

Chapter 24: Response to Comments on the DEIS

I. INTRODUCTION

This chapter summarizes and responds to all substantive comments on the Draft Environmental Impact Statement (DEIS) issued on May 3, 2019, for the redevelopment of the former Peninsula Hospital site made during the public comment period.

The City Planning Commission (CPC) held a duly noticed public hearing on the DEIS on August 14, 2019 in the CPC Hearing Room at 120 Broadway, Lower Concourse, New York, NY 10271. The DEIS hearing is required under City Environmental Quality Review (CEQR) and was held in conjunction with the CPC's citywide public hearing on the land use application pursuant to Uniform Land Use Review Procedure (ULURP). The public hearing on the DEIS was noticed in The Rockaway Times and Queens Chronicle on July 25, 2019; the New York Daily News and The Wave on July 26, 2019; the New York City Record on July 30, 2019; and the New York State Department of Environmental Conservation (NYSDEC), Environmental Notice Bulletin on July 31, 2019. Public comments were accepted at the hearing and throughout the public comment period, ending on August 26, 2019.

Section II below lists the elected officials, community boards, organizations, and individuals who commented on the DEIS. Section III summarizes and responds to comments. Comments are organized by subject matter and generally parallel the chapter structure of the DEIS. Where more than one person expressed similar views, those comments have been grouped and addressed together.

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

II. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Elected Officials

1. Stacey Pheffer Amato, Assembly Member, New York State Assembly District 43, Written Comment received on August 26, 2019 (Amato)
2. Melinda Katz, Queens Borough President, Written Comment received on August 8, 2019 (Katz)

Community Board

3. Queens Community Board 14, Formal Resolution dated July 3, 2019 (CB14)
4. Harold Paez, Queens Community Board 14, written testimony received on August 26, 2019 (CB14 - Paez)
5. John Cori, Queens Community Board 14, verbal testimony heard on August 16, 2019 (CB14 - Cori)
6. Khalil Anderson, Queens Community Board 14, verbal testimony heard on August 16, 2019 (CB14 - Anderson)
7. Michael Tubridy, Queens Community Board 14, written testimony received on August 26, 2019 (CB14 - Tubridy)

Organizations and Businesses

8. Bayswater Civic Association (BCA)
9. Coalition of the Rockaways (Coalition of the Rockaways)
10. Macedonia Baptist Church (Macedonia Baptist Church)
11. Mount Horeb Baptist Church
12. Pastor of Community Church of Astoria (Community Church of Astoria)
13. Homeowners Association
14. Ready Rockaway
15. Rockaway Residents for Responsible Development (RRRD)
16. Terence McNicholas, Sandcastle Grocery Inc., written testimony received on August 23, 2019 (Sandcastle Grocery)
17. Mark Espinoza, SEIU Local 32BJ, verbal testimony heard on August 16, 2019 (SEIU Local 32BJ - Espinoza)
18. Louise Bordley SEIU Local 32BJ, written testimony received on August 14, 2019 (SEIU Local 32BJ - Bordley)
19. Patrick Young, First Baptist Church, written testimony received on August 12, 2019 (First Baptist Church)
20. Danielle Risty, Western Beef, verbal testimony heard on August 16, 2019 (Western Beef)
21. Ann Cotton Morris, Woodside Tenants Association, written testimony received on August 12, 2019 (Woodside Tenants Association)
22. Andrea Colon, Rockaway Youth Task Force (RYTF - Colon).
23. Rev. Dr. Johnnie Green, Mobilizing Peachers and Communities (MPAC)

General Public

24. Anaya Robinson, local resident, verbal testimony heard on August 16, 2019 (Robinson)
25. Anna Palmer, local resident, verbal testimony heard on August 16, 2019 (Palmer)
26. Blessing Yoselov, local resident, verbal testimony heard on August 16, 2019 (Yoselov)
27. Bridget Klapinski, local resident, verbal testimony heard on August 16, 2019 (Klapinski)
28. Cinnamon Brown, local resident, verbal testimony heard on August 16, 2019 (Brown)
29. Edward Mallon, local resident, written testimony received on August 23, 2019 (Mallon)
30. Glen Grisham, local resident, verbal testimony heard on August 16, 2019 (Grisham)
31. Isaura Gonzalez, local resident, verbal testimony heard on August 16, 2019 (Gonzalez)
32. Jesatoya Oblobey, local resident, verbal testimony heard on August 16, 2019 (Oblobey)
33. Lolita P. Miller, local resident, verbal testimony heard on August 16, 2019 (Miller)

