

A. INTRODUCTION

This chapter summarizes and responds to all substantive comments on the Draft Environmental Impact Statement (DEIS) for the proposed Jamaica Plan project made during the public review period. These consist of comments spoken or submitted at the public hearing held by the New York City Planning Commission (CPC) on May 23, 2007 at the Queens Borough Public Library at 89-11 Merrick Boulevard in Jamaica, and written comments submitted to the New York City Department of City Planning (DCP) through June 4, 2007. Written comments received on the DEIS are included in Appendix K.

Section B, below, lists the elected officials, community board and organization members, and individuals who commented at the public hearing or in writing. The comments, which are presented in Section C, are organized by subject area following the organization of the DEIS. Where multiple individuals had comments on a similar subject, a single comment combines and summarizes those individual comments. The organization and/or individual that commented is identified after each comment. For statements that did not require a response, or where comments do not relate to the analyses of the Proposed Project as presented in the DEIS, the response “comment noted” is provided.

B. ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

1. State Senator Frank Padavan, written comments dated April 25, 2007 and oral testimony delivered by Phil Plasencia (Padavan)
2. Helen Marshall, Queens Borough President, oral testimony (Marshall)
3. Councilmember James Gennaro, oral testimony delivered by Leah Carter (Gennaro)
4. Councilmember Leroy Comrie, oral testimony (Comrie)
5. Queens Community Board 12, oral testimony delivered by Dr. Gloria Black and written comments dated May 23, 2007 (CB 12)
6. Peter G. Cafiero, Operations Planning, MTA New York City Transit (MTA), written comments dated May 11, 2007
7. Frances Yen, Asian Americans for Equality (AAFE), written comments dated May 23, 2007
8. Association of Minority Enterprises of New York, undated written comments (AMENY)

¹ This chapter is new to the FEIS.

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9. Association of Tenants (Business Owners) to be affected by the Jamaica Station Plaza Project, Petition for the Jamaica Station Project to be withdrawn, dated May 22, 2007 (ATBO)
10. Sandra Atwell, Hollis 11432 Block Association, oral testimony (Atwell)
11. Deborah Ayala, President, Jamaica Hill Community Association, oral testimony and written comments dated May 23, 2007 (Ayala)
12. Eduardo Barahona, Centro Hispano Cuzcatlan, oral testimony (Barahona)
13. Seymour Schwartz, Briarwood Community Association Inc., written comments dated May 25, 2007 (BCA)
14. Zachary Berstein, American Planning Association, oral testimony and undated written comments (Berstein)
15. Eric Bluestone, The Bluestone Organization, oral testimony (Bluestone)
16. Business owners and proprietors of Hillside Avenue, Petition to support the proposed zone changes on Hillside Ave, from Midland Pkwy to 191st St, undated (BOPHA)
17. Jeffrey Chester, Esq., Unicorp Development, oral testimony and written comments dated June 1, 2007 (Chester)
18. Concerned Management Corp, Petition dated May 21, 2007 (CMC)
19. Martha Cureton, oral testimony (Cureton)
20. Janell Curry, PS 48Q, oral testimony (Curry)
21. Patricia Dolan, Executive Vice President of the Queens Civic Congress, oral testimony and written comments dated May 23, 2007 (Dolan)
22. Dr. Barry Eisenkraft, local business owner, oral testimony (Eisenkraft)
23. James G. Greilsheimer, on behalf of Larry Bernstein of Jonas Equities, oral testimony and undated written comments (Jonas Equities)
24. Crystal Ervin, Resident within Liberty Ave/Merrick Boulevard plan area, oral testimony and written comments dated May 22, 2007 (Ervin)
25. Jackie Forrestal, Hillcrest Estates Civic Association, oral testimony and written comments dated May 23, 2007 (J. Forrestal)
26. Kevin J. Forrestal, Hillcrest Estates Civic Association, oral testimony and written comments dated May 23, 2007 (K. Forrestal)
27. Jonathan Furlong, Habitat for Humanity (Habitat-NYC) and Queens Affordable Housing, oral testimony and written comments dated May 23, 2007 (Furlong)
28. Gertrude S. Gonesh, undated written comments (Gonesh)
29. Yesenia Graham, on behalf of Clinton Graham of Graham Associates, LLC, oral testimony (Graham)
30. Samuel Henderson, A&L Multi-Block Association, oral testimony and written comments dated May 23, 2007 (Henderson)
31. Beverly Hewitt, Concerned Citizens of Downtown Jamaica, oral testimony (Hewitt)

32. James Heyliger, Association of Minority Enterprises of New York, oral testimony (Heyliger)
33. Gilbert Hines, P.S. 48 SLT member, oral testimony and written comments dated January 18, 2006 (Hines)
34. Jamaica Estates Association written comments dated May 23, 2007 (JEA)
35. James G. Greilsheimer, on behalf of Larry Bernstein of Jonas Equities, oral testimony and undated written comments (Jonas Equities)
36. Holly Franz, Kamali Organization, oral testimony and written comments dated May 23, 2007 (Kamali)
37. Marcie Kesner, Kramer Levin Naftalis and Frankel on behalf of WEB Land and Sea, oral testimony (Kesner)
38. Hafeez Khan, written comments dated May 22, 2007 (Khan)
39. David C. Kotheimer, Chairman, Greater Jamaica Development Corporation (GJDC), written comments dated January 30, 2007 (Kotheimer)
40. Dr. Emmanuel Lambrakis, oral testimony and written comments dated May 23, 2007 (Lambrakis)
41. Brad Lander, Director, Pratt Center for Community Development, oral testimony (Lander)
42. Audrey Lucas, Sutphin Boulevard Civic Association, oral testimony (Lucas)
43. Benjamin Marion, Community Board #12 Land Use Committee, oral testimony and undated written comments (Marion)
44. Linda Mitchell, Jamaica Residents for an Alternate Plan, oral testimony and written comments dated May 23, 2007 (Mitchell)
45. Patricia Murphy, written comments dated May 22, 2007 (Murphy)
46. Richard T. Anderson, President, New York Building Congress, written comments dated May 17, 2007 (NYBC)
47. Kathryn Wylde, Partnership for New York City, written comments dated May 23, 2007 (PNYC)
48. Thomas Polsinelli, Atlas Companies, oral testimony (Polsinelli)
49. Bhola Ramsumdar, oral testimony (Ramsumdar)
50. Carol Van Guilder, Real Estate Board of New York (REBNY), oral testimony and written comments dated May 23, 2007 (REBNY)
51. Reverend Edwin Reed, Allen AME, oral testimony and written comments dated May 23, 2007 (Reed)
52. Leonardo N. Ronderos, Regional Plan Association, oral testimony and written comments from Robert Yaro dated May 23, 2007 (RPA)
53. Eugenia Rudmann, Jamaica Residents for an Alternate Plan, oral testimony and written comments dated May 23, 2007 (Rudmann)
54. Ryan Rzepecki, oral testimony (Rzepecki)

55. Cardinal Sandiford, Community Board 12, oral testimony (Sandiford)
56. Rose Schellenberg, Hillcrest Estates Civic Association, oral testimony (Schellenberg)
57. Charles Smith, Sunshine School, oral testimony (Smith)
58. Archie Spigner, Democratic District Leader, oral testimony (Spigner)
59. Jeff Spiritos, Spiritos Properties, oral testimony (Spiritos)
60. Edith Thomas, oral testimony (Thomas)
61. Joy A. Tomchin, Courthouse House Square Realty Co., L.P., written comments dated May 23, 2007 (Tomchin)
62. F. Carlisle Towery, Greater Jamaica Development Corporation (GJDC), oral testimony and written comments dated May 23, 2007 (Towery)
63. Paul Travis, JFK Associates, oral testimony (Travis)

C. RESPONSE TO COMMENTS

PROJECT DESCRIPTION

Comment 1: This proposal strikes the right balance by encouraging higher-density commercial development in Downtown Jamaica while shifting development away from lower density communities, and by expanding opportunities for residential/mixed-use development near transit and major thoroughfares, while reinforcing industrial areas for growth. (RPA, Bluestone)

Response: Comment noted.

Comment 2: Property owners in the proposed Urban Renewal Area (URA) should be protected. The proposed URA should be reviewed and modified to enhance the AirTrain station and to give more flexibility to the property owners. (CB 12)

Land and Sea Development, an owner of property in the proposed URA, supports the acquisition of property by the City through negotiated sale rather than condemnation. The owner should receive fair value pursuant to the new zoning, and condemnation should not occur without the rezoning. (Kesner)

Response: The FEIS described the URA, the blocks, and lots that would be affected. As described in the FEIS, the Jamaica Plan is proposed to provide a major redevelopment initiative for the City and Downtown Jamaica, and the URA is a critical element in that redevelopment. The URA is designed to encourage mixed-use development containing office, retail, and residential uses, a hotel, new open space and parking. If the City acquires properties pursuant to its plan for the URA, all property owners would be protected and must be compensated for the fair market value of their property. The City would adhere to the standard process for property acquisition and compensation of property owners.

The FEIS does not identify any significant adverse impacts with regard to the Urban Renewal Plan (See Chapter 1, Project Description, and Chapter 2, Land Use, Zoning, and Public Policy), and modifications of the Urban Renewal Plan are, therefore, not warranted.

Comment 3: The property fronting on Archer Avenue between Sutphin Boulevard and 147th Place, owned by Jonas Equities, is slated for condemnation. The owner wishes to redevelop the property in an appropriate manner and continue in business in Jamaica. The City is rezoning this property in a less valuable manner than other nearby properties in order to reduce its value. The City should rezone this property for a higher FAR as it has proposed for neighboring sites. (Jonas Equities)

Response: The site described above would be rezoned under the proposed Jamaica Plan from a C4-6 to a C6-2 zoning district. The finely-grained Jamaica Plan zoning proposal was developed through block-by-block study. The proposed zoning would increase commercial FAR closer to the Downtown area and is designed to step down in FAR moving away from the Downtown. Accordingly the proposed zoning is appropriate for the properties on this block.

The property described above would be acquired by the City through the separate Station Plaza project, which is described in Chapter 2, “Land Use, Zoning, and Public Policy,” under the Future Without the Proposed Actions. That project was initiated by the New York City Department of Transportation, in conjunction with the New York City Economic Development Corporation, and is treated as background development in the FEIS. The Station Plaza project was analyzed in a separate environmental review and will proceed independent of the Jamaica Plan.

Comment 4: The block adjacent to the Stark Building between 148th and 150th Street has a large vacant lot and poorly maintained buildings and its inclusion as part of the URA should be considered. (Rzepecki)

Response: As indicated in the Reasonable Worst Case Development Scenario, the Special Downtown Jamaica District regulations and C6-4 zoning proposed for this vacant site under the Jamaica Plan would stimulate appropriate redevelopment of the vacant property with commercial uses. Accordingly, urban renewal would not be needed to foster redevelopment of the vacant site. The other buildings on this block contain existing industrial and commercial uses that would be appropriately treated under the proposed Jamaica Plan by the proposed Special Downtown Jamaica District and M1-4 zoning.

Comment 5: Hillside Avenue is in dire need of revitalization. The neighborhood is depressed, as evident by the endless number of vacant and boarded up storefronts. Businesses have no longevity since pedestrian traffic during the daytime is

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almost non-existent. Not only will the rezoning serve as an investment catalyst for revitalizing the neighborhood, but it will greatly improve the quality of life for both its businesses and residents. (Kamali, Lambrakis, Eisenkraft)

Under the plan, building height restrictions and affordable housing requirements would be in place to protect the integrity of the neighborhood, while providing new housing and commercial opportunities. The new businesses, residents and planned planting of street trees would contribute to an improved corridor for shopping and walking. (PNYC)

Response: The proposed actions would facilitate new residential and commercial development along Hillside Avenue. The Reasonable Worst Case Development Scenario shows the potential for redevelopment on Hillside Avenue.

The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative, described and analyzed in Chapter 23 of the FEIS, incorporates the City's inclusionary housing program.

Comment 6: It is critical to this process that the rezoning be uniform along both Hillside Avenue and Jamaica Avenue. If the rezoning is not consistent along both corridors, it will be detrimental to the viability of Hillside Avenue. If Jamaica Avenue is rezoned and Hillside Avenue is not, the results will be disastrous in that even more shoppers will leave Hillside Avenue to either travel north to Union Turnpike or south to the newly revitalized Jamaica Avenue. (Kamali, Lambrakis)

Response: The proposed actions include the rezoning of both Hillside and Jamaica Avenues. Under the proposed Jamaica Plan, Hillside Avenue would be rezoned to R7X and R7A with C2 commercial overlays and Jamaica Avenue would be rezoned to R6A with a C2 overlay, and to C6-2, C6-4, and C4-4A. As a result of this proposal, new commercial and residential development is projected along both of these corridors.

Neither the proposed actions of the Jamaica Plan, nor the Affordable Housing Alternative, consider uniform zoning along Hillside and Jamaica Avenues. The proposed Jamaica Plan is a finely-grained zoning proposal developed through block-by-block study of the Jamaica area. The proposed zoning districts were chosen to be appropriate according to existing site conditions, context, and location.

Comment 7: Hillside Avenue is a major wide corridor served by transportation that can accommodate additional buildings similar to those that already exist. The proposed zoning will not only match the scale of those buildings, but also will facilitate new affordable housing as well as the preservation—in perpetuity—of existing affordable apartments in Jamaica. (PNYC, Eisenkraft)

Response: Comment noted. The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative, described and analyzed in Chapter 23, “Alternatives” of the FEIS incorporates the City’s inclusionary housing program.

Comment 8: The Jamaica Plan must address the prospect of overdevelopment through inadvisable, excessive high-rise buildings along congested corridors like Hillside Avenue and their adjacent residential streets. (Padavan, Ayala, Schellenberg)

High density development on Merrick Boulevard from Linden Boulevard to Liberty Avenue is not appropriate. Buildings in this area should not be higher than 4 stories. (CB 12, Murphy, Spigner)

Raising height limits on Hillside Avenue and Merrick Boulevard will create more density than the area can currently handle. (Sandiford)

The Plan fails to appropriately remap lower density residential neighborhoods to protect them from overdevelopment. Along major corridors—especially on Hillside Avenue, Guy Brewer Boulevard, Merrick Boulevard and Jamaica Avenue (beyond Jamaica Center)—the Jamaica Plan would establish a model for wide thoroughfares in the rest of Queens. This is an unacceptable prospect for most Queens communities, which will not accept 4th Avenue in Brooklyn as a template for 21st century development. (Dolan)

The proposed R7A zoning on Hillside Avenue from Midland Parkway and 180th Street to east 191st Street should be modified to allow buildings that would reflect the height and density of the existing buildings. The proposed R7X areas to the west of Midland Parkway and 180th Street should be reevaluated and modified with more appropriate zoning in relation to the existing building heights and densities. The overall concern is that the entire length of Hillside Avenue should not be a wall of uniformly tall buildings. The building heights should be varied creating an interesting skyline with a sense of openness. (Marshall)

Response: The FEIS examined all density-related and site specific elements of the proposed project for significant adverse impacts, including impacts to land use, zoning, and public policy; socioeconomic conditions; community facilities and services; shadows; urban design and visual resources; traffic and parking; transit and pedestrians; air quality; and noise. Unmitigatable significant adverse impacts to open space, shadows, historic resources and traffic were found as a result of the proposed action. (See Chapter 24, “Unavoidable Adverse Impacts.”)

