

# West 108<sup>th</sup> Street WSFSSH Development

## Chapter 18: Response to Comments<sup>1</sup>

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### A. INTRODUCTION

This chapter summarizes and responds to all substantive comments on the Draft Environmental Impact Statement (DEIS) for the Proposed Actions made during the public comment period. The Notice of Completion for the DEIS was issued by the City of New York – Department of Housing Preservation and Development (HPD) on October 13, 2017, which marked the beginning of the public comment period for the DEIS. Public Notice of completion of the DEIS and a public hearing on the DEIS was published in the *City Record*, the *New York Post*, and *El Diario* on January 17, 2018. Public comments on the DEIS were solicited at the required public hearing on the DEIS held concurrently with the hearing on the Proposed Actions' Uniform Land Use Review Procedure (ULURP) draft application at 10:00 A.M. on January 31, 2018, in Spector Hall, 22 Reade Street, New York, NY 10007, and during the public comment period, which closed at 5:00 P.M. on February 12, 2018.

Section B below lists the elected officials, community boards, organizations and individuals who commented on the DEIS, and Section C summarizes and responds to comments. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DEIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

Written comments received on the DEIS are included in Appendix VI to this Final Environmental Impact Statement (FEIS).

### B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

#### Elected Officials

None.

#### Community Boards

1. Roberta Semer, Community Board (CB) 7 Chair; oral statement at public hearing.

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<sup>1</sup> This chapter is new to the FEIS.

## Interested Organizations and Individuals

2. William Apfel; written submission dated 2/11/2018.
3. Albert Bergeret; written submissions dated 11/15/2017 and 2/11/2018.
4. Janice Billingsley; written submissions dated 11/15/2017 and 2/10/2018.
5. Stephen Borow; written submission dated 2/11/2018.
6. Peter C. Brandt, Save Manhattan Valley; written submissions dated 11/15/2017 and 2/10/2018.
7. Donald Butt; written submission dated 11/19/2017.
8. Michael Cannistraci; written submission dated 2/12/2018.
9. Adriana Cipullo; written submission dated 11/17/2017.
10. Raymond Clarke; written submission dated 2/11/2018.
11. Dan Cohen, Friends of Anibal Aviles Playground; oral statement at public hearing.
12. Camille Colon; written submissions dated 11/14/2017 and 2/10/2018.
13. Amy and Scott Corcoran; written submissions dated 11/20/2017, 12/11/2017, and 2/12/2018.
14. Mark Couch; written submission dated 2/11/2018.
15. Bud Courtney, Valley Lodge; oral statement at public hearing.
16. Ralph Crowley; written submission dated 2/12/2018.
17. Yolanda DeLeon; written submission dated 11/20/2017.
18. Soibhan Dolan; written submissions dated 11/15/2017, 11/19/2017, and 2/11/2018.
19. Eileen Donohue & John Rando; written submission dated 10/29/2017.
20. Reverend Alistair Drummond, West End Presbyterian Church; undated written submission and oral statement at public hearing.
21. James David Dubin, Save Manhattan Valley; written submission dated 2/10/2018.
22. Elizabeth G. Ellis; written submission dated 11/19/2017.
23. Inea Engler; written submission dated 2/11/2018.
24. Miki Feigel; written submission dated 11/13/2017 and written submission dated 6/16/2016 submitted by Siobhan Joan Dolan on 2/12/2018.
25. Sylvan Feldstein; written submissions dated 11/17/2017 and 2/10/2018.
26. James Finn; written submission dated 2/11/2018.
27. Clifford Flanders; written submission dated 2/9/2018 and oral statement at public hearing.
28. Irmela Florig-Rowland; undated written submission.
29. Ada Frasca; written submission dated 2/10/2018.
30. Jill Freeman; written submissions dated 11/14/2017 and 2/12/2018.
31. Paul Freitas; written submissions dated 11/30/2017 and 2/12/2018.
32. Mark Gabor; written submission dated 11/17/2017.
33. Nathan Gebert; oral statement at public hearing.
34. Sara Geer; written submission dated 2/10/2018.
35. Lisa Gersten; written submission dated 11/20/2017.
36. Jeanne Golan; written submission dated 11/19/2017.
37. Sheila Hansen; written submission dated 11/13/2017.
38. Valerie Hanson; written submission dated 11/17/2017.
39. Michael S. Hiller, Save Manhattan Valley; written submission dated 2/12/2018.
40. Paul Himmelstein; written submission dated 2/12/2018.
41. Daniel Hochman; written submission dated 11/16/2017.
42. Ron Hoffman; written submission dated 11/19/2017.
43. Ken Hollander; written submissions dated 11/19/2017.
44. Katelyn Hosey, LiveOn NY; oral statement at public hearing.
45. Ted Houghton, Gateway Housing; oral statement at public hearing.
46. Patricia Ireland; written submissions dated 11/18/2017 and 2/12/2018.
47. Jeff; written submission dated 11/17/2017.
48. Jan Jericho; written submissions dated 12/5/2017 and 2/10/2018.

49. Kenneth Johnson; written submission dated 11/19/2017.
50. Bridget Johnston; written submissions dated 11/18/2017 and 2/12/2018.
51. Karen Jorgensen, Valley Lodge – WSFSSH; oral statement at public hearing.
52. Laurence Karst; written submissions dated 11/16/2017 and 2/11/2018.
53. Kim Katz; written submission dated 2/11/2018.
54. Elizabeth Kellner; written submission dated 11/14/2017.
55. Scott Keller; written submission dated 11/20/2017.
56. Glory Ann Hussey Kerstein, Duke Ellington Boulevard Neighborhood Association; written statements dated 11/17/2017 and 2/12/2018.
57. Shinwon Kim; written submission dated 11/20/2017.
58. Lawrence Kingsley; written submission dated 11/17/2017.
59. Sarah Kolodnay; oral statement at public hearing.
60. Amelia J. Kramer, DOROT Homelessness Prevention Program; oral statement at public hearing.
61. Phyllis Jo Kubey; written submissions dated 11/19/2017 and 2/10/2018.
62. Ronald Lamprecht; written submissions dated 11/19/2017 and 12/4/2017, and 2/12/2018.
63. Jean Lerner; written submissions dated 11/19/2017 and 2/11/2018.
64. Janet Leuchter; written submission dated 12/12/2017.
65. Walter Lipkin; written submission dated 2/11/2018.
66. Gila Lipton; written submission dated 11/29/2017.
67. Lisa Litt; written submission dated 11/20/2017.
68. LiveOn NY; written submission dated 2/9/2018.
69. Beverly Love; written submission dated 12/5/2017.
70. Julie and Adam Lurie; written submission dated 12/5/2017.
71. Judith Lynn, Save Manhattan Valley; written submission dated 2/10/2018.
72. Lorna Lyons, WSFSSH; oral statement at public hearing.
73. Bob Makofsky; written submission dated 11/16/2017.
74. Jefferson Mao; Manhattan Borough President’s Office; oral statement at public hearing.
75. Edward Marritz; written submissions dated 11/15/2017 and 2/10/2018.
76. Michael F. McGinn; written submission dated 12/3/2017.
77. Dan McGuire; written submission dated 2/10/2018.
78. Lenore H. Migdal & William B. Lloyd; written submission dated 12/3/2017.
79. Steven Morvay; written submission dated 11/15/2017.
80. Lucille Murovich; written submissions dated 11/15/2017, 12/4/2017, and 2/10/2018.
81. Micki Navarro, WSFSSH; oral statement at public hearing.
82. Leonard B. Pack; written submission dated 12/2/2017 and 2/11/2018.
83. Sally Petrick; written submission dated 11/19/2017.
84. Tobias Picker; written submission dated 11/30/2017.
85. Linda Prudhomme; written submission dated 2/11/2018.
86. Maryann Quinn; written submission dated 11/20/2017.
87. Joseph Rappaport; written submission dated 2/12/2018.
88. Stan Reissman; written submission dated 11/19/2017.
89. Carl Riskin; written submissions dated 12/7/2017 and 2/11/2018.
90. Sandra Roche, Bloomingdale Family Program; oral statement at public hearing.
91. Richard A. Rosenblum; written submissions dated 11/17/2017, 12/4/2017, and 2/11/2018.
92. Monique Rothman; written submission dated 2/11/2018.
93. Hugh Rowland; written submission dated 2/12/2018.
94. Joe Russiello; written submission dated 11/19/2017.
95. Save Manhattan Valley; written submissions dated 12/5/2017 and 1/31/2018.
96. Rebecca Sauer, Supportive Housing Network of New York; written submission dated 1/31/2018 and oral statement at public hearing.
97. Charlest E. Schmidt; written submission dated 11/30/2017.