34. Luis Guerrero, local resident, written testimony received on August 23, 2019 (Guerrero)
35. Milan Taylor, local resident, verbal testimony heard on August 16, 2019 (Taylor)
36. Tamera Jacobs, local resident, verbal testimony heard on August 16, 2019 (Jacobs)
37. Elisa Hinken, written testimony received on August 25, 2019 (Hinken)

III. COMMENTS AND RESPONSES

Project Description

Comment 1: The Proposed Project is too dense such that the number of dwelling units (DUs) needs to be reduced between 30-50%. (CB14)

Response: As described in Chapter 1, "Project Description," of the EIS, the density of the Proposed Project allows for a mix of residential units at various levels of affordability with respect to Area Median Income (AMI) that will meet the Applicant's goals and objectives to provide intergenerational, quality low and moderate income housing to Edgemere. According to the Applicant, the proposed level of density is needed to support community resources that are part of the project, including approximately 24,000 gsf of publicly-accessible open spaces, and approximately 149,000 gsf of space for retail and community facility space.

Comment 2: The range of affordability levels identified for the residential apartment units introduced by the Proposed Project should meet the needs of the community to include additional senior units. Project should also include of more moderate- and medium-income units for working families and individuals who wish to stay in the community. (CB14; Katz)

Response: See response to Comment 1. As described in Chapter 1, "Project Description," of the EIS, the number and mix of affordable units and AMI bands represented within the Proposed Project is intended to alleviate rent-burdened households in the community. Earlier development phase buildings within the Proposed Project will serve lower income residents at or below 80% AMI and later development phase buildings would reach more moderate income residents at or above 80% AMI but not to exceed 130% AMI. The Proposed Project also contains 201 affordable independent residences for seniors (AIRS), which will be specifically restricted to seniors aged 62 and over up to 60% AMI. However, seniors would be eligible to apply for all units within the Proposed Project as long as they meet the income requirements.

Comment 3: Open space provided as part of the Proposed Project would not achieve healthy neighborhoods and active living. (BCA)

Response: Comment noted. Also see response to Comment 50.

Comment 4: The Proposed Project fails to address the broad range of housing and overall community needs. Housing is needed for moderate- and middle-income families, and housing must be in the context of the community, without adversely impacting existing members of both the local community and the broader community district. (BCA)

Response: See response to Comment 2.

Comment 5: The Applicant promised 600 jobs but DEIS states only 300 will be created. The 300 jobs that the Applicant claims will be contributed to the community are far fewer than the jobless residents to be added. (BCA; RRRD)

Response: Comment noted.

Comment 6: The Proposed Project does not provide affordable housing home ownership, even though it is desperately needed to stabilize the area. Affordable Homeownership will stabilize the community and ensure the long-term vitality as over 93% of the occupied units in the subject area are renters and 83% of the renters are publicly funded. (BCA; RRRD)

Response: Comment noted.

Comment 7: With a proposal this large, the discussion should include the details of a public park, recreational facilities such as a public pool, organized sports activities and other planned proposals to enhance the quality of life for residents. (CB14 - Paez)

Response: Comment noted. Publicly-accessible open space resources associated with the Proposed Project are described in Chapter 1, "Project Description," and Chapter 5, "Open Space" of the EIS.

Comment 8: It's important to make sure all income bands are in the Proposed Project to make sure that the bus driver or the police officer or the fire fighter, or civil service servant, etc., are able to be included, even when they get promotions and get paid more. (CB14 - Anderson)

Response: See response to Comment 2.

Comment 9: We need coffee shops. We need cleaners. We need gyms. (Coalition of the Rockaways)

Response: Comment noted. As described in Chapter 1: "Project Description," of the EIS, the Proposed Project would include approximately 72,000 gsf of retail space, including a supermarket, approximately 77,000 gsf of community facility space, and approximately 24,000 square feet (sf) of publicly-accessible open space, which would provide opportunities for such uses as local retail and recreational facilities. The Proposed Actions include a text amendment to permit a physical culture establishment as-of-right within the large scale plan, which includes uses such as gyms, yoga studios and fitness centers. This proposed action is intended to provide flexibility to attract potential tenants to the Project Site and to rent space within the project without going through an additional discretionary process at the Board of Standards and Appeals.

