivers? High tide marks will almost certainly rise with the rising sea levels projected with global warming, and if planning does not take this into consideration, we will be left the same kinds of disasters that are befalling many parts of the world that share coastline with tidal rivers.

3.1

Pollution generated during construction will degrade the rivers and increase runoff and flooding problems. Later, pollution from traffic will exacerbate the problems. Pollution controls for this project are predictably weak.

3.2

The YPRC has been an important part of the Hudson River shoreline for many years. Their presence on the waterfront should be assured, during every aspect of development.

3.3

The kind of traffic generated by the components of this development project will not be supportable with the current access roads. The project speaks of lack of infrastructure to support the additional housing - public works and even the sewage system will have to be expanded. Despite claims that the Ridge Hill project would help lower taxes, taxes went up, and another big hike this year bodes poorly for residents looking ahead to the projected development. Will the need for additional security, police and fire personnel, schools and other public services send an overtaxed city to the verge or bankruptcy or worse? Given the massive project's long-term interference with the downtown area and its retail operations, it is unrealistic to believe the loss of revenue from the project during construction, while business are forced to close, will be compensated for. TIF might sound good theoretically but there are no guarantees that the TIF proposals will actually be enough, given the rising costs of just about everything.

3.4

3.5

3.6

One should not overlook the dire economic environment that permeates our nation at this time. We are living in a recession, a time when people everywhere, including in Yonkers, are losing their homes because of the mortgage crisis and high cost of living. The "prosperity" being proposed by this huge project is unrealistic: rents for housing and retail stores will be too expensive and the buildings will have high vacancy rates. One has to just analyze the high turnover rates and vacancy rates for our over-saturated retail locations already existing in lower Westchester area.

3.7

Natural corridors, sometimes called "wildlife corridors" are important strips of undeveloped parcels that buffer both rivers and highways to allow important migration space for birds, small mammals or anything trying to survive the changing environment. Redeveloped green space affords little natural habitat to native wildlife. The Saw Mill

and Hudson Rivers both support onshore and aquatic life but unfortunately will become casualties here. Projects that have leave no undeveloped zones whatsoever cast out the natural world, while existing habitats are mercilessly obliterated. Brownfield zones adjacent to the two rivers should be restored to a natural state to create truly healthy environments as well as buffer against flooding. These will be the only viable areas for the natural world and should be made a larger part of the project.

3.1

Sincerely,

Taffy Lee Williams

Taffy Lee Williams
The Crestwood Association
"Working For A Wonderful Yonkers Community"

C107

Terry Joshi
29 Rockland Avenue
Yonkers, NY 10705

May 30, 2008

I support the written comments submitted by the Park Hill Land Conservancy, Scenic Hudson, and Yonkers Committee for Smart Development.

The comments below are an elaborated version of the spoken comment I made at the first DEIS public hearing. I choose to submit my dissertation on this one specific topic in order to support my contention that there are many ways in which to make a financial breakdown of an exceedingly complex DEIS, and that the Lead Agency should separate the major components of this Project and analyze each one on an individual basis.

1.1

The analysis below is, of course, a speculative one, but nevertheless it shows the danger of making one combined financial projection on such an enormous Project. A simple direct cost/profit analysis *just* of the Prospect Street Bridge and Palisades Point is very illuminating.

For the purposes of this analysis:

- a. It is assumed that the Prospect Street Bridge is not part of the TIF but would be a standard capital improvement funded by a general obligation bond with a repayable interest rate of 5%.
- b. The apartment comparables are actual apartments found on realtor sites in May, 2008.
- c. All 435 units have been sold at opening and remained filled.
- d. That the \$15,000,000 anecdotal bridge cost is accurate.

PARCELS H & I AND THE PROSPECT STREET BRIDGE.

A specific comparison of these two inextricably connected building projects:

Palisades Point cannot be built until the Prospect Street bridge is built. Without the bridge, the project is not viable as emergency, service and general vehicular traffic cannot reach the site except via the congested Metro North underpass at the City Pier.

These two projects should be considered independently from the rest of the SFC Phase 1 proposal because they are physically remote from the Chicken Island site and because their building costs relate only to each other and have no bearing on the rest of the Phase 1 development.

Therefore, it is appropriate and necessary to examine the two proposals – the Bridge and Palisades Point – as one project to the exclusion of the rest of the Phase 1 redevelopment. Palisades Point should be expected to pay for the expense of building a Bridge that is otherwise unnecessary, AND Palisades Points should also generate revenue for Yonkers.

1. Prospect Street Bridge - \$15,000,000 + interest: anecdotal cost under discussion.

- a. Necessary for construction on Parcels H & I
- b. Necessary for service vehicles and general access once H & I condominiums are built.
- c. Funding: GO Bond.
- d. Bridge must be built prior to construction on H & I.

2. Palisades Point – Parcels H& I

- a. 435 condominiums.
- b. 50% 2 bedrooms; 25% 1 bedrooms; 25% 3 bedrooms. Median: 2 bedrooms
- c. Anecdotal price for 2 bedrooms under discussion: \$500,000

3. Condominium Comparables: to determine hypothetical property taxes on SFC units

- a. 5 2-bedroom units currently available in Yonkers for between \$324,000 – \$793,000 averaged out to \$460,000 for approximate value of 2 bedroom apartment at Palisades Point.
- b. Average of the property taxes on above 5 units: \$3300.00, leading to an estimated similar amount for apartments at Palisades Point.*

4. Presumed Average Annual Property Taxes from 435 units at Palisades Point:

435 units x \$3300.00 = \$1,435,500.00 annually

5. Conclusions

Bridge (5% interest for 10 years)	\$19,080,000
Palisades Point property taxes for 8 years**	<u>\$11,484,000</u>
Loss to Yonkers at 10 year point on bridge bond/interest	(\$7,596,000)
<i>Not counting additional city services for residents!</i>	

* Granted, it is difficult to know at this point what the actual apartment and tax assessments will be. For the purposes of this exercise, future assessments are assumed to be similar to other high-end Yonkers condo properties studied at this time.

** This assumes that the apartments are built within two years; there are no property taxes generated in the first two years during construction; AND that all apartments are immediately sold and occupied when the construction is completed. *But note that the DEIS stipulates that SFC believes that it will take from 3-5 years to sell all the*

apartments. Therefore, in actuality, this figure is exceedingly generous and the loss to the city potentially much greater.

Also note that the DEIS contains very carefully graphed figures for rental income at Palisade Point ,which will generate absolutely NO property taxes for the city unless SFC is asked to pay on the 435 apartments on which they retain ownership.

C108

May 30 2008

Dear City Council Members:

My comments about SFC will be brief. But one thing that I noticed about the public hearing was complaints that i heard about the fact that speakers were not staying on the environmental topic. Since this is a SEQRA project and the Council was reviewing the DEIS, then spakers should address the issues that are contained in it.

However, a thought came to me that there really is no public/City Council review of the project, outside of the SEQRA process. And once SEQRA is over, the developers will start construction, almost immediately. However, it seems that there should be a separate review process besides SEQRA for such a large project. There's TIF and the public hearing related to that, but nothing specifically set aside for finance issues. Or housing issues. Or employment issues.

Perhaps this is an issue that needs to be discussed with the State since SEQRA is mandated by New York State. Maybe there should be a State Financial Quality Review Process. Or State Housing Quality Review. But maybe the Council through Charter revision, or simply through its own public hearing abilities, can consider segments of a project that really have little to do with the environment, separately from SEQRA.

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

1.1

So thank you for considering this letter and your review of the SFC project and SEQRA.

Sincerely,

Tracy Fields
Yonkers, New York

To: Council President Lesnick and
Council members McDow, Annabi, Gronowski, Barbato,
Murtagh, and McLaughlin

C109

From: Barbara Howard

Date: May 30, 2008

REVISED
5/30/2008

Subject: SFC DEIS

You have patiently listened to persuasive dissertations late into nights, that on top of your other mounting duties, hopefully you have time for a bit more reading material.

You have much to wade through and much to weigh. The responsibility is enormous. This will just be the beginning of much more. As the project goes forward and unfolds, there will be more decisions, more commentary and just a lot more of everything. Up front planning, delegation of duties among yourselves, guidelines and GOALS will be your only hope along with COMMITTEES you must name to ensure that project goals are met.

Your time is precious and the following is a summary of considerations I hope become part of your deliberation if they have not already. In addition, I offer my assistance in any form you think I may be of help. While an injection of investment is exciting and enticing for Yonkers, the project must deliver measurable benefits for Yonkers and its residents. Trade offs are inevitable, but certain issues such as public safety are not negotiable. The project as presently laid out has not expressed conscientiousness for public safety.

The massive collapse of yet another crane in NYC this morning well underscores the paramount importance of incorporating public safety measures into every project.

GOALS

Without goals, any road will take us there. Surely SFC has goals- and such goals of profitability are totally understandable, necessary and basic to our society. What are our minimal goals for Yonkers? What are our minimum guidelines for public welfare? How will we measure our progress to our goals? What provisions can we include in the "deal" to correct deviations from the stated goals?

What kind of goals? Goals can be numbers: no accidents, tax dollars, population density, affordable housing units, emergency response time, and numerous quality of life issues. There are also MUTUAL GOALS: A financially strong city not depleted by trying to foot the entire infrastructure tab is in the best interest of the developer. A city with moderate taxes is in the best interest of the developer. A city with great schools and low crime is in the best interest of the developer. We need to see how the developer will help us attain those mutual goals.

What kind of provisions to correct deviations from those goals? Provisions such as: the developer being held accountable for achievement of goals and that if such goals are not met in the timeframe established the developer must contribute financially and in other ways to meet our goals.

SFC cannot just build it and say “they will come” and when they don’t change the rules to accommodate their specific needs, i.e. we have to go higher, wider, deeper or change the affordable housing mix. The final “deal” must contain clauses that provide for leverage for the public welfare and good as the inevitable changes develop during the evolution of the projects. **A Performance Bond must be part of the deal and a normal part of construction projects to insure that the contractor/developer doesn’t get going when the going gets tough.**

2.1

EXPERTISE

There are countless technical issues. You have gotten some help on the financial side which hasn’t been all that clear on the pros and cons of the TIF. DO NOT PROCEED WITHOUT EXPERT CONSULTATIONS even if you have financial givebacks from SFC if their data and projections are wrong - which it seems it is in a number of cases as I discussed at the May 13th meeting. You need a better idea of what we are dealing with than what SFC tells us.

INDEPENDENT Expert consultants are needed in: marketing, urban planning, geology, hydrology, and possible certain legal areas. If we pay for it out of our pocket, it will be a small investment in a great outcome. While a legal opinion distancing AKRF from its other projects sufficiently and allowing them to be your consultants was submitted into the record, a second opinion is more than worthwhile.

A. Cost of Infrastructure Improvements: The financial picture may also change when other scenarios change. The estimated cost for the infrastructure improvements is \$200 million. Seems impossibly light. How was this arrived at? Estimates? Bids? The infrastructure today is in

2.2

need of major rehabilitation. What improvements are needed above and beyond at different levels of development versus what is needed to accommodate super tall structures? **Let the developer pay for any overage guaranteed by the performance bond.**

2.2

The financial implications could overwhelm our city for the balance of our lifetimes and the lifetime of your major taxpayers– **so second opinions do not seem overboard but rather due diligence.**

In the Chapter III, a project management overview task plan is given and I have attached it to my comments here for your reference. There is no mention anywhere of where these infrastructure improvements will take place on the task plan. There is no mention of coordinating such improvements. They are just supposed to happen? There are some references to Con Ed and Verizon, but who is responsible for installing the sewer and water mains? Who will write the specs and will infrastructure work be bid out by the city? Who is responsible to size them and install them in a timely way? Services to 50 story buildings or any high rise for that matter require completely different levels of services. Who will manage the installation of all such municipal services and utility services?

3.1

3.2

One of the first things is the demolition of the existing firehouse and rehousing it temporarily. What about the refurbishment of the temporary quarters? Has the fire commissioner studied whether the temporary and new locations will afford good accessibility with an ability to maintain current response times?

3.3

Firefighting in high rises is a completely different challenge and training and increases in number of fire fighters and other emergency personnel is necessary. What figures do we have on this increase in operating expenses?

3.4

*This is only the tip of the iceberg on infrastructure. TIF is the part of the iceberg you don't see. According to the MDDA, all infrastructure expense without any cap, is to be borne by the City. The idea is to pay for it by bonds which will be paid for by the new sales and tax revenue starting almost 3 years down the line (see the project plan) when the buildings and stores are built. The TIF should be backed up by the **PERFORMANCE BOND** if the developer does not complete the work on time or misses sales targets. Will we be able to pay the dividends, maintain municipal services (actually at an increased level) until we start to see revenue start coming in?*

3.5

The plan calls for the work at River Park to take almost three years. They will not start work on day 1 as it would appear on the plans...they have to ~~finalize their own design and architectural plans, go through site plan review and make adjustments.~~ While I certainly see the need to expedite their plans through the engineering, building and planning departments, these plans are massive and will take time to professionally assess. Is this a 6 month process or one which is somewhat unknown? Will we have to bring in additional personnel in each of these departments so that all the other projects in Yonkers can receive a fair turnaround?

4.1

In all honesty, the part time nature of the City Council should actually be reassessed. It seems hardly possible to attend to all the matters on the various committee agendas on a part time basis. In fact, there are numerous items that are on perpetual hold at present; what will happen when more projects come up and changes to others are asked to be considered to these more demanding projects?

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

4.2

C. Storm water Management: We know that presently our SW regulations are perfunctory and minimal. We have been advised in a Municipal Operations meeting Runoff management is an administrative function for residential development. The permit requires that 2" rainfall, an average rainfall, be contained on the owner's property. **Incredulously, not even this bare minimum of retention is required of SFC while it is required of any residential builder.**

4.3

SFC states that retention is not required because of the nature of this project and proximity to certain bodies of water. SFC **dangerously glosses over the effect of increased runoff** (which is underestimated at least by several acres) at an increased velocity especially in a floodway area. It does not seem that you would need an expert to tell you that this is a flawed idea, still I urge you to get one.

We also know from meeting with engineering that most of the flooding experienced here and elsewhere in the county is due to our own miscalculation and improper construction. Imagine the potential damage of a huge miscalculation (not a one family miscalculation) in a flood sensitive area.

"Storm water management is necessary in urban and urbanizing areas, where vegetation, porous soils, and other natural environmental features that reduce runoff are removed or covered over. Development can

increase peak discharges two to five times, double runoff volumes, half runoff time to reach streams, increase frequency and severity of flooding, undercut banks, and widen stream channels.”¹

We are not speaking about building in any average flood prone location though. The building proposed is in Federally designated sensitive Floodway and Floodplain areas.² Our own meek regulations prohibit building in a floodway, ergo, SFC plans to change the course of the Saw Mill! No biggie- just reroute it in month 4 so River Park is dry and ready to go in month 5. This is ambitious and worthy of consideration- we must check this out with independent geologist/riparian engineering experts; especially with regard to the torque of the massive scale and size of the building with 1000s of toilets, sinks and other modern conveniences and necessities like fire hydrants, sprinkler systems dishwashers, or “insinkerators”. The consequences could be great or tragic, and as asked before...why should it take a tragedy or a catastrophe to get things right when we can **get the right simulations**

5.1

¹ Urban Land Use Planning, Fourth Edition, Kaiser, Godschalk and Chapin, p 241

² As per the Flood Insurance Rate Map , Panel 317 of 426, Map 360936, adopted by the Council last September and which I provided to the Council as it was not provided by engineering or the administration, along with other maps, distinctly shows that a Floodway area which prohibits building is in Chicken Island and most of parcels H&I is a significant floodplain area.

Chicken Island contains a floodway area. Rerouting the Saw Mill will move the floodway to possibly more convenient area and hopefully the apparatus operates flawlessly forever. Legally and by DEC ,and FEMA definition, “ The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried out without substantial increases in flood heights.” In other words, logically: Encroachment or building in the floodway will cause floods elsewhere. Moving the river seems a plausible idea if done in a foolproof manner- yet to be established, i.e., flash floods are a regular occurrence where other rivers have been relocated particularly in the Midwest but also as close as the Bronx River which was relocated to accommodate Lawrence Hospital.

5.2

Parcels H&I are in “SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE OF FLOOD. The 1% annual flood (100 year flood) also known as the base flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.” It is also logical to assume that building in the floodplain must be very sensitive or it will cause flooding elsewhere and can contribute to contamination and dangerous electrification of floodwaters.

today and figure out what margin of safety overload is needed to be built in.

5.1

D. **Zoning//Urban Planning.** Success of cities is measured in a number of ways: what is the right measure: Tallest buildings? Most people? Most jobs? Community, diversity, integrity, and delivery of public amenities while balancing the budget is the right measure, i.e., quality of life. A number of the proposed zoning amendments are extreme. Perhaps they are proposed in this way so that we will settle on something much denser or higher than we could ever really want.

At the public meeting I noted a few of the fallacies in their arguments to amend zoning:

1. **Footprint**

The zoning presently in the River Park area according to SFC is a combination of CB/GC districts which are both restricted uses and do not include residential use. SFC borrows the liberal footprint allowed in business /government districts (90%) and uses it for residential. This mixes apples and oranges. Setbacks are required in every other district in our city. Setbacks convey numerous benefits the least of which is the ability to see a structure from all aspects and generally improved, lighted perspective, but most importantly allows better access for safety and servicing purposes, extremely needed in residential, 24/7 occupancies. Setbacks (front, rear and sides) were originally conceived to stop the spread of disease and fire. We have not evolved to the point that we do not need such protections any longer.

6.1

The 100% buildout which is proposed is not only for the parcel where the twin residences are planned but for the entire 10 acre site. Of course that might be desired visually to have a more balanced proportion, but overall on 10 acres, such proximity of buildings, especially of varying heights can create numerous problems, i.e., a 20 story building next to a 10 story building, where debris, flammable materials etc., can fall on the lower building.

6.2

Attached for your ease of reference is the Schedule of Dimensional Regulations from our City Code and lists the permitted uses in the proposed project areas which is discussed above. I did not find the Lot and Bulk Controls Maximum Table III.A-3 that SFC provided. Again the data they supply needs to be verified.

2. **/F.A.R./Density**

There is no **floor to area ratio (FAR)** in the River Park area presently since this a strictly residential use concept. They say they are going to 6 as prescribed by comprehensive county and city planning documents. (SFC cites the highest end of the range for dwelling units/acre and FAR). The FAR actually proposed for River Park is 50+. They divided the living space 1,195,000 sf over much more than their combined 24,000 sf footprint* which

6.3

is derived as follows:

*950 units/2- 50 story building= 475 units or approx ten 1200 sf units /floor. Each floor is therefore about 12000 sf or a 120x100 sf footprint. If this were a 1 story building this would be an FAR of 1; 12000sf of living space on 12000 sf of land, but since it is a 50 story building it is an FAR of 50 PLUS all the floors below. Again, SFC's proposed zoning changes are not for unique parcels but for entire 10 acre/4 acres sites...each designated area: River park Cacace, Palisade, Ludlow etc. . Areas that previously were never residential are now scheduled for densities not prescribed anywhere else in our city.

An FAR of 50 requires a special level of infrastructure that we have never known.

3. PUR/Palisade Point

The proposed zoning change is to have whatever is built to be considered conforming to the district. This "progressive" view is actually a license to argue that whatever is built is acceptable.

7.1

All zoning changes must be evaluated over time and meet certain tests:

1. How would these building parameters play out if this code were employed throughout the district?
2. Does this zoning change represent sustainable building: meeting our needs, while not jeopardizing the needs of future generations, protect environmental capital, leverage the innate qualities and built up assets of an area, balance the needs of the community over time, can be modified to accommodate future needs? **We can always get denser and taller, but we are never going to chop half a building down.**

The zoning changes proposed present a road map that cannot be retracted. When the buildings are built, they cannot be unbuilt. I was very sad to hear a number of people say how they had White Plains and New Rochelle or even New York City envy. Individuality and uniqueness always seems to win over every heart and finding our own Yonkers ID will make our City realize its potential, not being dubbed a White Plains wannabee.


While my own aesthetic preferences would tend to do all that is possible to maintain panoramic Hudson views, an irreplaceable, priceless Yonkers treasure, a compelling Yonkers sided economic rationale (as opposed to developer sided argument) could make me rethink my sensibilities. View corridors in Miami Beach and along the Gulf of Mexico are more disturbing than accommodating, slicing up the awe of great bodies of water and none of these structures are half as high as those that are

intended for Yonkers which has more than a large expanse of water, but also nationally land marked Palisades to inspire all of us for generations to come.

Some Final Thoughts

I hope that this paper gives you cause to get better information, analysis and advice. We have been reminded today and almost daily of the tragic turn some dreams take.

Form several task forces, committees to work on specific areas. Each committee, Safety, Environmental, Architectural and Business can work with under a Councilmember chair. These committees should then stay intact during the course of the project and work with SFC to insure that the goals are met. It will be a great aid to you and to the builder.