98. Rita A. Scott, WSFSSH; oral statement at public hearing.
99. Louise Shelton; written submissions dated 11/19/2017 and 2/12/2018.
100. Elizabeth Skog; written submission dated 11/19/2017.
101. Paula Slatkin; written submission dated 2/10/2018.
102. Peter Slotwiner-Nie; written submission dated 11/19/2017.
103. Donald Smith; undated written submission and oral statement at public hearing.
104. Pete Smith; written submission dated 12/5/2017.
105. Mark Sobell; written submission dated 11/17/2017.
106. David Solis-Cohen; written submission dated 11/15/2017.
107. Barry Sopher; written submission dated 2/11/2018.
108. Gina Speirs, written submission dated 2/11/2018.
109. James Steckman; written submission dated 11/19/2017.
110. Michael Stearns; written submission dated 2/10/2018.
111. Joseph Tarella; written submission dated 11/20/2017.
112. David Taylor; written submission dated 11/17/2017.
113. Judy Tobey; written submission dated 11/19/2017.
114. Scott Twine; written submission dated 11/18/2017.
115. Merih Uctum; written submission dated 2/12/2018.
116. Lois Uttley; written submission dated 11/19/2017.
117. David Voremberg; written submission dated 2/12/2018.
118. Sinia Vukelic; written submission dated 11/19/2017.
119. Elisa Wallman, The Institute for Family Health; written submission dated 2/9/2018 and oral statement at public hearing.
120. Paul Walsh; oral statement at public hearing.
121. Eileen Weiss; written submissions dated 11/20/2017 and 2/10/2018.
122. Susan E. Wilson; written submissions dated 11/29/2017 and 2/10/2018.
123. Lynn Wishart, Fifth Avenue Presbyterian Church; written submission dated 2/9/2018 and oral statement at public hearing.
124. Maryann Wong; written submission dated 2/12/2018.
125. Jeffrey Wood; written submission dated 2/12/2018.
126. Meryl Zegarek, Save Manhattan Valley; written submissions dated 11/18/2017 and 2/10/2018.
127. Andrea Zuckerman, Save Manhattan Valley; written submissions dated 11/20/2017 and 2/12/2018.
128. Dan Zweig; written submissions dated 11/19/2017 and 2/12/2018.

## C. COMMENTS AND RESPONSES

### 1. Project Description

Comment 1.1: Preserving the eastern garage would not solve the parking problem - it holds only 120 spaces. (126)

***Response 1.1: The DEIS does not assume that the existing garage on the eastern development site would remain; rather, the DEIS analyzes the impacts of one build year (2025), at which point both the western and eastern developments will be complete and all three garages with a combined 675 public parking spaces on the Development Site would be eliminated.***

Comment 1.2: The fact that this facility is overly larger because the Collegiate School abandoned its

promise to build low-income housing on West 61st Street—the richest census tract in the Upper West Side—with a buy-out to fund this project in Manhattan Valley, which comprises the poorest census tracts in the Upper West Side, is troubling, and will only further segregation. (18, 42, 56, 87)

**Response 1.2:** *Comment noted. The scale of the Proposed Project is analyzed in this FEIS, including analyses of the potential for impacts on urban design and visual resources (Chapter 5) and shadows (Chapter 4), among others. Consideration of funding sources is not within the scope of the environmental review. The shelter portion of the Proposed Project is evaluated under the Criteria for the Location of City Facilities in conjunction with ULURP*

Comment 1.3: Why wasn't any long-term planning undertaken to address the needs for garages, along with housing? (22) I reject the binary choice between housing and resources needed for working people. We need both. The proposal should include both additional housing and parking. (4, 7, 14, 58, 63, 82, 88, 118, 125, 128) The project could easily accommodate 400 cars by having parking one level below grade and two levels above grade, with the housing above. The subterranean and above-grade air rights needed to build the garage could be sold to a garage developer, and the proceeds could be used to help pay for part of the housing. The claims that providing parking as part of the project would be prohibitively expensive are false. (106) Adding parking would also be a valuable revenue stream. (94)

**Response 1.3:** *In 1982, in the context of the Clean Air Act (CAA) and national and local concerns about deteriorating air quality, the City of New York implemented new Manhattan Core parking zoning amendments to manage the supply of off-street parking in Manhattan's Central Business District (CBD). As a result, public parking garages are not as-of-right in the Manhattan Core (south of 110<sup>th</sup> Street on the West Side, and are not permitted at all in the residential zoning district that encompasses the Development Site); as such, the existing Development Site garages are not compliant. A new parking garage requires either a change to a commercial district and a special permit, or a change in zoning regulations. With respect to the Development Site, parking in conjunction with new development was nevertheless explored by the project sponsor. Due to current parking patterns, in addition to the cost of new construction, the study found that the provision of an on-site garage was determined to not be financial feasible.*

Comment 1.4: Given the tremendous uncertainty concerning federal tax reform legislation, what does this mean for the financial viability of this project? I would be a tragedy for the valuable community resource of the garages to be lost by demolition and then have the construction stall for years. (54)

**Response 1.4:** *The City is committed to build and provide housing for the most vulnerable New Yorkers in spite of the challenges associated with tax reform. The proposed financing for the Proposed Project reflects the current tax credit environment, and construction sources would be committed prior to demolition of the existing Development Site garages.*

Comment 1.5: Elderly residents of CB 7 will not be given priority for the new housing. (46)

**Response 1.5:** *The Proposed Project's affordable residential units would be marketed through Housing Connects. The community preference will be consistent with HPD Marketing guidelines at time of leasing.*

Comment 1.6: The proposal does not support the revitalization of the community or aid the members of the community who wish to stay close to their families but cannot afford housing, because whatever might be “affordable” is being given away to needy populations. A few “affordable” units do not address this issue. (24)

**Response 1.6:** *The need for affordable housing at all income levels is urgent and critical in New York City today.*

## **2. Land Use, Zoning, and Public Policy**

Comment 2.1: This proposal would violate the New York City Zoning Resolution, break our hard-earned zoning, and set a dangerous precedent for an increase in the building of taller and taller buildings. Eleven story buildings do not belong on our side streets. (3, 5, 10, 18, 19, 21, 23, 24, 30, 39, 43, 48, 52, 53, 56, 61, 62, 63, 87, 91, 95, 107, 108, , 115, 117, 121, 126, 127) The R8A zoning proposed is the same zoning that currently exists on the avenues and would be a violation of our intent in the last rezoning to prevent like zoning from avenue to midblock to prevent large zoning transfers from potentially occurring. (128)

**Response 2.1:** *As the Proposed Actions involve a zoning map change, a detailed assessment of the potential for impacts on zoning was provided, which includes a description of recent zoning changes in the area. As outlined in Chapter 2, “Land Use, Zoning, and Public Policy,” the Proposed Actions would not result in significant adverse zoning impacts. The Project Area is a midblock site that does not have the typical five- and six-story residential walkup buildings of R8B districts. It is immediately adjacent to and across the street from open space resources, and is well-suited for larger-scale buildings. In addition, the Proposed Project would not utilize the entire developable area allowed under an R8A district, but would be built at a lower FAR of approximately 5.3 and, therefore, would be in keeping with the existing densities and bulks of surrounding study area properties. The zoning change is analyzed in Chapter 2.*

Comment 2.2: The Proposed Project would violate Fair Share Criteria. Manhattan Valley already has its fair share of affordable housing, with 50 percent of all CB 7 affordable housing located in the neighborhood. Why not spread the responsibility to house middle- and lower-income New Yorkers more equitably throughout CB 7 and not concentrate more than the fair share in Manhattan Valley? (3, 4, 5, 10, 12, 18, 21, 24, 26, 29, 30, 31, 36, 39, 42, 43, 47, 52, 57, 61, 62, 67, 69, 70, 71, 75, 80, 84, 89, 91, 95, 97, 101, 107, 108, 109, 111, 112, 114, 115, 117, 121, 122, 126, 127)

**Response 2.2:** *The Proposed Project was evaluated under the Criteria for the Location of City Facilities in conjunction with this ULURP. (See October 13, 2017 DHS Analysis, accompanying ULURP application, included in new Appendix VII of the FEIS)*

Comment 2.3: The argument that changing the zoning to R8A on this midblock is premised on the fact that properties containing some buildings that are larger than the current zoning would allow and, therefore, should be up zoned so that these structures better conform is not good planning; it is a specious reason to increase the residential zoning for these properties. (128)

**Response 2.3:** *See Response 2.1.*

Comment 2.4: The proposed rezoning is spot zoning. (128)