Comment 10: The Proposed Project would enhance this community. This project will yield good jobs during construction each year and approximately 650 permanent job opportunities upon completion. Redeveloping the Peninsula Hospital site will create new mixed housing opportunities that is greatly needed in the neighborhood. The neighborhood, especially residents of Far Rockaway who have been overlooked and underserved will prosper with this new development. (Community Church of Astoria; First Baptist Church; Mount Horeb Baptist Church; Oblobey ; Robinson; SEIU Local 32BJ - Espinoza; Woodside Tenants Association)

Response: Comment noted.

Comment 11: The Peninsula Redevelopment project at Edgemere Commons is needed because it is apparent that there is a need for affordable housing on the east end of the Rockaway Peninsula. (Gonzalez)

Response: Comment noted.

Comment 12: We deserve to have resources necessary to live comfortably. We deserve housing that is affordable and allows for upward mobility. The project not only brings affordable housing, but also jobs, recreational community centers, restaurants, and much more, resources and

amenities that we do not currently have in our community. We deserve to live in a vibrant and sustainable community. (Jacobs; RYTF - Colon)

Response: Comment noted.

Comment 13: The Proposed Project should help the low-income families by mixing them with middle income families to have a healthy community. Only 13% of the units will be available for moderate- and middle-income families and 87% will be for extremely low, very low- and low-income families. (Mallon; RRRD)

Response: See response to Comment 2.

Comment 14: The Proposed Project should be cut in half, and include a mix on low-income and middle-income households. (RRRD; Sandcastle Grocery)

Response: See response to Comments 1 and 2.

Comment 15: The area would be better served with Option #2 under Mandatory Inclusionary Housing not Option #1 as it would ensure more Permanent Affordable Units and at the same time ensure the long-term vitality of the community without the displacement of any current residents. Additionally, the area has already had significant affordable housing built and currently under construction. (RRRD; Sandcastle Grocery)

Response: Comment noted. The applicant may request a subset of MIH options, but the City Planning Commission (CPC) and City Council retain the discretion of removing or adding an option. The EIS analyses whichever option would be the more conservative for each impact category.

Comment 16: Any reduction in the current 85% parking requirement should not be allowed. (BCA; RRRD)

Response: See response to Comment 62.

Comment 17: No more than 1,363 DUs should be built. This will be a 140% increase compared to the current as of right and would allow the Applicant to ensure they can build in a sustainable housing with retail. With this number of units, it will still become the densest section of the peninsula as it is in close proximity and adjacent to Ocean Bay Apartments, Ocean Side Apartments, Nordac Houses, Arverne View, Beach Green Dunes, Beach 41 St. Houses, etc. (RRRD)

Response: See response to Comment 1.

Comment 18: The former Peninsula Hospital site is adjacent to the Arverne and Edgemere urban renewal areas. The DEIS should have studied the cumulative environmental affects in a holistic way that this proposed development would have on the community, and revised and amended the original environmental reviews mentioned since the subject areas overlap and are adjacent. (Grisham)

Response: As described in DEIS Chapter 1, to assess the potential effects of the Proposed Project, a reasonable worst-case development scenario (RWCDs) was developed for the Project Site. The RWCDs considers both the anticipated development that would occur in the future on the Project Site without the Proposed Actions (the future "No-Action" condition) and the development that would occur in the future on the Project Site with the Proposed Actions (the future "With-Action" condition). The EIS, in accordance to CEQR requirements, conducted its analyses to determinate if an adverse impact is significant or not on the basis of the increment between No-Action and With-Action condition.

Comment 19: Those who live at that area want to see the Proposed Project come to light. (Macedonia Baptist Church; Miller; Palmer; Robinson; Taylor; Western Beef)

Response: Comment noted.

Comment 20: No more than 1,000 DUs should be permitted on the Project Site with at least 85 percent parking. (BCA)

Response: See responses to comments 2 and 62.

Comment 21: The Applicant proposes “reopening” Beach 52nd Street through the Freeway even though it was never open and the New York City Department of Transportation (NYCDOT) is unlikely to agree to this. There are only limited crossings of the Freeway as there have been since it was built, and since the LIRR ran at ground level. (BCA)

Response: In accordance with CEQR requirements, the lead agency coordinated the environmental review for the Proposed Project with all involved and interested agencies including NYCDOT. The extension of Beach 52nd Street will be developed in coordination with NYCDOT and provide an improved vehicular and pedestrian connection between Rockaway Beach Boulevard and Beach Channel Drive.