Thanks

Barbara Howard

APPENDIX I:
SFC
Timeline

Activity ID	Description	Orig Dtt	Month
Cacace Site - Carnegie Building Milestones			
05-310	Start Construction	0	1
05-320	Complete Foundations	0	2
05-330	Complete Superstructure	0	3
05-340	Complete Enclosure	0	4
05-370	Government Portion - Ready to Occupy	0	5
05-380	Move into Carnegie Building - Government Offices	0	6
05-390	Carnegie Hotel Portion - Ready for Soft Opening	10	7
Cacace Site - Parking Garage Milestones			
05-410	Start Construction	0	8
05-420	Complete Foundations	0	9
05-430	Complete Superstructure	0	10
05-440	Complete Enclosure	0	11
05-470	Garage - Ready to Occupy	0	12
05-470	Move into New Cacace Parking Garage	5	13
Cacace Site - New Fire House Milestones			
05-510	Start Construction	0	14
05-520	Complete Foundations	0	15
05-530	Complete Superstructure	0	16
05-540	Complete Enclosure	0	17
05-550	New Fire House - Ready to Occupy	0	18
05-560	Move into New Fire House	15	19
Government Center Garage Milestones			
05-570	Start Construction	0	20
05-575	Complete Foundations	0	21
05-580	Complete Superstructure	0	22
05-585	Garage - Ready to Occupy	0	23
05-590	Ready to Tenant Fit-Out	0	24
River Park Milestones			
Stadium Site Milestones			
05-610	Start Construction	0	25
05-620	Complete Foundations	0	26
05-630	Complete Superstructure	0	27
05-640	Complete Enclosure	0	28
05-650	Complete Core & Shell - Ready for Tenant Fit-Out	0	29
05-655	Stadium Complete	0	30
05-660	Field Ready for Play	0	31
05-670	Retail Complete	0	
New Main Street Tower			
05-800	Start Construction	0	
05-810	Complete Foundations	0	
05-820	Complete Superstructure	0	
05-830	Complete Enclosure	0	
05-850	Residential Tower - Last Occupancy	0	
Elm Street Tower			
05-900	Start Construction	0	
05-910	Complete Foundations	0	
05-920	Complete Superstructure	0	
05-930	Complete Enclosure	0	
05-950	Residential Tower - Last Occupancy	0	
Palisade Point & Larkin Plaza Milestones			
Palisade Point Site Milestones			
06-010	Start Prospect Street Bridge	0	
06-020	Prospect Street Bridge Complete	0	
06-030	Complete Viaduct & San Improvements	0	
North Palisade Point Tower Milestones			
06-200	Start Construction	0	
06-210	Complete Foundations	0	
Vonkers Redevelopment Struener Fideico Cappelli DEIS Schedule - 17APR07			
06-210	Complete Foundations	0	

ID	Activity	Orig	Out	Month
06-220	Complete Superstructure	0	0	12
06-230	Complete Enclosure	0	0	12
06-240	Residential Tower - Last Occupancy	0	0	12
06-300	Start Construction	0	0	12
06-310	Complete Foundations	0	0	12
06-320	Complete Superstructure	0	0	12
06-330	Complete Enclosure	0	0	12
06-340	Residential Tower - Last Occupancy	0	0	12
06-350	Start Construction	0	0	12
06-360	Complete Foundations	0	0	12
06-370	Complete Superstructure	0	0	12
06-380	Garage - Ready to Occupy	0	0	12
06-400	Start Construction	0	0	12
06-410	Complete Site Structural Work	0	0	12
06-420	Complete Sitework	0	0	12
10-020	Mobilize, Remaining Demolition & Site Clearing	23	23	10
10-030	Soil Remediation & Utility Relocations	23	23	10
10-037	Rock Removal	30	30	10
10-040	Foundations	77	77	10
10-050	Erect Bldg Superstructure	86	86	10
10-060	Install Office Elevator Cars	90	90	10
10-070	Erect Curtainwall	100	100	10
10-080	Install Hotel Elevator Cars	90	90	10
10-100	Install Roofing Systems	20	20	10
10-120	Building Substantially Enclosed	0	0	10
10-125	Complete Fit-Out - Government Offices	254	254	10
10-140	Complete Fit-Out of Hotel	242	242	10
11-030	Rock Removal	66	66	11
11-040	Install Foundations	89	89	11
11-050	Erect Precast Concrete Garage	65	65	11
11-070	Erect CMU Block & Brick Partitions	50	50	11
11-080	MEP Rough-ins	34	34	11
11-100	Misc. Iron Railings/Guards/Bollards	34	34	11
11-110	Install Elevators	34	34	11
11-130	Complete Fit-Out Garage	33	33	11
12-060	Rock Removal	44	44	12
12-070	Install Foundations	55	55	12
12-080	Erect Bldg Stucco/Steel/Metal Deck/Conc/Fireproof	45	45	12
12-090	Erect Masonry & Panel Exterior	40	40	12
12-110	Install Roofing Systems	15	15	12
12-120	Building Substantially Enclosed	0	0	12
12-130	Complete Fit-Out of Firehouse	63	63	12
16-003	Existing Government Garage Veneered	0	0	16
16-005	Existing Government Garage Demolition	59	59	16
16-040	Rock Removal & 1/2 Foundations	65	65	16

Yonkers Redevelopment
Struven Fidelecio Cappelli
DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

Yonkers Redevelopment
Struven Fidelecio Cappelli
DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

Yonkers Redevelopment
Struven Fidelecio Cappelli
DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

Yonkers Redevelopment
Struven Fidelecio Cappelli
DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

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Yonkers Redevelopment
Struven Fidelecio Cappelli
DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

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16-040 Rock Removal & 1/2 Foundations

DEIS Schedule - 17AR07

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16-040 Rock Removal & 1/2 Foundations

Yonkers Redevelopment
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DEIS Schedule - 17AR07

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DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

Yonkers Redevelopment
Struven Fidelecio Cappelli
DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

DEIS Schedule - 17AR07

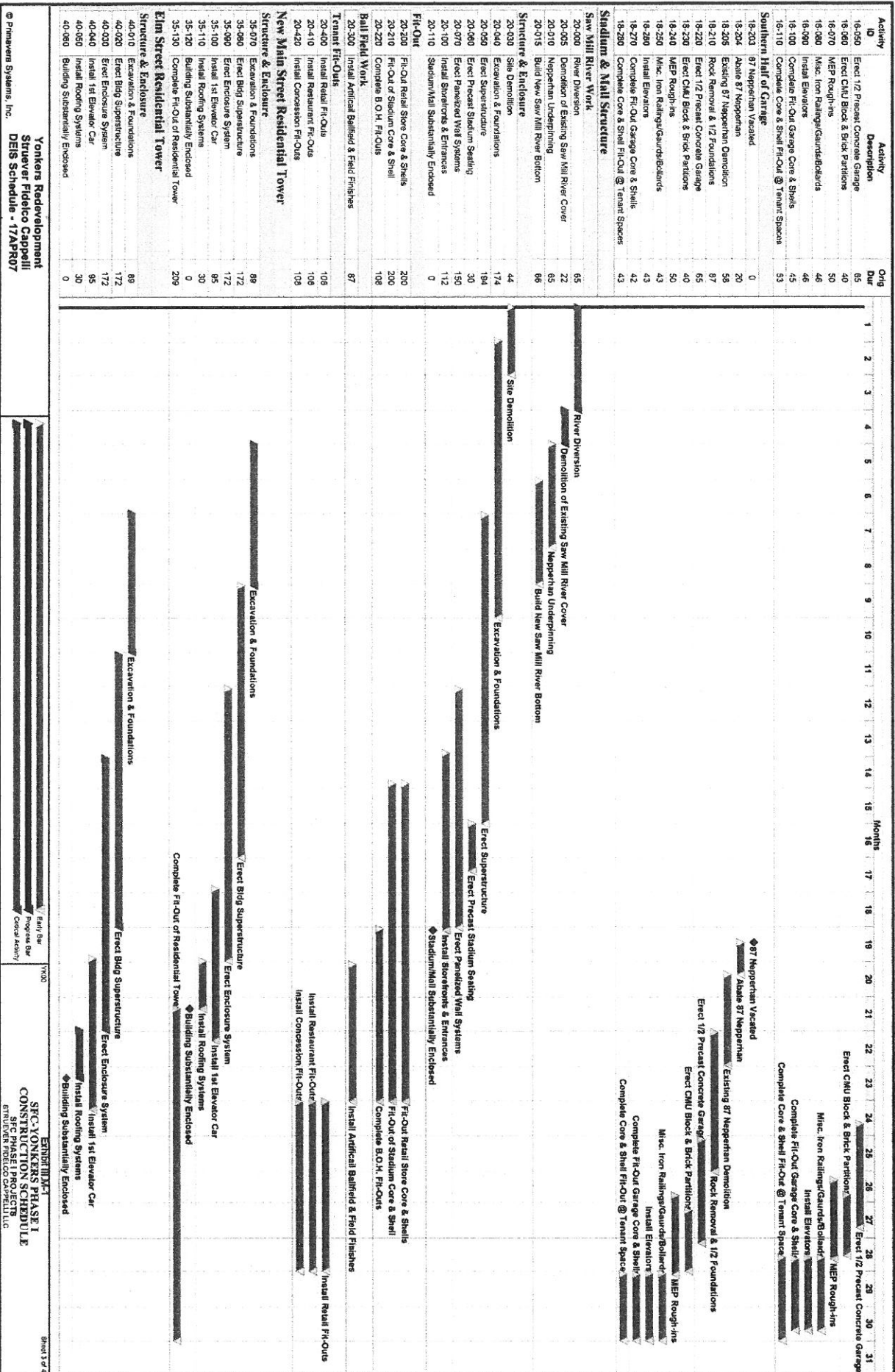
16-003 Existing Government Garage Veneered

16-005 Existing Government Garage Demolition

16-040 Rock Removal & 1/2 Foundations

Yonkers Redevelopment
Struven Fidelecio Cappelli
DEIS Schedule - 17AR07

16-003 Existing Government Garage Veneered



Activity ID	Description	Orig Dtg
40-070	Complete Fit-Out of Residential Tower	167
Palisades Point Silework		
Mobilization		
50-090	Mobilize Remaining Demolition & Site Clearing	44
50-080	Soil Remediation & Utility Relocations	44
50-200	Build Prospect Street Bridge	130
Site Improvements		
50-210	Build Waterside Site Improvements	66
North Palisades Point Tower		
Structure & Enclosure		
55-000	Pile Test & Production Piles	66
55-010	Excavation & Foundations	97
55-020	Erect Bldg Superstructure	120
55-030	Erect Enclosure System	120
55-040	Install 1st Elevator Car	95
55-050	Install Roofing Systems	30
55-060	Building Substantially Enclosed	0
55-070	Complete Fit-Out of Residential Tower	112
South Palisades Point Tower		
Structure & Enclosure		
60-010	Excavation & Foundations	87
60-020	Erect Bldg Superstructure	120
60-030	Erect Enclosure System	120
60-040	Install 1st Elevator Car	95
60-050	Install Roofing Systems	30
60-060	Building Substantially Enclosed	0
60-070	Complete Fit-Out of Residential Tower	134
Larkin Garage		
Structure & Enclosure		
65-010	Site Demolition/Pile/Excavation	65
65-020	Install Foundations	89
65-030	Erect Precast Concrete Garage	65
65-040	Erect CMU Block & Brick Partitions	40
65-050	MEP Rough-In	50
65-060	Misc. Iron Railings/Guards/Balards	34
65-070	Install Elevators	34
65-080	Complete Fit-Out Garage	33
Larklin Point		
Mobilization		
70-040	Site Control	0
70-050	Mobilize Demolition & Site Clearing	21
70-060	Soil Remediation & Utility Relocations	21
Flume Structural Work		
70-070	Drive Sheet Pile both Sides of Existing Flume	40
70-080	Cutaway & Excavate Outside of Flume	30
70-090	Build New Perimeter Water Retention Structures	88
70-100	Churn Flume into New Structures	10
70-110	Build Center Water Support Structures	80
70-120	Burn Out Remaining Sheepshe	40
70-130	Complete Water Features	50
Site Improvements		
70-150	Backfill for New Plaza Areas	40
70-200	Site Improvements	87

Month
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Yonkers Redevelopment
Stuyvesant High School
DEIS Schedule - 17APR07

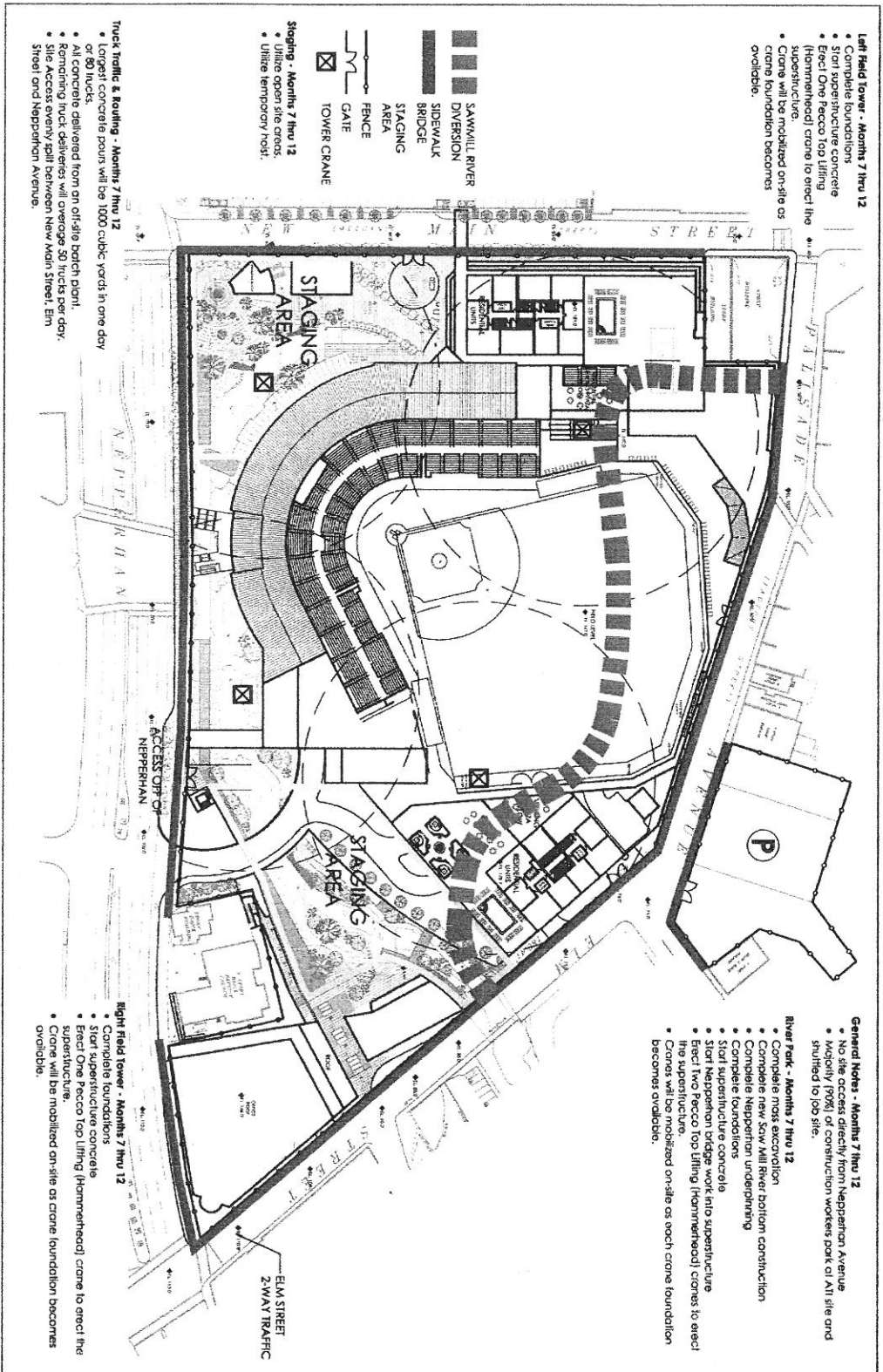
SPC YONKERS PHASE I
CONSTRUCTION SCHEDULE
STUYVESANT HIGH SCHOOL
ENR/PM/PROJ/CAPPELLI LLC

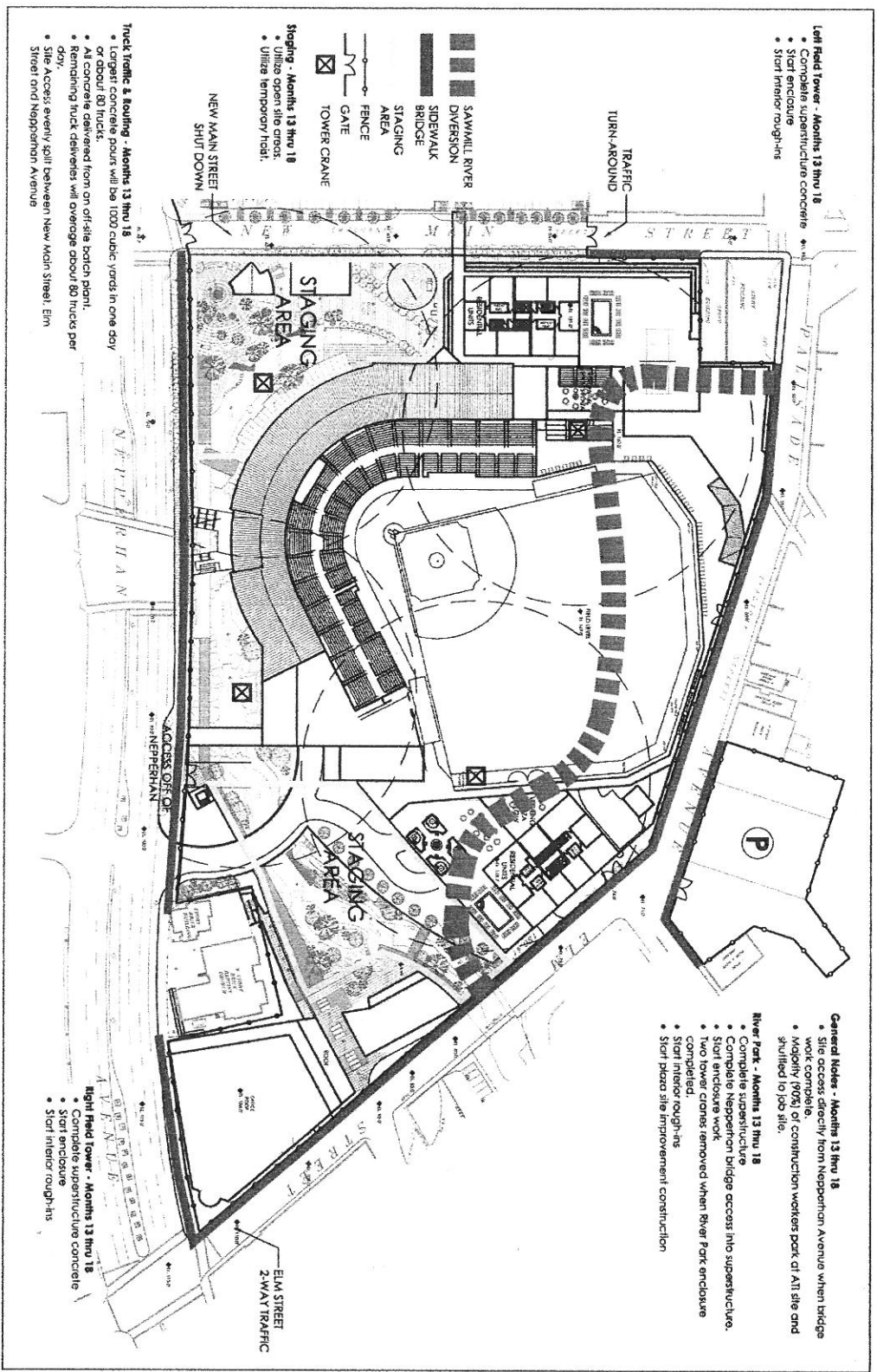
Sheet 4 of 4

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Exhibit III-M-2
CONSTRUCTION PHASING RPOC
RIVER PARK LOGISTICS
MONTHS 1-6
SFC PHASE I PROJECTS
STRUEVER FIDELCO CARPELLI LLC





DATE: December, 2007
SOURCE: Struever Fidelity Coppell, LLC

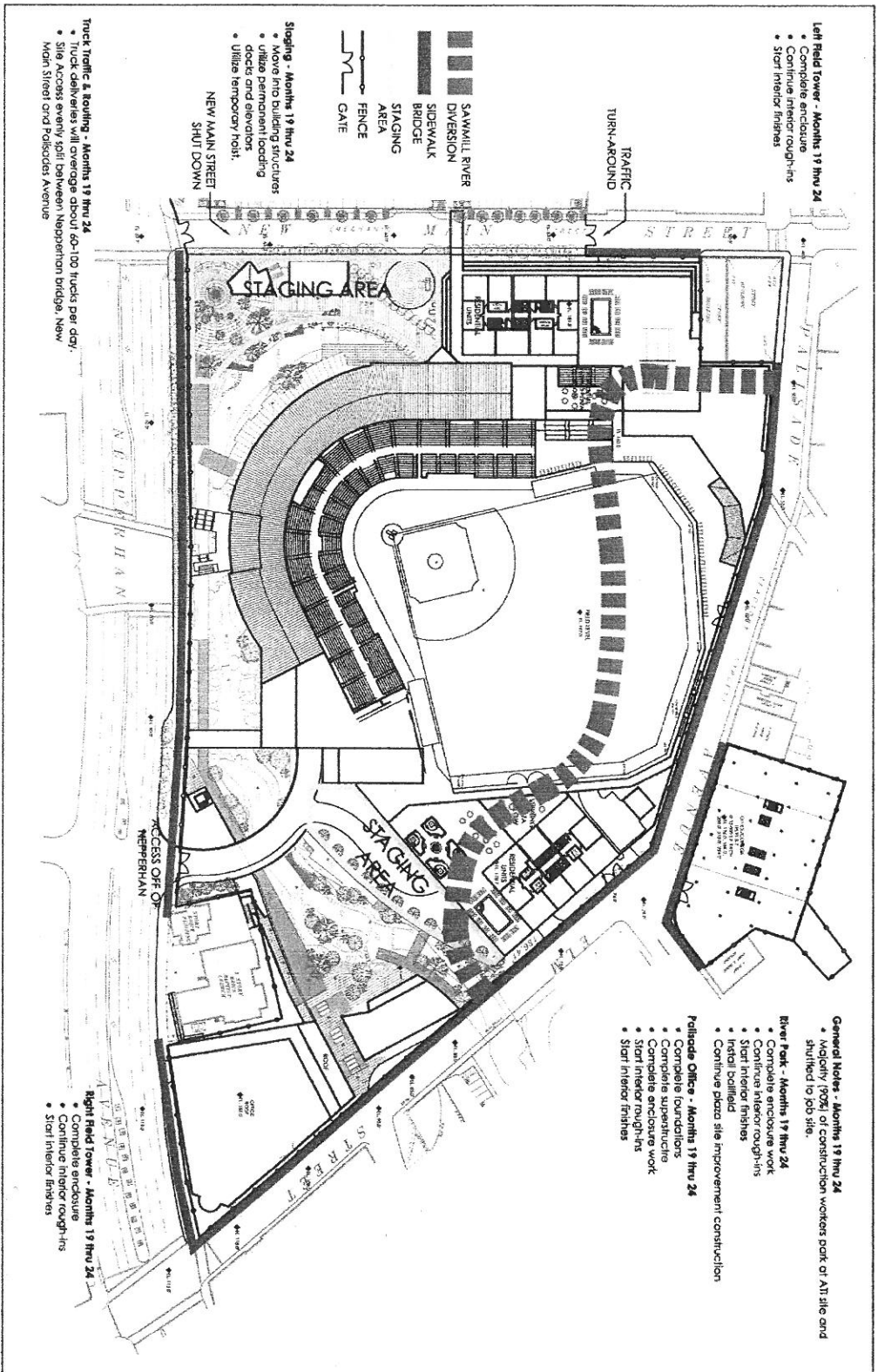
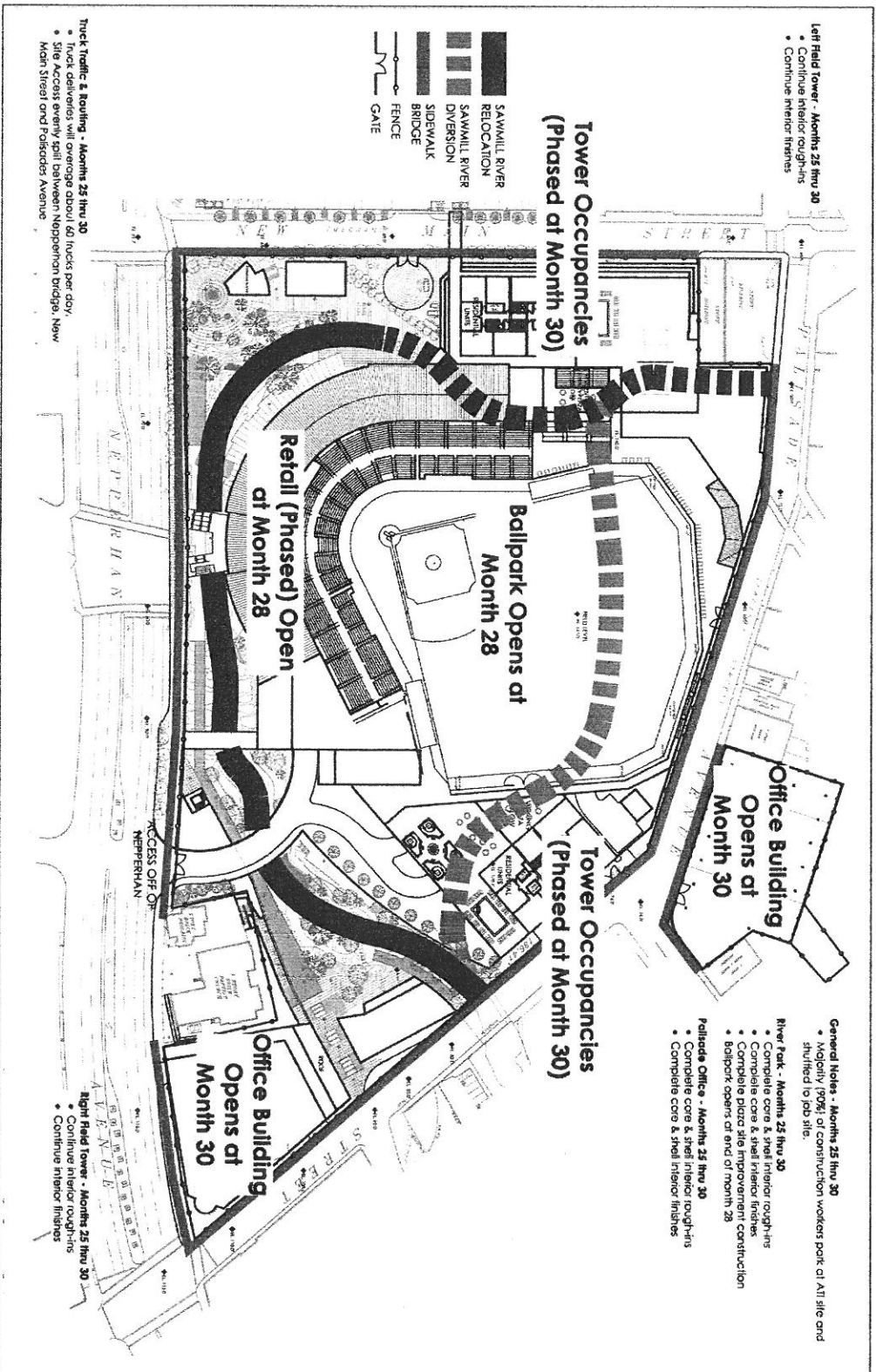