**Response 2.4:** *See Response 2.1.*

Comment 2.5: The Proposed Project is directly contrary to Vision Zero, which is designed to minimize significant pedestrian injuries and death. Vision Zero specifically identified Broadway as a roadway with a high number of auto accidents and fatalities, relative to other roads in Manhattan. With more than eight percent of alternative parking spaces located west of Broadway, if the Development Site garages are demolished, the high number of traffic accidents along Broadway would be exacerbated as residents who now park on the east side of Broadway would be forced to garages west of Broadway, crossing Broadway to return home. (3, 30, 52, 62, 95, 107, 115, 117, 126)

**Response 2.5:** *An assessment of the Proposed Project's consistency with Vision Zero is included in the public policy impact assessment provided in Chapter 2, "Land Use, Zoning, and Public Policy." As presented therein, the Proposed Project would not generate significant numbers of vehicle or pedestrian trips around Vision Zero's identified "Priority Corridor" of Broadway or "Priority Intersection" of West 106th Street, West End Avenue, and Broadway and, therefore, would not conflict with this policy. In addition, the Proposed Project would replace three auto-oriented (garage) uses currently located in proximity to school and open space uses, with less auto-oriented housing and community facility uses.*

### **3. Socioeconomic Conditions**

Comment 3.1: The proposal will displace the hard-working staff of the three garages. (62, 104)

**Response 3.1:** *As presented in the May 23, 2017 EAS, The Development Site is currently occupied by three public parking garages and a transitional shelter facility containing a combined approximately 675 parking spaces and 92 shelter beds, with approximately 54 combined existing workers. As a result of the Proposed Actions, the three existing public parking garages on the Development Site, employing an estimated 18 workers, would be directly displaced by the Proposed Actions and resultant Proposed Project. The Proposed Project is expected to result in a net increase of 50 full-time jobs in the Project Area. As the Proposed Actions would not directly displace more than 100 employees, would not displace any businesses that provide products or services essential to the local economy, and would not displace any categories of businesses that are subject to preservation policies, an assessment of direct business displacement is not warranted as no significant adverse impacts are expected.*

Comment 3.2: The Proposed Project will certainly have socioeconomic impacts on the neighborhood, which are especially important in Manhattan Valley because the area immediately surrounding the Project Area is part of specially recognized commercial districts created to promote varied and active retail environments. Removal of the three parking garages at the Development Site would grossly undermine the very purpose for which these districts were established by reducing the availability of parking in these areas, resulting in a substantial reduction in transient shopping opportunities, as well as a substantial

inconvenience to the shopkeepers and merchants who drive to their small businesses in the area. (3, 30, 52, 62, 95, 107, 115, 117, 126)

**Response 3.2:** *Pursuant to 2014 CEQR Technical Manual guidelines, a socioeconomic assessment of direct displacement is conducted when a project or action would directly displace a business that is unusually important because its products or services are uniquely dependent on its location; that, based on its type or location, is the subject of other regulations or public policy adopted plans aimed at its perseveration; or that serves a population uniquely dependent on its services in its present location. As presented in the May 23, 2017 EAS, the Proposed Project would directly displace three public parking garages with a total capacity of 675 spaces that employ an estimated 18 workers. There are 16 public parking facilities within a ½-mile radius of the Project Area (excluding the Development Site garages). As per the New York City Department of Consumer Affairs (DCA), there are approximately 1,000 licensed parking facilities, currently operating in Manhattan. Of these 1,000 facilities, there are approximately 100 licensed parking facilities located within the Upper West Side (zip codes 10023, 10024, and 10025). It should also be noted that the area, particularly near the commercial corridors, are well-served by public transportation, as presented in greater detail in Chapter 7, “Transportation.”*

#### **4. Open Space**

Comment 4.1: The Proposed Project will undermine the use and enjoyment of neighborhood playgrounds. (61)

**Response 4.1:** *As presented in Chapter 3, “Open Space,” the Proposed Actions would not result in significant adverse direct or indirect open space impacts. The open space analysis shows that the Proposed Project would decrease the residential study area open space ratio by 0.4 percent, which is well below the CEQR Technical Manual significant adverse impact threshold of five percent. The open space analysis was reviewed and approved by the New York City Department of Parks and Recreation (DPR).*

#### **5. Shadows**

Comment 5.1: The project will forever shadow the Booker T. Washington Middle School’s playground and playing fields and other open spaces, including Anibal Aviles Playground. (3, 30, 52, 62, 95, 107, 115, 117, 126)

**Response 5.1:** *As the Proposed Project would result in new development adjacent to sunlight-sensitive resources, a detailed shadows analysis was prepared, which is included in Chapter 4, “Shadows.” As presented in Chapter 4, as the Development Site is north of Booker T. Washington Playground, the Proposed Project would only cast incremental shadows on portions of Booker T. Washington Playground; these incremental shadows would occur on two of the four representative analysis days, ranging from 58 minutes on May 6/August 6 to one hour and 36 minutes on June 21. Shadow coverage would generally be limited to the northeastern and northwestern portions of the playground. The detailed shadows analysis, which was reviewed and approved by the lead agency and*

**DPR, concluded that, while the Proposed Project would cast shadows on the Booker T. Washington Middle School Playground, these incremental shadows would not represent significant adverse shadow impacts.**

Comment 5.2: The buildings will plunge the houses on West 109<sup>th</sup> Street into perpetual darkness and cold during the winter months. (56)

**Response 5.2: As defined in the 2014 CEQR Technical Manual, sunlight sensitive resources include publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features (e.g., surface water bodies, wetlands, or designated resources) in the area. City streets, sidewalks, private residences that do not contain sunlight-sensitive historic features, and private open spaces (such as private residential front and back yards, stoops, and vacant lots) are not considered to be sunlight-sensitive resources. It should be noted, however, that the Proposed Project would improve the rear yard condition for the West 109<sup>th</sup> Street buildings, by replacing existing structures that are currently built at or in close proximity to the northern lot line, with new structures with rear yards of 30 to 40 feet from the property line.**

Comment 5.3: I am concerned about the shadow impacts the buildings will cast over many blocks. (30, 77, 91, 121)

**Response 5.3: A detailed shadows analysis was prepared for the Proposed Project, which is included in Chapter 4, "Shadow." As stated therein, the Proposed Project would result in incremental shadow coverage (i.e. additional, or new, shadow coverage, moving throughout the day) on portions of two sunlight-sensitive open space resources: Anibal Aviles Playground and Booker T. Washington Playground; however, no single feature of the open space would be cast in incremental shadows for an extended period of time due to the speed and movement of these shadows across the open space. The extent and duration of the incremental shadows on these two open space resources would (1) not significantly reduce or completely eliminate direct sunlight exposure on any of the sunlight-sensitive features found within these two open spaces; and (2) would not significantly alter the public's use of the playgrounds or threaten the viability of vegetation or other elements located within the open spaces. Therefore, incremental shadows from the Proposed Project on Anibal Aviles Playground and Booker T. Washington Playground would not be considered a significant adverse impact, in accordance with CEQR Technical Manual methodology. The detailed shadows analysis was reviewed and approved by the lead agency and DPR.**

Comment 5.4: The DEIS states that the proposed project would cast substantial periods of shadow over Anibal Aviles Playground (up to over 11 hours on the June 21 analysis day), covering larger portions of the open space. Specifically, the DEIS acknowledges that shadows would cover 62.4 percent of the playground area in the spring and autumn months; thus, while the playground enjoyed approximately 12 hours of direct sunlight during the day of March 21, 2017, after this project, 62.4 percent of the playground would be covered in shadows for most of the day. Yet, the DEIS attempts to pass these impacts off as "insignificant." This conclusion defies logic and common sense. (39)

**Response 5.4: As stated in Chapter 4, "Shadows," the Proposed Project would cast incremental shadows on Anibal Aviles Playground; however, no single feature of the open space**

*would be cast in incremental shadows for an extended period of time due to the speed and movement of these shadows across the open space. Specifically, while incremental shadows would be cast on the actively programmed playground equipment of Anibal Aviles Playground, given the fact that one of the two jungle gyms would receive direct sunlight at all times, that the tree canopy during the growing season would offer dappled shade conditions, and that incremental shadow coverage on these features would generally occur in the morning and early afternoon hours, when playgrounds are typically less utilized (compared to afterschool peak periods), incremental shadows are not expected to have a significant effect on the utilization or enjoyment of this resource. The detailed shadows analysis, which was reviewed and approved by the lead agency and DPR.*

## **6. Hazardous Materials**

Comment 6.1: The proposal will have direct environmental hazards on area residents and school children when demolition and construction begins due to the presence of buried oil tanks and other hazardous material concerns. (2, 10, 18, 43, 50, 61, 77, 78, 91, 108, 121, 126) At least one of the sites is a designated brownfield. (85) Absent the Proposed Project, there would be no risk of exposure (as no demolition would occur); however, as currently planned, the Proposed Project would almost certainly lead to the release of these dangerous materials, threatening the health and lives of everyone in the community. (3, 30, 39, 52, 62, 95, 107, 115, 117, 126) The toxic emissions will be difficult to mitigate, despite statements in the DEIS to the contrary. (87)