Comment 22: We need a development that will not put too much of a burden on our current residents and infrastructure and will promote economic opportunity and economically stabilize the communities housing base. The current plan does not do that. (RRRD)

Response: See responses to comments 1 and 2. The EIS analyzes the potential for impacts to the area’s infrastructure and socioeconomic conditions; where significant adverse impacts are identified (e.g., transportation), mitigation measures where feasible and practicable are proposed.

Land Use, Zoning, and Public Policy

Comment 23: Development is too dense with too many housing units. (RRRD; CB14 - Tubridy; Sandcastle Grocery; Katz; BCA)

Response: As stated in Chapter 2, “Land Use, Zoning, and Public Policy,” the Proposed Actions – that would facilitate the Proposed Project – would not adversely affect surrounding land uses, nor would the Proposed Actions generate land uses that would be incompatible with existing zoning and land uses. Also see response to Comment 1.

Comment 24: The Proposed Project is not consistent with prior studies and plans by the city such as the Resilient Edgemere Community Plan, which stated limiting new residential development in vulnerable areas and maintaining lower densities in Coastal Flood Areas. The Proposed Project is in contradiction of that. (RRRD; BCA)

Response: The Resilient Edgemere Community Planning Initiative is a joint effort of New York City agencies to align New York City’s Sandy recovery and rebuilding investments in Edgemere with a comprehensive long-term community vision. The assessment of the City’s public policies as they relate to the Proposed Actions as detailed in Chapter 2, “Land Use, Zoning, and Public Policy,” found that they would not result in development that conflicts with adopted public policies.

Comment 25: The recommendation in HPD's Resilient Edgemere report to build two family houses and stores would be one of the most appropriate uses of the Project Site. As-of-right construction of 568 DUs would be acceptable. (BCA)

Response: See response to comments 23 and 24.

Comment 26: The Proposed Project is needed because it is apparent that there is a need for affordable housing on the east end of the Rockaway Peninsula. (Gonzalez)

Response: Comment noted.

Comment 27: The DEIS should consider the 3,500 DUs proposed in the Downtown Far Rockaway project located 29 blocks away. (CB14 - Cori)

Response: See response to Comment 18. As described in Chapter 2, "Land Use, Zoning, and Public Policy," the Downtown Far Rockaway project is considered where relevant in the No-Action condition.

Comment 28: The Proposed Project would introduce thousands of new residents in an extremely vulnerable community, a flood plain where many residents are still not repaired from Superstorm Sandy and unprepared to face the next one. (Klapinski)

Response: The New York City Waterfront Revitalization Program (WRP) is the City's principal Coastal Zone Management tool. It establishes the City's policies for development and use of the waterfront and coastal areas. WRP Policy 6.2, "Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the New York City Panel on Climate Change, or any successor thereof) into the planning and design of projects in the city's Coastal Zone," policy requires all projects, except for maintenance and in-kind replacement of existing facilities, to identify potential vulnerabilities to and consequences of sea level rise and coastal flooding over their lifespan and to identify and incorporate design techniques to address these risks. As described in Chapter 2, "Land Use, Zoning, and Public Policy," of the EIS, the Proposed Project is consistent with Policy 6.2 and other applicable New York City Waterfront Revitalization Program policies, including Policy 1.3 "Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed;" Policy 1.5 "Integrate the consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development;" and Policy 6.1 "Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area."

Comment 29: Previous studies were ignored in the EIS. (Grisham)

Response: See response to Comments 24 and 27.

Comment 30: The Proposed Project goes against Community Board 14's resolution that (1) no affordable housing be developed that is not at least 60% AMI; (2) greater emphasis be put on homeownership and preferably market rate housing; and (3) no reduction in the 85% parking requirements be granted on any new building. (BCA)

Response: Comment noted. Also see response to Comments 2 and 68.

Socioeconomic Conditions

Comment 31: The Proposed Project would exacerbate the high concentration of poverty, subsidized, public housing, nursing homes and rehabilitation centers in the area. (BCA; RRRD)

Response: Consistent with the federal Fair Housing Act, the City follows a balanced approach to advancing fair housing that involves both place-based and mobility strategies. Incorporating place-based strategies in the City's five-borough affordable housing strategy is critical to directing investments to high-poverty neighborhoods that have historically experienced underinvestment. The City's place-based approach incorporates—beyond safe, new housing—substantial investments in infrastructure, open space, schools, resilience, and transportation. In addition, the proposed housing project includes a range of income-restrictions and both retail and commercial spaces that will provide the neighborhood access to fresh food and other needed services. The combination of new commercial and community facility space along with neighborhood investment is intended to spur community revitalization. Together, the City's place-based and mobility strategies form a comprehensive housing strategy designed to empower New Yorkers with realistic choices to live in thriving, integrated neighborhoods and to ensure that no one is deprived of access to fundamental resources.