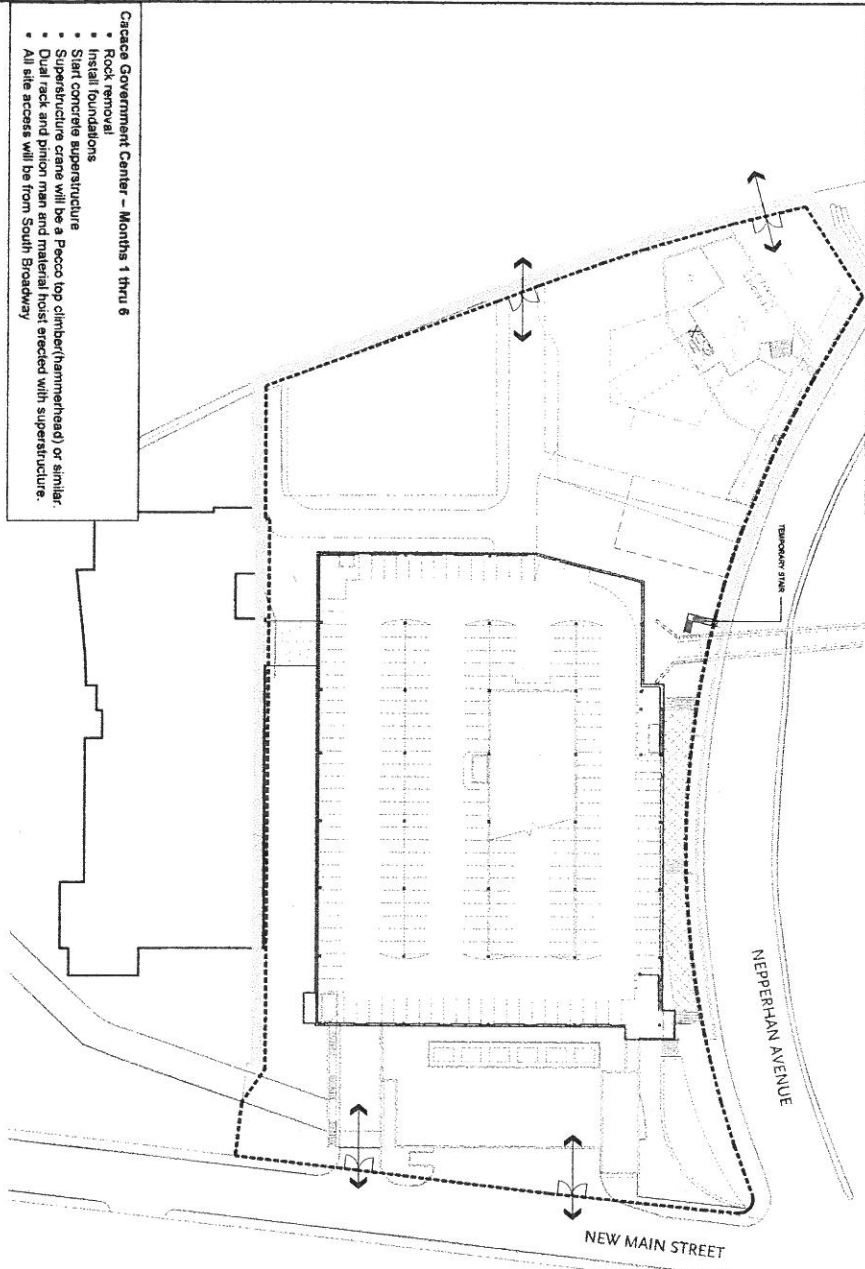
Exhibit III.M-5
CONSTRUCTION PHASING RPC
RIVER PARK LOGISTICS
MONTHS 19-24
SFC PHASE I PROJECTS
STRUEVER FIDELCO CAPELLI, LLC



DATE: December 2017
 SOURCE: Struever Fidelity Capital LLC

- General Notes - Months 1 thru 6**
- No site access directly from Nepperhan Avenue
 - Nepperhan Avenue sidewalk remains open
 - Nepperhan Bridge remains open with temporary stairs down to sidewalk.
 - Majority (80%) of construction workers park at A11 site and shuttled to jobsite.
 - No demolition processing (crushing) onsite. Limited sorting allowed.
 - All demolition debris loaded and removed onsite for disposal or crushing.
 - No rock crushing onsite.
 - All rock loaded and removed offsite for crushing and processing elsewhere.
 - Warning Park closed and used for construction access.
 - Install lighted sidewalk bridge installed along Nepperhan Avenue @ Cacace Government Center Site
 - Install lighted sidewalk bridge installed along South Broadway @ Cacace Government Center Site.
 - Install secure, lighted temporary fenced walkway along existing Justice Center for access to South Broadway.
 - Utilize flagman when needed for truck access and egress.
 - Erect superstructure cranes on weekends to minimize traffic disruption on South Broadway

- Mobilize Entire Site - Month 1**
- Relocate 145 parking spaces offsite
 - Provide shuttle service until new garage is completed
 - Fence entire site
 - Install construction trailers & temporary utilities
 - Close Guion street permanently
 - Clear grub entire site (no trees remaining)
 - Strip & haul topsoil, asphalt & misc. structures
- Truck Traffic & Routing - All 3 sites - Months 1 thru 6**
- Estimate 10 truck trips per day average during demolition removal
 - Estimate 20-40 trucks trips per day average during rock removal
 - Majority of site access initially from South Broadway
 - Site access from New Main 2 months into project.
 - Largest concrete pours will be 250 cubic yards in one day or about 20 trucks per site 40 total
 - Removing truck deliveries will average 20-45 trucks for all 3 projects.

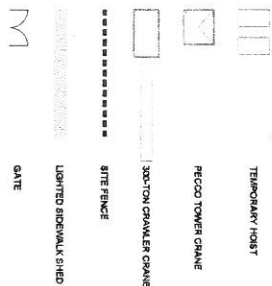


- Cacace Government Center - Months 1 thru 6**
- Rock removal
 - Install foundations
 - Start concrete superstructure
 - Superstructure crane will be a Pecco top climber(hammerhead) or similar.
 - Dual rack and pinion man and material hoist erected with superstructure.
 - All site access will be from South Broadway

- Firehouse - Months 1 thru 6**
- Rock removal
 - Install foundations
 - Erect structural steel
 - All site access from New Main Street
 - Sidewalk adjacent to work site closed for duration of construction
- New Garage - Months 2 thru 6**
- Rock removal
 - Start foundations
 - All site access from South Broadway

Exhibit III.M-7
CONSTRUCTION PHASING
CACACE CENTER: MONTHS 1-6
SFC PHASE I PROJECTS
STRUEVER FIDELCO CAPELLI LLC

- Truck Traffic Routing - All 3 sites - Month 7 thru 12**
- Largest concrete pour will be 200 cubic yards in one day or about 20 trucks.
 - All concrete delivered from an offsite batch plant.
 - Remaining truck deliveries will average about 15-30 trucks per day, for all 3 projects.
 - Site Access evenly split between South Broadway and New Main Street
 - Precast concrete garage structure will average 15 flatbed loads per day.
 - Precast will be materialized offsite and delivered as needed.



- Complete superstructure
- Install enclosure
- Start Office interiors
- Start Hotel interiors

- FIREHOUSE
OPEN AT
MONTH 12**
- Firehouse – Months 7 thru 12
- Install enclosure
 - Install interiors
 - Obtain T.C.O. and occupy Firehouse @ Month 12

[illegible]

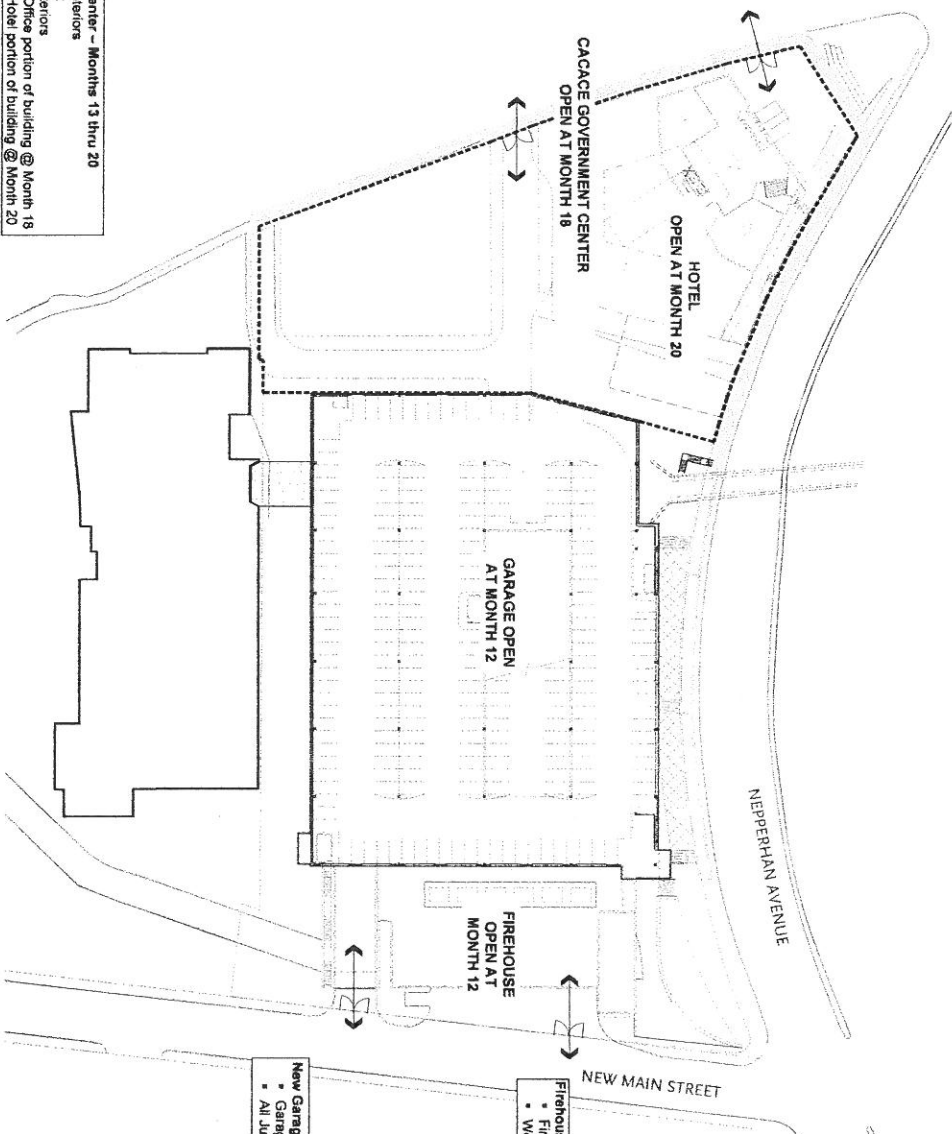
Exhibit III.M-8
CONSTRUCTION PHASING
CACACE CENTER, MONTHS 7-12
SFC PHASE I PROJECTS
STRUEVER FIDELCO CAPELLI LLC

General Notes - Months 13 thru 20

- Nepperhan Bridge open into new garage
- Majority (80%) of construction workers park at AT1 site and shuttled to jobsite.
- Warning Park undergoes renovation and restoration
- Temporary Hotel is removed @ month 15.
- Permanent loading dock and internal cars are used for remaining hoisting.

Truck Traffic & Routing - Cacace Building - Months 13 thru 20

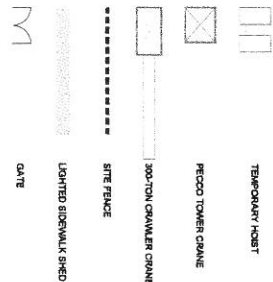
- Remaining truck deliveries will average about 15 trucks per day.
- Site Access limited to South Broadway until temporary hotel is removed.
- Permanent loading dock on Nepperhan used for remaining deliveries.



- Cacace Government Center - Months 13 thru 20**
- Complete Office Interiors
 - Complete Sitework
 - Complete Hotel Interiors
 - Obtain T.C.O. for Office portion of building @ Month 18
 - Obtain T.C.O. for Hotel portion of building @ Month 20

- New Garage**
- Garage Open
 - All Justice Center Parking in new Garage

- Firehouse**
- Firehouse Open
 - Work Complete @ Eastern End of Site



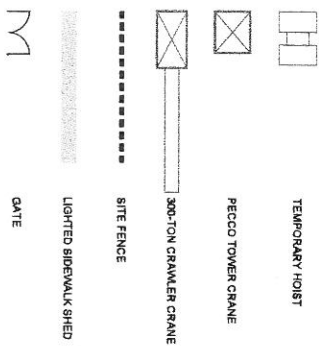
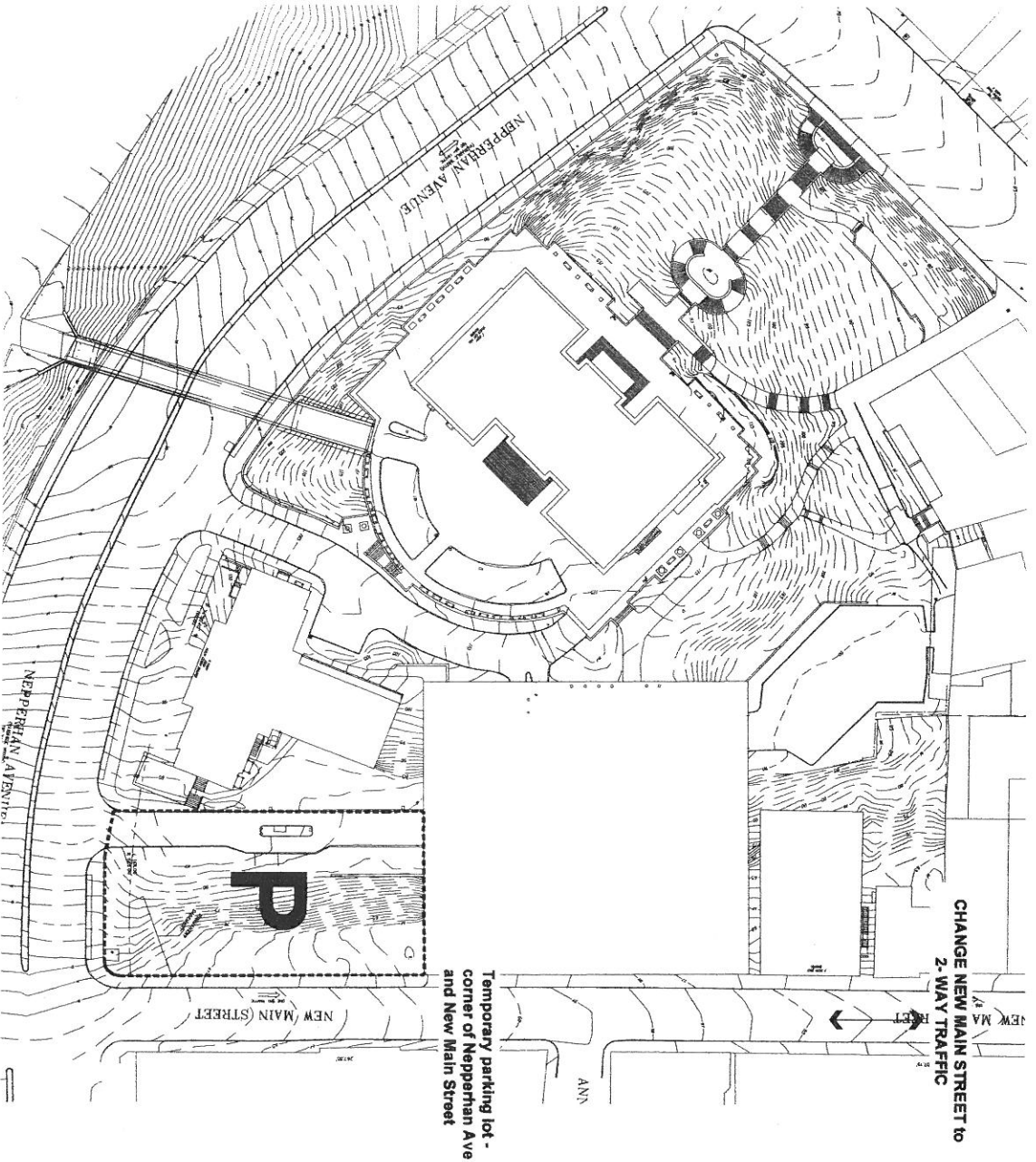


Exhibit III.M-10
 CONSTRUCTION PHASING
 GOVERNMENT CENTER: MONTHS 1-18
SFC PHASE I PROJECTS
 STRUEVER FIDELCO CARPELLI LLC

- Mobilize site - Month 19**

 - Relocate existing parking spaces into new Cacace Center Garage
 - Relocate existing Salvation Army into temporary storefront.
 - Fence existing Garage site
 - Close down adjacent New Main Street from Nepperhan to the end of the existing Salvation Army Store
 - Install construction trailers & temporary utilities
 - Clear and grade site & misc. demolition
 - Modify New Main Street/Nepperhan Ave signal lights to allow egress from New Main Street onto Nepperhan Avenue.

General Notes - Months 19 thru 30

 - Majority (80%) of construction workers park at ATI site and shuttled to jobsite.
 - All demolition debris removed offsite for processing
 - No demolition processing (crushing) onsite.
 - All rock removed offsite for processing.
 - No rock processing (crushing) onsite.
 - Install & maintain lighted sidewalk bridges adjacent to 87 Nepperhan Building
 - Extend lighted sidewalk bridges south to New Main Street
- Truck Traffic & Routing - Months 19 thru 30**

 - Estimate 30 truck trips per day average during demolition/disassembly removal
 - Estimate 10 truck trips per day average during rock removal
 - Most site access from Nepperhan Avenue
 - Largest concrete foundation pours will be 120 cubic yards in one day or about 10 trucks
 - All concrete delivered from an offsite batch plant.
 - Truck deliveries (precast concrete sections) will average about 30 trucks per day.
 - Remaining truck deliveries will average 5-20 trucks per day.
 - Precast concrete trailers will be marshaled offsite.
 - Site Access (80%) from Nepperhan Avenue.

New Garage - Months 19 thru 20

 - Start rock removal
 - Start foundations at north end.

New Garage - Months 21 thru 27

 - Continue rock removal
 - Continue foundations
 - Start precast garage erection at north end working south
 - Precast crane will be 300 ton crawler mobilized in the building footprint
 - Precast erection will proceed from North to South erecting all levels at once.
 - One crane will be used to erect the structure.