The proposed Jamaica Plan is a finely-grained zoning proposal developed through block-by-block study of the rezoning area. The proposed action covers only the study area and is not intended to serve as a model for all wide

thoroughfares in Queens. The densities that are proposed in this case take into consideration a number of factors including the accessibility of mass transit in the Downtown Jamaica area and along major corridors.

The zoning districts proposed for Hillside Avenue would not be the same as the zoning districts now in place on 4th Avenue in Brooklyn. The proposed zoning for Hillside Avenue includes R7A and R7X districts. In Brooklyn, 4th Avenue was rezoned from R6 to R8A.

Merrick Boulevard provides a direct connection to Downtown Jamaica and moderate density development along this corridor would support the growth of housing and commercial enterprise in Jamaica. Merrick Boulevard is proposed for an R6A zoning district, which would not allow new automotive uses permissible under the existing C8 district while allowing increases in residential density and a mix of commercial uses to support the needs of existing and new residents. Lower density zoning is proposed in this area away from the Merrick Boulevard frontage.

The FEIS includes analysis of a Lesser Density Alternative, which did not meet the goals and objectives of the proposed action. In addition, this FEIS includes an analysis of an additional zoning alternative, the Community Comment Alternative, that considers different densities along Hillside Avenue and Merrick Boulevard. This alternative also does not meet the goals and objectives of the proposed rezoning. See Chapter 23, “Alternatives,” of this FEIS.

Comment 9: The R7X zoning change is necessary. If you look in this area, there are already high rises. With R7X and Quality Housing, actually the heights of the buildings that will be erected will be lower and definitely more appealing, as there will be freedom for more designing entrepreneurship. I would like to propose that the R7X be combined with the C4, so you are allowing people to stay in the area for their shopping needs. The upzoning of Hillside Avenue will introduce more patrons to area businesses. (Lambrakis, BOPHA)

Response: Comment noted. As shown on Figure 1-3, C2 overlays are proposed in the proposed R7X and R7A districts along Hillside Avenue. The proposed C2 overlays would permit local retail development and would allow mixed use buildings with up to 2.0 FAR of commercial use. This proposed zoning would foster development of more ground floor business spaces, and residential units above that would house more business patrons.

C4 is a regional commercial district, and is not appropriate at this location. Additionally, R7X cannot be combined with C4.

Development within the proposed R7X zone would have a maximum height of 125 feet, which would be shorter than one existing building. Development within the proposed R7A zone would have a maximum height of 80 feet.

Comment 10: The DEIS projects 2,186 new apartments along Hillside Avenue (less than 20 percent of maximum). Is this really a “Reasonable Worst Case Scenario”? The recently rezoned area of 4th Avenue in Brooklyn is a street very similar to Hillside Avenue in that it is a six lane thoroughfare, has a subway line (R/M), is presently populated with low-rise, non-descript retail and automotive buildings, and it borders on diverse communities. We found that between President Street and 5th Street, there are seven new projects with many buildings 8-12 stories high. This is a much denser development than the 20 percent assumed in the DEIS. In fact, we have seen real estate values rise dramatically on Hillside Avenue because of the intense interest of developers anticipating a building frenzy along this street. In our opinion, the DEIS projection is not based on reality and ignores the experience in similar neighborhoods. (JEA)

Response: The Hillside Avenue corridor is comprised of subareas U and V of the project area (see Figure 1-4). As described in Chapter 1, “Project Description,” the Reasonable Worst Case Development Scenario (RWCDS) projects that the number of housing units within these two subareas would increase by 1,113 as compared to the Future Without the Proposed Actions (see Table 1-4). The selection of development sites for the RWCDS was based on a number of factors, which as presented in the FEIS, included all sites where the FAR would increase under the proposed actions, but also took into account sites that were built to less than 50 percent of the proposed FAR, and undeveloped lots that are greater than 10,000 square feet and sites with non-residential uses. As result of this RWCDS analysis, 24 projected development sites and 79 potential development sites were identified along Hillside Avenue.

This RWCDS for the Hillside Avenue corridor reflects a reasonable, conservative estimate of the potential build-out along this corridor and is consistent with RWCDS programs that DCP has developed for other rezoning actions in the City. The RWCDS takes into account past and future development trends in this area of Queens, and reflects extensive studies conducted by DCP. It is not reasonable to assume that all development sites would be redeveloped in the foreseeable future. The RWCDS projects a volume of new development that is reasonable, and conservative.

Comment 11: None of this will work if the quality of life or the areas are not attractive to developers and potential residents, especially those who will pay market rent. We must upgrade the area between 190th Street and the Van Wyck Expressway, particularly from 180th Street west to the Van Wyck, with streetscape improvements and storefront renovation. . To address that, I've asked Deputy Mayor Doctoroff and Chairperson Burden to form a working group that would include all the affected parties and design professionals, to study the Hillside area corridor. The focus of the working group will be to recommend improvements such as entryways into residential buildings and median improvements (that would include tree plantings and landscaping to increase

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green space as identified in Plan NYC 2030). This group would also work on funding and implementation of the findings of the study. (Marshall)

Response: Comment noted. The City intends to establish an interagency task force to address this and other issues and concerns raised by the community during the public review process.

Comment 12: Illegal conversion of buildings in manufacturing districts to residential use is a problem. The proposed zoning will help address this. (CB 12)

Response: Land use surveys identified legal preexisting uses, but such a trend was not observed.

Comment 13: The City should develop a program of community needs in proposed new spaces. The community requires a quality supermarket, restaurant, pedestrian plaza with quality shops, and a community center with a pool, dining, and conference space similar to Flushing Commons and Atlas Park. Include community needs in requirements within the JGURA and/or other City-owned sites to be disposed of through an RFP process. (Rudmann)

Response: The FEIS identifies no significant adverse land use impacts that would require these new uses as mitigation. (See Chapter 2, Land Use, Zoning, and Public Policy). However, in many areas under the Jamaica Plan, the proposed zoning would not preclude the development of the uses described above.

Under the proposed Urban Renewal Plan, with the exception of a required open space, the land use requirements would allow the full range of land uses that would be allowed under the proposed zoning. Accordingly, the Urban Renewal Plan would allow maximum flexibility for increasing business and residential opportunities in the JGURA; this is consistent with the goals of the Jamaica Plan. The uses that could be developed within the JGURA would be appropriate for the character of the area.

Comment 14: We support a requirement that half the units in the Jamaica Gateway Urban Renewal Area (JGURA) or in all City-owned sites, including the parking garage on 168th Avenue and Jamaica Avenue, be affordable to low and moderate-income families. For these sites, the City should require that: at least 20 percent of the units should be affordable to low-income families earning up to 50 percent of area median income (\$35,450 for a family of 4); 30 percent of the units should be affordable to families earning between 50 percent and 80 percent of area median income (up to \$56,720 for a family of 4); and that the affordable housing units created must be affordable in perpetuity (this will prevent the crisis of expiring affordable units that exists in many programs). (Rudmann, Marion)

Response: The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative (AHA), described and analyzed in Chapter 23, “Alternatives,” incorporates the City’s inclusionary housing program. The AHA is proposed as a partial mitigation of the significant adverse impacts to indirect residential displacement, as described in Chapters 3, “Socioeconomic Conditions,” 22, “Mitigation,” and 23, “Alternatives.” Affordable housing opportunities, to the greatest extent practicable, were identified in the FEIS, as discussed in these chapters.

The inclusionary housing program incorporated in the AHA does not include the requirement requested in the comment. The inclusionary housing program is a citywide program with a consistent set of rules targeted to low, moderate, and middle income families, and the program also has a set of rules that permit its administration. The income thresholds proposed in this comment are not consistent with City policy. This inclusionary zoning would be part of an existing City program. An inconsistent affordable housing program would be difficult for property owners and developers to use, and difficult for the City to manage.

In addition to the inclusionary zoning component of the AHA, HPD is exploring future opportunities to maximize affordable units on publicly-owned sites in the area, including on land owned by the New York City Housing Authority. HPD is also looking to create partnerships with private landowners in the area that might be interested in developing affordable housing.

Comment 15: The City should provide funding to the New York City Department of Buildings (DOB) to allow the creation of a Jamaica Plan Special Auditing Unit in order to provide enforcement of the regulations. (Rudmann, Mitchell)

Response: According to DOB, the Department’s resources have increased over the past several years and the number of inspectors and plan examiners in Queens has grown. DOB would conduct a zoning review of all permit applications received for properties within the Jamaica area to find and correct applications presenting inaccurate or outdated zoning assumptions.

Comment 16: The best way to ensure adequate housing and jobs for existing and new residents is to make the most of the land and assets already available. The supply of land in the city is not increasing. Jamaica has four subway lines, the LIRR, and the AirTrain and is a good place for housing and businesses. The Jamaica Plan appropriately concentrates needed increases in density along wide streets and near transportation access. Given the overwhelming need for housing in our communities, the density and numbers of units proposed are the minimum that should be considered for a large, transit-accessible area like Jamaica. (REBNY)

Response: Comment noted.

Comment 17: An additional text change to the high-density bulk regulations to allow a waiver of yard requirements and an increase in height limits to allow full use of the permitted FAR in the area around the AirTrain station is needed. (REBNY, Travis, Kesner, Marshall)

The GJDC calls to your attention amendments to the zoning text required to enable development of four catalytic sites around the AirTrain. The first amendment is removal of rear-yard requirements for these sites, three of which abut the LIRR embankment. The second amendment is to increase the height limit on two of these sites from 250 to 290 feet. Without these amendments, our mutual development objectives will be significantly restrained there. To retain the significant New Market Tax Credits, \$21 million, allocated for these sites, we urgently request that these amendments be made as quickly as possible. (Towery)

Spiritos Properties intends to develop a site on the southeast corner of Sutphin Boulevard and Archer Avenue with a two-story retail, medium to high-end building, a hotel, which the Jamaica community has wanted for some time, and an apartment building, the preponderance of which will be affordable housing. The 20-foot rear yard setback requirement will stand in the way of developing two-story retail space. For their hotel and apartment building, Spiritos requests that the 250-foot height limit be increased in order to allow the developer to maximize the amount of housing, including the affordable housing component. (Spiritos)

Response: DCP will study the request for a 290-foot height limit for these sites, and for the waiver of the 20-foot rear yard requirement. Based upon the findings of the study, DCP may propose zoning text amendments at a later date. Also, the Affordable Housing Alternative analyzed the 290-foot height limit for these sites. The Affordable Housing Alternative analyses are also applicable to the waiver of the rear yard requirement, since development assumptions for affected development sites would not change as a result of the waiver. Nonetheless, DCP studies of the site described by Spiritos Properties do not indicate that development of housing would be constrained by the 250-foot height limit. The EIS analyzed a reasonable development approach.

Comment 18: The City should extend appropriate design provisions from the Special District to all major corridors leading to and from Downtown Jamaica, to ensure a consistent policy for beautification and symmetry in all neighborhoods surrounding the AirTrain and Downtown. (Rudmann)

Response: The FEIS analyses indicated that the proposed actions would not result in significant adverse impacts to urban design and visual resources, or neighborhood character. (See Chapters 8 and 9). The FEIS analyses found that the proposed actions would have beneficial effects in these categories.

Within the proposed Special Downtown Jamaica District (SDJD), landscaping and street tree planting would be required. The SDJD is limited to certain corridors that are being rezoned at substantially higher densities than other areas, and the provisions of the SDJD are intended to ensure that the higher density type of development projected to occur along these corridors will complement surrounding developments. Other areas were not included in the SDJD due to their lower-density character, and the provisions of the SDJD would not be appropriate to apply in those areas. However, the proposed contextual R5D and R6A zoning districts along these other corridors do have their own tree planting requirements.

Comment 19: The APA supports the Jamaica Plan’s downzoning to R3A, R3X, and R4-1 districts in areas where one- and two-family homes predominate. APA also commends the introduction of a “transition rule” for providing a buffer where R6 or higher districts abut R5 or lower districts. Given community concerns over the increase in density along Hillside Avenue, we urge DCP to consider further measures, such as a greater buffer, to address concerns about new density. (Berstein)

Response: Comment noted.

Comment 20: The position of the Allen AME is that the proposed rezoning of Merrick Boulevard will be a significant improvement for the area. With the difficulty of developing viable projects, the proposed medium density zoning can be the difference between successful developments versus remaining with the status quo. (Reed)

Response: Comment noted.

Comment 21: Most of the residents of the area are still unaware of the entire project or were led to believe the project consisted only of the Sutphin Boulevard, Atlantic Avenue Extension area. This is the vision of a single entity. Many of my neighbors to the west of me in this area knew little of a plan which would result in owners losing their property through eminent domain, actions declared by the city in the name of the greater good, but managed by a private concern for private development with public funds. (Ervin, Thomas)

Response: Project outreach to date has included public meetings on the draft scope of work in June and October 2005, and a City Planning Commission public hearing on the DEIS in May 2007. These meetings and the hearing were held in Jamaica at York College and the Queens Borough Central Public Library. In addition, the Queens office of DCP has been holding a number of meetings and presentations on this proposal with the local community board and other interested groups since 2002. Information regarding the Jamaica Plan project has been published in the draft scope of work, a final scope of work, and the DEIS.

The Station Plaza enhancements at Sutphin Boulevard, and the proposed Atlantic Avenue Extension, are separate projects. These proposals are treated as background development in this FEIS. These proposals are part of a project that was initiated as a separate action and submitted by a separate agency, the New York City Department of Transportation, in conjunction with the New York City Economic Development Corporation. The goal of the Station Plaza project is unique and distinct from that of the Jamaica Plan. .

Comment 22: Affordable housing from the Inclusionary Housing Program should be required to be on site. (Marshall, Marion, Dolan, Sandiford, Schellenberg)

Response: The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative (AHA), described and analyzed in Chapter 23, “Alternatives,” incorporates the City’s inclusionary housing program. Under the inclusionary housing program, affordable units may be built onsite or built or preserved offsite within the same Community Board or within ½ mile of the site. HPD believes that the offsite preservation option is an important tool for protecting affordable rental units in a community that may undergo market change. All units built or preserved under the inclusionary housing program must be permanently affordable, so by preserving existing affordable units in the community, the program helps protect against the displacement of people who live in the community today if market rents go up. This inclusionary zoning would be part of an existing City program. An inconsistent affordable housing program would be difficult for property owners and developers to use, and difficult for the City to manage.