**Response 6.1:** *As stated in Chapter 6, “Hazardous Materials,” the Proposed Project has been enrolled in the New York City Voluntary Cleanup Program (NYCVCP) under the auspices of the Mayor’s Office of Environmental Remediation (OER). Under the NYCVCP, the Development Site was investigated and a Remedial Action Plan (RAP) was prepared. The remedy includes, if found, the “removal of underground storage tanks (USTs) and closure of petroleum spills in compliance with applicable local, State, and Federal laws and regulations.” Additionally, Appendix C of the RAP is a Construction Health and Safety Plan (CHASP), which includes work zone air monitoring and community air monitoring, and is designed to protect both construction workers and the community from unacceptable releases of dust or other airborne contaminants, during work entailing subsurface disturbance. The RAP was approved by OER on January 29, 2018 and has been added to Appendix II, “Hazardous Materials,” of the FEIS.*

*In addition, as stated in Chapter 6, “the limited asbestos, lead paint, and PCB caulk survey report prepared for the existing Development Sites building structures identified the presence of asbestos containing materials (ACM) and lead-based paint (LBP). Once the existing Development Site buildings are vacated, a full survey will be conducted. Asbestos abatement is strictly regulated by DEP, the NYSDOL, the United States Environmental Protection Agency (EPA), and OSHA to protect the health and safety of construction workers and nearby residents and workers. As stated in Chapter 6, abatement and demolition activities will be conducted in accordance with the stringent local, state, and federal regulations, which are those that have been required for all demolition work in New York City for many years.*

Comment 6.2: The DEIS states that “the proposed project would not result is significant adverse impacts

related to hazardous materials,” yet there are no words to indicate the more than 50-year history of these sites being car service stations and that besides the petroleum spills mentioned, nothing is said about gasoline and lead in the grounds and/or in underground storage tanks. Nor is there any mention of the water aqueduct that runs under 108th Street. Apparently “additional sampling” has not yet been done. Except for petroleum, “underground contamination” is left to the last sentence of the hazardous materials section, with the “assurance” that remediation will leave the “site cleaner and safer than in its current state.” What occurs in the in-between process? Will remediation extinguish the tiny toxic dust particles to be potentially inhaled by students across the street or 109th Street residents, or absorbed into Anibal Aviles Playground. Given HPD’s track record, how could anyone have confidence in how the environment will be handled to avoid substantial harm and health hazards. (16, 18)

**Response 6.2:** *The Development Site history is summarized in the Chapter 6, “Hazardous Materials” and discussed more fully in the Phase I Environmental Site Assessment (ESA), which is included in Appendix II.*

*The groundwater flow regime (depth and flow direction) was evaluated and described in the Phase II Environmental Site Investigation (ESI), and this information has been added to Chapter 6 of the FEIS.*

Comment 6.3: We know that there is water running underneath 108<sup>th</sup> Street. What happens with that? Where does it go? What if the tanks are punctured? (18)

**Response 6.3:** *As noted in Response 6.2, above, information on the groundwater flow regime (depth and flow direction) has been added to Chapter 6 of the FEIS.*

*The RAP (added to Appendix II, “Hazardous Materials”) includes procedures for the removal of petroleum storage tanks. These procedures are designed to minimize the potential for puncturing tanks once they are encountered.*

Comment 6.4: Environmental studies that were prepared by an independent organization are being ignored, demonstrating a willingness to expose this community to potential hazardous conditions. Do the residents and school children in the area have no value? What about the future building tenants and children of a day care center, who will be exposed to potentially hazardous chemicals and dust? (42)

**Response 6.4:** *As stated in Chapter 6, “Hazardous Materials,” the Proposed Project has been enrolled in the NYCVC under the auspices of OER. A Subsurface (Phase II) ESI was performed to compile and evaluate data and information necessary to develop the OER-approved RAP. The remedial action described in the OER-approved RAP achieves the remedial objectives, complies with applicable environmental standards, criteria and guidance and conforms with applicable laws and regulations. Additionally, the remedial action to be performed under the RAP “is intended to make the Site protective of human health and the environment consistent with the contemplated end use,” thus preventing all future occupants of the building from exposure to any residual subsurface contamination remaining at the Development Site following construction. The RAP was approved by OER on January 29, 2018 and has been added to Appendix II of the FEIS.*

Comment 6.5: The existing Development Site buildings contain lead and asbestos, which will become

friable when demolition begins. (91)

**Response 6.5:** *As stated in Response 6.1, above, abatement and demolition activities will be conducted in accordance with the applicable local, state, and federal regulations, which are those that have been required prior to and during all demolition work in New York City for many years.*

## 7. Transportation

Comment 7.1: I need my car for work or other essential reasons. It is essential for me to function. Without a safe, 24-hour garage, this would be impossible. Public transportation does not work for all circumstances. (2, 3, 4, 6, 9, 12, 14, 17, 18, 21, 22, 24, 25, 28, 34, 35, 38, 40, 47, 48, 50, 57, 61, 63, 67, 73, 75, 76, 78, 79, 82, 86, 87, 89, 91, 92, 93, 102, 104, 106, 111, 114, 116, 118, 121, 122, 126, 128)

**Response 7.1:** *Comment noted. The detailed parking analysis provided in Chapter 7, "Transportation," conducted in accordance with 2014 CEQR Technical Manual guidance, does not assume a shift to other travel modes in determining future parking utilization rates and identifies the potential for a parking shortfall in the future with the Proposed Actions. However, as presented in Chapter 7, as per the CEQR Technical Manual, a parking shortfall in Parking Zones 1 and 2 (which, combined, include all of Manhattan, in addition to transit-rich areas in the South Bronx, Brooklyn, and Queens), is generally not considered environmentally significant due to the magnitude of available alternative modes of transportation. The transportation analysis was reviewed and approved by the New York City Department of Transportation (DOT).*

Comment 7.2: Reducing the supplying of parking has not reduced the demand for parking in the neighborhood, with demand increasing as the wealth of the neighborhood increases. (128) There is already insufficient parking in this neighborhood, especially as more and more on-street parking spaces have been removed in recent years and the number of cars in the neighborhood increases. Why should more parking be taken away? Where will all of these additional vehicles park once the garage is demolished? (3, 4, 6, 10, 12, 13, 14, 17, 21, 23, 26, 30, 31, 34, 35, 36, 37, 40, 41, 43, 48, 52, 58, 62, 63, 64, 67, 70, 80, 82, 83, 84, 89, 91, 92, 95, 97, 100, 107, 110, 111, 112, 113, 114, 116, 115, 117, 122, 124, 126) Have you considered how much the amount of available street parking has already decreased and how much the population of the area has increased? (76)

**Response 7.2:** *As presented in Chapter 7, "Transportation," the existing off-street public parking facilities within a ¼-mile and a ½-mile of the Project Area were inventoried in April 2017. The findings of this inventory represent the "existing conditions." Under existing conditions, on-street parking is fully utilized under existing conditions in the ¼-mile radius, with utilization rates of 100 percent and 97 percent in the ½-mile radius for the weekday midday and weekday overnight periods, respectively. To determine future conditions with and without the Proposed Actions, demand was projected to increase at an annual background growth rates of 0.25 percent per year for the 2017 through 2022 period and 0.125 percent per year for the 2022 through 2025 period, consistent with 2014 CEQR Technical Manual methodology. In addition, plans to change on-street parking supply in the 2025 No-Action condition were included in the analysis, including*

***the planned new dedicated car share spaces, new CitiBike station, and changes in the parking striping on West 104<sup>th</sup> Street. The With-Action condition parking assessment reflects the elimination of the 675 parking spaces currently on the Development Site. In the future with the Proposed Actions, while there would be a parking shortfall in the ¼-mile and ½-mile study areas, current garage users reside in a much larger area and would continue to have access to other parking (both on- and off-street) outside the ½-mile study area, in addition to multiple public transit options.***

Comment 7.3: If you remove these garages, that will result in 700 or more cars that there are now, circling about and idling, looking for non-existent parking spaces, increasing traffic. (10, 12, 18, 21, 26, 36, 40, 43, 48, 61, 63, 65, 73, 87, 107, 109, 113, 121, 122, 126, 127) This will only exacerbate the increased traffic conditions as of late that have resulted from the arrival of Uber and other similar services. (64) The DEIS completely disregards the fact that, if the Proposed Project were to proceed, the community would be besieged with vehicular traffic, as drivers double-park or slow to a crawl, forever looking for unavailable on-street parking. (39)