New Garage - Months 28 thru 30

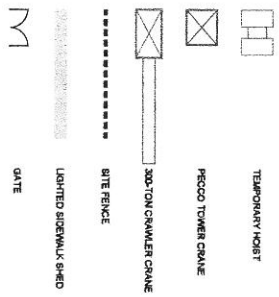
 - Complete Precast Erection
 - Complete Core & Shell @ Retail
 - Complete Garage Fitout
 - Obtain T.C.O. for Garage @ Month 30
 - Obtain T.C.O. for Retail Core & Shell @ Month 30
- Existing Garage Demolition - Months 19 thru 22**

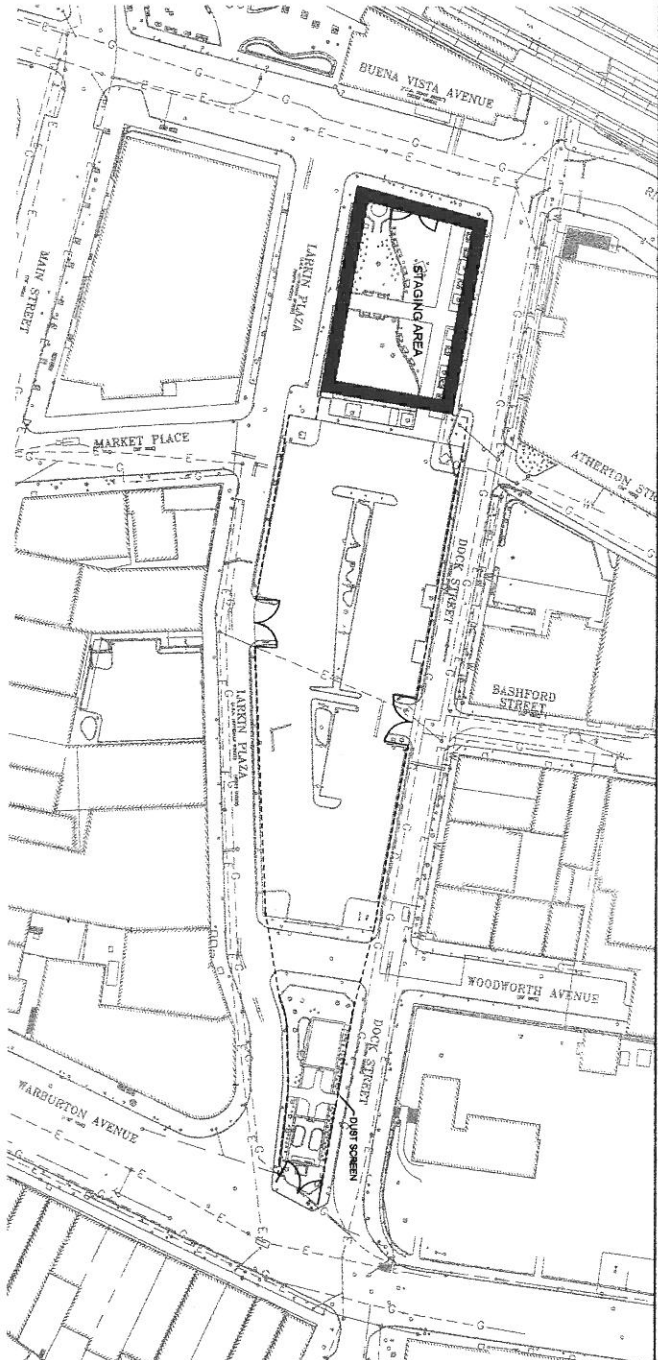
 - Mobilize demolition cranes & hoe rams
 - Disassemble existing garage months 19 through 21
 - Existing garage disassembled at end of month 21
 - Existing foundations hoe-rammed and removed at month 22
 - Start rock removal

CHANGE NEW MAIN STREET TO 2-WAY TRAFFIC MAKE TURN-AROUND
- Government Center Garage Site Logistics**

Months 19 thru 30

CHANGE TRAFFIC LIGHT TO ALLOW EGRESS FROM NEW MAIN STREET





LEGEND

M SITE GATE

--- SITE FENCE

New Parking Garage – Months 1 thru 10

- Build new parking facility to replace accommodate existing parking @ Larkin Plaza
- Location to be determined.
- Open new parking facility @ month 10.

Mobilize Site – Month 11

- Relocate existing Larkin Plaza parking spaces into new permanent parking facility.
- Fence entire site.
- Install construction trailers & temporary utilities
- Site demolition, clear and grub site

Build New Saw Mill River – Months 11 thru 15

- Excavate & sheet for new river construction
- Build new river
- Build diversion chambers at each end.
- Divert existing river into new river bottom at month 15.
- Shut down existing flume at month 15.

General Notes – Months 11 thru 15

- Majority (90%) of construction workers park at ATI site and shuttled to jobsite.
- All demolition debris removed offsite for processing
- No demolition processing (crushing) onsite.

Truck Traffic & Routing – Months 11 thru 15

- Estimate 5 truck trips per day average during demolition removal
- Estimate 25 truck trips per day average during excavation
- Site access and egress evenly divided between all 4 gates.
- Largest concrete pours will be 120 cubic yards in one day or about 10 trucks.
- All concrete delivered from an offsite batch plant.
- Remaining truck deliveries will average 5 trucks per day.

Staging – Months 1 thru 10

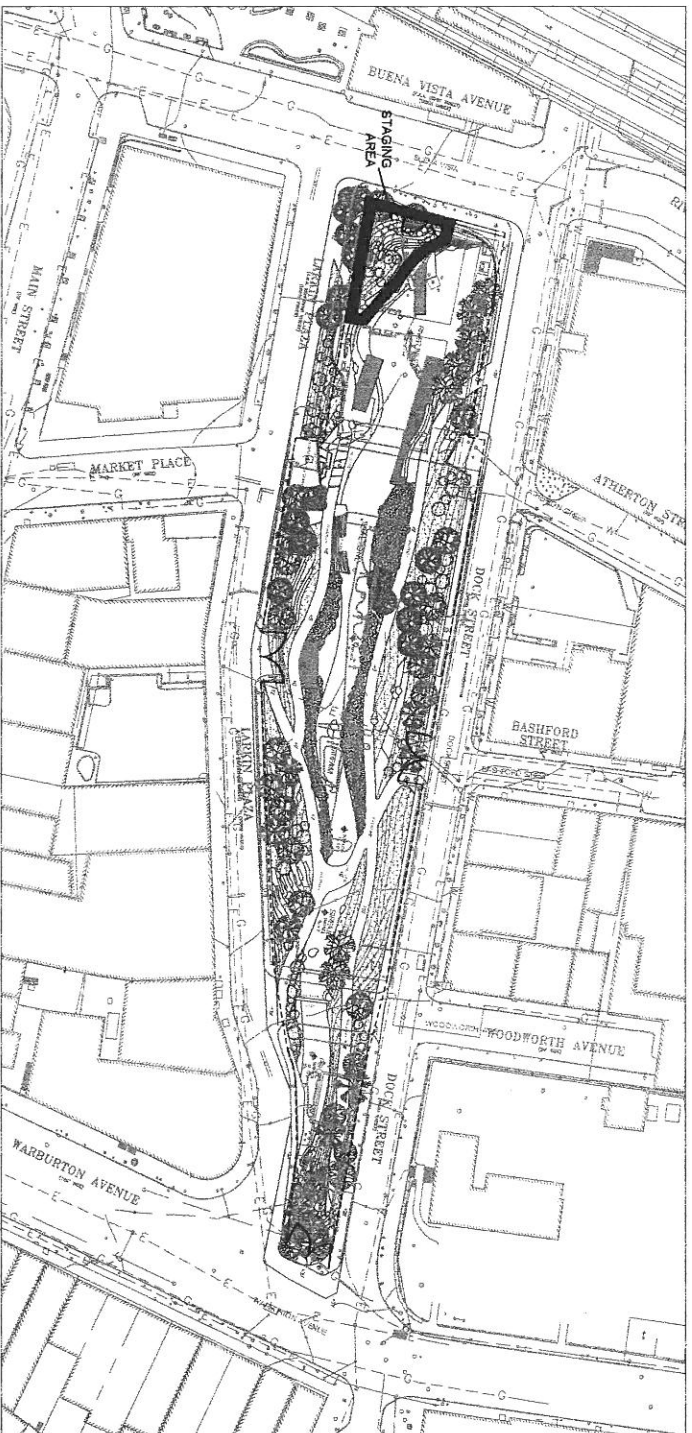
- None
- Staging – Months 11 thru 15**
- Site work will be staged from west to east.
 - Staging trailers and equipment in eastern end.

Philips Manor: Months 1 – 10:

- No activity

Months 11 – 15:

- Install seismic monitoring devices
- Install dust screen on site fence



LEGEND

 SITE GATE
 SITE FENCE

Larkin Plaza – Months 16 thru 20

- Build new plaza bridges, hardscaping & landscaping
- Open new Larkin Plaza @ month 20

Philips Manor – Months 15 thru 20

- Maintain seismic monitoring
- Maintain dust screen

General Notes – Months 16 thru 20

- Majority (90%) of construction workers park at ATI site and shuttled to jobsite.

Truck Traffic & Routing – Months 16 thru 20

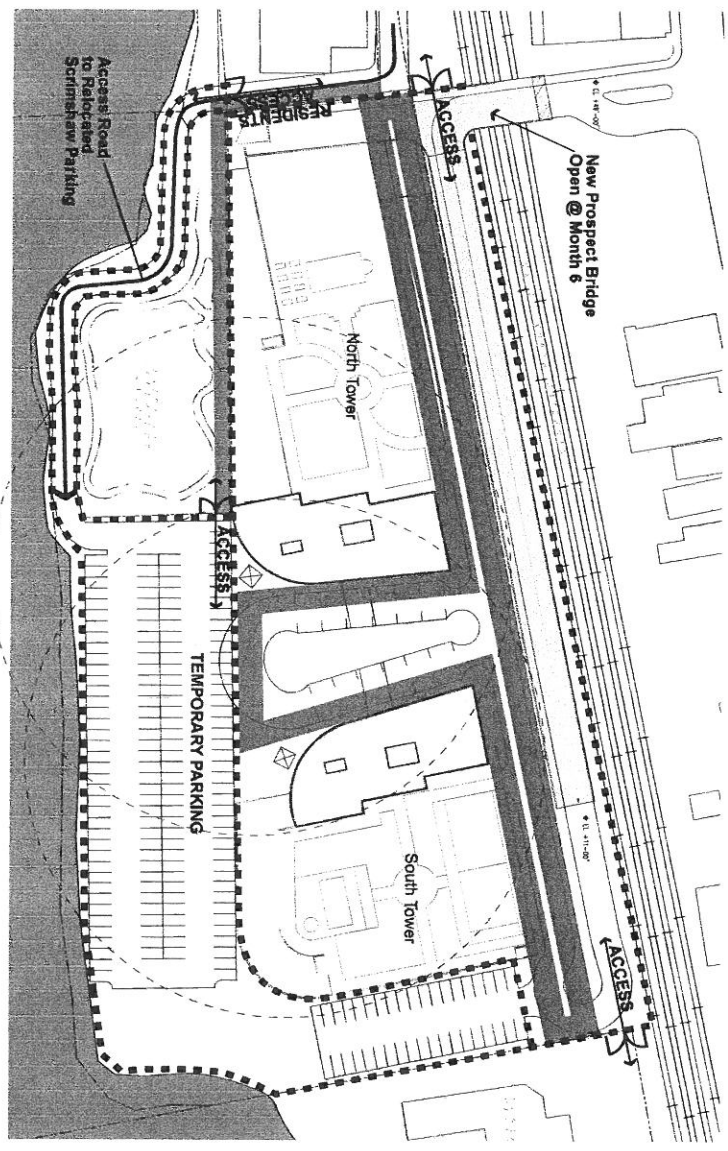
- Site access and egress evenly divided between all 4 gates.
- Largest concrete pours will be 120 cubic yards in one day or about 10 trucks.
- All concrete delivered from an offsite batch plant.
- Remaining truck deliveries will average 10 trucks per day.

Staging – Months 16 thru 20

- Continue site work from west to east
- Install site improvements from west to east
- Reduce footprint of staging area

- Prospect Street Bridge – Months 1 thru 6**
- Allocate existing playground
 - Build Eastside abutment
 - Build Westside abutment
 - Build Westside piers including pile driving
 - Complete elevated roadway
 - Open new bridge @ month 6
 - New bridge capable of handling all construction loadings.

- Towers and Garages – Months 1 thru 6**
- Pile tests & production piles
 - Install foundations
 - Mobilize tower cranes
 - Tower crane cranes will be Paces top lifting (hammerhead) tower cranes.
 - They will be one tower crane per tower.
 - Start superstructure concrete



- General Notes – Months 1 thru 6**
- Majority (80%) of construction workers park at ATI site and shuttled to jobsite.
 - Demolition processing (crushing) onsite.
- Truck Traffic & Routing – Months 1 thru 6**
- Estimate 5 truck trips per day average during demolition removal
 - Estimate 5 truck trips per day average (deliveries) during pile driving
 - All site access initially from Water Grant Street
 - Largest concrete pours will be 250 cubic yards in one day or about 20 trucks.
 - Remaining truck deliveries will average 10 trucks per day.

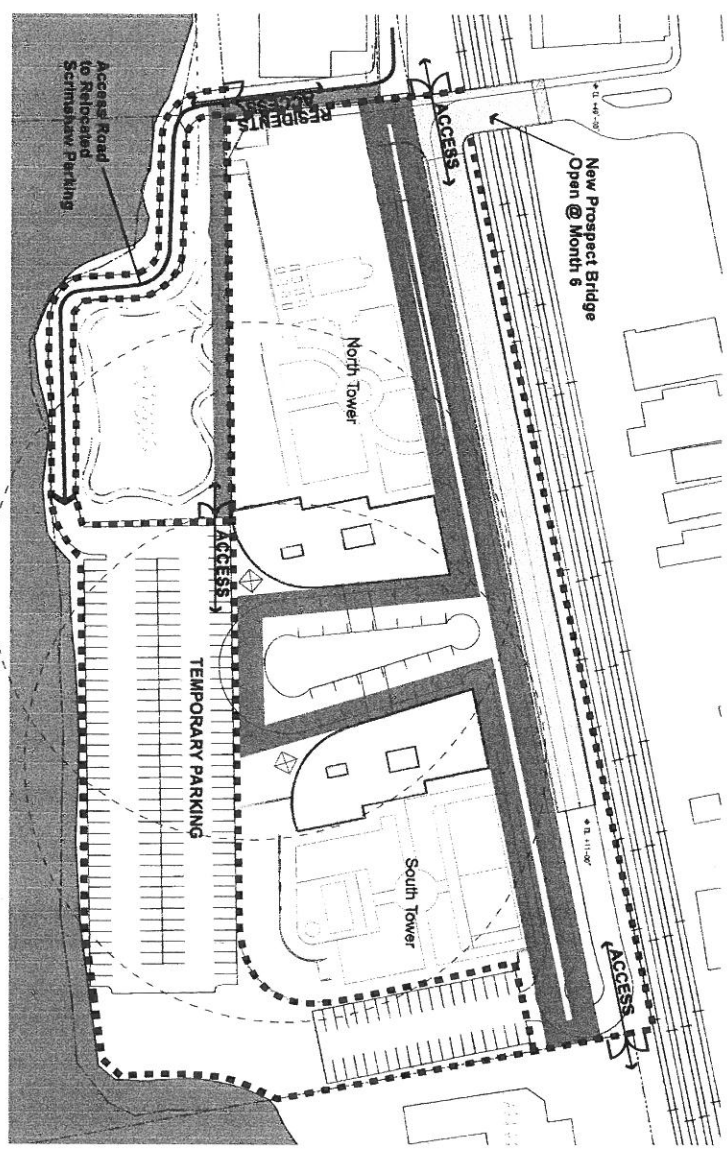
- Staging – Months 1 thru 6**
- Utilize "no build" areas

- Mobilize Site – Month 1**
- Relocate Scrippsaw parking spaces here
 - Fence entire site
 - Isolate from construction existing sculpture garden.
 - Install construction trailers & temporary utilities
 - Strip & haul asphalt & misc. demolition

LEGEND

	CONSTRUCTION ACCESS GATE
	LIGHTED SIDEWALK SHED
	SITE FENCE
	CRANE
	TEMPORARY HOIST
	NEW PROSPECT ST. BRIDGE
	STAGING AREA

- Towers and Garages – Months 7 thru 12
- Complete superstructure
- Start enclosure
- Start interiors



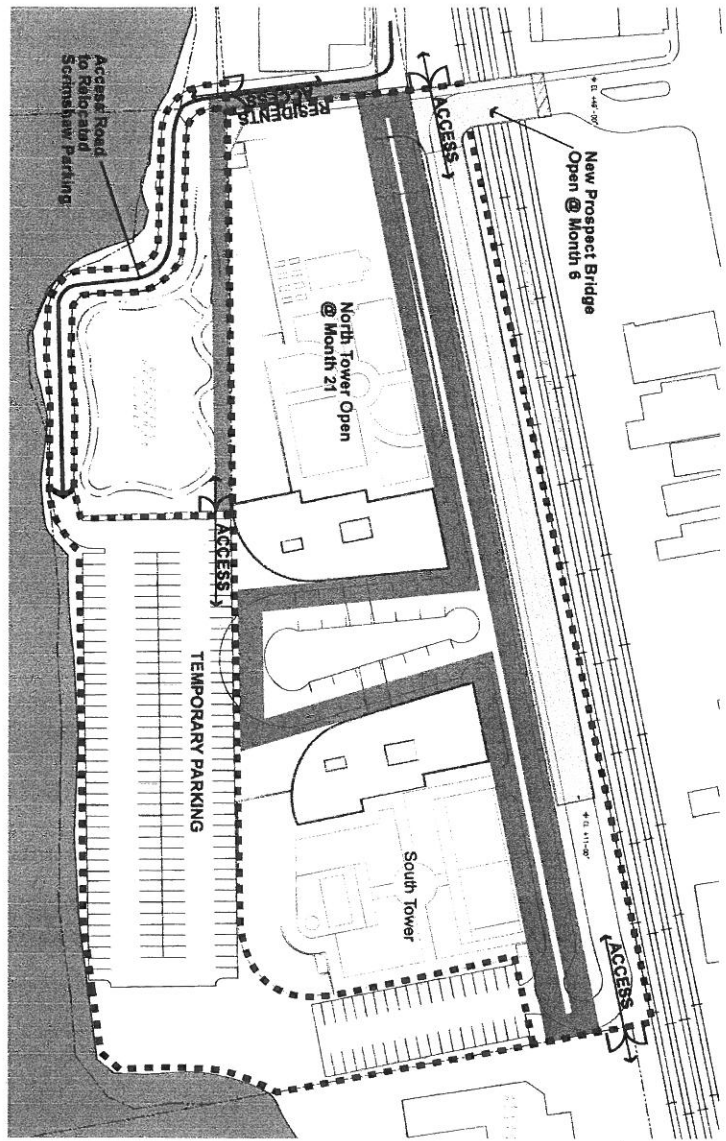
- General Notes – Months 7 thru 12**
- Majority (80%) of construction workers park at ATM site and shuttled to jobsite.

- Truck Traffic & Routing – Months 7 thru 12**
- Largest concrete pour will be 250 cubic yards in one day or about 20 trucks.
 - All concrete trucks will arrive back at 15 trucks per day.
 - Remaining truck deliveries will arrive from 15 trucks per day.
 - Site Access (80%) from Prospect Street Bridge

- Staging – Months 7 thru 12**
- Utilize two build' areas
 - Utilize temporary hoists

- LEGEND**
- CONSTRUCTION ACCESS GATE
 - LIGHTED SIDEWALK SHED
 - SITE FENCE
 - CRANE
 - TEMPORARY HOIST
 - NEW PROSPECT ST. BRIDGE
 - STAGING AREA

- Towers and Garages – Months 13 thru 21**
- Complete enclosure for North tower
 - Complete enclosure for South tower
 - Complete enclosure for North tower
 - Obtain T.C.O. for North tower and Garage @ Month 21



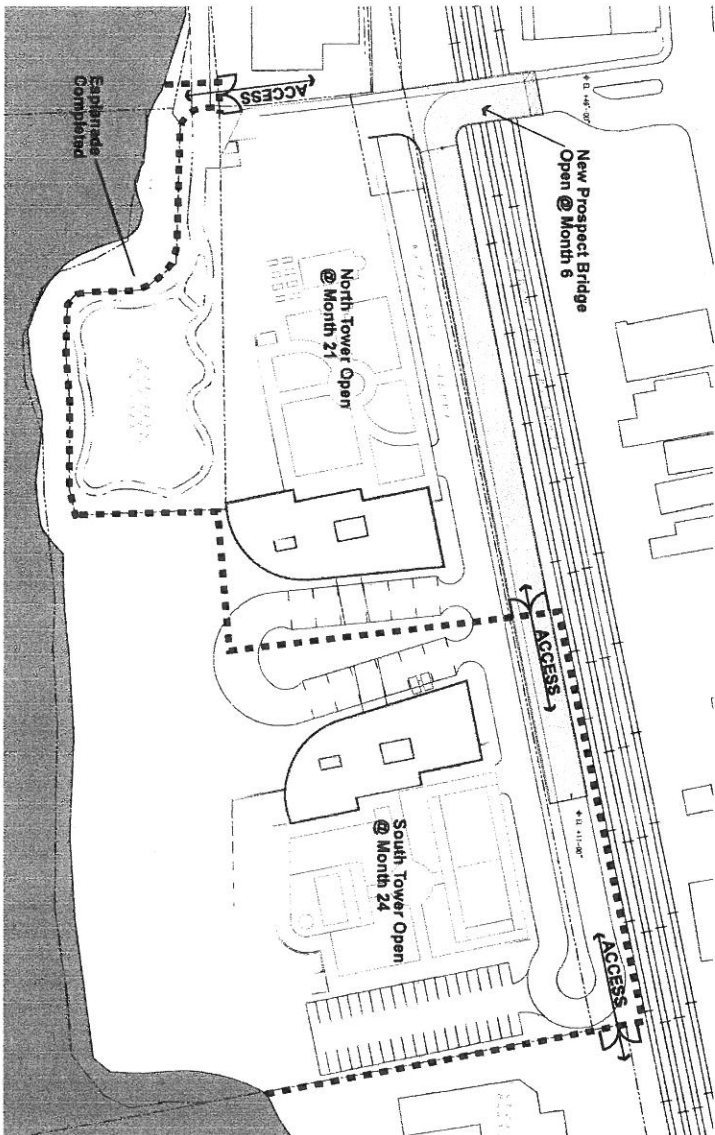
- LEGEND**
- CONSTRUCTION ACCESS GATE
 - LIGHTED SIDEWALK SHED
 - SITE FENCE
 - CRANE
 - TEMPORARY HOIST
 - NEW PROSPECT ST. BRIDGE
 - STAGING AREA

- General Notes – Months 13 thru 21**
- Majority (80%) of construction workers park at ATT site and shuttle to jobsite.

- Truck Traffic & Routing – Months 13 thru 21**
- Remaining truck deliveries will average about 15 trucks per day.
 - Site Access (80%) from Prospect Street Bridge

- Staging – Months 13 thru 21**
- Utilize no build areas
 - Move staging into structures
 - Utilize temporary hoists
 - Utilize permanent loading docks and elevators

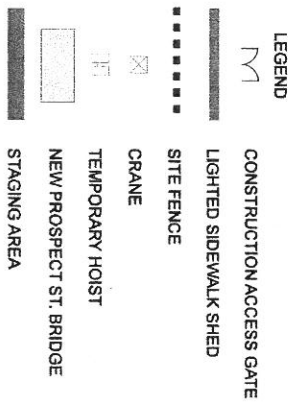
- Towers and Garages – Months 22 thru 24**
- Complete enclosure for South Tower
 - Complete interiors for South Tower
 - Complete sitework
 - Obtain T.C.O. for South Tower and Garage @ Month 24



- General Notes – Months 22 thru 24**
- Majority (90%) of construction workers park at ATT site and shuttled to jobsite.