The inclusionary housing program in the AHA does not require that affordable housing be built on site. The inclusionary housing program is a citywide program with a consistent set of rules easily administered by HPD. The program is designed to maximize the ability to provide affordable housing for low, moderate, and middle income New Yorkers. An on-site requirement would be inconsistent with City policy.

Comment 23: Inclusionary zoning must be part of any construction of housing in the Jamaica Plan. The income mix should be 50-30-20. Whether the property is city-owned or privately owned, the affordable housing units should be affordable in perpetuity. This will prevent the crisis of expiring affordable units that exist in many programs now. (Marion, Dolan, Barahona, Mitchell, Marshall)

Response: The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative (AHA), described and analyzed in Chapter 23, “Alternatives,” incorporates the City’s inclusionary housing program. The inclusionary zoning proposed under the AHA would be the largest such program implemented in New York City. All units built or preserved under the

inclusionary housing program must be permanently affordable, as described above. In addition to the density bonus provided by inclusionary zoning as proposed under the Affordable Housing Alternative, subsidy programs are typically used to foster the development of affordable housing. Many of these programs target families with incomes 50 percent and 60 percent below Average Median Income (AMI). This proposed inclusionary zoning program would be part of an existing City program. An inconsistent affordable housing program would be difficult for property owners and developers to use, and difficult for the City to manage. In addition to the inclusionary zoning component of the AHA, HPD is exploring future opportunities to maximize affordable units on publicly-owned sites in the area.

The AHA alternative does not require a 50-30-20 income mix as requested. Such a program would be inconsistent with the citywide affordable housing program that is administered by HPD. A 50-30-20 income mix would limit the City's ability to provide affordable housing to low, moderate, and middle income households.

Comment 24: Anti-harassment provisions in the rezoning areas should be enforced to discourage owners and developers from harassing tenants out of their homes or apartments in an effort to assemble a site for development. (Marion)

Response: Harassment of tenants is illegal. HPD is meeting with the City Council to discuss legislative or other methods to prevent tenant harassment. However, such additional methods are outside of the scope of the Jamaica Plan and this FEIS.

Comment 25: Our property is in a key location, directly opposite the Supreme Court building, and for many years has housed both office and retail tenants that serve the court complex (including the adjacent Civil Court). The proposed rezoning effectively downzones our property, which is now in a C4-2 zone. As such, it has an allowable bulk of 62,630 square feet, including space for community facilities (of which we have several as long-time tenants). The building is not fully built out, and it now occupies only 45,953 square feet.

Under the Proposed Plan, the area will be rezoned to a C4-4A zone, which will permit a structure of a maximum bulk of 52,192 square feet on the site. This is a decrease in possible size of 10,438 square feet. We have long considered adding an additional floor to our structure, in order to accommodate the heavy demand for high quality office space in the courthouse area. The rezoning will eliminate this possibility.

The properties on the east side of Sutphin Boulevard between 89th Avenue and Hillside Avenue are uniquely situated in the Downtown to address this demand. We respectfully submit that no public interest is served by down zoning our

parcel. Instead, the result will be less office space available to the community immediately adjacent to the courthouses. (Tomchin)

Response: The proposed C4-4A zoning would increase the allowable commercial floor area for this site to a maximum of 4.0, as compared to 3.4 under the existing zoning. This site was not included as a development site within the Reasonable Worst Case Development Scenario. Because of the existing building's limited ability to be enlarged, it would be difficult to add to the building under the current or proposed zoning.

Comment 26: The assumptions in the DEIS under the Reasonable Worst Case Development Scenario (RWCDS) must anticipate maximum growth potential. (JEA)

Response: As described in Chapter 1, "Project Description," the RWCDS under the proposed actions was determined according to *CEQR Technical Manual* guidelines. In identifying the RWCDS, a general set of criteria was established and all sites that met these criteria were identified. Because of the large project area and unique built character of the different subareas, area-specific criteria were also used to further identify projected and potential development sites. In some areas, the projected sites were identified on the basis of existing site conditions or site location. These sites were determined to be the most likely for development through 2015.

The RWCDS provides a conservative basis for analyzing the potential impacts of the proposed action. A "maximum growth" approach would distort the effects of the proposed action, and provide a grossly exaggerated picture of future impacts.

Comment 27: The RWCDS and impact studies in the EIS are based only on what could be built under the proposed actions, not the current properties that are being rezoned. This provides a distorted impression of the extent of the change that is being proposed. (J. Forrestal)

Response: The FEIS includes analyses of existing conditions, the Future Without the Proposed Actions scenario, and the Future With the Proposed Actions scenario for the entire study area and all projected and potential development sites identified in the Reasonable Worst Case Development Scenario (see Chapter 1, "Project Description"). Per *CEQR Technical Manual* methodology, the technical analyses are based on the incremental increase in development that would occur when comparing the Future Without the Proposed Actions to the Future With the Proposed Actions. This provides a measure of how the proposed actions would alter current trends or allowable development based on existing zoning and site conditions.

Comment 28: There need to be at least three more City Planning meetings, jointly with DEP and DOT and the Department of Education to look at all of the issues around the infrastructure and services in Jamaica. (Comrie)

Response: The City's agencies including DCP, HPD, DPR, DEP, DOE, and DOT would work together to implement the proposed project and any identified measures to mitigate significant adverse impacts.

Comment 29: The Jamaica Plan should be accompanied by the formation of a task force consisting of city agencies (i.e., DCP, DEP, DOT, HDP, EDC, SCA...), affected elected officials and the Community Boards to oversee planning and implementation of infrastructure projects, and enhancement of city services and transportation. The task force would meet on an ongoing regular basis to address any issues or impacts that may arise as a result of the Jamaica Development Plan. (Marshall, Kotheimer)

Response: Comment noted. The City intends to establish an interagency task force to address this and other issues and concerns raised by the community during the public review process.

Comment 30: The Station Plaza project, which was filed as a separate action, should be discussed in this EIS. (Rzepecki)

By treating the Station Plaza street widening/condemnation action as separate from the Jamaica Plan, the City may be illegally segmenting these two actions that should be considered as a single integrated action for the purposes of environmental review. These actions have been segmented to avoid a hard look at the negative impacts and inequities caused by the two actions. They should be considered as a single development, as there is no doubt that the street widening/condemnation would not occur without the rezoning. (Jonas Equities)

Response: The Station Plaza project is described in Chapter 2, "Land Use, Zoning, and Public Policy," under the Future Without the Proposed Actions. Treated as background development in the FEIS, this project was initiated as a separate action and submitted by a separate agency, the New York City Department of Transportation, in conjunction with the New York City Economic Development Corporation. The goal of the Station Plaza project is unique and distinct from that of the Jamaica Plan. The Station Plaza project aims to address existing localized pedestrian, vehicular, bus operation, and transportation transfer issues. Its focus is on transportation-related improvements and involves, specifically, the widening and realignment of Archer Avenue and the mapping of public places between 144th Place and 147th Place along the northern side of Archer Avenue. The Station Plaza project also involves the relocation of subway stair entrances from the sidewalk areas and into the newly created public places, which will alleviate some of the current sidewalk congestion. The goal of the

Jamaica Plan, however, is to guide development in the Downtown Jamaica area and surrounding areas while respecting existing character, including providing for residential, commercial, and community activities in the Downtown, creating opportunities for new development and affordable housing, preserving lower density residential neighborhoods, and establishing a special district to strengthen and revitalize Downtown Jamaica. These various land use objectives are predominantly achieved through zoning and text changes, as well as the designation of an urban renewal area. The Build Year for the Station Plaza project was identified as 2015, the same as for the Jamaica Plan, for the purposes of environmental analysis – to ensure that the reasonable worst case amount of development and related traffic that was projected as a result of the rezoning formed the basis for conducting a conservative analysis of the transportation improvements of the Station Plaza Project. The Station Plaza Project and the Jamaica Plan, however, are in no way functionally dependent. The Station Plaza Project, the improvements from which are necessary regardless of the rezoning, would be able to proceed independently of the Jamaica Plan, and the Jamaica Plan could be implemented without the transportation improvements of the Station Plaza Project.

Comment 31: Unicorp Development supports the rezoning and intends to develop at 175th Street and Hillside Avenue as retail. The proposed commercial overlay, which is part of the rezoning, will support that development by allowing Unicorp to develop the portion of the lot (along 88th Avenue) which is now purely residential. (Chester)

Response: Comment noted.

Comment 32: Our manufacturing areas must be beautified to become neighborhood and visitor friendly. Our manufacturing districts must not be used for citywide-all noxious uses such as transfer stations, etc.. (Rudmann)

Response: Comment noted. The Jamaica Plan would strengthen business operations in the manufacturing districts and around the downtown area. Performance standards are intended to protect residents from the noxious effects of adjacent industrial uses.

Comment 33: The rezoning included as part of the Jamaica Plan would facilitate the efforts of Graham Associates, LLC to redevelop a property along Sutphin Boulevard a block south of the AirTrain station. The proposed development, which would include housing, community space, commercial use, a hotel, and parking, would create employment and help to revitalize Downtown Jamaica. This development will be one of the first high-rise green buildings in Jamaica. (Graham)

Response: One of the goals of the Jamaica Plan is to facilitate revitalization of the Downtown area through new commercial and mixed-use development.

Comment 34: Atlas Concrete at 95-11 147th Place is zoned M1. The proposed rezoning of this site to residential would make expansion impossible, would reduce the value of the business, and would make investment in the business difficult. The current zoning of the site should remain in place. (Polsinelli)

Response: The proposed zoning would render the existing land use nonconforming. While the nonconforming land use could remain, the proposed zoning would not allow expansion. This site was identified as projected development site 340 in the FEIS, which analyzes redevelopment of the site with residential use under the proposed zoning to R5.

In accordance with the methodologies of the *CEQR Technical Manual*, socioeconomic conditions of specific industries are analyzed, but not the socioeconomic conditions of individual businesses. The FEIS included an analysis of the concrete industry (see Chapter 4, Socioeconomic Conditions). The FEIS did not find any significant adverse impacts to the concrete industry, and it determines that, in the absence of this particular business, there would still be ample businesses in the region to supply concrete.

Comment 35: According to the DEIS, there are over 11,000 rented units in the total study area, mostly in buildings less than five units, that are vulnerable to indirect residential displacement as a result of this rezoning. That amounts to potentially over 33,000 residents or 57 percent of all the rented units. This population at risk of displacement is mostly low-income residents living in small homes. Individuals and families who will be displaced by building (including those living in homeless shelters) must be accommodated within the community. These households should have priority for any new affordable units that are developed. In addition, the Ad Hoc Committee proposes the creation of a displacement mitigation tax credit to benefit landlords who continue to have low-income tenants in their units. This would give an owner a property tax credit worth 50 percent of the difference between the affordable rent they are charging and the market-rate rent to help encourage owners to keep their units affordable for existing residents. (Rudmann)

Response: As described in Chapter 3, “Socioeconomic Conditions,” the FEIS disclosed the potential for indirect displacement of 1,835 current low and moderate income households in the study area as a result of the proposed actions. This indirect displacement would be a significant adverse impact. For this reason, the FEIS includes an Affordable Housing Alternative (AHA) (see Chapter 23, “Alternatives”) that would partially mitigate this significant adverse impact by providing inclusionary housing zoning incentives. This is the only practicable mitigation measure that has been identified. As described above, HPD and EDC are continuing to explore ways to incorporate affordable housing into the redevelopment of City-owned sites. Tax credits would require New York State legislation, and thus are beyond the scope of this proposal and this EIS.

SOCIOECONOMIC CONDITIONS

Comment 36: We disagree with the DEIS finding that the 174 displaced businesses (with its 1,124 jobs) “are not found to have substantial economic value to the City or region,” especially because those businesses are likely to employ local residents. We propose to amend the JGURA and any City-sponsored development process to include the following:

- Require that developers, construction contractors, firms with building maintenance contracts, and major retail and office tenants create first source hiring systems intended to maximize employment opportunities for disadvantaged residents, and especially those from the immediate neighborhoods (i.e., using zip codes).
- Require that construction contractors pay prevailing wages and benefits, and require their tenants to abide by a wage and benefits floor governing positions such as security guards, parking attendants, and restaurants and retail workers.
- Provide assistance to encourage local business and industries to expand or develop new business and industries to expand or develop new business in Jamaica. (Rudmann, Marion)

Response: As described in the detailed analysis of direct business displacement and as set forth in the *CEQR Technical Manual*, the consideration of a business’ economic value is based on: (1) its products and services; (2) its locational needs, particularly whether those needs can be satisfied at other locations; and (3) the potential effects on business or consumers of losing the displaced business as a product or service. None of the products or services provided by the displaced businesses is unique to the project area, City, or the region, and similar products and services are offered at other locations borough- and citywide. Their business operations do not require that they remain in the proposed action area and there would not be a significant adverse effect on businesses or consumers in losing any of the displaced businesses. Therefore, the displaced businesses would not be classified as having substantial economic value to the City or region.

While some portion of the projected 1,193 displaced employees would be local residents, it is reasonable to assume that a similar proportion of the jobs generated by the proposed actions would be held by local residents. And given that the proposed actions would result in a net increase in jobs (including a net increase of approximately 2,400 retail jobs), it is reasonable to assume that there would be a net increase in jobs held by local residents in the future with the proposed actions.

It is outside the scope of the EIS to evaluate hiring practices of businesses that would construct or operate on projected or potential development sites in the future with the proposed actions.

Comment 37: While the DEIS states that the changes are expected to occur in areas where manufacturing uses are in decline, the American Planning Association (APA) encourages active protection of industrial uses in the manufacturing districts which are to remain, as well as relocation of displaced businesses. Such protection could be facilitated through coordination with the Industrial Development Agency and other appropriate organizations. (Berstein)

The current compensation plan only covers the basic minimum expenses such as the cost when our businesses are relocated. Do you really think that it is possible for us to open businesses in new locations with the same share and commercial value as our current businesses have without our paying key money? The city's current compensation plan doesn't cover any portion of the key money and the loss of value in price of the stock. (ATBO)

Response: The proposed Jamaica Plan includes the protection of a significant core manufacturing area with proposed density increases from M1-1 to M1-2 and M1-4. Accordingly, within this core area businesses would have the opportunity to expand. All relocation and industrial preservation incentives that are available throughout the City would be available in the Jamaica manufacturing district as well. The proposal has been reviewed by the Mayor's Office of Industrial and Manufacturing Businesses. As described in Chapter 2, "Land Use, Zoning, and Public Policy," both an Industrial Business Zone and the South Jamaica Empire Zone can provide support to manufacturing businesses.