Comment 32: The DEIS notes that there would be no change in socioeconomic conditions of the neighborhood. In fact, the project would reinforce the unlawful existing social, racial, and economic conditions of the neighborhood. The Proposed Project would be built in clear violation of the Fair Housing Act of 1968 (Civil Rights Act of 1968, (Pub.L. 90–284, 82 Stat. 73, Titles 8 and 9). The adjacent NYCHA facilities are overwhelmingly African American as this project is likely to be. Federal law and Supreme Court decisions specifically prohibit projects such as this. If it is built, the Applicant will undoubtedly be required to leave most apartments vacant until they are able to secure non-minority tenants who meet the income requirements. (Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc., 576 U.S. (2015) (BCA)

Response: As set forth in Comment 35, the City's fair housing strategy consists of a balanced approach that involves both place-based and mobility strategies. Consistent with this citywide approach, the proposed mixed-income and mixed-use project will provide needed investment to a neighborhood that has historically experienced significant underinvestment. Investment in historically disadvantaged neighborhoods is consistent with the objectives of the federal Fair Housing Act.

Comment 33: The DEIS incorrectly notes 4,356 DUs instead of 3,387 DUs. The 552 unoccupied units are generally due to Superstorm Sandy damage. (BCA)

Response: As allowed under guidance in the CEQR Technical Manual, the Socioeconomic Conditions impact assessment was based on the characteristics of the area within 0.50 miles of the Project Site. The stated number of DUs and related population estimates were based standard data sources identified in Chapter 3: Socioeconomic Conditions," of the EIS.

Community Facilities and Services

Comment 34: The Rockaways and Five Towns now have only one hospital where before the closing of Peninsula Hospital there were two. Traffic problems caused by this development will add significant, and perhaps fatal, travel times for trips to St. John's Hospital from areas west of the Proposed Project. (BCA)

Response: In accordance with the CEQR Technical Manual and as stated in Chapter 4, "Community Facilities and Services," the Proposed Project would not result in the creation of a sizeable new neighborhood where none existed before; consequently, a detailed analysis of indirect effects on health care facilities was not warranted. Operation of Emergency Medical Services vehicle would continue in the future, without or with the Proposed Project, to be in conformance with State and local regulations governing the operation of such vehicles.

Comment 35: The DEIS claims that the adverse impact on the Arverne library is not a problem because, with our wonderful transportation, residents can use other libraries. The DEIS never mentions, since so many of the residents will be extremely low income, if free MetroCards will be provided for these trips. (BCA)

Response: As described in Chapter 4, "Community Facilities and Services," of the EIS, Residents would have access to the entire Queens Library through the inter-library loan system and could have volumes delivered directly to their nearest library branch. Residents would also have the option to utilize other nearby library branches such as the Far Rockaway Library Branch approximately two miles to the west and the Peninsula Library Branch two miles east of the Project Site. In addition, the Queens Teen Library is located one block south of the Far Rockaway Library. Consideration of providing free MetroCards to residents is outside the scope of CEQR, therefore not discussed in the EIS.

Comment 36: The Proposed Project may have a serious effect on medical care and other emergency responses. (BCA)

Response: See response to Comment 34.

Comment 37: The DEIS reports that the School Construction Authority expects enrollment in the Rockaways to decrease despite the construction of thousands of apartments in the Downtown Far Rockaway Revitalization Area and Arverne East! This would be a very significant unmitigated adverse condition. (BCA)

Response: As detailed in Chapter 4: "Community Facilities and Services" of the EIS, the Proposed Project would result in a significant adverse impact on public elementary and intermediate schools based on guidance in the CEQR Technical Manual. The projected impact is addressed through application of the mitigation measures detailed in Chapter 20, "Mitigation," of this FEIS.

Comment 38: The Proposed Project would increase the high school utilization rate which already has a shortfall of 12,799 seats for Queens, but counting against such a large base, the percentage is not high enough to count as a significant adverse condition. The DEIS does not report the effect on the local high schools. (BCA)

Response: As detailed in Chapter 4, "Community Facilities and Services," based on guidance in the CEQR Technical Manual, the Proposed Project would not have a significant adverse impact on public high schools.