- Truck Traffic & Routing – Months 22 thru 24**
- Remaining truck deliveries will average about 15 trucks per day.
 - Site Access (90%) from Prospect Street Bridge

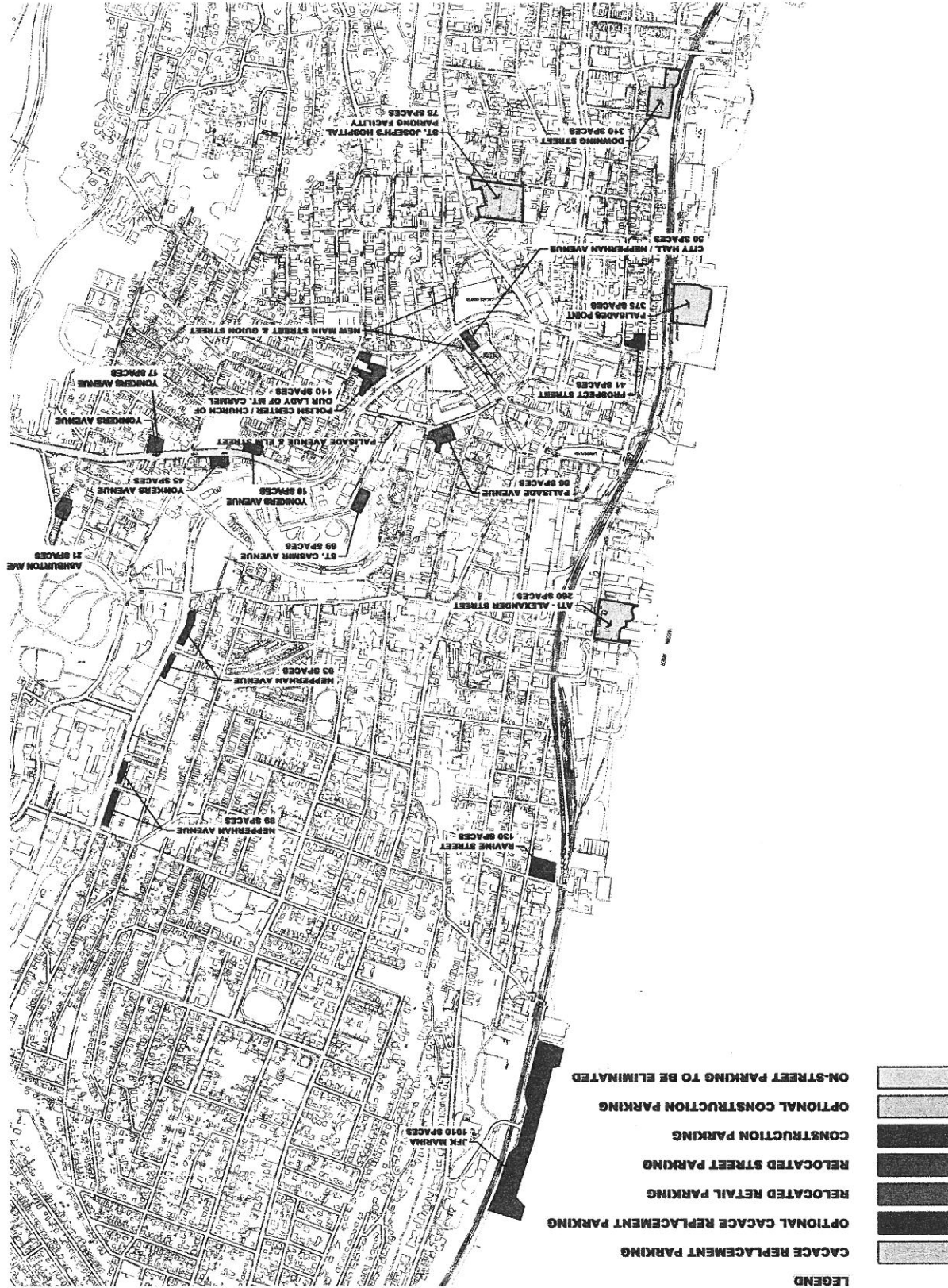
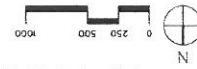
- Staging – Months 22 thru 24**
- Utilize permanent loading dock and elevators
 - Phase staging to build remaining sitework within contract limit lines



SFC PHASE I PROJECTS

TEMPORARY PARKING RELOCATION PLAN

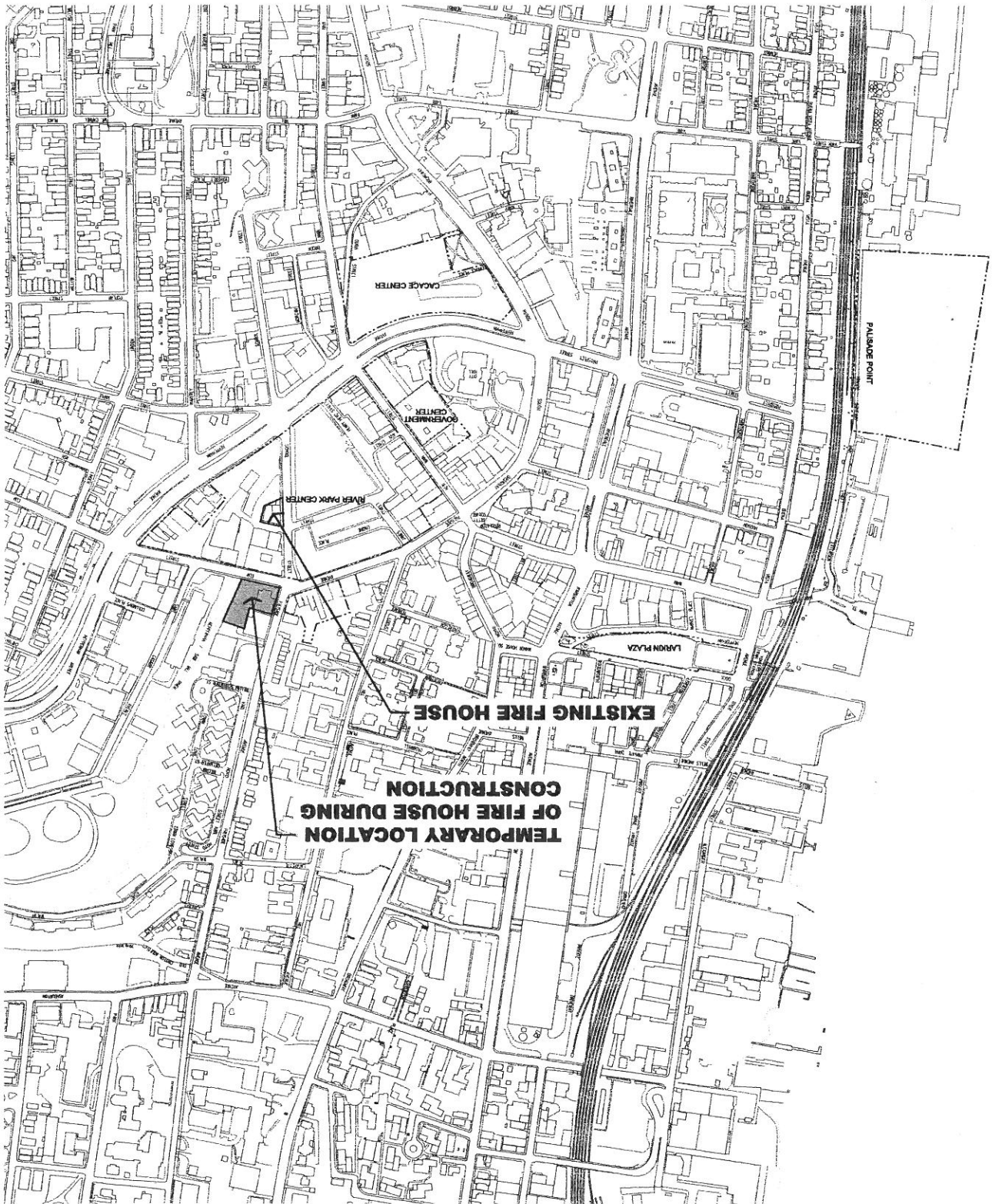
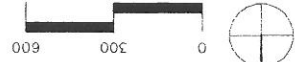
Exhibit III.M-18



SFC PHASE I PROJECTS

**RELOCATION PLAN
TEMPORARY FIREHOUSE**

Exhibit III, M-19



APPENDIX II

YONKERS

ZONING CODE

DIMENSIONAL USES

ZONING

City of Yonkers
Table 43-3
Schedule of Dimensional Regulations
for Residential Uses¹
[Amended 10-12-2004 by G.O. No. 6-2004]

• Minimum Requirements for Residential Uses	District										
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	B	BA
• Lot area (square feet) Single- and two-family dwellings Multi-family dwellings	20,000 --	10,000 --	7,500 --	6,000 --	5,000 --	5,000 --	5,000 10,000	5,000 --	5,000 --	5,000 --	5,000 --
• Lot width (feet) Single- and two-family dwellings Multi-family dwellings	200 --	100 --	75 --	60 --	50 --	50 --	50 100	50 --	50 --	50 --	50 --
• Front yard (feet) Single- and two-family dwellings Multi-family dwellings	25 --	25 --	25 --	20 --	20 --	20 --	20 25	20 15	20 25	20 10	20 10
• Rear yard (feet) Single- and two-family dwellings Multi-family dwellings	25 --	25 --	25 --	25 --	25 --	25 --	25 25	25 25	25 25	25 25	25 20
• Side yard, one/both (feet) Single- and two-family dwellings Multi-family dwellings	12/25 --	12/25 --	8/20 --	6/16 --	5/15 --	5/15 --	5/15 25/50	5/15 12/25	5/15 16/32	5/15 16/32	5/15 16/32
• Side front yard of corner lot (feet) Single- and two-family dwellings Multi-family dwellings	25 --	25 --	20 --	12 --	10 --	10 --	10 25	10 10	20 20	10 10	10 10
• Average lot area per family (square feet) Single-family dwellings Two-family dwellings Multi-family dwellings	20,000 -- --	10,000 -- --	7,500 -- --	6,000 -- --	5,000 -- --	5,000 2,500 --	5,000 2,500 1,000	5,000 2,500 800	5,000 2,500 --	5,000 2,500 --	5,000 2,500 --
• Gross floor area (square feet) Apartments	--	--	--	--	--	350	350	350	350	350	350

YONKERS CODE

City of Yonkers Table 43-3 Schedule of Dimensional Regulations for Residential Uses¹ (Continued)

•Maximums Permitted for Residential Uses	District										
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	B	BA
•Building coverage (%) Single- and two-family dwellings Multifamily dwellings	30 --	30 --	35 --	40 --	40 --	40 --	40 40	40 40	40 40	40 40	40 40
• Height (stories/feet) Single- and two-family dwellings ² Multi-family dwellings	2½/35 --	2½/35 --	2½/35 --	2½/35 --	2½/35 --	2½/35 --	2½/35 3/35	2½/35 -1/65	2½/35 -- ³	2½/35 --/35	2½/35 -- ³
• Floor Area Ratio Single- and two-family dwellings Multifamily dwellings	0.75 --	0.75 --	0.80 --	0.90 --	1.00 --	1.00 --	1.00 1.20	1.00 1.25	1.00 3.00	1.00 1.25	1.00 3.00

Notes:

¹ For the purposes of this schedule only:

- The dimensional requirements for single- and two-family dwellings in the schedule includes single-family detached dwellings and two-family detached dwellings as defined in this chapter.
- The dimensional requirements for multi-family dwellings in the schedule includes apartment houses, senior citizen apartment houses, nursing homes, residential health-care facilities and community residence facilities as defined in this chapter.
- The dimensional requirements for row houses (attached single-family houses) as defined in this chapter are in Article VI, Supplementary Use and Dimensional Regulations at § 43-34F.
- Dimensional requirements for planned residential developments are located in Article VI, Supplementary Use and Dimensional Regulations, and Article VII, Special Use Permits, as follows:
 - Planned apartment complexes: § 43-34C.
 - Planned cluster developments: § 43-34D.
 - Planned townhouse complexes: § 43-34E.
 - Planned unit residential developments: § 43-72B.
 - Planned urban redevelopment: § 43-72C.
- The dimensional regulations contained in this chart shall not be controlling upon municipal uses.
- The minimum permitted height of a single- or two-family dwelling shall be one story or 15 feet, whichever is greater.
- The maximum permitted height in the A and BA Districts shall be 1 1/2 times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be 1 1/2 times the width of the wider street right-of-way.

ZONING

City of Yonkers Table 43-3 Schedule of Dimensional Regulations for Nonresidential Uses⁷

•Minimum Requirements for Nonresidential Uses	District									
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	
• Lot area (square feet)	20,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	
• Lot width (feet)	200	150	150	150	150	150	150	150	150	
• Front yard (feet)	25	25	25	20	20	20	25	25	25	
• Rear yard (feet)	25	25	25	25	25	25	25	25	25	
• Side yard, one/both (feet)	12/24	12/24	12/24	12/24	12/24	12/24	12/24	12/24	12/24	
• Side-front yard of corner lot (feet)	25	25	25	20	20	20	25	25	25	
• Space between buildings on the same lot (feet)	15	15	15	15	15	15	40	40	40	
• Maximum Permitted for Nonresidential Uses										
• Building coverage (%)	30	30	35	40	40	40	40	40	40	
• Height ³ (stories/feet)	2 ½/35	2 ½/35	2 ½/35	2 ½/35	2 ½/35	2 ½/35	3/36	3/36	—/— ¹	
• Floor Area Ratio	0.75	0.75	0.80	0.90	1.00	1.00	1.00	1.20	1.25	

Notes:

- ¹ The maximum permitted height in the A, BA and C Districts shall be 1 ½ times the width of the street right-of-way on which it fronts. If it fronts on more than one (1) street, the maximum permitted height shall be 1 ½ times the width of the wider street right-of-way.
- ² In the CB, DW and GC Districts, the minimum height shall be two stories or 25 feet, whichever is greater.
- ³ Exceptions to these requirements are provided for in § 43-330.
- ⁴ In the B and BA Districts, in the case of a building that is partly used for residential uses and partly for nonresidential uses, the maximum permitted lot coverage shall be 40% for all floors used in whole or in part for residential uses and 70% for all floors used exclusively for nonresidential uses. If only the first floor is used exclusively for nonresidential uses, the maximum permitted coverage of 70% of the lot area shall be limited to not more than 20 feet above the street, and above that level the 40% coverage limitation shall apply. For the purposes of this subsection, a private garage on the first floor may be construed as a nonresidential use.
- ⁵ The side yard setback in the B and BA Districts may be zero feet. However, when abutting a residential district, the side yard setback shall be a minimum of five feet.
- ⁶ The maximum permitted height in the I District shall be two times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be two times the width of the wider street right-of-way.
- ⁷ The dimensional regulations contained in this chart shall not be controlling upon municipal uses.

YONKERS CODE

City of Yonkers Table 43-3 Schedule of Dimensional Regulations for Nonresidential uses⁷ (Continued)

•Minimum requirements for Nonresidential Uses	District											
	Cu	OL	BR	B	BA	CB	DW	GC	CM	C	IP	I
•Lot area (square feet)	15,000	7,500	10,000	--	--	--	--	--	10,000	--	175,000	--
•Lot width (feet)	150	75	100	--	--	--	--	--	100	--	250	--
•Front yard (feet)	25	25	25	10	10	--	--	--	20	--	50	--
•Rear yard (feet)	25	25	25	25	20	10	10	10	20	20	50	20
•Side yard, one/both (feet)	15/30	10/32	25/50	-- ⁵	-- ⁵	--	--	--	16/32	5/10	50/100	-- ⁵
•Side-front yard of corner lot (feet)	25	25	25	--	--	--	--	--	20	--	50	--
•Space between buildings on the same lot (feet)	20	40	40	--	--	--	--	--	15	--	50	--
Maximums Permitted for Nonresidential Uses												
•Building coverage (%)	40	40	40	70 ⁴	70 ⁴	90	90	90	50	70	40	75
•Height ¹ (stories/feet)	3/39	3/45	--/48	--/35	-- ¹	--/50 ²	5/66 ²	--/100 ³	2/35	-- ¹	2/35	-- ⁶
•Floor Area Ratio	1.25	0.8	1.50	1.50	5.00	5.00	4.50	9.00	1.00	6.00	0.80	7.50

Notes:

- ¹ The maximum permitted height in the A, BA and C Districts shall be 1 ½ times the width of the street right-of-way on which it fronts. If it fronts on more than one (1) street, the maximum permitted height shall be 1 ½ times the width of the wider street right-of-way.
- ² In the CB, DW and GC Districts, the minimum height shall be two stories or 25 feet, whichever is greater.
- ³ Exceptions to these requirements are provided for in § 43-330.
- ⁴ In the B and BA Districts, in the case of a building that is partly used for residential uses and partly for nonresidential uses, the maximum permitted lot coverage shall be 40% for all floors used in whole or in part for residential uses and 70% for all floors used exclusively for nonresidential uses. If only the first floor is used exclusively for nonresidential uses, the maximum permitted coverage of 70% of the lot area shall be limited to not more than 20 feet above the street, and above that level the 40% coverage limitation shall apply. For the purposes of this subsection, a private garage on the first floor may be construed as a nonresidential use.
- ⁵ The side yard setback in the B, BA, and I Districts may be zero feet.
- ⁶ The maximum permitted height in the I District shall be two times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be two times the width of the wider street right-of-way.
- ⁷ The dimensional regulations contained in this chart shall not be controlling upon municipal uses.

PHILIP A. AMICONE
MAYOR

JOSEPH J. MORAN P.E.
CITY ENGINEER

BRIAN M. O'ROURKE, P.E.
DIR. OF TRAFFIC ENGINEERING



CITY HALL - ROOM 315
YONKERS, NY 10701-3872

(914) 377-6739
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DEPARTMENT OF ENGINEERING
CITY OF YONKERS

May 30, 2008

To: Charles Lesnick, City Council President

From: Brian M. O'Rourke, P.E.
Director of Traffic Engineering

Re: Review and Comments of the March 8, 2008 DEIS for the Projects Known as Palisade Point, Cacace center, River Park Center and Larkin Plaza

Cc: Christine Sculti, Assistant to the Mayor

The Traffic Engineering Division has conducted a review and an analysis of the March 8, 2008 DEIS for the Projects Known as Palisade Point, Cacace Center, River Park Center and Larkin Plaza. We have a general comment along with some specific comments about the report.

General Statement: The DEIS report is both voluminous and comprehensive. As it is the responsibility of the Traffic Engineering Division to assist in minimizing the traffic impacts associated with this project while insuring that the project area is constructed in such a manner as to insure safe and efficient pedestrian and motor vehicle traffic, it is recommended that the developer immediately compensate the city in order to hire a professional traffic engineer/project manager to analyse and comment on the details of this report and the EIS report. This engineer as member of the Traffic Engineering Staff would provide the coordination and review of all documentation for the DEIS/EIS process, act as a project manager during review of development site plans and the review of the final construction documents. This individual would also be required to oversee all construction phases and assist the traffic engineering staff in implementing all approved project traffic mitigation and recommendations. This engineer would coordinate all aspects of the traffic engineering elements of the permitting process and supervise traffic engineering construction management.

1.1

At the present time, the Traffic Engineering Division is in the process of overseeing the site plan review of the Cross County Shopping Center Phase 1 intersection designs for approximately 12 new intersections. The developer would like to complete this submission and obtain permits to begin construction of the new intersections this summer. The Traffic Engineering Division is monitoring the

SWEP Traffic Signal project upgrade and is working with the developer for SWEP to analyse and review the proposal for additional development. The Traffic Engineering Division has begun the final review of

the Ridge Hill Traffic Signal System plans for 22 new traffic signal installations. The construction of these new signals will begin in early 2009. At the present time we do not have sufficient staff personnel meet our commitments and to give a full in depth review of this project.

Specific Comments:

Page III E-1

Traffic Engineering disagrees with the statement that “these roads have an operating speed of between 30 to 40 MPH” These roads have significant delays caused by side friction created by on-street parking, mid-block left turns and the attempt to coordinate traffic in two directions.

2.1

Page III E-5

Back ground growth calculation is compounded not accumulated.

2.2

Page III E-9

Trip distribution is not explained it is just assigned. What are the bases of the trip assignment?

2.3

Page III E-11

The Data is difficult to analyses because of having to moving back and forth from the DEIS to the Appendix.

2.4

Page III E-12 (1) Evaluation of the Ball Park

The trip distribution and access point impacts are not explained. How would the arrivals to ball games be processed at parking facilities? Would there be delays getting into parking facilities if the majority of patrons arrived at the same time and would this disrupt traffic circulation in the area? Identify the sources of the data.

2.5

Page E-12

Coordinating events schedules with available parking. What does this mean? Who is going to be responsible for the coordination? What part will the City have in this process?

2.6

Page III E-12 (e) Description of Analysis

The point by point intersection analysis is difficult to follow from a project overview. Mapping should be provided to present operational conditions and areas of anticipated congestion. There should be a narrative that highlights the anticipated traffic conditions. The developer needs to present a macro view of the City to accurately depict the impact of all development activities on this project. Specifically the impact of the Alexander Street development and SWEP should be discussed.

2.7

The Mitigation/Recommended Improvements: Primary Intersections is comprehensive and detailed Who is responsible for making these improvements? What is the timing of these improvements and who is responsible for the design and cost of implementing these improvements?

3.1

Is there to be any discussion of when and why the alternative routes identified will be selected? How will these alternative routes be impacted and what will be the impact to the neighborhoods along these routes?

3.2

What is a sensitivity analysis?

3.3

This development must employ the most modern and state-of-the-art pedestrian standards for “walkable downtown streets.”

3.4

The Public Transportation section should address park and ride facilities in conjunction with a shuttle to mitigate the difficulties associated with the Cross County Parkway and the Saw Mill River Parkway interchange.

3.5

Who will operate the trolley? Will it be free? What will it cost to operate? Who will pay for its operational costs and the cost of providing the GPS/AVL function in conjunction with the Traffic System Central Computer?

3.6

Parking plan should explore other alternatives than the standard conventional parking structures. The developer should investigate the use of lifts, elevators and different modern approaches to create the most efficient and modern parking facilities.

3.7

Shared parking is a conceptual concept that may or may not work with this development. It is incumbent on the developer to demonstrate through actual anecdotal experience that existing parking facilities with similar parking demands are successful and that the predicted demands are met. The developer must justify reducing the number of parking spaces that are required by the zoning code.

3.8

The Parking Analysis should also discuss the possibility of assigned spaces, reserved spaces, long term parkers, short term parking, and handicapped spaces and permit parking. These aspects of parking will leave unoccupied spaces that can not be shared. Will there be a fee structure that would encourage or

4.1

discourage parking at certain time of the day or by day of the week? Would the developer provide reduced fee for HOV's etc?

As was previously stated, the Traffic Engineering Division needs assistance in review and overseeing the Traffic Engineering elements of the development.

Brian M. O'Rourke, P.E.
Director of Traffic Engineering

DEPARTMENT OF PLANNING and DEVELOPMENT

Office of Economic Development

Memorandum

To: Lee Ellman, Office of Planning

From: Helen Tvedt, Office of Economic Development

Date: May 30, 2008

Re: SFC DEIS Comments

The Office of Economic Development would like to make the following comments to the SFC DEIS which clearly relates to the overall economic development for the city of Yonkers.