Comment 38: Property values will be devalued when 6-story buildings surround houses. (Murphy)

Response: Housing values are determined by a variety of factors. Throughout the city and in the Jamaica area, there are places with mixed housing types where housing types such as 6-story apartment buildings are located in proximity to one- and two-family homes. The rezoning of certain corridors in the Jamaica area to permit 6-story apartment buildings is not expected to adversely affect property values. Rather, the revitalization and new investment that would accompany new development would likely have a positive effect on property values. Property values are not analyzed within the FEIS, in accordance with the methodologies of the *CEQR Technical Manual*.

Comment 39: Given the ongoing need for affordable housing and the possible socioeconomic changes in the Jamaica area, the APA supports using a floor area bonus for provision of permanently affordable housing through the Inclusionary Housing Program. (Berstein)

Response: Comment noted. The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative, described and analyzed in Chapter 23, incorporates the City's inclusionary housing program.

Jamaica Plan

Comment 40: The Jamaica Plan will diminish employment opportunities as evidenced by the closing of small, neighborhood businesses. (CMC)

Response: It is projected that, overall, the Jamaica Plan would result in a net increase of 3.1 million square feet of space within the project area, including offices, local and regional retail, and hotels. The City estimates that by 2015, approximately 9,600 new jobs could be created as a result of the Jamaica Plan. See Chapter 3, “Socioeconomic Conditions.”

Comment 41: AAFE urges the City to include a 20 percent affordable housing requirement for residents at 50 percent of the area median income. (AAFE)

Response: The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative, described and analyzed in Chapter 23, incorporates the City’s inclusionary housing program. This program does not include a requirement, as requested in the comment, for residents at 50% of the area median income. Such a requirement would be inconsistent with the citywide policy promoting affordable housing that targets low-, moderate-, and middle-income households. Inclusionary housing is a citywide program with a consistent set of rules that are easily administered by HPD.

In addition to the density bonus provided by inclusionary zoning as proposed under the Affordable Housing Alternative, subsidy programs are typically used to foster the development of affordable housing. Many of these programs target families with incomes of 50 percent and 60 percent below Average Median Income (AMI). However, it is not possible to predict whether developers will opt to participate in such subsidy programs; accordingly, the FEIS conservatively does not analyze subsidized affordable housing development in the future. Subsidized housing development is also not considered as mitigation for the disclosed significant adverse impacts to indirect residential displacement.

Comment 42: Habitat-NYC strongly supports the proposed rezoning, as it will encourage the development of more affordable housing within the borough. (Furlong)

Response: Comment noted. The proposed Jamaica Plan does not include affordable housing. However, the Affordable Housing Alternative, described and analyzed in Chapter 23, incorporates the City’s inclusionary housing program.

Comment 43: The DEIS projects a population increase of only 3.8 percent. If population increases are calculated using a RWCDS that assumes a more realistic build-out along Hillside Avenue, 38,000 new people will move onto Hillside Avenue because of the proposed rezoning. (JEA)

Response: As stated above, the Hillside Avenue corridor is comprised of subareas U and V of the project area (see Figure 1-4). As described in Chapter 1, “Project Description,” the Reasonable Worst Case Development Scenario (RWCDS)

projects that the number of housing units within these two subareas would increase by 1,113 as a result of the proposed actions (see Table 1-4). Based on an average household size of approximately 3 in Community Districts 8 and 12 (along whose border Hillside Avenue runs), the proposed actions would result in approximately 3,340 new residents along Hillside Avenue.

The projection that 38,000 new residents would be added to the Hillside Avenue corridor is unrealistic, and assumes a level of development that is not likely to be achieved in the foreseeable future. This estimate is overly conservative and not a reasonable basis for an impact analysis.

Comment 44: The Jamaica Plan advances the Bloomberg Administration’s PlaNYC 2030 strategies for addressing New York’s projected growth rates and long term future. In outlining the strategies for accommodating New York’s growing housing needs, PlaNYC acknowledges the City’s fixed land supply and stresses the importance of using space more efficiently. Consistent with that objective, the Jamaica Plan makes efficient use of space by increasing housing densities, especially along corridors with good transportation access, which will add up to 3,660 new housing units by 2015. Of those units, approximately 784 will be affordable housing units provided through inclusionary zoning incentives. At the same time, the proposed rezoning has been designed to ensure that the scale of new housing development complements existing building patterns and the area’s character. (NYBC)

Response: Comment noted.

Comment 45: From an economic development perspective, the rezoning will permit development that, by 2015, could create nearly 3 million square feet of commercial space in Downtown Jamaica and add up to 9,300 jobs. The rezoning also facilitates industrial development or expansion by increasing densities on 32 blocks zoned for light manufacturing and, coupled with an Urban Renewal Plan, enables the replacement of underutilized or derelict industrial properties with mixed-use development. Development of these sites maximizes the use of a scarce resource—land—and will help attract additional private investment to Downtown Jamaica. (NYBC)

Response: Comment noted.

COMMUNITY FACILITIES

Comment 46: The Jamaica Plan must address the insufficient number of school seats. (Padavan, Ervin, Forrestal, Ayala, CMC, Cureton, Schwartz, BCA)

Jamaica Plan

Response: SCA and DOE continually re-evaluate the need for additional permanent seats based on enrollment data, demographic data and projections, and new planned residential construction data. The DOE *Five-Year Capital Plan* undergoes annual amendments to reflect the recommendations prompted by the re-evaluation. TEXT TO COME WITH FINAL SCHOOLS ANALYSIS.

Comment 47: DOE 2005-2009 Five Year Capital Plan will “ameliorate any projected overcrowding” is alarming. (JEA)

Response: The DOE *Five-Year Capital Plan for Fiscal Years 2005-2009* is fully funded. As described in the FEIS, a total of 2,520 new seats in CSD 28 and 630 new seats in CSD 29 are funded. At this point, 2,266 seats in CSD 28 have not yet been sited, while there are no unsited seats in CSD 29.

Comment 48: Jamaica has a shortfall of 2,600 classroom seats. (Sandiford)

Response: As described in Chapter 4, “Community Facilities,” in the FEIS, the ½-mile study area would have a shortfall of 323 elementary school seats and a surplus of 1,101 middle school seats in the Future With the Proposed Actions. CSD 28 overall would have a shortfall of 1,472 elementary school seats and a surplus of 1,769 middle school seats, while CSD 29 as a whole would have a surplus of 1,888 elementary and 2,734 middle school seats.

Comment 49: The City should provide a specific plan and timetable for where the new 9,000 permanent seats are going to be located. The City should explore sites within the new JGURA for potential school development. (Rudmann)

Response: P.S./I.S. 263 is currently under construction in CSD 29, and will address the identified need in that district. Potential school sites within CSD 28 are being investigated. Additional sites within CSD 28 and specifically within the Jamaica Rezoning area are currently being investigated. SCA/DOE will continue to work with City Planning and review new needs and siting options as the area develops, and the rezoning may yield new opportunities for school siting, such as in mixed-use developments. See also Chapter 4, “Community Facilities and Services.”

Comment 50: New seats developed and Transportable Classroom Units (portables) should be removed from the schools analysis. The calculation of Percent Utilization and Seats Available should not include the portables in their equations. (Rudmann)

Response: Per *CEQR Technical Guidelines*, the EIS schools analysis uses existing capacity data provided by DOE and does not include *Capital Plan 2005-2009* planned capacity that has not been sited and/or constructed. DOE includes portable classrooms in its *Utilization Profiles: Enrollment/Capacity/Utilization, 2005-2006*, which are the most recent data available. Upon completion of all proposed

schools in DOE's current *Five-Year Capital Plan*, the City will have the ability to phase out portables.

Comment 51: The School Construction Authority committed money for new classroom seats in Jamaica, and that commitment must be upheld. (Heyliger)

Response: Comment noted.

Comment 52: P.S. 48 needs a new auditorium/gymnasium as well as additional outdoor open space. (Hines, Curry)

Response: Comment noted.

Comment 53: The DEIS conclusion that the proposed actions would result in no significant adverse impacts on police or fire services is alarming. (JEA)

Response: The New York City Fire Department (FDNY) currently has sufficient resources serving the Jamaica/St. Albans communities. As for the planned rezoning and the attendant increase in commercial and residential space it is expected to generate, the FDNY continually evaluates operational needs and capabilities throughout the City in order to ensure that our finite resources are deployed as efficiently and effectively as possible. Part of FDNY's analysis is a daily review of response times, number and type of responses, unit availability and company workloads throughout the five boroughs. FDNY will continue this analysis as the projected development takes place. In addition, FDNY has developed new technology that will allow it to conduct site modeling to assist us in repositioning any of our resources throughout the City as needed. See also Chapter 4, "Community Facilities and Services."

While FDNY is aware that the planned rezoning is expected to spawn building construction and population growth in the Jamaica area, the FDNY has conducted a preliminary review of the proposed actions and would continue to evaluate area operations over time. Additional fire and EMS units would be allocated as needed as the development occurs.

The NYPD has reviewed the Jamaica Plan and believes that sufficient resources exist at present accommodate growth as described in the FEIS, under the With Action conditions by 2015. This may be accomplished through redistribution of then existing resources.

Comment 54: Jamaica is currently an underserved community as it relates to health care. It lacks a sufficient number of primary and specialty-care providers. Queens, particularly Southern Queens, lacks the adequate and medically appropriate number of inpatient hospital beds. There must be provisions in the plan outlined in the FEIS to promote the development of primary and specialty care facilities

in or near the development area. Hospitals currently providing services need to have the capacity—which they currently lack—to expand inpatient beds to provide care for the expanding population. (Rudmann)

Response: As described in Chapter 4, “Community Facilities,” and Chapter 23, “Alternatives,” the proposed actions and the alternatives analyzed would not result in significant adverse impacts on health care services per *CEQR Technical Manual* criteria.

The NYC Health and Hospitals Corporation (HHC) and the NYC Department of Health and Mental Hygiene note that currently, with the opening of the new Ambulatory Care Pavilion, Queens Hospital Center has the physical capacity for continued growth. Queens Hospital Center is planning for an increase in service demand in dentistry, diabetes, ophthalmologic, geriatric and HIV/AIDS services. The Queens Hospital Center is submitting in June preliminary plans to the New York State Department of Health (NYSDOH) for an additional 40 medical surgical beds. Pending approval in 2008, the expansion is estimated to take 12-18 months

In the future, should HHC determine that there is a need for additional services, the hospitals will engage in business planning to adjust for growth.

Comment 55: Children in shelters should have programs such as a Day at the Y, baseball tickets, or even free camp. The greater school population should have scholarships offered to them based on need and/or merit. (Rudmann)

Response: Comment noted. Programs such as these are beyond the scope of this proposal, and of this EIS.

Comment 56: The Queens Borough Public Library has the largest circulation in the nation, yet it already suffers from lack of funding to keep its branches open. With the growth of the community, its programs will be even more taxed. The DEIS says that there will be four books per person, but if the libraries are not open for people to access the libraries’ services, then the availability of books matters not at all. Additionally, the Queens Library system provides many services other than books, but without the funding to provide these services, they will be unable to meet a growing community’s needs. (Rudmann, Schwartz, BCA)

Response: As described in the FEIS, the proposed actions are not expected to result in a significant increase in demand or any adverse impacts on the Queens library system.

Comment 57: Our communities need schools, parks, transportation, police, fire, hospitals, and an overall upgrade in every area cited in the DEIS. (Ayala)

Response: Comment noted.

Comment 58: There is an unduly high concentration of homeless shelters in Jamaica and they continue to be sited here. The Downtown area has 9 of the 17 shelters in the borough of Queens. (Hewitt)

Response: Comment noted. Location of homeless shelters is determined by the New York City Department of Homeless Services. This issue is beyond the scope of the proposed Jamaica Plan and of this EIS. The City intends to establish an interagency task force to address this and other issues and concerns raised by the community during the public review process.

OPEN SPACE

Comment 59: The proposed rezoning is expected to reduce passive open space ratios by 8.6 percent in the non-residential study area and by 6.5 percent in the residential study area. APA urges further open space creation in additional areas more convenient to the expected increases in density.

DCP should consider additional areas for public open space, including existing City land or acquisition of vacant or blighted land for open space use. One possible tool to assist in the creation and improvement of open space would be a District Improvement Bonus, such as that currently being utilized in the Hudson Yards District and Greenpoint-Williamsburg. The APA also encourages interagency coordination with the Department of Parks and Recreation to ensure the improvement of existing open spaces inside or adjacent to the area of the Jamaica Plan. (Berstein)

The existing open spaces in Jamaica are inadequate and the plan needs to include open space. (Lucas, Cureton)

Response: As noted in the Open Space chapter of the FEIS, the proposed action would reduce the passive open space ratio by 9.2 percent in the non-residential study area and by 4.94 in the residential study area. Between the Draft EIS and the Final EIS, consideration was given to whether additional open spaces could be created, including in areas where increased density is expected. It was found that there is limited City-owned vacant property that is available and suitable for open space. Acquisition of vacant or blighted land for open space use is not proposed, because the Downtown Jamaica Urban Renewal Plan is designed to allow for flexibility to meet the needs of the community. Similarly, a District Improvement Bonus is not considered as an appropriate means of mitigation because it would be inconsistent with the goals and objectives of the proposed action

The FEIS identifies an unmitigated significant adverse impact with respect to users of passive open space within a quarter mile of the boundaries of the Jamaica Plan project area. Although not directly in conjunction with the proposed action, the City has been studying ways to improve open space

conditions in Jamaica. DPR will continue to coordinate with the New York City Department of Education (DOE) in implementing its program that allows school yards to be improved and opened to the general public after school, and on weekends and in the summer. PlaNYC identifies two potential school yard sites near the rezoning area that are proposed for the program. Currently, DPR and DOE have identified 4 potential school yard sites near the rezoning area that are proposed for the program. Additionally, as described in the FEIS (See Chapter 5, “Open Space”), approximately 1.38 acres of new open space is planned in conjunction with the Atlantic Avenue Extension project. DPR has been working with DOT, EDC and GJDC on a design for these open spaces (the current program includes landscaping, a sitting area, and a playground and is presented in Figure 5-4 in this FEIS). In addition, construction of a new Greenstreet at Archer Avenue and 145th Street began this spring.

DCP will continue to work with DPR to identify sites for long term opportunities to develop new park spaces and improve existing open spaces. DPR is also working with other government agencies and community organizations to identify potential future open space opportunities in the rezoning area.

Comment 60: The City should commit to achieving the goal of having a green space within 10 minute walk from every residence. This will help resolve some of the environmental concerns as a result of this rezoning of not meeting the criteria for open space. The City should consider areas in the Special District marked as projected or potential development sites appropriate for open space and should seek out and identify potential open space sites. (Rudmann)

Response: As described above, DPR is working to identify opportunities for the development of new open spaces, in addition to maintaining and improving existing parks and open spaces in the Jamaica area.