***Response 7.3: Chapter 7, “Transportation,” includes an assessment of vehicle redistribution and circulation that would occur in the future with the Proposed Actions. As presented in Chapter 7, the parking shortfalls in the weekday midday and overnight periods could initially result in increased vehicle movement during certain periods of the day, as former users of the displaced garages search for available parking. However, the resulting vehicle movement is not expected to be concentrated at the Development Site, as the residences and businesses of garage users are dispersed among a wide geographic area. In addition, as the majority of monthly parkers at the Development Site garages do not use their vehicles for peak commuter period travel (with a total of 46 (seven percent of total spaces) and 61 vehicles (nine percent of total spaces) entering and exiting the three existing garages’ combined 675 spaces during the AM and PM commuter peak periods, respectively), the majority of currently monthly parkers use the garage for storage, and are expected to seek alternate off-street parking opportunities in the larger area in which the monthly parkers reside. As a result, traffic congestion is not anticipated in any one area or at any single intersection as a result of this vehicle movement, and a detailed traffic analysis is not warranted.***

Comment 7.4: The proposal will have indirect environmental hazards due to the increase of cars circling and idling vehicles. (22, 43, 128)

***Response 7.4: See Response 7.3. In addition, the Proposed Project would replace three auto-oriented (garage) uses currently located in proximity to school and open space uses, with less auto-oriented housing and community facility uses.***

Comment 7.5: People who cannot afford garages park on-street and will have more problems finding parking with the removal of the garages and resultant increased number of cars looking for on-street parking. (22, 32, 37, 105, 128) These are working-class people who will now have to fight for these spaces. (48, 125)

***Response 7.5: See Response 7.2.***

Comment 7.6: The availability of this garage space gets cars off the street and cuts down on congestion and traffic in our neighborhood, promoting safety to other motorists and pedestrians. Removing the parking and putting these vehicles on the street will decrease the ability to safely navigate our neighborhood on foot and in vehicles, leading to more accidents. (3, 6, 10, 18, 21, 30, 40, 50, 52, 61, 62, 63, 77, 91, 95, 107, 109, 115, 117, 126, 127) Double parking is already a challenge to visibility and pedestrian safety. (65) The Proposed Project would undoubtedly lead to increased traffic accidents in Manhattan Valley, resulting in increased injuries and deaths, particularly by pedestrians (including, and especially, children). With the loss of the three highly utilized Development Site parking garages, there will be a sharp increase in the number of distracted drivers looking for on-street parking. Such dangers are particularly acute in the neighborhood around the Project area, as M.S. 54 is in close proximity, and young children are particularly at risk of being struck by vehicles. The conditions in the vicinity of the Project Area, which consists of a high density of pedestrians and vehicles and drivers distracted looking for parking will be similar to conditions in parking lots, where 1 in 5 of all traffic accidents take place. The environmental report commissioned by Save Manhattan Valley determined that the Proposed Project would result in threats to pedestrians, particularly to those who attend nearby schools and are vulnerable to pedestrian knock-down car accidents. (3, 30, 52, 62, 95, 107, 115, 117, 126) The DEIS ignores the evidence that this location is already identified as problematic by New York City's Pedestrian Safety Action Plan, Vision Zero. (39)

**Response 7.6:** *As stated in Response 7.4, the Proposed Project would replace three auto-oriented (garage) uses currently located in proximity to school and open space uses, with less auto-oriented housing and community facility uses. A vehicular and pedestrian safety evaluation is provided in Chapter 7, "Transportation," which was prepared in accordance with CEQR Technical Manual guidelines. No intersections in proximity to the Development Site are considered "high accident locations," and, as the Proposed Actions are not expected to result in significant increases in vehicles or pedestrians at any area intersections, no significant adverse safety impacts would result. An assessment of the Proposed Project's consistency with Vision Zero is provided as part of the public policy assessment included in Chapter 2, "Land Use, Zoning, and Public Policy." In addition, a discussion of any Priority Intersections, Priority Corridors, or Priority Areas identified in the Vision Zero Manhattan Pedestrian Safety Action Plan has been added to Chapter 7.*

Comment 7.7: Removing the garages will lead to more cars double-parked, increasing traffic congestion. (10, 22, 99)

**Response 7.7:** *See Response 7.3.*

Comment 7.8: These garages are the only affordable garages in the area. (2, 18, 34, 50, 67, 75, 89, 92, 99, 104, 126) The garage survey interestingly leaves out this economic piece that is vital. (24) Lower-income garage tenants, families, and business owners will be hit especially hard. (3, 30, 52, 62, 95, 107, 115, 117, 126) Removing the garages will dramatically increase the current parking lot pricing and force many residents to sell their cars. (73)

**Response 7.8:** *See Response 7.5.*

Comment 7.9: The transportation chapter of the EIS makes the erroneous assumption that a great

number of people currently parked in the garages will simply take mass transit to their destinations instead. This is a standard EIS assumption, but is simply not true in this instance. The tenants of these garages already do not regularly use their vehicles to go to midtown or downtown destinations; the bulk of the people who keep their vehicles in the garages use them to go out of town to places where a mass transit commute is not a feasible choice. Mass transit will not absorb those trips at all and will not mitigate the loss of parking spaces. (128) None of the current vehicle owners are likely to give up their cars. (91)

**Response 7.9:** *As noted in Response 7.3 and discussed in greater detail in Chapter 7, “Transportation,” the majority of monthly parkers at the Development Site garages do not use their vehicles for peak commuter period travel; of the total 675 spaces, a total of 46 (seven percent of total spaces) and 61 vehicles (nine percent of total spaces) entered and exited the three existing garages during the AM and PM commuter peak periods, respectively. This is also evident in the modal splits for the existing garage users: a majority of the monthly garage users reside within an area with an aggregate transit mode share of 75 percent. In addition, as noted in Response 7.1, the detailed parking analysis provided in Chapter 7 does not assume a shift to other travel modes in determining future parking utilization rates, thereby presenting the worst-case parking shortfall. With the overwhelming majority (approximately 94 percent) of current garage users residing within two zip codes on the Upper West Side of Manhattan (the southern boundary of which extends approximately 1.1 miles south of the ½-mile study area boundary), any vehicle movement would be dispersed throughout an even larger area reflective of the residence locations of the current garage users; the remaining six percent of current garage users live even further away.*

Comment 7.10: The transportation chapter of the EIS asserts that the impact will only be a loss of 200 to 300 spaces. There is no credible information that supports this assumption. (128)

**Response 7.10:** *As presented in Chapter 7, “Transportation,” it is anticipated that there would be a parking shortfall of approximately 473 parking spaces (on- and off-street, combined) within a ¼-mile radius of the Project Area and a shortfall of approximately 472 parking spaces (on- and off-street, combined) within a ½-mile radius of the Project Area during the peak period, the weekday midday. During the weekday overnight period, there would be a shortfall of approximately 375 parking spaces (on- and off-street, combined) within a ¼-mile radius of the Project Area, and a shortfall of approximately 217 parking spaces (on- and off-street, combined) within a ½-mile radius of the Project Area. The anticipated shortfall account for on- and off-street parking spaces that are expected to be available in the future without the Proposed Actions (accommodating a portion of the displaced demand). Therefore, the comment is not correct.*

Comment 7.11: The garages accommodated larger vehicles than many other garages can accommodate. (67)

**Response 7.11:** *An assessment of the parking of larger commercial vehicles is outside the scope of CEQR. It should be noted, however, that the Central Park Medical Unit (CPMU), which currently park their ambulances in the Development Site garage when not in use, will be accommodated in the Proposed Project.*

Comment 7.12: The transportation infrastructure in the neighborhood is already stretched to the capacity, and adding more residents on the scale of the Proposed Project will be not be easily accommodated. (91)

**Response 7.12: The Proposed Project would comprise residential and community facility uses with relatively low travel demand. Therefore, as presented in Appendix III, “Transportation,” the Proposed Project is not expected to generate 50 or more hourly vehicle trips at any one intersection, 200 or more hourly subway trips at any one station, 50 or more hourly bus trips on any one bus line in one direction, or 200 or more hourly pedestrian trips at any one pedestrian element. As such, the Proposed Project is not expected to result in significant adverse traffic, transit, or pedestrian impacts, and a detailed analysis is not warranted in accordance with CEQR Technical Manual guidance.**

Comment 7.13: The Proposed Actions will add more people to the already overcrowded subways on Broadway and Central Park West—not only those who will now have no place to park, but the resident and visitors of the Proposed Project. (121, 124)

**Response 7.13: The Project Area, like much of the Upper West Side is highly accessible to alternative modes of transportation, including the Cathedral Parkway/110<sup>th</sup> Street (B and C lines) subway station on Central Park West and the Cathedral Parkway/110<sup>th</sup> Street (No. 1 line) subway station located on Broadway, among others, and ten New York City Transit (NYCT) bus routes. As indicated in Response 7.12, the Proposed Actions are not expected to generate 200 or more hourly trips at any one subway station; as such, in accordance with CEQR Technical Manual guidance, no significant adverse subway impacts would result.**