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

1.1

▪ We would also like to see specific language which mentions union constructions jobs and services that clarifies using Yonkers residents and local businesses. We would like measurable numbers to what that definition would be to Yonkers. Mainly, specific language that would clearly define that residents and qualified businesses will be given first priority to bid on such jobs.

1.2

▪ Lastly, we would like to recommend that the outreach for all sub contracted work be monitored and overseen by an outside source so that Yonkers residents and qualified firms here have a greater opportunity to compete for these jobs.

Rocky Richard

C112

From: Jim Pinto
Sent: Friday, May 30, 2008 4:01 PM
To: Rocky Richard
Cc: Christine Sculti; Jim Pinto
Subject: FW: SFC DEIS Response
Attachments: Response to SFC DEIS.doc

Rocky

I have attached my corrections and concerns to the sfc DEIS for consideration by the City Council.

Thank you for your assistance.

Jim Pinto
Director
City of Yonkers
Office of Downtown & Waterfront Development
377-6648

6/2/2008

City of Yonkers

Office of Downtown & Waterfront Development

Response to SFC DEIS

Executive Summary

I-1 (pg 2)

- Palisades point 670 private parking spaces should be changed to 460, per table I-2

2.1

I-3 (pg 4)

- Promenade design will incorporate guidelines for Westchester County River Walk -why, this is a city of Yonkers Esplanade.

I-5 (pg 6)

Government Center Garage = 1613 parking spaces

- Change 413 private parking spaces to 565 private plus 1048 public to serve the western residential tower (per table I-2)
- Palisades Center Avenue Office Building, 435 public parking spaces (to serve on-site office + ballpark overflow) -Why are these spaces public when they serve a private purpose?

2.2

I-6 (pg 7)

- Cacace center -1349 parking spaces public assigned to hotel + offices uses. Since these spaces will be used to replace 250 existing public spaces why are they all referred as public?

2.3

I-7 (pg 8)

- Day lighting of Larkin Plaza
- There is no mention of replacement parking impacts for the 120 existing public parking spaces.

2.4

I-9 T.I.F Financing

- "Construction of approximately 5000 parking spaces at Palisades Point, River Park Center + Cacace Center."

The government center should be added to this description

2.5

Proposed Action Section

Page 8 Government Center

- Change 1083 public parking spaces to 1048 (per table I-2)
- Change +73 private parking spaces to 565 (per table I-2)
- Palisades Avenue Office Building add 10,000 sf of retail to description

3.1

Page 14

- Correct approximate sf total for River Park Center to conform with table I-1 Executive Summary

3.2

Exhibit III M Construction Impacts

Page III M-3 under subtitle: Building Construction

- Daylighting and Relocation of the Saw Mill River “installing a continuous box culvert... and will serve long term to divert a portion of the flood stage river flows”

3.3

Page 2 of 46

This is an incorrect statement made and contradicts section III-c, entitled b water resource impact-proposed day lighting which states “calculations provided in Appendix 3.C demonstrate that the proposed reconstructed river will be capable of accommodating a 100-year flood event.”

Page 39

Conform Table II-3 to table I-2

3.4

C113

To: John Liszewski, Commissioner of DPW

From: John Speight, Water Superintendent
Albina Glaz, Water Engineer

Date: May 30, 2008

**Subject: Review of the March 18, 2008 DEIS for
River Park Center, Cacace Center, Palisade Point and Larkin Plaza**

Although in Section III.H: Utilities; pg III.H-3 of DEIS it is mentioned that a comprehensive hydraulic analysis of the existing water distribution system affected by proposed developments must be performed by applicant to identify its ability/inability to handle the significant increase in water demand, fire protection and determine all improvements necessary to serve the subject projects **HOWEVER** :

1.1

- Throughout the pertaining sections (III.H; 3.H) of DEIS statements , determinations are being made based on initial and very limited hydraulic study performed by George Lackowitz, requested by Divney, Tung Schwalbe.
- This limited study were based solely on fire flow tests in the projects' area and addressed individual projects such as Palisade Point without consideration of Cacace Center , River Park, Larking Plaza and other developments contributing to water demand in the downtown area. Same limited type of study was performed for River Park/Cacace Centers – Appendix 3.H section II, pg II-19 & 20 plus figures # 4 & 4A.
- Indicated “Mitigation Measures in section III.H – 19”, such as new water mains’ sizes and locations, connections may not be adequate when **combined additional water demand and fire protection of all proposed project in the downtown area will be incorporated in the comprehensive hydraulic analysis.**
- The initial determination of 5,000 gpm water supply to Palisade Point in section III.H – 19 & 20, with dual source of water supply utilizing one of four scenarios described in section III.H – 19 & 20 also in appendix 3.H section II, pg II 19 & 20 also appendix 3.H section II, pg II-19 & 20 plus figures # 4 & 4A may not be sufficient **when all projects are taken under the consideration.**

1. Section III.H-1-Existing Conditions - 1a – All connections to the New York City system are separate and **are NOT** combined before discharging into the Hillview Reservoir. The City of Yonkers Hillview connection is to the Hillview reservoir Uptake Chamber # 1 and not the reservoir proper.
2. Further, orthophosphate **AND** sodium hydroxide are added to water after entering the City of Yonkers; Section III.H-1-Existing Conditions - 1a.

1.2

3. Comprehensive hydraulic analyses will not incorporate the projected use of conservation measures. Section III. H; Table III.H-3 includes Sanitary Flow with and without water saving fixtures. Water Demand only incorporates demand with water saving fixtures and needs to include water demand **WITHOUT** water saving fixtures.

1.3



C114

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Memorandum

To: Chuck Lesnick, Co-Chair, Real Estate Committee, City Council President
Patricia McDow, Co-Chair, Real Estate Committee

From: John Feingold, Vice President

Subject: Draft Environmental Impact Statement: Palisades Point, Cacace Center, River Park Center, and Larkin Plaza – City Council Comments

Date: July 21, 2008

This memo constitutes a summary of the substantive comments arising from the review of the above mentioned Draft Environmental Impact Statement (DEIS) by the Yonkers City Council, acting in its capacity as Lead Agency. The comments enumerated below reflect the Council's review of the document and its appendix, and reflect the outcome of numerous public and televised discussions of the DEIS held by the Council at public Real Estate Committee meetings. The Real Estate Committee is comprised of the entire City Council membership.

These public discussions afforded the Council members the opportunity to discuss details of the DEIS analyses among themselves and with the public, as well as an opportunity to engage the Applicant and its consultants in detailed discussions to clarify or amplify points or analysis conclusions. City of Yonkers' departmental heads and officials also participated in these meetings, further affording the Council members the opportunity to understand the City agency concerns.

The Real Estate Committee meetings at which the DEIS was discussed in detail and the topics that comprised the discussion agendas were as follows:

May 20, 2008:

- Affordable housing
- Community Facilities (including police, fire services, and ambulance services; schools; and the Departments of Public Works and Housing and Buildings)
- Utilities

May 27, 2008:

- Historic Resources
- Utilities (continuation – including sewer, water, and electricity)
- Daylighting of the Saw Mill River
- Construction

June 3, 2008:

- Utilities (continuation)
- Daylighting of the Saw Mill River (continuation)
- Historic Resources (continuation)
- Traffic and Parking

June 10, 2008:

- Traffic and Parking (continuation)
- Utilities (continuation)

June 17, 2008:

- Community Facilities (continuation)
- Recreation and Open Space

June 24, 2008:

- Socioeconomics (including direct and indirect residential and commercial displacement; environmental justice; economic and fiscal impacts; and Tax Increment Financing)

June 30, 2008

- Socioeconomics (continuation – including direct and indirect residential and commercial displacement; environmental justice; economic and fiscal impacts; and Tax Increment Financing)

July 1, 2008:

- Construction

July 10, 2008

- Design factors (including appearance, internal and external, pedestrian and vehicle movements, public space accessibility, and other factors)
- Alternatives

In addition to the above agenda topics, each Committee meeting enabled Council members to discuss each of the above items, as well as other DEIS analysis topics and project details. Further, many questions and issues raised by Council members also reflected comments on the DEIS made during the public comment period by members of the general public, organizations, and agencies.

The City Council's comments on the DEIS document are as follows:

- 1) Members of the City Council asked that the FEIS provide updated information regarding the Applicant's discussions with the Fire Department in respect to the Department's ability to fight fires in high-rise buildings as tall as 50 stories, and the extent to which the Yonkers Fire Department has the necessary training and expertise. The Council members asked that the FEIS update the Fire Department's assessment of new personnel and equipment needs to service the Proposed Project. Correspondence with the fire department should be provided and should document any such assessments conducted after the DEIS was completed, particularly in respect to: the anticipated number of new firefighters, new equipment,

2.1

required training, and the amount of financing to be provided by the applicant for that equipment.

2.1

- 2) Several concerns about the Temporary Fire Headquarters were expressed during City Council Real Estate Committee meetings by the Fire Department and by members of the City Council. The FEIS should further clarify the construction schedule in regard to Fire Headquarters demolition and construction of the new Fire Headquarters, and process by which the temporary fire facility was selected. The FEIS should also include correspondence with the Fire Department demonstrating coordination with the Department and the Department's concurrence on this matter. Furthermore, the FEIS should address specific concerns expressed by Council members relating to the temporary fire headquarters, including noise impacts, rehabilitation and relocation costs and their financing methods, adequate street widths for fire trucks, and potential effects of the proposed median in Nepperhan Avenue, response times.

3.1

- 3) As with the Fire Department, the FEIS should include updated analysis of effects on Police Department operations, as well as correspondence from the Department demonstrating cooperation and agreement with the analyses

3.2

- 4) The FEIS should provide additional clarification of potential impacts to DPW operations. Members of the council expressed concerns about snow plowing on the Proposed Project's public spaces and on roadways adjacent to the project, as well as further clarification as to how trash collection from the various project components will be handled. The discussion of trash collection should more clearly describe whether the project would use public or private trash collection and how litter clean-up after events at the ballpark would be handled.

3.3

- 5) Council members asked that the FEIS provide updated details in respect to the Applicant's plans to provide affordable housing. The members are requesting clarification regarding the affordable housing component of the proposed project to better assist the City Council in making a collective decision on the amount of housing that should be provided to balance the impacts of the project on community and neighborhood demographics. The discussion should include, but not be limited to, a discussion of the following questions:

3.4

- a) Will affordable housing be included in the on-site housing? If so, how many units? If not, why?
- b) If off-site affordable housing is to be created, how will the number of units be calculated?
- c) How will this off-site housing be created, and by whom?
- d) How will this affordable housing component be funded, and how will the amount of funding be determined?
- e) Where will the affordable housing be located? f) Will the housing be for rental or ownership?

The Council wishes to remind the Applicant that off-site housing units above and beyond the number of units evaluated in the DEIS may result in additional environmental impacts, and to the extent that the construction of off-site affordable housing is now proposed, the potential affects of this housing must be addressed

- 6) During City Council Real Estate meetings, the Applicant noted that various job training programs will be implemented during the construction phases of the project to employ local residents. Any such plans should be outlined in the FEIS along with examples of how

3.5

comparable programs were implemented in other projects. How successful were these programs?

3.5

- 7) The FEIS should include an updated discussion of the project's potential impacts on Hospitals. Members of the Council expressed concerns about the existing demand for hospital services, including long lines and wait times for emergency room services. The FEIS should further describe the hospitals that will likely serve the proposed project, and their ability to accommodate new patients as may be generated by the project.

4.1

- 8) The FEIS should provide a clarification of the height of the high rise buildings proposed for River Park Center. The FEIS should specify the height of the buildings in terms of stories and feet.

4.2

- 9) The FEIS should more clearly describe the internal pedestrian circulation of River Park Center, including descriptions of how the individual commercial establishments would be accessed from the garage and the street, how the ballpark would be accessed, and how the residential components would be accessed. Emergency egress from the high rise towers and the ball park needs to be described, as well.

4.3

- 10) The FEIS should include a more detailed discussion of open space to be provided within the proposed project. The FEIS should include a clear tabulation showing the total amount of open space, and describe where each individual component of open space would be located. The discussion should also describe the anticipated ownership and public accessibility for those open spaces and any amenities that may be provided.

4.4

- 11) Members of the City Council expressed concerns about the land that the City will dedicate as parkland in exchange for dedicated parkland that will be alienated by the proposed project. The FEIS should describe the condition and ownership of the land proposed for dedication, where it will be located, and who will maintain that land once dedicated as parkland.

4.5

- 12) With regard to the daylighting of the Saw Mill River, members of the Council have requested additional and updated information regarding this component of the project. The FEIS should include a figure showing the tax parcels that the Applicant needs to acquire (or has acquired) in order for the daylighting to occur. Further, the FEIS should clarify that the daylighting at Larkin Plaza is not being undertaken by the Applicant. Furthermore, several members of the Council requested additional information pertaining to the use of state funding slated for the daylighting. The FEIS should clarify how this funding is being allocated and the role of the New Main Street Development Corporation in the implementation of the Applicant's daylighting proposal, as well as in the implementation of the City's daylighting of the Larkin Plaza location, for which Council members understood the funds were to be directed.

4.6

- 13) With regard to the daylighting of the Saw Mill River, members of the City Council requested that the FEIS describe the protocol for dealing with debris that may already be in the river and its flume, as well as any debris that may enter the river channel during and after construction. Further, the FEIS needs to update and further discuss the potential for exposing contaminated sediments or soil during any daylighting-related construction, and plans for containing and/or mitigating any potential effects of contaminated materials, such as a worker/community health safety plan, as appropriate.

4.7

- 14) The FEIS should provide further description of the ballpark and potential alternative uses to the rooftop space allocated for ballpark use. Members of the City Council suggested ideas for additional uses of the ballpark, including ice skating, soccer, and performing arts space.

4.8

- 15) The FEIS should provide additional details regarding the environmental sustainability measures associated with the proposed project. The Applicant has publicly stated that the project will be LEED certified, but no such specificity was provided in the DEIS. The FEIS should provide updated details regarding the specific sustainability measures the Applicant intends to utilize.
- 16) The FEIS should describe the details of the hydraulic study being performed by George Lackowitz. The FEIS should describe the specific components of the City's water supply system that will require replacement or upgrades to service the project, and describe how those improvements will be funded, who will undertake the construction activity, and how much capacity beyond that necessary to service the project will be available to support future downtown development. Members of the Council also requested additional information about how the proposed project may affect water pressure in other parts of the City.
- 17) Based on the hydraulic study referred to above, the FEIS should disclose and evaluate the effects of any new construction necessary to provide adequate water service to the project sites. Any roadways where in-road construction would be necessary should be identified, and any impacts associated with this construction should be evaluated to the extent that impacts to the affected roadways as a result of these construction activities was not assessed in the DEIS.
- 18) The FEIS should provide a more in-depth analysis of adaptively reusing 87 Nepperhan Ave. The analysis should provide a comparison of costs for rehabilitating and maintaining the building versus demolishing the building and relocating City offices to a new building. The FEIS should include an analysis of options for incorporating the 87 Nepperhan Avenue facade or elements thereof into the new building proposed for this site.
- 19) The FEIS should also include an updated fiscal impact discussion weighing the costs for relocating and outfitting City offices, including the temporary and permanent Fire Headquarters and City offices at 87 Nepperhan, against the revenues received for transferring City properties, including the Fire headquarters, 87 Nepperhan, and parkland parcels, to the Applicant. The FEIS should also include an updated discussion of anticipated costs and leasehold or other arrangements, if any, to the City for occupying space at proposed project buildings, including the new Fire Headquarters and the Cacace Center.
- 20) The FEIS should include a more in-depth discussion of event management at the ballpark. This discussion should include anticipated costs to the city for event management, and a concise and a detailed discussion of event-related traffic patterns, including pick-up and drop-off activity.
- 21) Members of the City Council have requested additional detail pertaining to the potential for increased traffic on roads coming from the northerly sections of Yonkers, such as, from the area of Executive Boulevard, and down Warburton Avenue.
- 22) Members of the City Council have requested clarification of the proposed trolley operations. The FEIS should describe how the trolley would be funded and operated, its capacity, and how and when it would be used.
- 23) The FEIS should provide clarification and a figure to describe the proposed median in Nepperhan Avenue. Details about the median such as the proposed width in various locations and any potential effects on traffic flow and emergency crossing should be provided.

5.1

5.2

5.3

5.4

5.5

5.6

5.7

5.8

5.9

- 24) Members of the City Council have requested that the parking analysis include an analysis of churches that currently use public parking facilities. The FEIS should describe how these churches may be affected during construction and upon completion of the proposed project. 6.1
- 25) The FEIS should include a clarification of the fiscal risks associated with the Tax Increment Financing. What are the risks to the City of Yonkers, and who assumes those risks? What measures will be taken to prevent any burden from being placed on the City in the event of project failure? Who will determine what the safeguards are? 6.2
- 26) The FEIS should provide a breakdown of the project components being funded by the TIF. How will the TIF money be allocated? The FEIS should also include a discussion of how potential cost overruns will be handled within the context of TIF financing. 6.3
- 27) The FEIS should provide clarification of the relocation assistance or benefits, if any, that would be provided to residents and businesses, both tenants and owners, that will be displaced by the project. 6.4
- 28) Members of the council have expressed concern about the amount of hotel space that is being constructed in the City. The FEIS should clarify what existing and planned hotels within the downtown Yonkers trade area were factored into the market analysis, and summarize how the Applicant's market analysis demonstrates the need for additional hotel space. 6.5
- 29) The City Council has requested that the FEIS include any available updates regarding the status of the Con Edison M29 line and possible coordination between it and the power needs and construction of the proposed project. 6.6
- 30) The FEIS should provide additional information on the feasibility and impacts of using the various lots outlined in the DEIS for construction worker parking. Members of the Council expressed particular concerns about using JFK Marina Park as a construction worker parking lot. JFK Marina Park is proposed as one of the largest employee parking lots. JFK Marina Park is a public park that the City of Yonkers has recently improved. How will construction worker parking constrain and impact the park and its users? The traffic impacts on the adjacent school, fire house, and JFK Memorial Drive should also be evaluated in the FEIS. JFK Memorial Drive already experiences significant congestion, and the effects of worker parking have not been discussed. The FEIS should also include an analysis of using Yonkers Raceway as a possible construction parking lot. 6.7
- 31) Members of the Council expressed concerns about hours of construction, construction noise, and construction dust and particulate emissions for the proposed project. The latter factor has been cited by Council members in respect to the project's potential effect on asthma rates in Southwest Yonkers. The FEIS should include updated construction sequencing information, as well as an updated discussion of methods to be used to minimize any construction related disruptions and impacts. 6.8
- 32) Members of the City Council have requested further clarification on how a construction management plan will be developed and enforced. What measures will be taken to ensure parking availability for existing businesses, churches, and government uses including City Hall and the Cacace Center? 6.9
- 33) Members of the City Council have requested additional details regarding construction safety. How will cranes and other specialized construction equipment be inspected? If the City building department is responsible, how will the inspections be funded? 6.10

34) Members of the City Council have requested additional clarification regarding the veterans' building that is part of the Government Center Garage. Will this use be relocated?

7.1

35) Members of the Council have asked that the FEIS provide updated and more comprehensive graphics and photo-simulations depicting how the proposed project would look, and how it would look within the larger context of existing and contemplated development in downtown Yonkers and along the Yonkers waterfront. Members have asked that these simulations include the currently contemplated Alexander Street redevelopment plans so as to enable the Council to understand the relationship between a possible redevelopment plan on the waterfront with the proposed project. Council members have asked that such depictions realistically show the entire SFC project, and that it accurately illustrate the size and scale of the individual project components in relationship to their setting (e.g., roadways, adjacent buildings, and topography).

7.2

**Submitted Questions for DEIS, SFC Project City of Yonkers
By Robert Walters**

- In the past various Army Corp of Engineer projects have increased the speed and height of Sawmill River flow down stream. Will the rerouting of the Sawmill have this potential effect downstream in the SFC project?

1.1

- The Sawmill River has the potential to be returned to a spawning river for anadromous fish. Will fish ladders be incorporated into the various impoundments designed in the SFC project?

1.2

- Climate change will increase the tidal range of the Hudson River Estuary at its confluence with the Saw Mill River. Will this affect the hydraulics of the proposed Sawmill project?

1.3

- Climate change will increase tidal range of the Hudson River Estuary. In planning Palisades point will this be taken into consideration?

1.4

- Climate change will increase the tidal range of the Hudson River Estuary. In planning the proposed boat launch ramp at Palisades Point is this taken into consideration?

1.5

- In the EIS at 111C-24 (Natural Features) it is stated that Flood is the outgoing tide. Is it not correct that the Flood tide is actually the incoming tide?

1.6

- Storm water runoff can be minimized by the use of pervious surfaces. Has the maximum use of pervious surface been incorporated into the project?

1.7

- Storm water and sewage lines will be separated in the project. Will changes be made to ensure their separation when they outflow to the existing City of Yonkers sewers?

1.8

- Leeds and Energy Star building standards are the future of good building. Will these standards be included in the Project?

1.9

Global Warming and SFC DEIS

In SFC Phase I Draft Environmental Impact Statement (www.sfcyonkers.com/deis) there is not one mention of the terms "Global Warming" or "Climate Change."¹

1.1**RESOLUTION 85-2007**

- On April 24, 2007 the City Council of the City of Yonkers unanimously passed Resolution 85-2007 endorsing the U.S. Mayors Climate Protection Agreement to reduce global warming pollution.
- B(2) of Resolution 85-2007 states that the City Council encourages the City of Yonkers to "Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities."
- B(7) encourages the City of Yonkers to "Practice and promote sustainable building practices using the U.S. Green Building Council's LEED program or a similar system."

SMART GROWTH

The United States Environmental Protection Agency discusses ways to reduce the Carbon Footprint of a development project. www.epa.gov/smartgrowth

- Renovation: Support Infill Development
- Transportation: Make Transit, Pedestrians, and Bikes an Integral Part of Development
- Vehicle Miles Traveled (VMT): With compact development rather than continuing urban sprawl, a 20-40% reduction in VMT can be achieved.
- CO2 emissions: With that VMT reduction, a 7-10% reduction in total CO2 emissions by 2050 is attainable relative to continuing sprawl

It would be inappropriate and dangerous for the City Council of Yonkers to ignore such an oversight.

¹ In California, Attorney General Edmund G. "Jerry" Brown Jr. has sued communities and power companies for failing to offset the greenhouse gases generated by their expansion plans.

Archeology Comments
06PR05902

The State Historic Preservation Office (SHPO) has reviewed the Phase IA report prepared for the Proposed Yonkers Redevelopment Project, City of Yonkers, Westchester County.

Based on our review, the SHPO recommends that the applicant begin consultation with the Army Corps of Engineers so a Programmatic Agreement (PA) can be developed to address the Section 106 review process.