Comment 61: The City should explore establishing a greenway in Jamaica along designated bike routes. This greenway should include the greening and landscaping of sidewalks along the bike lane in order to create innovative forms of open spaces and amenities for local residents. (Rudmann)

Response: Comment noted. As noted in the traffic analysis, there are on-street bicycle routes planned/proposed by NYCDOT through the area affected by the proposed action. Parsons Boulevard/150th Street/153rd 157th Street would be the primary north-south route, and Archer Avenue/94th Avenue would be the primary east-west route. See Chapter 16, “Traffic and Parking.”

Comment 62: The calculation of required open space must exclude cemetery space. To include cemeteries in the equation, some areas must be redesigned/conditioned as passive recreational areas to be used by the public. (Rudmann)

Response: The FEIS open space analysis included Maple Grove Cemetery because it is open to the public and provides an opportunity for passive recreational activities such as strolling and sitting. The three other cemeteries in the study area—Prospect Cemetery, St. Monica’s Cemetery, and First Methodist Cemetery—were not included in the quantitative open space analysis because they do not offer any passive space amenities.

SHADOWS

Comment 63: Chapter 6, “Shadows,” of the DEIS shows that there will be unavoidable shadowing of Rufus King Park and of Grace Church and other historic sites in Downtown Jamaica. (J. Forrestal)

Response: As described in Chapter 6, “Shadows,” most of Rufus King Park would remain in sunlight for the majority of each analysis day. Thus, it is concluded that the sun-sensitive plantings would continue to receive adequate sunlight during the growing seasons, and the overall usability of the park would not be diminished. No significant adverse shadow impacts to Rufus King Park were expected. Grace Church is the only historic resource that would fall under new project-generated shadows as a result of the proposed actions. The FEIS concluded that the shadows on this church would be extensive enough in location and duration that they would constitute a significant adverse impact. However, mitigation for this significant adverse impact is not practicable or feasible. (See also the discussion under “Mitigation” below.)

HISTORIC RESOURCES

Comment 64: All of these plus all cultural institutions need temporary protection until the landmarking process can be completed. The following buildings in the Historic Structures District (160th Street to Union Hall Street, south of Jamaica Avenue) are considered worthy of preservation:

- Duane Reade (160-04 Jamaica Avenue). It was the Concord Cafeteria, which was the 1922 Title Guaranty and Trust Company.
- Conway Store (160-16 Jamaica Avenue). It was the National Title Company. Built in 1928, it stands on the same site as the original 12-story building erected in 1898. Prominent Romanesque arch on the second floor and balustrades above the 10th floor.
- Jamaica Savings Bank (161-02 Jamaica Avenue). Beaux Arts Baroque beauty built in 1895. Now owned by Conway Stores.
- Jamaica Council for the Arts and Learning (161-04 Jamaica Avenue). The Italian Renaissance structure became the Jamaica Register, then the Jamaica Council on the Arts. It is landmarked.

- Chase Manhattan Bank (161-10 Jamaica Avenue). This 1928 building started as the Bank of Manhattan. The classic structure has four pilasters flanking the restored bronze and glass doors.

Response: The following responses apply regarding the above five structures, and the FEIS has been updated to reflect this information:

- Based on a field survey performed in response to this comment, it has been determined that the three-story Classical Revival-style building at 160-04 Jamaica Avenue has been altered by the addition of the former cafeteria at the corner (which itself appears to have lost some of its mid-20th-century character) and by the modernization of the ground-floor storefronts. Due to these alterations, this building does not appear to be eligible for New York City Landmark (NYCL) designation or listing on the State and National Registers of Historic Places (S/NR). This building is located on Potential Development Site 402 and would be replaced with a larger residential building in the future without the proposed actions.
- Based on a field survey performed in response to this comment, it has been determined that, like the building at 160-04 Jamaica Avenue, the former National Title Company (160-16 Jamaica Avenue) has lost some of its architectural integrity due to changes at the ground floor and at the upper floor. The modern storefront truncated the original double-height arched entrance, which was the building's defining architectural feature. In addition, hipped roofs on the corner towers have been removed. Despite the loss of integrity, this building may still be eligible for NYCL designation or S/NR listing. This building is located on Projected Development Site 404 and would be converted to commercial and residential uses under the Proposed Actions.
- As stated in the DEIS and in this FEIS, the Jamaica Savings Bank at 161-02 Jamaica Avenue is an architectural resource that is listed on the State and National Registers and has been heard by the New York Landmarks Preservation Commission (LPC). Therefore, as stated in the DEIS and this FEIS, no exterior alterations to the building can be made without approval by LPC (because of the building's status at the DOB as an LPC-calendared building). As stated in the DEIS and this FEIS, the Jamaica Savings Bank could experience adverse construction-related impacts due to Projected Development Sites 406 and 408 and to Potential Development Site 402, but would otherwise not be impacted.
- As stated in the DEIS and this FEIS, the Register building at 161-04 Jamaica Avenue is a designated NYCL, and is also listed on the State and National Registers. Because of its local designation, no exterior alterations may be made to this building without LPC approval. As stated in the DEIS and this FEIS, the Register building could experience adverse construction-related impacts due to Projected Development

Sites 403, 404, 405, 406, and 408 and to Potential Development Site 402, but would otherwise not be impacted.

- Based on a field survey performed in response to this comment, the Chase Bank building at 161-10 Jamaica Avenue appears to be eligible for NYCL designation and/or S/NR listing. If LPC were to determine this building to be eligible for local designation or listing on the Registers, then it could experience direct significant adverse impacts from a conversion to residential uses under the Proposed Actions; this building is located on Projected Development Site 405. In addition, it could experience adverse construction-related impacts due to Projected Development Sites 403, 404, 406, 407, and 409.

Comment 65: The following buildings in the Historic Structures District (Parsons Boulevard, west side, between 89th Avenue and Jamaica Avenue) are considered worthy of preservation:

- Former New York City Family Court (89-14 Parsons Boulevard). Started in 1930 as the Jamaica Library and converted in 1964 to a family court facility. Classical structure is now closed.
- All Nations Apostolic Tabernacle (155-15 90th Avenue). It was the First Baptist Church of Jamaica, first built in 1869 and then rebuilt in 1889 and 1922 before the sale to the Tabernacle in 1997. Prominent steeple.
- Grace Episcopal Church Parish House (155-24 90th Avenue). Built in 1913. Adjacent to the landmark 1862 Gothic Revival church and graveyard. Prominent chimney and mansard roof.

Response: The following responses apply regarding the above three structures, and the FEIS has been updated to reflect this information:

- The former New York City Family Court (89-14 Parson Boulevard) is the site of a City-approved redevelopment project referred to as the Jamaica Courthouse project, which was analyzed in an Environmental Assessment Statement. As part of the redevelopment project, portions of the old courthouse façade will be preserved. This project was analyzed in the No Action Conditions in the DEIS and this FEIS.
- As written in an environmental review letter dated June 22, 2007, LPC has determined that the All Nations Apostolic Tabernacle (155-15 90th Avenue) is not eligible for designation as a NYCL or for listing on the Registers.
- Both the DEIS and this FEIS identify the Grace Episcopal Church Parish House (155-24 90th Avenue) as part of the Grace Episcopal Church and Cemetery S/NR-listed property. However, the parish house is not part of the NYCL-designated complex that includes the church and cemetery. As stated in the DEIS and this FEIS, the church complex could experience adverse construction-related impacts due to Potential Development Site 118, and, as described in Chapter 6, “Shadows,” the proposed actions would result in a

significant adverse shadow impact. See also Chapter 22, “Mitigation” and Chapter 24, “Unavoidable Adverse Impacts.”

Comment 66: The following buildings in the Historic Structures District (Parsons Boulevard, east side, between 88th Avenue and Jamaica Avenue) are considered worthy of preservation:

- Lyceum Building of the Presentation of the Blessed Virgin Mary Roman Catholic Church (88-19 Parsons Boulevard). Known as Monsignor O’Brien Parish Hall, it was built in 1910 as St. Mary’s Lyceum. It was a parish social center featuring a 1200 seat theatre. The building became, in the 1920s, the church’s school. The building started as a wood German parish church in 1896 and reconstructed in 1927 as a Gothic style building
- Jamaica YMCA Building (89-25 Parsons Boulevard). The Y was organized in a Union Hall Street real estate office in 1918. It moved over to a rental facility on this site and then had the building demolished and the present Y put up in 1927.

Response: The following responses apply to the above two structures, and the FEIS has been updated to reflect this information:

- The DEIS identifies the Presentation of the Blessed Virgin Mary Complex (88-19 Parsons Boulevard) as a potential architectural resource that appears eligible for NYCL designation and/or S/NR listing. As written in an environmental review letter dated June 22, 2007, LPC has determined that the complex is eligible for S/NR listing. As stated in the DEIS and this FEIS, the parish hall could experience adverse construction-related impacts due to Potential Development Sites 157, 138, and 139, and the church could experience adverse construction-related impacts due to Potential Development Site 142, but would otherwise not be impacted.
- Based on a field survey performed in response to this comment, it has been determined that the Jamaica YMCA Building (89-25 Parsons Boulevard), which is a relatively unadorned institutional building, does not appear to possess any architectural or historical significance. Therefore, it is not identified in the DEIS and this FEIS as a potential architectural resource. In any case, the building is not located on, or adjacent to, any projected or potential development sites.

Comment 67: The following individual buildings are considered worthy of preservation:

- Satellite Academy Jamaica Campus (162-02 Hillside Avenue). This was the second Jamaica High School site. It replaced the 1892 school in 1896. The Hillside Avenue School remained open after the new (present) Jamaica High School building in 1927 on Gothic Drive. Look for Dutch Gable roof section and odd pointed dormers.
- Magill Memorial Building of the First Presbyterian Church of Jamaica (89-60 164th Street). Built in 1923 and named after Pastor Andrew

Magill (tenure from 1912 to 1946) in 1959. It is the oldest (1662) Presbyterian continuous congregation in the United States.

- Parsonage of the First Presbyterian Church of Jamaica (89-62 164th Street). Built in 1920 with clapboard siding.
- First Presbyterian Church of Jamaica (89-64 164th Street). Built in 1813 and moved to its present site in 1920.
- New York City Police Facility (150-14 Jamaica Avenue). The 1913 Jamaica Library structure made way for the erection of the 1931 Montgomery Ward Building. It was later the site of York College. Vertical Art Deco touches and Mayan Stucco design.
- Commercial Building (89-31 161st Street). Built in 1926 as the headquarters of the Jamaica Chamber of Commerce. Interesting 8th and 9th floor pilasters with the Greek pediment on the 10th floor.
- 103rd Precinct Station House (168-02 90th Avenue). This classical building went up in 1927. Note the flagstone edifice and Italianate windows.
- Salvation Army Building (90-23 161st Street). An early 1921 Jamaica Library was opened on this site. The new 1927 building was owned by the Home Title Insurance Company. Mansard roof and pedimented dormers add to its beauty. Designed by Ben Braunstein.
- North Fork Bank (146-21 Jamaica Avenue at Sutphin Boulevard). The original 1939 Jamaica Savings Bank has Art Deco eagles, speed stripes and an interior Earl Purdey mural picturing Jamaica Avenue in the 1840s.
- Jamaica Savings Bank (161-01 Jamaica Avenue.) Prize winning glass and steel convex front adorns this 1964 building. It was a corner Woolworths.
- Former Dominican Commercial High School (161-02 89th Avenue). Built in 1936 and closed in 1998. It was constructed to resemble a medieval fortress with battlements and domed towers. Now a social services center.
- Firehouse Project (89-56 162nd Street). This social services center had been the 1925 (“Big House”) firehouse. It was created as a result of the merger of the five local fire companies. The three entrances have a modified Romanesque arch design.
- Row House Private Home Development (88-04 to 88-10 146th Street, built in 1912, and 88-03 to 88-11 146th Street, built in 1913). Designed by the prominent architect Electus B. Litchfield, the structures have dormer windows, prominent brick chimneys and elliptical fanlights.

Response: The following responses apply to the above 13 structures, and the FEIS has been updated to reflect this information:

- Both the DEIS and FEIS identify the former Jamaica High School (162-02 Hillside Avenue) as a potential architectural resource that appears eligible for NYCL designation and/or S/NR listing. As written in an environmental

review letter dated June 22, 2007, LPC determined that this building is eligible for local designation and listing on the Registers. Landmark designation is the jurisdiction of the LPC. As stated in the DEIS and this FEIS, the high school building could experience adverse construction-related impacts due to Potential Development Site 169, but would otherwise not be impacted.

- The DEIS identifies the First Presbyterian Church complex (89-60 164th Street), which includes the church, parsonage, and Magill Memorial building, as a potential architectural resource. However, LPC has determined that the church complex is not eligible for NYCL designation or S/NR listing, as written in an environmental review letter dated June 22, 2007. Therefore, the FEIS does not include the church complex as an architectural resource.
- Based on a field survey performed in response to this comment, it has been determined that the New York City Police Facility at 150-14 Jamaica Avenue has some minor Art Deco touches above the ground floor and at the parapet, but is otherwise undistinguished. In addition, the building has been altered with ground-floor infill and the insensitive reconstruction of portions of the parapet. Based on this review, the building does not appear to possess any architectural significance that would make it eligible for NYCL designation or S/NR listing. In any case, the building is not located on, or adjacent to, any projected or potential development sites.
- Both the DEIS and this FEIS identify the Jamaica Chamber of Commerce building (89-161st Street) as being listed on the Registers. As stated in the DEIS and this FEIS, the Jamaica Chamber of Commerce building could experience adverse construction-related impacts due to Potential Development Site 126, but would otherwise not be impacted.
- Based on a field survey performed in response to this comment, the intact and architecturally distinct police station at 168-02 90th Avenue is identified as a potential architectural resource that appears eligible for NYCL designation and/or S/NR listing. If LPC were to determine the police station to be eligible for local designation or S/NR listing, then it could experience adverse construction-related impacts due to Projected Development Sites 191 and 192, but would otherwise not be impacted. Landmark designation of this building is the jurisdiction of the LPC.
- Based on a field survey performed in response to this comment, the intact and architecturally distinct Salvation Army building at 90-23 161st Street is identified as a potential resource that appears eligible for NYCL designation and/or S/NR listing. If LPC were to determine the Salvation Army building to be eligible for local designation or S/NR listing, then it could experience adverse construction-related impacts due to Potential Development Site 123, but would otherwise not be impacted. Landmark designation of this building is the jurisdiction of the LPC.
- Both the DEIS and FEIS identify the 1939 Jamaica Savings Bank at 146-21 Jamaica Avenue as a NYCL-eligible property. As stated in the DEIS and

this FEIS, the bank could experience adverse construction-related impacts due to Potential Development Site 21.