Comment 7.14: With the removal of the three parking garages at the Development Site, the public parking facility at 1090 Amsterdam Avenue—which is currently utilized by Mount Sinai St. Luke’s Hospital—would absorb the impact of the displaced parking spots used by residents and workers in the area, resulting in fewer available spaces for visitors. This, in turn, would create a domino effect, resulting in distracted driving in the area around the hospital, leading to increased pedestrian knock-downs and other automobile accidents. (3, 30, 52, 62, 95, 107, 115, 117, 126)

**Response 7.14: See Responses 7.1 and 7.6.**

Comment 7.15: The DEIS calculates that the loss of parking spaces is only 675 spaces. In reality, however, there are as many as 785 vehicles that use the three garages daily. Combined, approximately 685 of the three garages’ parking spaces are used by monthly subscribers, with an additional 100 transient customers using the parking spots daily. Therefore, a total of 895 vehicles per day would be at risk of not having parking spaces if the three garages were to be eliminated. (39)

**Response 7.15: The parking assessment provided in Chapter 7, “Transportation,” utilizes actual utilization levels observed at the garage during the peak weekday midday and peak weekday overnight periods. As presented in Chapter 7, the three Development Site garages are occupied by a total of 575 vehicles during the weekday midday period and a total of 630 vehicles during the weekday overnight period; this includes both transient and monthly parking subscribers. In accordance with CEQR Technical Manual guidance,**

***the parking assessment was conducted using these actual peak utilization levels, rather than the number of total daily users, as these periods represent the worst-case scenario for analysis purposes.***

***As discussed in Response 7.3, the majority of monthly parkers at the Development Site garages do not use their vehicles for peak commuter period travel; of the total 675 spaces, a total of 46 (seven percent of total spaces) and 61 vehicles (nine percent of total spaces) entered and exited the three existing garages during the AM and PM commuter peak periods, respectively. The majority of currently monthly parkers use the garage for storage, and are expected to seek alternate off-street parking opportunities in the larger area in which the monthly parkers reside.***

Comment 7.16: The DEIS completely omits any mention of the Nelson/Nygaard parking study commissioned by WSFSSH, which analyzed the shortfall of available parking in the catchment area of 12 blocks of the Project Area. Based on the Nelson/Nygaard study, there would actually be a shortfall of nearly 600 parking spaces in the 12-block catchment area. (39)

***Response 7.16: The Nelson/Nygaard study commissioned by WSFSSH does not include a CEQR parking analysis. Rather, the study provided information on the number of total existing off-street public parking spaces within a 12-block area (and does not include on-street parking spaces), in addition to information on the number of available monthly spaces (i.e., not including transient spaces). The parking analysis provided in Chapter 7, "Transportation," was conducted in accordance with CEQR Technical Manual, and the estimated With-Action (e.g., 2025 analysis year) parking shortfall reflects the peak period shortfalls within the ¼- and ½-mile study areas, accounting for available on- and off-street spaces that could accommodate a portion of displaced demand. The parking analysis was reviewed and approved by DOT.***

Comment 7.17: A 12-block radius is not the appropriate geographic scope for parking. (24)

***Response 7.17: As stated in Chapter 7, "Transportation," the CEQR Technical Manual recommends starting with a ¼-mile study area for parking analyses, and where there is insufficient parking to accommodate the parking spaces displaced by the Proposed Project within the ¼-mile radius, the study area is expanded to a ½-mile radius, as per the CEQR Technical Manual guidance.***

Comment 7.18: The EIS is incorrect in stating that there are other places to park. (128)

***Response 7.18: See Response 7.10.***

## **8. Air Quality**

Comment 8.1: Removing the garages will put 700 or more vehicles on the street, circling for parking. This will lead to air pollution from idling cars' emissions. (3, 6, 10, 18, 19, 30, 36, 40, 48, 50, 52, 62, 63, 91, 95, 99, 107, 108, 113, 114, 115, 117, 122, 126, 127) This will only exacerbate the increased air pollution conditions as of late that have resulted from the arrival of Uber and other similar services. (64)

**Response 8.1:** Pursuant to 2014 CEQR Technical Manual methodology, an analysis of the impacts of air quality emissions from project-generated vehicles is warranted if a proposed action would either (a) result in 170 or more peak hour auto trips/diverted existing peak hour auto trips; or (b) generate a substantial number of peak hour heavy-duty vehicle traffic or its equivalent As presented in Appendix III, "Transportation," based on counts conducted at the three existing development site garages, a total of 29, 25, and 33 vehicle trips enter/exit the garage in the weekday AM, midday, and PM peak hours, respectively. Accounting for vehicle trips generated by the Proposed Project, the number of vehicle trips to/from the Project Area would decrease by two vehicles in the weekday PM peak hour, with only seven and nine incremental vehicle trips generated in the weekday AM and midday peak hours. Therefore, the Proposed Project does not warrant a mobile source air quality analysis pursuant to CEQR, as no significant mobile source air quality impacts are anticipated.

## 9. Noise

Comment 9.1: Removing the garages will but 700 or more vehicles one the street, circling and honking. (3, 19, 30, 52, 62, 95, 107, 109, 113, 115, 117, 126, 127)

**Response 9.1:** A mobile source noise screening assessment was prepared for the Proposed Project, which is included in Chapter 9, "Noise." The mobile source noise assessment accounts for changes to vehicle volumes anticipated in the future with the Proposed Actions in accordance with CEQR Technical Manual guidance (refer to Response 8.1 for the anticipated incremental vehicle trips). As presented in Chapter 9, no significant adverse noise impacts would result.

## 10. Public Health

Comment 10.1: The garages are a public health risk, historically used as a car service station, with toxins in the ground, as well as underground storage tanks. The environmental study prepared by GHD Services speaks of PCBs, asbestos, petroleum, benzenes, tolueme, and MTBE at the sites, nearly all of which are carcinogenic. Residents and children will be exposed to these very bad cancer- and other medical problem-causing toxins. (3, 10, 18, 30, 39, 40, 52, 62, 71, 95, 107, 115, 117, 121, 126, 127)

**Response 10.1:** As presented in Chapter 6, "Hazardous Materials," with the requirement to fully remediate the Development Site, to be mandated through the LDA between the project sponsor and HPD, no significant adverse hazardous materials impacts would result. As such, the Proposed Actions would not result in significant adverse public health impacts related to hazardous materials.

Comment 10.2: For developing children, profound, permanent adverse health effects on the brain and nervous system result from lead exposure. Multiple demolitions on one block are associated with a significant increase in children's blood lead levels. Demolition will cause these materials to be released into the air as dust, which, being breathed in, has a more direct path to the brain. Reproductive effects are also linked to lead exposure, including miscarriages, reduced sperm counts in men, premature births, and effects on neurologic development after birth. (3, 16, 18, 30, 39, 52, 62, 85, 92, 95, 107, 115, 117, 126)

**Response 10.2:** *As presented in Chapter 12, “Construction,” with the incorporation of measures to reduce pollutant emission during construction, in addition to requirements to fully remediate the Development Site, to be set forth in the LDA between the project sponsor and HPD, no significant adverse construction-related air quality or hazardous materials impacts would result. As such, the Proposed Actions would not result in significant adverse public health impacts related to construction air quality or hazardous materials.*

Comment 10.3: The Proposed Project will cause unwanted stress and endanger the community’s health. (21, 121, 122, 126, 127)

**Response 10.3:** *As presented in Chapter 10, “Public Health,” the Proposed Project is not expected to result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: air quality, operational noise, water quality, or hazardous materials. The Proposed Actions would result in temporary unmitigated significant adverse construction-related noise impacts at nearby residential buildings along West 109th Street and Columbus and Amsterdam avenues during portions of the construction period. While the noise levels predicted to occur during construction at these sensitive receptors would exceed the acceptable construction noise impact thresholds, these noise levels are below the level that would constitute significant adverse public health impacts.*

Comment 10.4: The Proposed Project will increase the amount of cars circling the streets looking for parking, resulting in increased emissions; increased carbon dioxide emissions have been shown to cause health effects, including increased lung dead space volume, increased blood pressure, erratic and abnormal behavior, and premature death. (3, 30, 52, 62, 95, 107, 115, 117, 126)

**Response 10.4:** *Refer to Response 8.1.*

Comment 10.5: Despite the fact that the Proposed Project calls for the demolition of three buildings, all over 80 years old, and all within feet of a playground and a school, the DEIS does not place an emphasis on the increased risk to the community, and especially children. Instead the DEIS contends that the asbestos, lead paint, gas, petroleum, and PCBs, which all cause cancer, can be remediated without risk of exposure to the children and families located literally a stone’s throw away from the site. The proposed remediation process must be much more thoroughly investigated and scrutinized. (39)