1.1

Additionally, the SHPO recommends that a Phase IB Scope of Work be prepared for each development phase of the Area of Potential Effect (APE). The individual scope should include the following:

1.2

Delineation of the individual development phase APE.

A geo-referenced overlay of the historic maps so the selected testing locations can be identified and discussed.

Boring records with archeological interpretation.

Geomorphologic assessment for alluvial soils/river deposits as it pertains to the potential for buried deposits.

The SHPO recommends addressing each development phase separately in order to provide sufficient resources for the identification of historic properties in each phase. We will provide comments on the Scope of Work for each development phase as they occur.

If you have any questions, please contact Cynthia Blakemore at (518) 237-8643, extension 3288.

Friends of the Old Croton Aqueduct

C118

Overseer's House, 15 Walnut Street
Dobbs Ferry, New York 10522

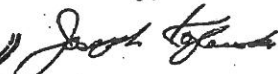
Re: FGEIS Comments- Waterfront

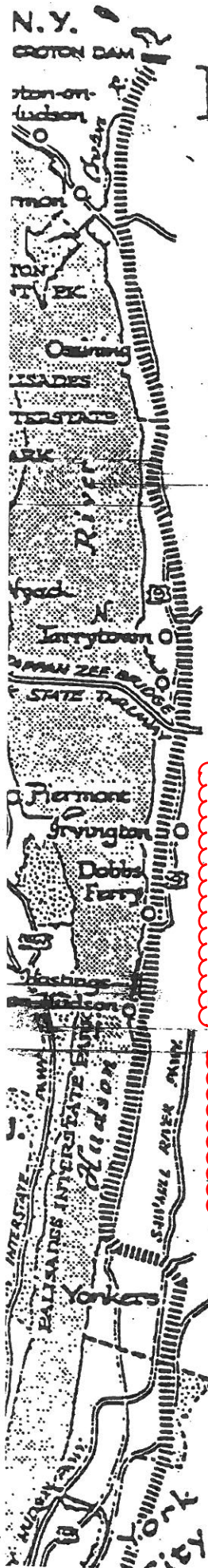
The Friends of the Old Croton Aqueduct is a voluntary, nonpartisan, nonprofit organization formed to protect, preserve, and promote the Old Croton Trailway State Park. The Friends educate the public about this national historic landmark. Our purpose is to preserve for future generations this unspoiled 26 mile recreational Greenway through the river towns of Westchester County.

The Friends of Old Croton Aqueduct have participated in Riverfest over the years and are disappointed to witness the expansion of paved surfaces within the project area. The area adjacent to the pier, Parcels ~~XXXX~~, should be left vacant for community events since federal and state moneys have been utilized to clear and enhance the site. The FGEIS for this project states that this site is the last remaining vacant river front parcel. There is a great need for more recreational uses! ~~Why then isn't~~ the site being developed for recreational and community uses?

This site encompass the historic city pier and Saw Mill River Basin. A large scale development is not the way to revitalize Getty Square or the waterfront. Wetlands and habitat preservation on the banks of the Hudson and Saw Mill Estuary is a priority! A park should be a priority! Turning this land into a park should be seriously considered as an alternative.

Yours truly,


Joseph Kozlowski
Sector Representative



COMMENTS RE DEIS FOR THE SFC YONKERS PROJECTS
Submitted by Mel Goldstein and Paul Wieland

STORM AND SANITARY SEWERS

It is mandatory that any combined sewer systems within the Project, be separated.

NOISE

Reference to increase in noise level with the ballpark shows only a relatively small number of decibels increase. However, the decibel scale is not arithmetic (i.e., not linear), it is logarithmic (a change greater than linear). Review of design should be made to lower noise levels from the ballpark. Also future residents of the proposed two towers near the ballpark should be made aware of potential disturbing noise from the ballpark. The DEIS suggests residents keep their windows closed. That is not the answer. The DEIS refers to a Noise Management Plan. Yes, that should be implemented.

Construction noise is exempt from statutory noise limits. However, the DEIS does address the noise question during construction, and suggests implementation of a Construction Noise Mitigation Plan to minimize noise impact in the site areas.

Section 4 states that "during night time, a significant impact would be an increase equal to or greater than 3 dB(A) L_{eq} for the Build condition". Why do they mention this if no work is to be performed at night? (Except perhaps for heavy equipment delivery, which they wish to do.) We suggest that deliveries of materials/equipment not be allowed at night, but be restricted to the same week day work hours as permitted by law.

Table III.F-11 does not show blasting noise levels.

The City must provide continuous inspection to be sure that the developer is following all regulations regarding work periods (week days 7AM – 6PM); permits (blasting, etc.) and blasting (safety, size and frequency of blasts.)

There should be a telephone number publicized for anyone to call the City, if there is a complaint.

SCHOOLS

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

ENERGY

Although not spelled out as building to a LEED standard, the DEIS does describe energy saving considerations both for the construction and building use. It is expected that the developer will follow through if the project goes through as proposed.

GENERAL (Mel Goldstein)

I think the 30 month schedule for the entire Project is optimistic. My gut feel is that it would be at least 36 months.

2.1

An important key to on time completion is the work at the Cacace Center. Before the existing Health Center Building (87 Nepperhan Avenue) may be demolished, the appropriate portion of the Cacace Center must be completed and ready for occupancy. Any delay in this area will delay the work at the Health Center and associated work in that area and delay overall Project completion.

The DEIS illustrates use by the Developer of the latest construction planning tools. However, if the proper materials and manpower needed to follow the plan are not implemented, the Project will not meet the estimated completion date.

COMMENTS RE DEIS FOR THE SFC YONKERS PROJECTS
Submitted by Mel Goldstein and Paul Wieland

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Police Department Response to the SFC DEIS

May 2008

More detail is needed in the DEIS.

1. The amount of existing parking at Cacace is underestimated
2. ~~The amount of new parking at Cacace is not adequately stated.~~
3. Security issues as they relate to the Police Department and Court employees at Cacace are not addressed
4. Safety pertaining to the daylighting of the Saw Mill River is not addressed
5. No details are given of the proposed police substation and costs are underestimated

1.1

Existing parking

The SFC parking study sites 250 existing parking spaces at the Cacace Center. It sites a utilization of 290 spaces during work days, the extra spaces due to cars parked in aisles and unmarked spaces. It also states, "In general, the Cacace Justice Center (Cacace Center) parking areas were full during the weekday midday hour, in fact they exceeded the capacity."

In contrast, a Police Department study of existing Cacace parking found that there were a total of 319 parking spaces serving the Cacace Center (including 16 on South Broadway), plus 39 extra spaces "created" by patrons and employees of Cacace (total 358). The spaces are broken down thusly:

- ◆ 303 official spaces in the Parking Authority's (PA), court, and police designated lots, 16 police designated diagonal parking on South Broadway.
- ◆ 39 extra spaces that are "created" on a daily basis by Cacace employees and the public. These spaces are obviously not official - some are in clearly marked "no parking" zones - but they do not block in other cars that are legally parked.

1.2

There are also at times at least a dozen other spaces created around Cacace that do interfere with the flow of traffic or block in other cars. These "extra" spaces indicate that the number of official parking spaces in Cacace is not adequate, especially during business hours. As most employees arrive at work between 7:00 and 9:00 a.m., they are able to find a parking space. On a typical workday, however, the lots are filled by 9:00 a.m. Members of the public will be forced to circle the Parking Authority lot waiting for a space to open up or create spaces blocking traffic flow. Employees risk losing their space and not being able to find parking later if they move their cars during the workday. Those employees arriving late in the morning or early in the afternoon usually cannot find a real parking space and create spaces wherever they can squeeze their vehicles.

Existing parking at Cacace falls into the following categories:

- ◆ The Court has 36 spaces in a designated area in front of Cacace. There are also three "created" spaces in this area where Court employees park.
- ◆ The Police Department (YPD) has a total of 111 spaces in designated areas in Cacace lots and 16 diagonal spaces on the street (total 127), plus 13 "created spaces" for a total of 140 spaces designated for YPD.

- ◆ There are 156 official spaces in the PA lot plus 23 “created spaces” for a total of 179. These spaces are open to all Cacace employees and the public.

New Parking Needs

The SFC DEIS (Description of Proposed Action II) states:

Of the approximately 1,349 [new Cacace] parking spaces provided, 500 spaces would be reserved for office patrons, 113 spaces to the hotel use, and 30 for Fire Department staff and personnel. Approximately 550 spaces will be shared use spaces for ballpark attendees on evening and weekend game days. Parking will also be provided for Cacace Justice Center employees.

The SFC Parking document (III.E.1) states:

Cacace Center garage will provide parking for the existing Cacace Justice Center, proposed new Fire Department Headquarters, office (including parking for City employees relocated from the Health Center Building) and hotel.

This appears to be the extent of detail available in the DEIS that specifically deals with Cacace Center employees or patrons. It is to be remembered that most of the existing parking for Cacace will be removed while the parking garage is being constructed. Surprisingly, hotel patrons and the Fire Department are given specific numbers of spaces needed and 500 spaces are designated for “office patrons” though it is not specified which offices these are. No mention is found of the number of spaces needed for the relocated employees of 87 Nepperhan.

A Yonkers Police Department study projecting parking needs at Cacace found the following:

Police Department needs (these figures include the proposed Detention Center’s cars and employee vehicles):

- ◆ 93 vehicles owned by the YPD (Fleet cars) including:
 - ◇ 44 vehicles with reserved individual parking spaces at all times
 - ◇ 49 vehicles parked in designated areas at all times
- ◆ 222 employee owned vehicles including:
 - ◇ 14 vehicles with reserved parking spaces at all times
 - ◇ 178 vehicles parked in designated areas during business hours
 - ◇ 30 vehicles parked in designated areas during off-hours
- ◆ 50 spaces needed in designated areas for police officers conducting police business with Fleet vehicles and personnel cars during business hours
- ◆ 13 spaces needed in designated areas for police officers conducting police business with Fleet vehicles during off-hours

Fleet vehicles include marked and unmarked sedans and SUVs. There are presently 3 large vehicles assigned to the Criminal ID Unit (CIU) at Cacace, plus there will be 3 prisoner vans assigned to the future Detention Center. These vans range in height from 7 to 10 feet. It is recommended that the ground floor of the new Cacace parking structure be high enough to accommodate these vehicles and they be given a designated parking area or spaces. They are not included in the above figures.

2.1

Court and District Attorney Office needs:

- ◆ 255 employee owned vehicles including:
 - ◇ 34 vehicles with reserved parking spaces at all times
 - ◇ 146 vehicles parked in designated areas during business hours
 - ◇ 75 vehicles parked in designated areas during off-hours
- ◆ 50 spaces needed in designated areas for jurors during business hours on Mondays

A total of 565 spaces are needed on Mondays during business hours and 515 spaces needed Tuesday through Friday (92 reserved, 473 in designated areas) for Cacace employees. 259 spaces are needed during off-hours (92 reserved, 167 in designated areas [the 92 spaces are always to be reserved, never shared. Court and Yonkers Police Department employees recognize the importance of sharing spaces with patrons of special events and ball games at the proposed stadium, but certain spaces can never be shared due to security considerations and for the smooth functioning of the agencies.]). It's estimated that about 1,500 people patronize the Court and the Police Department on a typical work day. It's not known how many park their cars at Cacace or would like to and this is not addressed in the DEIS. Deliveries to the Cacace Justice Center are also not addressed.

3.1

Security at Cacace

Security at the parking facility at the Cacace Justice Center is not addressed in the DEIS. Cacace Justice Center houses a police headquarters and several court rooms. Security for this facility, its employees, and its patrons cannot be equated with security needed at a corporate headquarters or retail facility. The security at the existing parking lots is inadequate in its present state and the building of a new facility should give us the opportunity to do a thorough study with the builders of security needs. Some important considerations:

- ◆ The parking garage itself should be made to be as secure from terrorist attacks and other disasters as is feasible.
- ◆ Judges need a private, secure area to park their cars and enter the courthouse.
- ◆ Detectives, police officers, court officers, and jurors, plus victims and witnesses in criminal cases, should be able to park their private cars securely out of the way of others attending court and visiting other facilities.
- ◆ The Police Department needs a dedicated area close to the entrance of the building where its fleet cars can be parked while its members are on police business. This area could also be used by police officers from other agencies who are attending court.

3.2

Below is one possible configuration for earlier proposed for the Cacace parking garage:

- ◆ Level 6 - 219 spaces for YPD, D.A., and Court employees during business hours but could be used by public during off-hours.
- ◆ Level 5 - 246 spaces for judges, Police Commissioner, Police Chiefs, Captains, YPD Fleet (including Detective Division), and personal cars of YPD, D.A., and Court employees. Level 5 should always be off limits to the public. During non-business hours, Cacace employees could park in non-secure or unreserved spaces.
 - ◇ 92 reserved spaces for Fleet and personal cars (includes YPD, DA, and Curts)
 - ◇ 154 spaces for Cacace employee's personal vehicles

- ◆ Ground floor - 50-100 spaces for jurors and visiting P.O.s during business hours plus specially designated spaces or area for 6 oversized vehicles.

Tier 1 Security: Judges, PC, DCs, ADAs park in secure area on Level 5. Area is separated from rest of parking on Level 5 using swipe cards, codes, or some other type of secure access. Access to building could be from breezeway to the 3rd Floor. *Exact number of spaces to be determined by Judges.*

Tier 2 Security: Spaces for PD, Courts, DA's Office, and Police Fleet on Level 5. Allows for easier access to cars during on-duty hours. 50 Ground Level spaces for Jurors on Monday only, converted to public parking rest of week. 50 Ground Level spaces for visiting police officers during their on and off-duty hours. Allows for easy access to HQ for officers who are not Cacace employees and who wouldn't have access to Level 5 or 6.

Tier 3 Security: Cacace employees without reserved spaces would park on Level 6 during business hours, on Level 5 and Ground Level during off-hours. Swipe cards or code would allow access to Level 6 during business hours, could be made available to the public after 5:00 p.m. and on weekends. The top floor is the least desirable for the public but could handle the overflow of stadium events during off-hours. Security must see to it that Level 6 is clear of public parking by 7:00 a.m. on workdays. During off-hours, employees will park on Level 5 and Ground Level.

Daylighting of the Saw Mill River

Along with the impacts and concerns discussed above, some mention should be made of potential safety problems surrounding the “daylighting” of the Saw Mill River. Daylighting this river will, for the first time in decades, bring the Saw Mill River literally within the reach of an urban population unaccustomed to having a small and inviting, but also rapidly moving, body of water at their fingertips. While the Police Department applauds the good intentions of utilizing this asset and the beauty of the designs, it is concerned that placing decking and “stepping stone” features so close to this river’s edge could be dangerous to visitors, particularly to small children. The small width of the river belies the danger of its, at times, strong current, capable of snaring a small child that accidentally or otherwise goes into the water. During times of storms or floods, this river is dangerous even for adults and attempting to rescue a person trapped in the river when it is particularly deep or swift also endangers emergency rescue personnel. The Yonkers Police Department strongly recommends that the riverfront parks be designed so as to maximize safety, even if this means placing fencing or other barriers around the river’s edge that might otherwise be deemed unsightly.

4.1

Police Substation and other cost estimates:

Recommendation 1: Substation			
Police Officer	\$104,451	4	\$ 417,804
Sergeant	\$123,851	2	\$ 247,702
Bicycle Patrol Officers	\$104,451	3	\$ 313,353
OT	\$821,983	1	\$ 821,983
Portable radios	\$ 3,203	5	\$ 16,015
Battery charger w/6 batteries	\$ 900	7	\$ 6,300
Portable radio batteries	\$ 38	10	\$ 380
Marked radio car w/mobile radio	\$ 30,905	1	\$ 30,905
Bicycles	\$ 1,300	2	\$ 2,600
3-wheeled vehicle	\$ 21,000	1	\$ 21,000
Emergency Phone	\$ 500	1	\$ 500
Substation and related equipment	\$300,000	1	\$ 300,000
		Total	\$2,178,542

Recommendation 2: additional police Sector			
Personnel	\$104,451	10	\$ 1,044,510
Portable radios	\$ 3,203	2	\$ 6,406
Portable radio batteries	\$ 38	4	\$ 152
Marked radio car w/mobile radio	\$ 30,905	1	\$ 30,905
		Total	\$1,081,973

Recommendation 3: additional Traffic Unit			
Personnel	\$ 104,451	2	\$208,902
Overtime	\$169,878	1	\$169,878
Portable radios	\$ 3,203	2	\$ 6,406
Portable radio batteries	\$ 38	4	\$ 152
Marked radio car w/mobile radio	\$ 30,905	1	\$ 30,905
		Total	\$416,243

Recommendation 4: Event policing				
Possible Posts	Officers	Hours	Hourly Rate	Cost Per Event
Riverdale/Prospect	2	4	\$68.06	\$ 544.48
S.Broadway/Prospect	2	4	\$68.06	\$ 544.48
Nepperhan/New Main	1	4	\$68.06	\$ 272.24
Nepperhan/School	1	4	\$68.06	\$ 272.24
Nepperhan/Elm	1	4	\$68.06	\$ 272.24
Yonkers/Walnut	2	4	\$68.06	\$ 544.48
Yonkers/Prescott	1	4	\$68.06	\$ 272.24
Yonkers/Ashburton	2	4	\$68.06	\$ 544.48
Yonkers/SMR Pkwy	4	4	\$68.06	\$ 1,088.96

Yonkers/Midland	1	4	\$68.06	\$ 272.24
Yonkers/Cross County Pkwy	1	4	\$68.06	\$ 272.24
Palisade/Elm	1	4	\$68.06	\$ 272.24
Nepperhan/Ashburton	1	4	\$68.06	\$ 272.24
SMRR/Ashburton	1	4	\$68.06	\$ 272.24
Stadium Posts	12	6	\$68.06	\$ 4,900.32
Traffic Sergeant	1	4	\$91.11	\$ 364.44
Stadium Sergeant	1	6	\$91.11	\$ 546.66
			Total:	\$ 11,528.46
Total Hours Per Event		166	Events Per Year:	70
			Total Event OT Per Year:	\$806,992.20

Total estimated costs for dealing with stadium events are detailed in the table below.

Recommendation 4: Events			
Event Coordinator (Lieutenant) Straight Time	\$140,910	2	\$ 281,820
Personnel Overtime	\$806,992	1	\$ 806,992
Portable radios	\$ 3,203	25	\$ 80,075
Portable radio batteries	\$ 38	25	\$ 950
Marked radio car w/mobile radio	\$ 30,905	3	\$ 92,715
Marked Van w/radio	\$ 32,304	1	\$ 32,304
Barricades, etc.	\$ 2,000	1	\$ 2,000
		Total	\$1,296,856

Extended Long-term Costs

The costs listed above are only for the first year of operation. Most of the equipment costs should not recur within the first five years. The following table illustrates what the costs of these recommendations could be over the first five years, assuming that costs will increase about 4% per year:

Estimated Five Year Costs		
One time cost	Equipment	\$ 660,670
Personnel only	1st year	\$ 4,312,944
Personnel only	2nd year	\$ 4,485,461
Personnel only	3rd year	\$ 4,664,880
Personnel only	4th year	\$ 4,851,475
Personnel only	5th year	\$ 5,045,534
Total Estimated Cost First Five Years:		\$23,360,294

6.1

C122

Submitted by:
William Dennison
183 Rockne Road
Yonkers, NY 10701

There are 3 issues regarding the downtown Yonkers redevelopment efforts that I would like to comment on; the lack of affordable housing, the role that the arts could play in redevelopment efforts and the need for public transportation issues to be addressed.

Affordable Housing

The DEIS calls for 6% of the planned units to be “affordable” and states that any larger amount would make the development “infeasible” without public subsidies. In addition, the 6 % affordable housing being projected as part of the redevelopment, according to the DEIS would be located “in the vicinity but not within the project buildings.” I do not believe this should be acceptable to the City Council. An 80/20 formula, where 20 percent of units are set aside for either low or moderate income families, is used in many New York City housing development efforts where public funds or tax incentives are used. Such an 80/20 formula would help insure that city employees, young families and those involved in the arts are able to live in our community.

1.1

I do not believe a minor league baseball field and a shopping center can or even should be expected to serve as the anchor for the downtown redevelopment effort. Even if a “minor league” is found for the baseball field, it would be utilized at most for 35-40 “home games” a year. A new shopping center will have to compete with a revitalized Cross County Center, Ridge Hill and the nearby malls in White Plains. More is needed to insure a vital and active city center. Experiences around the country demonstrate that successful redevelopment of downtown central city areas includes the arts. Additionally recent studies by the Port Authority of NY & NJ consistently show that every dollar spent on the arts produces 10 to 12 times that amount in economic activity. The arts are increasingly seen as an important tool for urban revitalization. An arts component to the redevelopment effort could also open up new funding sources. Consideration needs to be given to the creation of a performance space suitable for music, dance and theatre that would be the key link in a downtown arts infrastructure. Absence of such consideration from the DEIS is troubling.

1.2

The DEIS fails to deal with public transportation issues. The projected increases in parking facilities and deference to accommodating automobiles rather than an analysis of mass transit options is a serious omission in the study. The recent increases in gasoline costs and the public’s search for mass transit options only magnify the importance of this issue.

1.3

C123

From: warren Mur [mailto:mhha47@yahoo.com]

Sent: Friday, May 30, 2008 10:21 PM

To: Rocky Richard

Subject: SFC Affordable Housing

It is my belief that the question, "should affordable housing stay within the building site of the SFC project or not" is a definite YES. First, it was stated by the residents that live there now that they wanted to remain in the area of the SFC project, not to be scattered throughout the city. Second, how may this affordable housing affect other existing communities? Will the people in other neighborhoods have a voice in rejecting this housing if they choose to? Will the city listen to and enforce this decision? Third, will it all be affordable housing or will it also be Section Eight Housing as well? Again, i say the homes of the residents that live now within the SFC project should be allowed to stay. It should be the decision of the residents of Yonkers. No one else.

1.1

--Warren F. Murphy

C-124

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Foot traffic

What is the "pedestrian friendly streetscape" that will be developed along the River Park Center, Cacace Center and Government Center frontages (page III.E-15 to 16)?

1.1

What is the minimum required curb width, important to accommodate existing and increased foot traffic?

1.2

What will be used to create a safe, buffered zone between pedestrians on sidewalks and streets with moving cars up to the curb (i.e., where there is no on-street parking)?

1.3

Will trees, important for reducing water runoff, cooling the air and providing shade, as well as for aesthetics, be planted along the curblane? How many?

1.4

What is the paving material for sidewalks and walkways? Will pervious paving be used in order to reduce water runoff? Why is there no requirement for pervious paving?

1.5

Who will pay for upkeep of public sidewalks and existing crosswalks?

1.6

At new signalized locations, what "design features will be implemented to accommodate pedestrian activity" (III.E-15)? What paving material will be used for crosswalks?