- Based on a field survey performed in response to this comment, the 1964 Jamaica Savings Bank building at 161-01 Jamaica Avenue appears to be eligible for NYCL designation and/or S/NR listing. If LPC were to determine this building to be eligible for local designation or listing on the Registers, then it would experience direct significant adverse impacts from its replacement with a larger mixed-use building under the Proposed Actions; this building is located on Potential Development Site 124.
- Based on a field survey performed in response to this comment, the former Dominican Commercial High School at 161-02 89th Avenue appears to be eligible for NYCL designation and/or S/NR listing. If LPC were to determine this building to be eligible for local designation or listing on the Registers, then it could experience adverse construction-related impacts due to Projected Development Site 125 and Potential Development Site 126, but would otherwise not be impacted.
- Based on a field survey performed in response to this comment, the architecturally distinct former fire station (89-56 162nd Street) is identified as a potential resource that appears eligible for NYCL designation and/or S/NR listing. If LPC were to determine the former fire station to be eligible for local designation or S/NR listing, then it could experience adverse construction-related impacts due to Projected Development Site 128, but would otherwise not be impacted. Landmark designation of this building is the jurisdiction of the LPC
- Based on a field survey performed in response to this comment, the row houses at 88-04 to 88-10 and 88-03 to 88-11 146th Street do not appear to be eligible for NYCL designation or S/NR listing. However, if LPC were to determine that the row houses are, in fact, eligible for local designation or listing on the Registers, then they could experience adverse construction-related impacts due to Projected Development Sites 64, 65, and 66, but would otherwise not be impacted.

HAZARDOUS MATERIALS

Comment 68: The Sunshine School on 146th Street supports the rezoning but is concerned about the (E) designations. (Smith)

Response: The (E) designations as proposed would eliminate the potential for significant adverse impacts related to hazardous materials, noise, and air quality as a result of development pursuant to the rezoning on identified projected and potential development sites. Many of the (E) designations related to industrial source air emissions identified in the DEIS have been eliminated as a result of refined analyses that were conducted for the FEIS. See Chapter 11, “Hazardous Materials,” Chapter 18, “Air Quality”, Chapter 19 “Noise”, and Appendix C.

INFRASTRUCTURE

Comment 69: The Jamaica Plan must address the area's insufficient sewer systems. There are not enough catch basins to stop water from backing up when it rains, and the catch basins are not cleaned out properly. (Padavan, Khan, Murphy, Ervin, Gonesh, CMC, Thomas, Heyliger, Dolan)

Response: As described in the FEIS, it is not expected that the proposed project would result in significant adverse impacts to water supply, waste water treatment, or stormwater management. However, the City recognizes that the area is subject to flooding due to a rising groundwater table and infrastructure that predates today's design requirements. DEP is currently in the process of revising the drainage plan for the area to accommodate the development that is anticipated as a result of the proposed actions. DEP and DOB will coordinate in reviewing and approving all building and sewer applications in the Jamaica rezoning area. DEP would review many of the individual development plans under its sewer connection approvals and determine if stormwater management is necessary on-site as part of site redevelopment. DEP is also proposing to implement its stormwater management plan for the area in a way that advances implementation in areas targeted for redevelopment. To date, DEP has invested more than \$500 million on the Queens sewer systems, more than one-third of the City-wide budget.

Comment 70: It is widely anecdotally reported that water pressure is inadequate. Again, plans must be clearly enumerated to handle maximum development that ensures adequate water pressure, particularly when needed for extinguishing fires. We recommend that scope and timelines be provided for the following water supply and drainage plan projects:

- The QED960 project by NYC DEP to install a new 48-inch water supply trunk main across the southern perimeter of the area, up to Francis Lewis Boulevard.
- The proposed extension of this project further east to Douglaston and south through Queens Village, Hollis, St. Albans, Cambria Heights, and Laurelton.
- The conceptual 10-year plan to run another trunk main through the Jamaica area from the north.
- The new drainage plan being developed by NYC DEP (which would include a separate stormwater collection system) to reduce stormwater flooding and improve drainage in this area. (Rudmann)

There are sections of Briarwood adjacent to the Hillside Avenue Corridor that continue to suffer from known long term water supply pipe leaks and sub-standard water pressure. (BCA)

How could the proposed project not impact water supply? (JEA)

Response: As described in Chapter 13, “Infrastructure,” the Jamaica area is regularly assessed and monitored by DEP for water delivery performance. While no systematic water pressure deficits have been identified for the area, there are a number of projects that are proposed to maintain adequate water delivery to the Jamaica area. These include projects described on page 13-3 of the FEIS and cited above in the comments. The FEIS analyses do not identify any significant adverse infrastructure impacts as a result of the proposed actions (see Chapter 13). An inter-agency task force is being established to address infrastructure, and DOB and DEP will coordinate in their review of applications for new development in the Jamaica rezoning area to ensure that there is sufficient capacity for such development.

Comment 71: Although the DEP may have actions planned in the study area which are expected to improve such infrastructure, the City must coordinate the anticipated new development with such improvements. A district improvement bonus or requirement for on-site infrastructure upgrades may help facilitate necessary improvements. (Berstein)

Response: No district improvement bonus is under consideration. However, the City believes that implementation of infrastructure improvements in the Jamaica area should be undertaken in concert with the overall redevelopment that could occur as a result of the proposed Jamaica Plan. Such combined efforts would support the intended success of the Jamaica Plan. To that end, City agencies including DEP will move to implement infrastructure improvements for the area while monitoring areas of growth.

Comment 72: Jamaica is built on a natural aquifer and therefore the water will always continue to rise. Sites such as York College, the subway, a new site at 107th and Merrick Boulevard are experiencing flooding. There is a senior center that has 24 hour pumps in their basement to deal with the flooding. There are also 24 hour pumps in operation at the Jamaica Archer Avenue subway station. More density will exacerbate flooding problems. There are even sites along Hillside Avenue that have flooding problems because they went too deep into the ground. This needs to be addressed. (Comrie, Gonesh, Sandiford)

Response: As described in the FEIS, and stated above, new development would not exacerbate existing runoff (drainage) problems in the area, but could provide on-site detention systems that over time could ameliorate existing problems related to a poor stormwater management at these sites. In addition, as stated above, the City recognizes the overall need for improved drainage in the area and is moving ahead with drainage plan design proposals for Jamaica. DEP and DOB will coordinate in reviewing and approving building and sewer applications to ensure that there is sufficient system capacity for developments in the rezoning area.

Jamaica Plan

Comment 73: The plan must allow for sufficient time to allow for the infrastructure to be put in place without placing an overwhelming burden on the communities. We need to create the programs that allow for contextual development that incorporates integration of all levels of society. (K. Forrestal)

Response: See Chapter 13, “Infrastructure.” New development within the area of the proposed Jamaica Plan would be subject to advanced review of sewer connection applications in conjunction with review of development plans by the Department of Buildings. The FEIS analyses do not identify any significant adverse infrastructure impacts as a result of the proposed actions (see Chapter 13). DEP and DOB will coordinate in reviewing and approving building and sewer applications to ensure that there is sufficient system capacity for developments in the rezoning area.

Comment 74: The DEIS assumes that existing infrastructure is sufficient to meet the needs of a potential maximum build out under existing zoning rules. The DEIS only measures the environmental impact due to the difference in potential growth possible under the proposed zoning. This assumes that existing infrastructure is sufficient for maximum build-out under present zoning regulations...an assumption that every citizen in Jamaica simply knows is not true. A RWCDs should assess the infrastructure improvements that will be needed to address the difference in demand between what actually exists today and the maximum build-out possible under the proposed new rules. This would provide a much more accurate assessment of the environment impact on Hillside Avenue and infrastructure shortfalls that need to be addressed. (JEA)

Response: In accordance with the *CEQR Technical Manual*, the FEIS examined the effects of the proposed project on the local infrastructure, including water supply, waste water treatment, and stormwater management, based on the incremental growth that is expected to occur under the RWCDs. The FEIS examined the effects of the proposed actions with respect to existing water supply, drainage and wastewater systems that serve the Jamaica area. Water supply improvements are proposed for the area and no significant adverse impacts are expected with the proposed project on local water supply (capacity or pressure) or on the local sanitary sewer system. As discussed above, runoff and drainage is an issue for the Jamaica area. The City is in the process of developing an updated drainage plan for the Jamaica area. DEP evaluates all new sewer connections, and may require on-site stormwater detention for new developments. Additionally, DEP and DOB will coordinate in reviewing and approving building and sewer applications to ensure that there is sufficient sanitary sewer system capacity for developments in the rezoning area.

Comment 75: Sufficient storm sewers must be planned and installed, as stated previously, to accommodate the maximum growth. Also, the effects of global warming, level 4

or 5 hurricanes and a pattern of increased precipitation must be factored into the future needs. (Rudmann)

Response: As described above, the City is developing a drainage system for the Jamaica area. Throughout the City, these plans are prepared using DEP design criteria. However, the City has other emergency response measures that are in place in preparation for emergencies such as hurricanes and major storm events. DEP is also evaluating possible system-wide effects due to the potential for climate change.

SOLID WASTE

Comment 76: JEA finds the following assumption from the DEIS alarming: “The proposed actions would not place a significant burden on the City’s solid waste management system” (JEA)

Assuming maximum development, there will be a need to collect and remove waste. Determination of where DOS will store and dispatch the needed trucks and where the waste will be taken must be addressed in the plan, including determining whether all facilities have sufficient capacity. CB 12 must use the Load and Piece policy, which allows for trucks that are full to dump and return to their route. (Rudmann)

Response: As described in the FEIS, the increased demand on the City’s solid waste management system, including the collection and transport of solid waste and recyclables, is not expected to be significant. The Department of Sanitation of New York City (DSNY) would make the necessary adjustments in its services in order to meet the added demands for residential service. The added demands for commercial solid waste and recycling services are expected to be met by the private solid waste management industry. See also Chapter 14, “Solid Waste.”

As noted in the response to comments 10, 26, and 27 assuming maximum development is an incorrect analytical methodology and would produce unreasonable and inaccurate estimates of potential impacts.

Comment 77: Jamaica has the first or second highest concentration of waste transfer stations and solid waste stations in the city. We need greater attention to these sites by DEP. Many low-income areas with people of color are overburdened with waste transfer stations. Local Law 40 prohibits these waste transfer stations, but there are loopholes in the zoning. This loophole should be eliminated. (CB 12, Atwell)

The proximity of waste transfer stations to residential communities affects the quality of life of Jamaica residents by polluting the air, emitting undesirable odors, and worsening traffic and pedestrian activities. These should not be

located near residential areas. The New York City Zoning Resolution considers waste transfer stations a use that should be located in low-performance manufacturing districts (M3); however, these transfer stations are located in Jamaica's M1 or high-performance manufacturing districts. Thus, we need to enforce prohibition of waste transfer stations in M1 districts. (Rudmann, K Forrestal)

The Plan allows the continued, largely uncontrolled growth of waste transfer stations and other noxious uses in the manufacturing districts. (Dolan)

Response: While the proposed project would not eliminate solid waste transfer stations, implementation of the City's solid waste management plan would reduce reliance on them in favor of DSNY marine transfer stations. This is described on pages 14-4 and 14-5 of this FEIS. Additionally, in the Special Downtown Jamaica District, new open manufacturing uses are prohibited, and there are additional restrictions on uses within Use Groups 16, 17, and 18.

ENERGY

Comment 78: Gas and electric services must be upgraded to meet the authorized possible development utilizing advanced the technology. It is calculated that Jamaica will be the next area to suffer a blackout as did Astoria. (Rudmann)

Response: The FEIS does not find any significant adverse impacts to energy as a result of the proposed actions. See Chapter 15, "Energy." While on-site improvements and connections to the gas and electric grid are expected with each site development, the private utility industry is required to produce the necessary facilities and upgrades to provide this service to the area as a whole. Accordingly, such upgrades are beyond the scope of this proposal.

Comment 79: In areas where the existing energy infrastructure is overburdened, we would like to see DCP consider policies which require that certain energy-intensive uses or commercial buildings of a certain size utilize alternative energy sources such as solar energy, on-site generators, or co-generation. (Berstein)

Response: Such site requirements are beyond the authority of DCP to implement through zoning, and are beyond the scope of this EIS. PlaNYC 2030 includes numerous proposals that would support energy efficiency improvements in existing and new buildings and for certain business sectors, and would support pilot projects in alternative energy. However, these proposals are also beyond the scope of the Jamaica Plan proposal and this EIS.

TRAFFIC AND PARKING

Comment 80: The Jamaica Plan must address the traffic and transportation network congestion in the area. (Padavan, Khan, Murphy, Sandiford, BCA)

Response: The traffic and transit analyses provide an assessment of existing traffic and transit conditions, including existing congestion. See Chapter 16, “Traffic and Parking,” and Chapter 17, “Transit and Pedestrians.” Changes to future traffic network demand are assessed in the Future Without the Proposed Action scenario; and the FEIS analyses the increased demand resulting from the proposed action under the Future With-the Proposed Action scenario. The traffic analysis discloses the potential for significant adverse impacts to 35 signalized intersections. These significant adverse impacts can be mitigated at 27 of the 31 intersections with impacts during the AM peak hour, 16 of the 17 intersections with impacts during the midday peak hour, 22 of the 26 intersections with impacts in the PM peak hour, and 17 of the 19 intersections with impacts in the Saturday midday peak hour, as described in Chapters 22 and 24 of this FEIS.

Significant adverse impacts to the transit system that may result from this additional demand are identified in Chapter 17 of this FEIS. Potential significant adverse impacts to buses could be mitigated, as described in Chapter 22, “Mitigation.”

Comment 81: Efforts must be placed on modernizing the flow of north-south surface traffic through the antiquated Long Island Rail Road (LIRR) tunnels and creative thinking used to deck over the Dunton LIRR Yard for community purposes. Parking permits for residents in front of their homes needs to be implemented. It is not acceptable that no mitigation has been suggested for the potential shortfall of over 2,000 parking spaces due to this proposal. (Rudmann)

Response: The properties occupied by the LIRR tracks and facilities are owned by the LIRR. Modifications to LIRR infrastructure are beyond the scope of this proposal and this EIS.

As disclosed in the parking analysis in Chapter 16, “Traffic and Parking,” of the FEIS, there is anticipated to be a shortfall of 2,165 off-street public parking spaces based on the proposed accessory parking requirement, and the loss in existing off-street public parking spaces due to the projected development that would replace existing parking facilities as a result of the proposed action. Under the Affordable Housing Alternative (AHA) described in Chapter 23 of the FEIS, the proposed zoning would include a greater accessory parking requirement; accordingly, the parking shortfall for the AHA would be less, at 1,068 public parking spaces.