**Response 10.5:** *Refer to Responses 6.1 and 6.2.*

## **11. Neighborhood Character**

Comment 11.1: One of the nice things about this neighborhood is that, unlike in Midtown, we can see the sky. The proposed buildings will be totally out of character. Why would you seek to change the character of the neighborhood? (43, 91)

**Response 11.1:** *The potential for the Proposed Actions to result in significant adverse neighborhood character impacts as a result of potential effects on urban design is included in Chapter 11, “Neighborhood Character.” As presented therein, while the Proposed Project would alter the urban design of the Development Site, with the construction of two new*

***buildings on underbuilt lots, the buildings would complement the established character of the surrounding area and improve the streetscape of West 108<sup>th</sup> Street.***

Comment 11.2: I am astounded by the declarative statements used in the DEIS. Manhattan Valley has a valuable resource: parking garages that working-class people can afford. The project is not “displacing” garages, it is eradicating them, but the DEIS states that we shouldn’t be concerned as the “Manhattan Valley neighborhood is, in part, defined by its excellent transit access, and the loss of these parking spaces would not correlate to a significant adverse impact on neighborhood character.” When so many people have explained how the garages are a service to their lives, professionally and personally, how can this statement be made? The garages provide essential and beneficial services to our community, serving local residents, local businesses, visitors, and local service providers. For many, having a car is not a luxury, but a necessity. Removing this parking will hurt families and businesses and impact the neighborhood. (3, 6, 7, 8, 18, 21, 22, 24, 30, 31, 36, 50, 52, 53, 55, 61, 62, 63, 69, 70, 73, 75, 83, 84, 91, 94, 109, 113, 95, 107, 115, 117, 121, 124, 126, 128)

***Response 11.2: As presented in Chapter 11, “Neighborhood Character,” while the Proposed Project would displace three public parking garages, the garages are predominantly used for long-term vehicle storage and non-work day trips. As such, the displacement of these parking garages is not expected to significantly impact the economic activities of area residents or businesses in a manner that would alter the character of the neighborhood.***

Comment 11.3: Removing the parking will force middle-income residents who rely on the garages out, and Manhattan Valley will become more and more segregated. (24, 41, 42, 79, 91, 126)

***Response 11.3: See Response 11.2.***

Comment 11.4: Putting an additional 600 cars onto the streets will result in many hazards, as well as worsening neighborhood living conditions. (118)

***Response 11.4: See Response 6.3. The potential for the Proposed Actions to result in significant adverse impacts on neighborhood character as a result of its effects on transportation is provided in Chapter 11, “Neighborhood Character.”***

## **12. Construction**

Comment 12.1: What will be the overall environmental impact on the neighborhood from demolition and construction, especially on the students playing in their schoolyard directly across the street? (5, 19, 114, 122) Students at Booker T. Washington Middle School will be subject to years of toxic dust and noise during construction. (26, 48, 126) Environmental hazards (lead) must be mitigated so that students, teachers, and their families are protected. (69, 70, 84, 91)

***Response 12.1: Detailed construction air quality and noise analyses were prepared for the Proposed Project, which looked at the potential for impacts at nearby sensitive receptors, including the Booker T. Washington Middle School and the Booker T. Washington Middle School Playground. As presented in Chapter 12, “Construction,” no significant adverse impacts to the school or playground are anticipated.***

Comment 12.2: I can't imagine what will happen when the block is torn up for multiple years—the disruption, the toxic substances that will be emitted during demolition, the poisons that will leech into the soil that the building will sit on, and the resulting noise, traffic, and pedestrian risk. (30)

**Response 12.2:** *A construction noise impact analysis was prepared for the Proposed Project, which is provided in Chapter 12, "Construction." As presented in Chapter 12, with the requirements to fully remediate the Development Site, to be set forth in the LDA between the project sponsor and HPD, no significant adverse construction-related air hazardous materials impacts would result. In addition, no significant adverse construction-related transportation impacts are anticipated, as peak construction would generate a total of 20 vehicle trips (including truck and worker vehicles) in the 6-7 AM peak hour, and the applicant would be required to prepare Maintenance and Protection of Traffic (MPT) plans for any temporary sidewalk and lane closures, which would be submitted for approval to the DOT Office of Construction Mitigation and Coordination (OCMC), the entity that ensures critical arteries are not interrupted, especially in peak travel periods. The potential for significant adverse construction noise impacts at nearby residences was identified, mitigation measures for which are provided in Chapter 13, "Mitigation."*

Comment 12.3: I am concerned about air quality during construction. (3, 13, 30, 52, 62, 95, 107, 115, 117, 122, 126) Carcinogens and toxins will be released into the air during construction. (21, 127)

**Response 12.3:** *A detailed construction air quality analysis was prepared for the Proposed Project, which is included in Chapter 12, "Construction." As presented in Chapter 12, with the incorporation of measures to reduce pollutant emission during construction, to be set forth in the LDA between the project sponsor and HPD, no significant adverse construction-related air quality impacts would result.*

Comment 12.4: There is already a disgusting rat infestation at Booker T. Washington and Anibal Aviles Playground, which are a health hazard to everyone in the area. CB 7 should deal with the rat issue before starting additional construction that will give the rodents more places to hide and more food on which to feast. (69)

**Response 12.4:** *As presented in Chapter 12, "Construction," construction contracts may include provisions for a rodent (i.e., mouse and rat) control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation. During construction, the contractor would carry out a maintenance program, as necessary. Signage would be posted, and coordination would be conducted with appropriate public agencies. Only EPA- and NYSDEC-registered rodenticides would be permitted, and the contractor would be required to implement the rodent control program in a manner that is not hazardous to the general public, domestic animals, and non-target wildlife.*

Comment 12.5: Once construction begins, parking will become a major issue. (12) During construction, about 75 percent of available on-street parking on the north side of 108<sup>th</sup> Street between Columbus and Amsterdam avenues will be lost. (48)

**Response 12.5:** *As indicated in Chapter 12, "Construction," it is anticipated that there will be a parking*

***shortfall during the peak construction period.***

Comment 12.6: During construction, the important shelter space of the existing Valley Lodge will be lost for several years until construction is completed. (48)

***Response 12.6: As presented in Chapter 1, "Project Description," the 92 shelter residents currently residing at the Valley Lodge Shelter would be temporarily relocated within CD 7 and remain at that location under a WSFSSH Department of Homeless Services (DHS) contract for the duration of construction.***

Comment 12.7: Traffic will be seriously hampered when construction begins, placing school children in harm's way. (91)

***Response 12.7: The potential for construction-related traffic and pedestrian impacts are assessed in Chapter 12, "Construction." As indicated in Response 12.2, the applicant would be required to prepare MPT plans for any temporary sidewalk and lane closures, which would be submitted for approval to DOT OCMC, the entity that ensures critical arteries are not interrupted, especially in peak travel periods.***

Comment 12.8: The current demolition/construction proposal would utilize non-union labor. With non-union labor, what protections against toxic lead can you promise to the middle school children and staff at Booker T. Washington Middle School, the children who utilize Anibal Aviles Playground and the Booker T. Washington Middle School Playground, and the community at large. (85)

***Response 12.8: As indicated in Response 10.2, the applicant will be required to fully remediate the Development Site, per the LDA to be established between HPD and the applicant.***

Comment 12.9: The garages cannot be safely demolished without a strong environment plan, lots of money, and contingency solutions for complications. Does it really make financial sense to approve this costly demolition and then build an expensive building without any revenue returned to the City? Does anyone know the cost of safe, environmentally-sound demolition to the overall construction costs? Would the U.S. Environmental Protection Agency (EPA) supervise closely this potentially dangerous project? Who will be liable for any health issues related to this project and cleanup? What funds are in the proposed for health disasters for workers and residents? (122)

***Response 12.9: See Response 12.8. In addition, as noted in Chapter 12, "Construction," the New York City Department of Environmental Protection (DEP), the New York State Department of Labor (NYSDOL), and possibly the EPA (depending on the extent of asbestos that is ultimately present) would be notified of the asbestos removal project, and DEP may inspect the abatement site to ensure that work is being performed in accordance with applicable regulations. WSFSSH is enrolled in the NYCVCP overseen by OER.***

Comment 12.10: I am disturbed by the use of DPR land to aid in the private development of housing. During construction, the Proposed Project will "borrow" 30 feet of public land from Anibal Aviles Playground for construction egress for a least two years. The toddler swings and two adult sitting areas will be sacrificed. Regardless of a grant to refurbish the park in the future, there should be no quid pro on the use of the land now. The playground is used daily by three day care facilities comprised of mostly low-income family, who have been

largely ignored and uninformed about the construction impact of the Proposed Project. The park land belongs to the people of New York City, and they have not been properly considered. (46)