1.7

Will the center median planned for Yonkers Avenue/Nepperhan Avenue be pedestrian friendly? Will trees be planted and maintained in order to make it pedestrian friendly and environmentally sustainable – reduce water runoff, cool immediate area, create green canopy above roads to reduce heat accumulation?

1.8

Bicycles

Where is there accommodation for existing and increased bicycle traffic and parking? Will bike racks be installed? How many and in what locations? Will they be placed in convenient locations so as to encourage use of bikes to keep traffic congestion down? Are bike lanes mandated by the plans? Have traffic patterns studies included bike lanes? How will bike lanes and/or increased bike traffic affect the planned accommodations to vehicular traffic? Will there be bike friendly traffic signaling?

1.9

Bus and rail mass transit

How will traffic impact be mitigated by reliance on existing bus and rail mass transit facilities (p. III.E-20)? Who will be monitoring, promoting, encouraging usage and who will be coordinating with the County re bus service and Metro North re train service to increase the frequency and capacity of service both when needed and in anticipation of need? The Applicant and the City should be encouraging visitors to use bus and rail service. The DEIS indicates that there is "available capacity" of buses and "if ridership increases bus service is adjusted accordingly." However, people will be more likely to ride a bus if they see it is making frequent stops along their route and is convenient for them to ride. Waiting for usage to drive increased frequency/capacity will not be an effective method of changing behaviors, and more people will continue to drive and the traffic/parking issues will be worse than projected in the DEIS. Improving use of mass transit will require pro-active measures – what pro-active provisions are planned to increase use of mass transit?

2.1

Trolley

Why is the focus of the trolley limited to the train station to River Park path? Why does the trolley not service adjacent neighborhoods, including those not serviced by direct bus routes?

2.3

Bus drop-off lane

Who will design and pay for the "bus drop-off lane" that "will be provided on Nepperhan Avenue westbound between Elm Street and New Main Street" (p. III.E-23)?

2.4

Why is there no mention of or plan for a corresponding eastbound lane to accommodate the bus riders who are returning home? Who will design and pay for that improvement?

2.5

Private buses are anticipated in dropping of visitors to the ball park. Is there an accommodation for parking of those buses? Where will they park? To encourage ride-sharing and bus use, and also to avoid idling, it is important to provide for parking.

2.6

Loretta Miraglia
Yonkers, NY 10705
home 914-751-6635
cell 914-643-0690
lam6363@optonline.net

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Submitted by Molly Roffman

III. Environmental Setting, Anticipated Impacts and Proposed Mitigation

III.A.21 1st full paragraph

1. Aside from the kayak launch and esplanade, please define “publicly accessible open space”. Will this publicly accessible open space consist of manicured lawns with restricted access, parkland, community playground etc.

1.1

2. Will both parking garage roof top areas be open to the public? Specifically what type of open space is planned for these roof top areas?

1.2

3. How wide is the proposed esplanade and does it incorporate a bike path?

1.3

III. A.21 3rd paragraph, last sentence

1. In what specific ways will River Park Center (proposed to be much larger in scale than other buildings in the surrounding area) “complement” the abutting Getty Square area?

1.4

III. A-28

1. Are the currently proposed replacement parkland parcels within walking distance of the area in which the original parkland is to be alienated?

1.5

2. Is any community parkland (not including ball field) included in the developers plans for the River Park Center site?

1.6

3. As the day lighting of the Saw Mill River is not included in the developers plans and is contingent on an outside funding source, what will the River Park Center project look like without the day lighted Saw Mill River? Will the center be surrounded by parkland of a different kind?

1.7

III. A-29

1. The elimination of on-street parking makes bike lanes an more feasible alternative in the downtown. Are bike lanes being incorporated into roadway/off-road parking changes in the project area?

1.8

2. Will parking garages include bike park stations?

III. A-30 4th paragraph

1. Will the landscape design program incorporate native plants, vegetative buffer zones and rain gardens to mitigate contamination of the river from run-off?

1.9

III. B-23 1st full paragraph

1. If the daylighting of the Saw Mill River does not occur what will be the alternative “positive community benefits” that will surround the River Park Center that the developer will take responsibility for creating?

2.1

III. B-28

1. Have alternative sources of energy for ball park stadiums been investigated by the developer? If so, specifically what type of energy saving lighting is available? Has solar energy been investigated as a power source for stadium lighting?

2.2

2. What are the minimum and maximum requirements of IESNA? What is the difference between these requirements?

2.3

3. Has the effect of light pollution on migrating birds been researched?

2.4

III. D-7 d. Existing Known Flooding Conditions Around the Project Site

1. Have predictions regarding anticipated rise in sea level and the increase in frequency and severity of storm events been considered in the evaluation of flooding potential around the project sites?

2.5

III. D-11 1st paragraph

1. Please describe “water quality structures” more specifically as to their specific function. Do these structures require maintenance and who is responsible for performing this maintenance?

2.6

III. D-13

1. Are natural filtering systems such as rain gardens and stormwater retention basins planned for the parking lots and buildings at Palisades Point?

2.7

III. D-26

1. Will permeable pavers for pedestrian walkways and other permeable surfaces be incorporated into the design plan at any or all of the project sites?

2.8

Michael J. Dalton
Executive Director
Yonkers Parking Authority
8 Buena Vista Avenue
Yonkers, NY 10701
T (914) 965-2375 F (914) 965-0735

May 14, 2008

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

1.1

Dear Ms. Richard,

Please see the highlighted information below in reference to Section II-9 b-Description of Proposed Action (paragraph 2).

By NY State law the Yonkers Parking Authority is the only one allowed to set parking permit fees specifically for off street parking.

b. Description of Proposed Action:

The supplementary parking regulations of the Zoning Ordinance are proposed to be amended primarily to : (a) establish new parking ratios for the uses at River Park Center that are consistent with ratios successfully utilized by SFC at other similar mixed-use urban projects in Westchester and elsewhere; (b) specifically permit off-street parking requirements for River Park Center and Cacace Center to be satisfied in public parking garages proximate to the development; (c) specifically permit shared parking in the public garages for the uses at River Park Center and Cacace Center, including the ballpark.

Comment [E11]: Should be replaced with Yonkers Parking Authority

Comment [E12]: ? Please clarify

Sincerely,

Michael J. Dalton
Executive Director

CC: Christine Sculti, Special Assistant to the Mayor on Economic Development

Terry Joshi
SFC Phase 1 DEIS comments for
GPTF

May 23, 2008

A. Open/Green Space

1. Cacace Center property

The lawn and trees next to the Cacace Justice Center are apparently considered part of that property and are not "official" city parkland. If by chance this lawn is indeed city parkland, than a parkland alienation request must be made of New York State before that property can be used as a building site. If so, the city must comply with state law and find a comparable parkland exchange for this acreage.

I suspect that it is not officially parkland because it is not discussed as such in the DEIS and I cannot find it listed that way on the city Parks Dept facilities map.

1.1

However, the fact that it is not official parkland does not alter the fact that it is an open, green setting with mature trees that contributes to the quality of the air and temperature in the downtown, as well as making a lovely aesthetic statement as an entryway to the downtown for motorists traveling west along Nepperhan Avenue.

I think that the GPTF should make a forceful statement that we support the development of another site as a greensward to replace this one.

2. River Park Center

The design for the "public" space around the daylighted Saw Mill along the north bank of Nepperhan Avenue is nice, but could be better.

a. Riparian Redevelopment

Has SFC or COY hired a riparian engineering firm, nor just an hydraulic engineer, to study the daylighting of the river? This is a complex endeavor that could have flow ramifications for the 14 mile length of the Saw Mill River.

1.2

b. Shadow Studies

Will the public space planned for the corner of New Main Street and Nepperhan Avenue, with shops and restaurants around the daylighted river, be in shadow for virtually all of the day? It will wrap around an 11-story mall and the northern end of the "park" will abut the service building for the 50-story condo tower. Across the street on the western side of New Main Street will be the new multi-story government parking garage. Will this be a pleasant environment if it is in perpetual shadow? Consider – it is

1.3

the ONLY ground-level public space offered as part of the River Park Center development.

1.3

c. Parkland Alienation Swap for the “Chicken Island” and Government Center parkland property.

Description of Proposed Action, Page II-11:

COY has asked the NY State legislature to permit a parkland alienation exchange for 2.93 acres of parkland at the River Park site with 8.25 acres of city land in 2 sites at North Broadway and Odell Avenue.

I think that the GPTF could make a coherent case for *additional parkland at the site* instead of a total build-out of the mall. SFC is asking for zoning revisions that will allow the FAR to permit the building “footprint” to cover the entire piece of property. My question: why not retract the building footprint and allow for a 3 acre park so that the parkland is in the downtown, rather than up at North Broadway and Odell where most of the downtown residents will not be likely to make use of it?

2.1

3. Parcels H & I (Palisades Point)

Description of Proposed Action, Page II-29, paragraph 4:

Why is it necessary to have a large paved plaza on this precious acreage of green space directly adjacent to the Hudson River? It is clearly stated in the DEIS that this will be used as a vehicle turnaround and for “organized events” of an unspecified nature.

2.2

- a. This is impervious surface next to the river.
- b. If this is a vehicle turnaround it is NOT public space and should not be counted into the acreage total claimed to be for open space.

4. Ballpark

Alternatives, V-16, D.

The two “no ballpark” alternatives presented by the developer are

- A rooftop with no usage;
- An additional story of 150,000 sq ft of retail space which would require another parking level.

2.3

The GPTF asks: why NOT a green roof that could serve as both an environmental buffer AND a public amenity with picnic areas, etc., as with the roof on the Manhattan sewage treatment plant along the West Side Highway?

The GPTF should request that the City Council require green roofs on all future buildings.

From: Gerard Wilson [mailto:gerardpwilson2004@yahoo.com]

Sent: Sunday, April 27, 2008 4:14 PM

To: Rocky Richard

Subject: public comments on StreuverFidelcoCapelli project

The Streuver Fidelco Capelli project is the most important project in the history of the city.

It is possible for those who will not be able to attend the one public hearing scheduled to submit a detailed statement by e-mail ?

Gerard Wilson
154 Mansion Avenue
Yonkers, New York

C129

From: John Meyer
Sent: Thursday, May 29, 2008 4:30 PM
To: Christine Sculti
Cc: William Schneider; John Meyer
Subject: RE: SFC DEIS Comments DEADLINE TOMORROW!!!

Christine,

The Department of Housing & Buildings has no additional comments on the SFC proposed zoning & EIS.

John

C130

From: Linda Infante
Sent: Friday, May 30, 2008 5:51 PM
To: Christine Sculti; Rocky Richard
Subject: FW: SFC DEIS Comments DEADLINE TOMORROW!!!

MIS has no changes to the SFC DEIS.

Thank you,

Linda

Linda A. Infante, Director
City of Yonkers MIS Department
tel: (914) 377-6601
Fax: (914) 377-6572
email: linda.infante@YonkersNY.gov

From: Christine Sculti
Sent: Thursday, May 29, 2008 2:48 PM
To: Brian O'Rourke; John Liszewski; Jim Pinto; Lou Kirven; Linda Infante; Augie Cambria; Richard Doyle; 'Marisa Garcia'; John Meyer
Cc: William Regan; Paris Ronco; Martin Bellew; Ron Cabriele; Dennis Sykes; Roberta West; Michael Martinelli (MAMARTIN@courts.state.ny.us); Craig Berardo; William Schneider
Subject: SFC DEIS Comments DEADLINE TOMORROW!!!
Importance: High

Greetings,

To date, your department comments are not on file at the City Council President's office, therefore, please be aware of the following deadline information. If you have submitted them please send me a copy and I will update his office.

Thanks you,
Christine

From: Richard Marmolejos
Sent: Thursday, May 29, 2008 2:35 PM
To: Christine Sculti
Subject: DEIS Comments

Christine – comments post-marked before midnight on May 30th will be accepted. Emailed comments are automatically stamped with “time and date” so we’ll know when they come in. Anything hand delivered should be in the office by close of business (5PM) on Friday, May 30th.

Richard

Richard Marmolejos
Legislative Assistant

City of Yonkers
Office of the City Council President
40 S Broadway, Room 403
Yonkers, NY 10701
Office 914-377-6060
Work Cell 914-255-4749
Fax 914-964-1949
Richard.Marmolejos@yonkersny.gov

C131

Rocky Richard

From: Augie Cambria
Sent: Friday, May 30, 2008 4:31 PM
To: Rocky Richard
Subject: FW: SFC DEIS Comments DEADLINE TOMORROW!!!

From: Christine Sculti
Sent: Friday, May 30, 2008 4:02 PM
To: Augie Cambria; Richard Marmolejos
Subject: RE: SFC DEIS Comments DEADLINE TOMORROW!!!

Augie - Please forward this to Rocky Richard and thanks for reviewing! Have a great weekend.
Christine

From: Augie Cambria
Sent: Friday, May 30, 2008 2:12 PM
To: Christine Sculti; Richard Marmolejos
Subject: RE: SFC DEIS Comments DEADLINE TOMORROW!!!

After reviewing the DEIS there have been no changes concerning recreational concerns and therefore no additional comments.

From: Christine Sculti
Sent: Thursday, May 29, 2008 2:48 PM
To: Brian O'Rourke; John Liszewski; Jim Pinto; Lou Kirven; Linda Infante; Augie Cambria; Richard Doyle; 'Marisa Garcia'; John Meyer
Cc: William Regan; Paris Ronco; Martin Bellew; Ron Cabriele; Dennis Sykes; Roberta West; Michael Martinelli (MAMARTIN@courts.state.ny.us); Craig Berardo; William Schneider
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Christine

From: Richard Marmolejos
Sent: Thursday, May 29, 2008 2:35 PM
To: Christine Sculti
Subject: DEIS Comments

Christine – comments post-marked before midnight on May 30th will be accepted. Emailed

6/2/2008

comments are automatically stamped with "time and date" so we'll know when they come in. Anything hand delivered should be in the office by close of business (5PM) on Friday, May 30th.

Richard

Richard Marmolejos
Legislative Assistant
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40 S Broadway, Room 403
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Fax 914-964-1949
Richard.Marmolejos@yonkersny.gov

C132

Alvina Tyropolis
41 Curtis Lane
Yonkers, N.Y. 10710

FILED
OFFICE OF CITY CLERK
YONKERS, NY

2008 MAY 29 PM 12: 31

To: The Council President, and the Common Council Members

Re: Development in Yonkers

As a long time resident of Yonkers, I ask you to please use all due caution in considering any proposals for development or educational change for the following reasons...

The large turnout of we the TAXPAYERS should more than point out, we do give a damn; Because, after centuries, we do know, whether by inbred or inherent cognizance, the price of surviving most changes in our lives, has always been impacted by their difficulties, adversities and hardships.

Consequently, to afford us some measure of security in the survival of our lives and/or life styles we tend to think in terms of "I or ME" in order to protect ourselves. We will support the "WE" concept of any entity (government, religion, business) but only if it is felt, that it will afford or deliver realistic and /or reasonable conditions that will promote, provide and protect the *survival or our lives or lifestyles*. Not the politicians.

Please consider, this is the information age. We are well aware of serious problems that impact our lifestyles. The Mayor, County Executive, Governor and Presidential candidates have more than detailed the rising prices of gas, food, housing, the serious need for jobs, social security disaster and we are to believe that the development will solve these problems.

Historically, I would point out that the early settlers used the Yonkers' location and resources for their gains. They gave nothing back. After the American Revolution, the new farm settlers felt the same way. Although offered the county seat it was refused. After all why should Yonkers help the rest of the county. It has cost Yonkers funding of County, State and Federal Governments.

Financially, Yonkers had financial problems for decades. Why???? It lived in its own cocoon for decades, until they finally woke up to the industrial revolution, and literally gave the farm away. The prized Southwest area with both water and rail access was sold for practically nothing. Major corporations including International ones like Otis., Arlington Chemical (Andrus) The Carpet Shop to mention a few, took, took and gave nothing back. One does not find any museums, cultural centers, colleges etc.

Oh! Yes it produced mostly low paying jobs, and blocks of cold water flats. In fact Yonkers said they were so poor we were recipients of the last Carnegie Library. The developers say they are going to name a building as Carmegie and put in the marble steps. But where is the Tiffany Dome and Windows, worth millions and the rest of the imported Italian Marble and beautiful Rosewood shelving???

Yonkers financial problems continued for decades and by the 1930's faced bankruptcy, while the industries raked in millions. In the 1940's calls for real estate revaluation was called for and has never been done. This is a major complaint of the state. They feel complete revaluation of all properties with thousands of illegal apartment and even more lack of CO, plus under valued industries would make Yonkers well capable of funding all budget items including education.

By the 1950's, at the height of an economic boom, and industries making millions, Yonkers schools including elementary were on double sessions. By the 1960's the financial bubble broke and Yonkers had years of a Control Board which continued into the 70's 80's and 90's.

We are now being told only development will bring relief but not to whom. All the taxpayer is more and more smoke and screen hype and higher and higher taxes??????

Stew Leonards, Home Depot and Cosco were going to bring millions in tax relief and thousand of good well paying jobs for Yonkers. When does it start. Isn't the 50 million extra in the budget to give them and others more tax abatement. What about the taxpayers

Why was Ridge Hill worth over 800million sold for 12 million. What leases were there, maybe the Federal Government should look into that and the Sacks property that went for practically nothing. Where are the thousands of great jobs and our tax relief. Why does Hudson Valley Bank worth 50 million dollars pay only \$1500 a year. Nepperham development cost 20 million of tax payer money and was sold for 3 million. And the Empire City is an insult will billions going to the state and none to the Yonkers Taxpayers.

The country as a whole is in financial crisis. The dollars has lost its value. Why??? Industry and its millions of jobs were given away The assembly line with it millions of jobs no longer exist.

Housing is critical especially for most workers and prices sore and only luxury apartments are built. As gas rises so does cost of housing, food and transportation adding more problems.

Our population is now aging and almost 60% is over 50 years of age and the amount will rise This will impact housing and services. Social Security is suffering from the rip off and raiding of their funds by Congress to fund the constant deficit budget with all its goodies. This will add more local problems.

AS to Education!!! The Mayor is truthfully concerned because developers know it is not only location but education that sells.

Yonkers has a long history of poor funding public education. The state repeatedly sanctioned the city, and keep records of same. Yes sites are poor because their selection was left to city hall, where friends with junk to dump, got to sell their sites.

As to education offerings, the state only requires a basic standard of educational programs. The programs offered under desegregation were done under the idea it would stop white flight. It has not, as the school system is 87% minority. And the state would have to pick up the expensive cost. The judge ruled NO. Simply, the state will only fund basic education if any city wants a more expensive program then it must assume the cost.

As to the state system of educational funding. All other cities are county seats and are compensated for loss of revenues. Yonkers has NOT reevaluated properties in decades, and state will not pay difference. If the state is using illegal practices why doesn't Yonkers sue???? Simply, Yonkers does not have a leg to stand on with years of under funding education, and lack of reevaluation as well as their programing.

What is needed before any proposals are given consideration, is not only a demographic study of the city but possible development needs for next 10 years. Reevaluation of all properties. As well as citizens needs in a changing society.

The band-aid days efforts of smoke and screen wheeling dealing and stealing are over or Yonkers will self destruct.

C133

From: a k [mailto:aikuri@gmail.com]
Sent: Tuesday, May 27, 2008 4:49 PM
To: Rocky Richard
Subject: SFC project

Hello Rocky

I was referred to you by Richard Marmolejos, although I have no specific comments in regards to SFC project, I would like to inquire about when the "scale" model of the proposed SFC project will be available. I Thank you in advance.

Sincerely

Amjed I. Kuri
914-912-6901

Forwarded Message:

Subj: **Mayor's Advocacy; Ways and Means; Who Speaks for Good Government?**
 Date: 4/28/2008 12:58:52 PM Eastern Daylight Time
 From: USC341
 To: Chuck.Lesnick@CityOfYonkers.com, Dee.Barbato@CityofYonkers.com,
joan.gronowski@Yonkersny.gov, John.Murtagh@CityofYonkers.com,
Patricia.McDow@CityofYonkers.com, SANDY ANNABI, Liam.McLaughlin@cityofyonkers.com

Mr. Lesnick I know you have stated, "I would much rather spend my time on serious substance" however, I and many other persons, believe the misuse and abuse of government is of very serious substance that transcends all other single issues no matter the desired time frame or dollar value. Please see the below comments. Whether or not in favor of any or all other development "agenda", good government and democracy cannot not be trumped and elected persons, especially legislative, must not condone such actions in order to meet an agenda.

The below excerpt from Mayor' Amicone' s Official WEB homepage as posted on the City of Yonkers WEB site is clearly an illegal use of public resources and an abuse of government. The bold print and underlined portions are a clear attempt to influence the City Council by advocating for the issue and encouraging public advocacy at a City Council meeting.

Mayor's Homepage message to public states:

"WHY: "To ensure that the renaissance of our great city continues, supporters are requested to attend the public hearing and speak out in favor of the project. "Advocating for the project will promote long term economic stability for the city and school district and will make for a more vibrant quality of life for this and future generations." (emphasis added)

If this is not a flagrant violation of the Constitutional separation of the Executive and Legislative branches of Government and prohibition of one using public resources to influence the other, than what is? The fact that the Mayor's WEB page message is directed only to "supporters" is clearly discriminatory against all other Yonkers citizens and disenfranchises those who may not be "supporters."

The Council's EIS final approval process has already been tainted by the action of the Mayor's non-legally appointed Charter Review Commission's 2006 EIS and 2007 budget process Charter revisions. Not to mention, the use of public funds to mail "yes" advocacy letters. (Remember my FOIL request has verified that neither Commission was legally appointed as a public body and never complied with the Open Meetings requirements especially those re. records and votes)

Now the review process has been further tainted by this attempt to influence the Council. In all fairness, the Public Hearing should be postponed until after the Mayor's advocacy publication is properly withdrawn and the public be given an explanation as to why the hearing is being postponed. The Council President can postpone the hearing. Unless he and the council as a whole are condoning the attempt to influence the Council, he and/or the Council members must act now by postponing the hearing and asking the Inspector General to act immediately.

Monday, April 28, 2008 America Online: Sidsloves726

The mayor has already been formerly put on notice by Mr. Zisman and Judge Nocca as to the use of public facilities and personnel to advocate a position and to influence a vote, especially by the City Council. There is no reason why the Ethics Code should not now be enforced.

I note the Mayor's message was posted on the Mayor's press release Homepage on April 8, 2008. HAS ANYONE MADE A FORMAL COMPLAINT TO THE INSPECTOR GENERAL YET? HAS THE CITY COUNCIL AS A WHOLE OBJECTED AND ASKED THE INSPECTOR GENERAL TO ENFORCE THE ETHICS CODE? IF NOT, WHY NOT ?

The public deserves being informed of the above. We must now go public with this "advocacy" abuse as well as the abuse of charter revision process. I think the City Council and media has an obligation to inform the public of the manner and means being used to foster the administration's "ambitious agenda" in the name of "Development."

The City Council must not even *appear* to condone abuse of good government.

Kevin Gorman