As demand for parking increases in the area, private applications for public parking facilities may increase, which would help to alleviate this parking

shortfall. However, these applications cannot be anticipated in this study, as they would be DCP discretionary actions proposed by property owners.

Under PlaNYC 2030, the NYC DOT is studying the possibility of implementing residential parking permits in areas of New York City. However, neighborhood parking permits are beyond the scope of this proposal and this EIS.

Comment 82: Major capital investments in transportation infrastructure (roads, mass transit and alternative transit) are needed to develop Jamaica into a regional business district as well as preserve and improve the quality of life in the adjacent residential neighborhoods. Specific recommendations to mitigate the parking shortfall and traffic congestion in the area:

- The City commit to developing at least one parking structure.
- Explore alternate mitigations to decrease automotive demand for parking, and reduce the influx of personal auto traffic such as: variable rate digital parking meters or MUNI meters (adjusted to demand based upon time of days); centralized public bicycle parking facilities directly adjacent to Sutphin-Archer Jamaica LIRR and 179th Street Station of the F Train.
- Provide residential parking permits in commercial areas and adjacent residential areas.
- Reconsider the demapping of 148th Street because it is deemed non-essential for circulation. An alternate scenario should be explored to connect 148th Street under the LIRR tracks, creating a new north-south connection within Downtown Jamaica. A new secondary road here would alleviate traffic burdens projected for Sutphin Boulevard and 150th Street. Projecting significant increases in motor traffic simultaneous with street closures will cause additional congestion along arterial routes.
- Explore traffic calming measures along Parsons Boulevard, either in the form of roadway curb restructuring or signaling a pedestrian-only crossing to reduce the risk of turning traffic related to injuries. New York City Department of Motor Vehicles data shows that 3 of the worst 10 intersections for pedestrian for pedestrian injury and fatality in Queens are located along Parsons Boulevard at Hillside, Jamaica, and Archer Avenues.
- As an alternate to transit, explore the establishment and marking of clear bicycle routes in Downtown Jamaica. Currently bicycle routes overlap with Bus routes along busy Archer Avenue. Buses and bicycles are not a good combination. A safer route for bicycles to navigate into Downtown Jamaica is along 89th Avenue and 95th Avenue, excluding 95th Avenue from Sutphin Boulevard and Van Wyck Expressway. (Rudmann)

Response: The City does not currently plan to develop any new parking structures in the area to alleviate the parking shortfall. As noted in the parking analysis in the FEIS, as demand for parking increases in the area, private applications for public parking facilities may increase, which would help to alleviate the parking shortfall. The proposed rezoning under the Jamaica Plan seeks to focus future

development around the existing public transit infrastructure in Jamaica, and as such is designed to promote residents' and workers' utilization of subways and buses. The additional measures suggested above are beyond the scope of this proposal.

There are currently no residential permit parking areas in New York City. Under PlaNYC 2030, the NYC DOT is studying the possibility of implementing residential parking permits in areas of New York City. However, neighborhood parking permits are beyond the scope of this proposal and this EIS.

As presented in the traffic analysis, the closure of 148th Street between 94th Avenue and 95th Avenue would not result in unmitigable significant adverse impacts in the vicinity of this area. All significant adverse impacts at intersections near 148th Street can be mitigated.

Traffic calming on Parsons Boulevard is beyond the scope of this EIS. Any traffic calming measures must be proposed and studied by NYCDOT.

As noted in the traffic analysis, there are on-street bicycle routes planned/proposed by NYCDOT through the area affected by the proposed action. Parsons Boulevard/150th Street/153rd 157th Street would be the primary north-south route, and Archer Avenue/94th Avenue would be the primary east-west route. See Chapter 16, "Traffic and Parking."

Comment 83: A No Permit Parking Zone must be instituted and strictly enforced within the boundaries of 168th Street on east, Sutphin Boulevard on west, Hillside Avenue on north and Archer Avenue on south. We suggest the installation and enforcement of designated truck-loading and off-loading zones, 30 minutes between 7:30 AM and 11:30 AM. Truck bays must allow for trucks to conduct business without interrupting/blocking vehicular or pedestrian traffic. Maintain and enforce existing regulations in all areas outside the No Permit Parking Zone. Install new regulations in the area south of Archer Avenue, at the LIRR Overpass to Liberty Avenue; Sutphin Boulevard to 158th Street, permitting Free Parking except for (ASP) Sanitation Alternate Side Parking from 8:00AM to 10:00AM, Tuesdays and Wednesdays. On street parking restrictions dedicated to Federal, State, and City government employees must be limited to a 1 to 5 ratio or cap.

We request that revenue generated from all of the above be held in "locked box account" escrow to ensure continuous enforcement of the area. Existing allocations of resources must be maintained. The locked box account is for additional enforcement. There must be enforcement of current regulations where derelict vehicles occupy residential driveways (off street) or garage entrances. (Rudmann)

Response: Comment noted. (See also the responses above.) The FEIS discloses a significant adverse impact to parking as a result of the proposed actions: a shortfall of 2,165 public parking spaces. See Chapter 16, "Traffic and Parking."

Under the Affordable Housing Alternative (AHA) described in Chapter 23 of the FEIS, the proposed zoning would include a greater accessory parking requirement; accordingly, the parking shortfall for the AHA would be less, at 1,068 public parking spaces.

The parking and loading measures suggested by the commenter are not practicable, and are beyond the scope of this proposal and this EIS.

As part of PlaNYC 2030, the Department of Transportation is studying the possibility of neighborhood parking permits in certain areas of New York City. However, neighborhood parking permits are beyond the scope of this proposal and this EIS.

Comment 84: Narrow neighborhood streets will be impacted negatively by the Atlantic Avenue Extension and this problem has been mitigated in that Proposal. (Rudmann)

Response: Comment noted. The traffic analysis in this FEIS includes the Atlantic Avenue Extension proposal to improve traffic conditions around Atlantic Avenue, 94th Avenue and 95th Avenue between the Van Wyck Expressway and 150th Street, and the Station Plaza proposal in the vicinity of the LIRR's Jamaica Station. These proposals are treated as background development in this FEIS. These proposals are part of a project that was initiated as a separate action and submitted by a separate agency, the New York City Department of Transportation, in conjunction with the New York City Economic Development Corporation.

Comment 85: The plan will result in parking problems for residents. (Murphy, Spigner, BCA)

Response: The FEIS discloses a shortfall of 2,165 public parking spaces as a potential significant adverse impact as a result of the proposed actions. See Chapter 16, "Traffic and Parking." The demand for parking by residents would be highest during the overnight periods, when parking utilization would be the lowest. Residents would be able to park overnight in public parking facilities that are vacated by midday users. Where no public off-street parking is anticipated, residents may choose to park curbside, where ample curbside parking regulated by street cleaning regulations exist. Under the Affordable Housing Alternative (AHA) described in Chapter 23 of the FEIS, the proposed zoning would include a greater accessory parking requirement; accordingly, the parking shortfall for the AHA would be less, at 1,068 public parking spaces.

Comment 86: The plan will result in trucks using neighborhood streets at high speed as a short cut and this will create unsafe conditions for children. (Murphy)

Response: Trucks are required by the New York City Traffic Rules and Regulations to remain on designated truck routes and not leave these routes until they are at the

intersections nearest their destination. These truck routes are established by the NYC Department of Transportation and are generally assigned to neighborhood streets. Truck traffic analyzed in the FEIS analysis is routed consistent with these rules.

Comment 87: The APA urges close coordination between DCP and the Department of Transportation to ensure that the anticipated signal and roadway improvements are followed through to completion and appropriately monitored for success. (Berstein)

Response: DCP is working in close coordination with DOT and other city agencies regarding this project and the necessary street improvements.

Comment 88: The APA would prefer to see no minimum parking requirements within the Downtown Special District and closest to the transit hub. Additional parking in these areas uses valuable land that could be dedicated to active uses and increases the cost of development by requiring tenants to pay for parking they may not need due to alternative modes or existing excess capacity. Opposition to this plan is coming from local residents who already deal with parking limitations. (Berstein, CMC)

Response: The FEIS analysis discloses greater demand than supply of off-street public parking in the midday within the Downtown Jamaica Core and Sutphin Boulevard (South) parking study areas as a result of the proposed action. These parking study areas encompass all of the Downtown Jamaica Special District. The demand for public parking is the excess demand not accommodated by the accessory parking requirement. Therefore, the minimum accessory parking requirements are essential for this area. While the proposed actions seek to promote new development in areas that are well-served by mass transit, parking requirements are necessary in order to accommodate parking demand. As noted in the response to comment 85, the AHA includes a greater accessory parking requirement, which would reduce the predicted parking shortfall.

Comment 89: The cause of the traffic problems in this area is that the intersection of Archer Avenue and Sutphin Boulevard are too close to each other. As a result, it is very difficult to manage the large volume of traffic entering the overall area from other streets. This project is only to widen the intersection of Archer Avenue and Sutphin Boulevard to the north, which will make the two intersections even closer to each other, and not provide any alleviation of the traffic problems in the area. The best way to solve the traffic problems in the area is—contrary to what has been proposed—to straighten the segment of Archer Avenue between 144th Street and 147th Street. This will involve a realignment to the south. Even though this recommendation requires a relocation of the Jamaica Station office building and a change of plan for hotel construction to the east of the station.

Moreover, our recommendation has the merit of preventing the loss of a great deal of private property.

Another alternative to solving the traffic problems at the intersection of Archer Avenue and Sutphin Boulevard is to widen the segment of Archer Avenue between 144th Street and 147th Street, and realign the segment to the north. But this plan should be held in reserve until the beginning of the redevelopment of the block where the lots to be affected are located. If the building line of the lots affected by the future redevelopment plan is set back, the area needed for the expansion of the streets and the public plaza can be provided for public open space. The increase of Floor Area Ratio resulting from high rises and zoning can be given to the involved lots as an incentive. This alternative will also cut down the acquisition expense for private property.

As for the contemporary adjustment for the safety of pedestrians and bus flow in our plan, the sidewalk at the corner of the intersection of Archer Avenue and Sutphin Boulevard would be set back a little bit, and the bus stops and subway entrances which are currently located in the corner of the intersection would also be moved far enough from the intersection to help alleviate the traffic problems to some degree. These minor changes can be retained until the future redevelopment in this area begins. (ATBO)

Response: The Station Plaza improvements proposed for Archer Avenue near the Jamaica LIRR Station is a separate project evaluated in its own environmental review, and is treated as background development in this FEIS. The proposal is currently undergoing public review under ULURP.

Comment 90: JEA finds the following assumptions from the DEIS alarming: DCP projects significant adverse impacts which they propose to mitigate by making “signal timing adjustments” and rush hour parking prohibitions. “The proposed actions would result in an overall shortfall of 2,082 off-street public parking spaces...No mitigation is available for this impact”(JEA)

Response: The effectiveness of the proposed mitigation measures has been analyzed using the nationally observed Transportation Research Board’s *Highway Capacity Manual*, as prescribed in the *CEQR Technical Manual*. Regarding the parking comment, please see the discussion above.

Comment 91: The development envisioned by the Jamaica Plan will be supplemented, moreover, by two recent city applications for roadway improvements jointly filed with the DCP by the New York City Economic Development Corporation and the New York City Department of Transportation. Those two projects, the Atlantic Avenue Extension and the Station Plaza Enhancement, will improve vehicular movement and pedestrian safety and reduce traffic congestion on key streets providing access to the LIRR and AirTrain station. (NYBC)

Response: As stated above, the FEIS traffic analysis included the NYC DOT proposal to improve traffic and pedestrian conditions around Atlantic Avenue, 94th Avenue and 95th Avenue between the Van Wyck Expressway and 150th Street, and in the vicinity of the LIRR's Jamaica Station.

Comment 92: Employee parking must be made available in manufacturing areas. (Rudmann)

Response: Required accessory parking in manufacturing areas are stipulated by the Zoning District in which the property is located. The parking requirement is consistent with the allowable uses and sizes of the permitted developments.

Comment 93: There should be City investment to acquire parcels of property (Block 9998 Lots 109, 110) for use as a public parking garage in the proposed Jamaica Gateway Urban Renewal Area to support the proposed Station Plaza development around the Air Train Station. A shortage of parking already exists in this area. New parking will assure the success of the new Station Plaza development. (Marshall)

Response: This property, which is currently zoned M1-1, has been designated as part of the Jamaica Gateway Urban Renewal Area and would allow for the development of a variety of commercial, residential, institutional, community facility and other uses permitted under the proposed C6-3 zoning district.

TRANSIT AND PEDESTRIANS

Comment 94: Public transportation in the form of surface lines and subways is already overcrowded. A detailed plan is essential to address this issue. Note that the use of Bus Rapid Transit is highly dubious given the rather narrow roads. Likewise, the current tunnel capacity for subways, given current technology, is at or near capacity for the number of trains during peak hours. The MTA must reevaluate bus routes to eliminate any need to transfer in Downtown Jamaica. The MTA must take measures to eliminate noise and air pollution while buses are idling in their depot facility. (Rudmann, Sandiford)

Response: As discussed in Chapter 17, "Transit and Pedestrians," the proposed action is not anticipated to result in significant adverse impacts to subways or subway facilities. There would, however, be significant adverse impacts to eight local bus routes (three NYCT routes and five MTA Bus routes). It is MTA's policy to regularly evaluate public transportation demand and service. Should the MTA determine that there is unmet transit demand, additional service can be provided consistent with service standards. Bus route location and subway tunnel capacity comments should be directed to the MTA. Bus route location and subway tunnel capacities are outside the purview of this study.

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Comment 95: Anticipated improvements to the AirTrain service must be considered and discussed with the community. Long Island Railroad, similar to the future of the AirTrain, must engage in consultation with the community concerning plans for possible additional rail line(s). The Metropolitan Transportation Authority (MTA) must consult with the community regarding their one-seat proposal from Manhattan to JFK. MTA has a pending draft study. (Rudmann)

Response: Comment noted.

Comment 96: The APA urges the City to engage the MTA so that the agency is informed of all anticipated impacts and can plan accordingly. DCP should make the MTA aware of all anticipated impacts so that the agency can plan accordingly. (Berstein)

Response: The MTA through NYC Transit (NYCT) is an interested agency in this project, and as such, NYCT participated in the preparation of the EIS, and the significant adverse impacts that have been disclosed in the analysis. NYCT will be kept informed as the project progresses.

Comment 97: To further encourage the use of non-automobile transportation, APA encourages the implementation of bicycle routes as proposed in the City's Master Bicycle Plan and based on the identification of potential major biking corridors in relation to redevelopment areas, transit stations, and open space. We also urge DCP to include requirements for on-street and off-street bicycle parking as part of the proposed Special Downtown Jamaica District. (Berstein)

Response: As noted in the traffic analysis, there are on-street bicycle routes planned/proposed by NYCDOT through the area affected by the proposed action. Parsons Boulevard/150th Street/153rd 157th Street would be the primary north-south route, and Archer Avenue/94th Avenue would be the primary east-west route. See Chapter 16, "Traffic and Parking."