**Response 12.10:** *WSFSSH has been working with DPR to review and establish an alternative plan for the use of a portion of Anibal Aviles Playground during construction of the Proposed Project. Temporary use of park property is not uncommon and DPR procedures would be followed.*

### 13. Alternatives

Comment 13.1: I believe in a decision-making process that looks at costs and benefits of several alternatives and decides on what that fulfills the identified needs with a minimum of negative effects on the local community. I understand that there are many alternatives to the Proposed Project that have much less environmental and social impact than the proposal under consideration. (10) HPD and WSFSSH have not made an effort to find a solution that will not impose severe negative impacts on this community: environmental, traffic, pedestrian knockdowns, etc. (21) What alternatives are you considering to replace these garage parking spaces? If you aren't considering any alternatives, why aren't you? To provide no alternative is clearly unacceptable. Please consider all alternatives. (22, 43, 87, 94, 109, 126)

**Response 13.1:** *The Development Sites were zoned for residential uses in the 1960s with the intent to develop them as housing. Given the intense shortage of affordable housing, and the rising rents in the surrounding neighborhood, this is the appropriate time for the City to use the property as it was intended. The potential for the Proposed Project to result in significant adverse impacts were analyzed in Chapters 2 through 12 of this EIS. The Proposed Project was identified as having the potential to result in temporary significant adverse construction noise impacts; no significant adverse operational (i.e., 2025 Build Year) impacts were identified. Mitigation measures to address the identified significant adverse construction noise impacts are presented in Chapter 13, "Mitigation."*

Comment 13.2: Surely a better alternate solution is available at a different location where one valuable neighborhood resource does not have to be eliminated in order to make room for another. Other sites that could accommodate the project should be explored. (3, 5, 8, 10, 12, 18, 21, 25, 30, 47, 57, 62, 82, 83, 87, 91, 107, 109, 111, 117, 124, 126, 128) There are 3,000 other alternate City properties that are underutilized or vacant that would be able to accommodate the Proposed Project. (3, 30, 52, 62, 95, 107, 115, 117, 126) What about locating the project at 20 Amsterdam Avenue? (6, 39, 40, 71, 121)

**Response 13.2:** *HPD seeks to create affordable and supportive housing throughout New York City and is actively pursuing affordable housing opportunities throughout the City. There are, however, limited opportunities to create affordable housing on either public or private land, especially considering, among other things, land use and zoning restrictions, a competitive real estate market, and the need to provide affordable units on a timely basis. The Proposed Project presents WSFSSH and HPD a unique opportunity to develop much needed new affordable housing and community facility space in a community district with a demonstrated need for these types of uses.*

Comment 13.3: Before the garages are eliminated, parking alternatives must be available to protect the needs and the quality of life of the community. (109, 113) What about a deal with the NYCHA Douglass Houses to open up their unused parking spaces to the community at reasonable rates? What about other creative ideas? (64)

**Response 13.3: HPD, DOT, local elected officials, and WSFSSH have studied alternative parking options. There is limited potential for additional public on-street and off-street parking.**

Comment 13.4: An obvious alternative to the proposal would be constructing the project across the street on the Booker T. Washington Playground, enclosing the playground on the street level and having parking above. (6)

**Response 13.4: Booker T. Washington Playground is a City-owned property under the jurisdiction of DPR. It is considered parkland that is held in the public trust for park purposes; to be utilized permanently for a non-park related use, a process known as 'parkland alienation' is required. Parkland alienation can only occur with authorization from the State of New York in the form of legislation enacted by the New York State Legislature and approved by the Governor. A City map change to eliminate the park or portions thereof would also need to be enacted through a ULURP process. In addition, new parking is not permitted in a residential district within the Manhattan Core, where the property is located, and is not part of current City policy. Non-park use would further include new entrance and exits, eliminating portions of the playground and adding curb cuts and ingoing and outgoing cars in an area used for children's play. The cost of creating new underground parking was found to be infeasible from a cost perspective, as well.**

## **G. General/Other**

Comment G.1: Residents in Manhattan Valley feel underrepresented. It is important that our representatives understand the needs of this unique community, which is quite different from other neighborhoods in the Upper West Side. (3, 30, 52, 62, 95, 107, 115, 117, 126)

**Response G.1: Comment noted.**

Comment G.2: While it is easy to be in favor of new housing, it is harder to evaluate the impact that housing will have on a neighborhood. Please work with our community to look at how more people and more cars with no garages will impact our area. (6, 36) I am concerned about the impact of the project on the school. (3, 8, 30, 52, 62, 65, 95, 107, 115, 117, 126) Any decision to approve the Proposed Project and the demolition of the garages is premature; environmental and social concerns need to be fully explored, and the concerns of all local citizens addressed. (49, 53, 107) There is insufficient study and consideration of the impact on the environment and the community. The neighborhood is already overcrowded, and there is no thought given to insufficient infrastructure support. (124) I am concerned that the environmental impacts of the proposal have not been disclosed by the City or the developer. WSFSSH and HPD need to share their environmental studies with CB 7 and the public. (30, 62)

**Response G.2: As the Proposed Actions involve discretionary approvals, with the potential for significant adverse impacts, an EIS was prepared. The DEIS was issued on October 13,**

**2017 and was posted on HPD's website for public review and comment.**

Comment G.3: This is an issue of balance and fairness, of transparency, of consideration of all the components that go into a project that will significantly impact the neighborhood on many levels. (114)

**Response G.3: Comment noted. See Response G.2.**

Comment G.4: I oppose the proposal. (66, 91)

**Response G.4: Comment noted.**

Comment G.5: With respect to the impact of Manhattan Valley of the loss of 700 off-street parking spaces and the environmental contamination risks of construction, I ask that the appropriate definition of "community" should be a hyper local one. (54)

**Response G.5: Comment noted. The study areas for each technical area were selected in accordance with CEQR Technical Manual guidance.**

Comment G.6: Do we really need to subject middle school girls to the harassment that will undoubtedly come their way from drug dealers outside of the new buildings? (69)

**Response G.6: This issue is outside the scope of CEQR. 92 Homeless people have lived on the site for 30 years and there has not been an incident. WSFSSH has safely and effectively managed senior and supportive housing with services for 40 years, as an active part of the communities in which the buildings are located.**

Comment G.7: I support this project. (1, 11, 15, 20, 27, 33, 44, 45, 51, 59, 60, 68, 72, 74, 81, 90, 96, 98, 103, 119, 120, 123)

**Response G.7: Comment noted.**

Comment G.8: What will be the population impacts of the Proposed Project? (3, 30, 52, 62, 95, 107, 115, 117, 126)

**Response G.8: The EIS evaluates the potential for significant adverse impacts as a result of new population added to the Development Site in the future with the Proposed Actions.**

Comment G.9: Has anyone bothered to figure out how much money the City will lose when these garages stop paying rent and when the New York City Garage Tax income stops coming in? Seven hundred plus monthly parkers and probably 300 daily parkers contribute a considerable amount of money in parking taxes. (91)

**Response G.9: This issue is outside the scope of CEQR.**

Comment G.9: This change would be a disaster to our community. It would lead to overcrowding, decreased parking, more garbage, and decreased property values. (Corcoron)

**Response G.9: The EIS analyzes the potential for impacts from the Proposed Actions, including parking in Chapter 7, "Transportation." The May 23, 2017 EAS determined that the Proposed**

***Actions would not result in significant adverse impacts in the area of solid waste and sanitation services of socioeconomic conditions. The new population added as a result of the Proposed Project are assessed in this EIS for the technical analyses where the potential for significant adverse impacts could not be ruled out, in accordance with CEQR Technical Manual guidance.***

Comment G.10: The DEIS is completely inadequate and misleading about the impacts and exaggerates the proponent's capability to mitigate the dangers situation that will result if these garages are demolished. (21)

***Response G.10: The DEIS was prepared in conformance with 2014 CEQR Technical Manual guidance.***

Comment G.11: The environmental impacts of the project on the children of New York City (including Anibal Aviles Playground users and Booker T. Washington Middle School and Playground) should be public debated by the City's environmental firm and the community's private environmental firm. (46)

***Response G.11: As indicated in Response G.2, the DEIS was released for public comment on October 13, 2017. Public comments on the DEIS were accepted at the January 31, 2018 DEIS hearing and through the end of the public comment period (5 PM on February 13, 2018), in accordance with CEQR. All comments substantive comments on the DEIS are summarized in this chapter, and the FEIS incorporates relevant comments, as applicable. The report prepared by Save Manhattan Valley was accepted as a public comment on the DEIS, reviewed, and addressed in this chapter, in coordination with the lead agency.***