The comment regarding on-street and off-street parking is noted.

Comment 98: JEA finds the following assumption from the DEIS alarming: "New subway demand would not result in any significant line haul impact to any subway line" (JEA)

Response: Transit conditions were thoroughly analyzed in accordance with the approved methodologies outlined in the *CEQR Technical Manual* and reviewed by NYCT. See Chapter 17, "Transit and Pedestrians." The FEIS discloses the potential for significant adverse impacts to bus services and pedestrians, but these impacts could be mitigated as described in Chapter 22, "Mitigation."

Comment 99: The MTA submitted these comments on the DEIS:

Figure 17-2. The bus map shown in the DEIS for Downtown Jamaica is from May 2006. Please note that a more recent map is now available on the MTA website.

Page 17-4. The station descriptions for the Sutphin Boulevard (F), 169th Street and Jamaica-179th Street Stations in the DEIS state that each of these stations has two mezzanines. Each station actually has one long mezzanine with two control areas, one at either end.

Page 17-5. The stations analyses in the DEIS only evaluate street stairs and fare arrays. Platform stairs are usually prone to congestion because they are subject to intense surges of passengers exiting trains, and therefore should be analyzed.

Tables 17-3A and 17-10A. Tables of stairway elements at the 179th (F) Station do not include stair S2 (northeast corner of Midlawn Parkway and Hillside Avenue) and S9 (south side of Hillside Avenue at 179th Place).

Page 17-6, under "Bus Service." The first two sentences are not accurate. NYCT and MTA Bus operate 26 and 14 bus routes, respectively, in the study area. Also, the text describing existing bus service should note that within New York City eastbound Long Island Bus trips can pick up, but not drop off passengers, and westbound Long Island Bus trips can drop off but not pick up passengers.

Page 17-8, under "Q4." The second sentence should read "Some limited-stop buses operate along this route in both directions during AM rush hours and toward 235th Street in PM rush hours." (There is limited stop service toward 235th Street in the AM.)

Page 17-8, under "Q5." The Green Acres Q5 route is a Bus Rapid Transit demonstration corridor.

Page 17-9, under "Q17." In addition, the Q 17 operates some limited-stop service in both directions during the morning and evening peak periods.

Page 17-9 to 17-10, under "Q25." Some trips will begin operating peak period limited-stop service in both directions in June 2007.

Page 17-10, under "Q42." The Q42 does not operate on Jamaica Avenue. Archer and Liberty Avenues are the main streets of operation within the study area.

Page 17-11, under "Q44." The Q20 A/B provide local service when the Q44 operates limited-stop service.

Page 17-11. A description of Q65 (MTA Bus) service is missing.

Page 17-12 to 17-13. Descriptions of NYCT express buses X32, X64, and X68 are missing.

Page 17-13, under "N4." The N4 does not operate on Hillside Avenue. Archer and Merrick Boulevard are the main streets of operation within the study area.

Page 17-23. In the first paragraph, second sentence, change the text to state that MTA Bus and NYCT operate 14 and 26 routes in the study area, respectively.

Response: Chapter 17, "Transit and Pedestrians," has been revised to reflect the above comments.

NOISE

Comment 100: The DEIS conclusion that noise impacts resulting from additional traffic would be imperceptible is not correct. (JEA)

Response: As described in Chapter 19, "Noise," calculated noise levels in the Future With the Proposed Actions during the AM and PM peak periods analyzed would be only 1 dBA higher than projected conditions without the proposed actions. Based on noise principles and the guidance of the *CEQR Technical Manual*, a noise increase of less than 1 dBA is not perceptible to the human ear, and is therefore not considered to be a significant adverse impact.

PUBLIC HEALTH

Comment 101: The plan does not acknowledge the health and environmental issues that exist currently, gone addressed for years, yet wish to place a greater number of people at risk in the name of a projected increase in population through the year 2030. (Ervin)

The incidence of several diseases is much higher in Jamaica than the New York City and National averages. Of particular concern are asthma, heart disease, and cancer. Urgent and emergency care must be provided. With the added development, it is even more critical that environmental contaminants be addressed, particularly air contamination and contamination in the air (including the water table). The areas designated "Small e" must require environmental evaluations to the water table. An air monitoring station must be located in Southeast Queens. (Rudmann, Atwell)

Response: Chapter 21, "Public Health," of the FEIS examines public health issues for the Jamaica area including air quality, hazardous materials, solid waste management practices, and noise and concludes that there would be no potential for significant adverse public health impacts.

As a result of the analyses presented in the FEIS, (E) designations are proposed at specified projected and potential development sites to protect residents from exposure to hazardous materials, noise, and air emissions that could otherwise impact public health.

The FEIS did not identify project-related significant adverse impacts on local groundwater. However, on some development sites, the proposed (E) designations for hazardous materials may entail groundwater evaluations. Based on the conclusions of the air quality analyses, an air monitoring station is not needed.

MITIGATION

Comment 102: The DEIS shows that no mitigation has been found for shadows that will impact the eastern and western facades of Grace Church. (J. Forrestal)

Response: As disclosed in the Historic Resources and Shadows chapters of the FEIS, potential mitigation measures for the significant adverse shadow impact on Grace Church was considered in both the DEIS and FEIS. Among the options considered were new artificial light sources. However, to simulate sunlight conditions would require significant lighting fixtures and possible use of neighboring properties. For these reasons, the FEIS analyses concluded this mitigation would not be feasible. Additional work performed between the DEIS and the FEIS, including supplemental site visits, did not identify any additional mitigation measures.

Comment 103: Our community demands an Environmental Impact Statement that is based in reality and not biased assumptions. In our opinion rational city planning requires the city to commit the resources necessary to mitigate the impacts of this proposal before rezoning is approved. (JEA)

Response: The FEIS has been prepared in accordance with the methodologies of the CEQR Technical Manual. Chapter 22, "Mitigation," of the FEIS identifies potential mitigation measures for significant adverse impacts related to socioeconomic conditions (i.e., indirect residential displacement), traffic and parking, transit and pedestrians. Some of the potential significant adverse impacts of the proposed actions would remain unmitigated. If the proposed project is approved, the City and its agencies (including the Office of the Deputy Mayor for Economic Development and Rebuilding, DCP, HPD, DPR, DOT, and DEP) are committed to implementing the necessary mitigation as described in the FEIS.

ALTERNATIVES

Comment 104: The Zoning Alternate Plan suggests the R7A may be between 164th to 167th Streets and from 172nd to 179th Streets on both sides. The north side of Sutphin Boulevard should be R7A to match the C4-4A on the south. Only if new construction offers affordable and low income housing on site may a building go to R7X.

For the remainder of the Hillside Avenue corridor, the areas currently zoned R3-2, R5, C8-1 should be R5D. The south side of Hillside Avenue from 179th Street east should be lower than R5D. Areas currently zoned R6 should be R6B. If affordable and low income housing were to be built, those buildings offering affordable and low income housing on site could go to an R6A.

The entire Hillside Avenue must be included in the special district as well as the other major corridors.

All of Hillside Avenue and other key corridors must be at least 50 percent mandatory parking, with no waivers for R6B, R6A, R7A, and R7X zones. R5D is to have minimum of 85 percent parking. (Rudmann)

Response: In response to an alternative plan presented by Community Board 12's Ad Hoc Committee, DCP developed an additional alternative called the Community Comment Alternative (CCA) and analyzed it in the FEIS. This alternative, described in Chapter 23 of the FEIS, incorporates many elements of the zoning recommendations presented in that plan, including extending the special district. Figure 23-13 shows a proposed zoning map under the Community Comment Alternative. However, other elements were not incorporated because they did not meet the goals and objectives of the proposed actions, were impracticable, or infeasible. Some of the elements that were not incorporated include: eliminating the off-site option for affordable housing, analyzing subsidized affordable housing, removing the proposed action to demap 148th Street, and creating a displacement mitigation tax credit. Many of the recommendations that could not be incorporated into the FEIS for the reasons stated above will be considered by the inter-agency task force that City intends to establish to address ongoing concerns of the Jamaica community.

Comment 105: The Zoning Alternate Plan recommends: the R4-1 north of 108 Avenue should be R3A; the R4 east of Guy R. Brewer Boulevard, north of 109 Avenue, west of Merrick Boulevard and south of South Road (approximately 17 blocks) should be R4-1, R4A, or R3A; Liberty Avenue north of R4-1 and just east of Merrick Boulevard should be R5B; Merrick Boulevard should be R5D; the R4 should be clipped between 171 and 173 Streets and attached to the R4-1 to its north and east; the large R4-1 area south of Liberty Avenue, east of Merrick Boulevard, north of 110 Ave. and west of the LIRR tracks should be changed to R3A or R4A; the R4 south of Henderson Avenue should be a R4B; the M1-2 should be left an M1-1 because of bulk concerns (we also want to see the performance standards removed for the transfer stations); of the proposed R4-1, between Hillside and Jamaica Avenues, in the old R3-2, should be R3A; in the proposed R4-1, because house are detached, they should be R3A or R4A; the area around King Park should be R6A (it is our major open space and should not be surrounded by the residential buildings higher than already present); the R5's west of the Special District and east of Van Wyck Expressway should be R5A

because most buildings are detached and one and two family; Jamaica Avenue should be lowered to at least R5D; the houses on the north side at 191st Street should be R2 and the south side east of 190 Street should be R2.

The Zoning Alternate Plan, which we are submitting to DCP, better reflects the character of our neighborhoods. We find that this proposed DCP action, in fact, causes a much more significant negative environmental impact and displacement of residents than the DEIS indicates. We are equally concerned that those who have been brought to Downtown Jamaica for shelter will be displaced and that they and their social services will be threatened by gentrification.

Our Alternate Plan enjoys community support and should be considered. The City should establish a Task Force to implement the Alternate Plan. The Task Force should be comprised of mayoral representatives, city agencies, elected officials, community board and residents should constitute 50 percent of the task force and at least two members of the community representatives shall be from the Ad hoc Committee. (Rudmann, Mitchell)

Response: As described above in the response to Comment 104, the FEIS includes and analysis of a Community Comment Alternative that incorporates elements of the zoning recommendations presented in that plan. A description of this alternative, including a zoning map, is presented in Chapter 23 of the FEIS.

Comment 106: I urge the commission to please look at the alternative proposal for the Hillside Avenue portion of this rezoning, which was submitted by our Councilmember Gennaro. Hillside Avenue can't afford to have a strip of R7X, but a more mixed zoning works for this area. (Ayala)

Response: As described in Chapter 23, "Alternatives," of this FEIS, Councilmember Gennaro's proposal has been incorporated into the Community Comment Alternative, which includes the rezoning to R7A of only portions of Hillside Avenue located near major intersections and subway stations. Under this alternative, the remainder of Hillside Avenue would be rezoned to R5D and R6B to permit residential development on a smaller scale.

Comment 107: The Jamaica Plan should be supported on the condition that the Ad Hoc Committee's recommendations are adopted. (Henderson, Atwell, Lucas)

JEA has submitted an alternative zoning proposal for the Hillside Avenue corridor which we feel strikes a balance DCP's desire to promote development with our commitment to maintain the special character of our neighborhood. We urge you to give our counter-proposal every consideration. (JEA)

Response: Comment noted. Chapter 23, "Alternatives," of this FEIS includes a new alternative, the Community Comment Alternative, which analyzes many of the

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proposals set forth by the Ad Hoc Committee, and by the Jamaica Estates Association.

Comment 108: Habitat-NYC recommends mapping inclusionary zoning in all new residential zones of R7A or higher, on boulevards throughout the rezoning area, as per the Affordable Housing Alternative proposed by DCP. (Furlong)

Response: Comment noted.

Comment 109: Councilman Gennaro supports the Ad Hoc Committee's plan and the Queens Borough President's recommendations. (Gennaro)

Response: Comment noted. Chapter 23, "Alternatives," of this FEIS includes as new alternative, the Community Comment Alternative, which analyzes many of the proposals set forth by the Ad Hoc Committee. See comments 8, 11, 7, 22, 23, 29, 93, 112, and 114 regarding the Queens Borough President's recommendations.

Comment 110: The FAR of the manufacturing district east of Jamaica Center should not be doubled. (Mitchell)

Response: Comment noted. Under the new Community Comment Alternative included in Chapter 23 of this FEIS, this area would remain zoned M1-1. However, the Community Comment Alternative would not meet the goals and objectives of the proposed actions.

Comment 111: Commercial overlays on Hillside Avenue should be limited to corners rather than being mapped along the entire street. (Marshall)

Response: Mapping the commercial overlays only on corners would not meet the goals and objectives of the proposed Jamaica Plan, which seeks to promote vibrant street life and pedestrian activity, and it would not be consistent with City policy regarding continuity of ground floor retail activity. The City intends to establish an interagency task force to address this and other issues and concerns raised by elected officials and the community during the public review process.

Comment 112: The provision of affordable housing is a priority to this community. We support that mandatory zoning to include affordable units in any area where residential density is being increased to changed to R6A or higher throughout the rezoning area, requiring that at least 20 percent of the units be affordable to families earning up to 80 percent of area median income (\$56,720 for a family of 4). We require mandatory zoning to include affordable units because we believe that a voluntary program works well in areas subject to a hot real estate market, which is not thus far the case in Jamaica, where a mandatory program is more

adequate. The City should encourage affordable homeownership as well as affordable rental housing. (Rudmann, Marion, Barahona, Mitchell)

Response: The proposed Jamaica Plan does not include affordable housing. However, the FEIS described and analyzed an Affordable Housing Alternative in Chapter 23, “Alternatives.” This alternative incorporates the City’s inclusionary housing program and would partially mitigate the significant adverse indirect residential displacement impacts which could result from the proposed action. The alternative does not include mandatory inclusionary housing provisions in R6A districts because the lower density districts do not create the economic incentives necessary for development of affordable housing.

OTHER COMMENTS

Comment 113: A Jamaica Downtown Committee (mirrored after Brooklyn Metro Tech Downtown Committee) should be established of community stakeholders, with right of first refusal by local businesses, displaced businesses, and Southeast Queens residents. (AMENY, Heyliger)

Response: Comment noted.

Comment 114: Economic opportunities should be made available for the residents of Community District 12 to provide goods and services during construction of the proposed International Merchandise Mart and retail stores. Upon completion, employment opportunities should be made available to residents of Community District 12. Notification of such opportunities before and after construction should be made to Community Board 12, affected elected officials and the Borough President’s Office. (Marshall)

Response: Comment noted.

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