Comment 39: The Arverne East project and the other projects that were approved about three years generate a massive density where schools are already overtaxed. (CB14 - Cori)

Response: As detailed in Chapter 4, "Community Facilities and Services" and in conformance with guidance in the CEQR Technical Manual, the assessment of the impact of the Proposed Project on Community Facilities and Services incorporates projections of school capacity and student projections of projects in the study area including those associated with Arverne East. See response to Comment 37.

Comment 40: The Proposed Project would introduce a substantial new residential population to the study area resulting in increased demand for community facilities and public services. The negative impacts of the community within DEIS are many, and would only cause further hardships and quality of life issues for the current and future residents. (Grisham)

Response: As summarized in Chapter 4, "Community Facilities and Services," of the EIS and, in conformance with guidance in the CEQR Technical Manual, the assessment of the impact of the Proposed Project on Community Facilities and Services including assessments of the impact of the Proposed Project on public schools, libraries, publicly-financed child care centers, police and fire services, and health care facilities. This assessment indicates that the Proposed Project would not have a significant adverse impact on libraries, police and fire protection services, and health care facilities but would have a significant adverse impact on public schools and publicly-funded child care centers. The projected impacts are addressed through application of mitigation measures, where feasible, as described in Chapter 20, "Mitigation," of this FEIS.

Comment 41: The Proposed Project may overload the school system, but that's on the politicians to supply the seats that's needed. It should not be on the Applicant. It's the City of New York that supplies the educational needs of our children. So, then we need additional funding for additional seats. It might not build a whole new school, but you can put in an annex. You could put in another floor. (Palmer)

Response: Comment noted. Also see response to Comment 37.

Comment 42: A daycare in the lower level can be added to support the additional children coming on. (Palmer)

Response: Comment noted. Also see response to Comment 40.

Comment 43: There is no analysis of the effect of the increased traffic on emergency services. (BCA)

Response: See response to Comment 34.

Comment 44: The DEIS reports that there are 1,632 apartments over and above the 568 permitted as-of-right but that 201 of these apartments are for senior citizens and therefore should not be considered in the Community Facilities and Services analysis. That is an unreasonable conclusion since all too often grandparents and great grandparents are taking care of their grandchildren. Therefore, the Applicant chooses to only count the children in 1,431 units. (BCA)

Response: The assessment of the impact of the Proposed Project on Community Facilities and Services was completed in conformance with the CEQR Technical Manual, including the effect of apartments restricted to senior citizens. See response to Comments 37 and 40.

Comment 45: We need more police. (Coalition of the Rockaways)

Response: Comment noted. See Response to Comment 40.

Comment 46: The DEIS states the Proposed Project would not result in the creation of a sizeable new neighborhood where none existed before. Consequently, a detailed analysis of indirect effects on health care facilities is not warranted. Since when is 6,500+ new residents not a sizable new neighborhood?? (RRRD)

Response: The Proposed Project would be located in the Edgemere section of the Rockaway Peninsula, an established neighborhood that includes a diverse mix of residential, commercial, transportation, and institutional uses. It would not create a sizeable new neighborhood where none existed before. Also see response to Comment 40.

Comment 47: There were nine hospitals that received an "F" grade in the nationwide Leapfrog Group's spring 2019 hospital safety evaluation placing them in the bottom 1% of hospitals and St. John's Hospital was one of them. This is now the only acute care hospital in the area. The Proposed Project along with all the other new developments planned and being built in the community will bring over 25,000+ new residents and we will have only one failing hospital for a vulnerable and underprivileged community. (CB14 - Paez; RRRD)

Response: See Response to Comment 40.

Comment 48: The DEIS has failed to provide any analysis from the police department, FDNY's Emergency Medical Services, or FDNY's firefighting units discussing the impact of the Proposed Project on their response times. (BCA)

Response: As detailed in the CEQR Technical Manual, the impact of a proposed project on police and fire services is only required if there is a physical effect by a proposed project (i.e., Direct Effect) or if the proposed project would introduce a sizeable new neighborhood where none existed before. The Proposed Project would not physically affect any police or fire facility, nor would it create a sizable new neighborhood where none existed before. Also see Response to Comment 40.

Comment 49: The DEIS estimate of new elementary and middle school students generated from the new developments are too low. (BCA)

Response: See Response to Comment 37.

Open Space

Comment 50: The DEIS reports that there would be a significant decrease in the open space and in the Open Space Ratio. The OSR would be decreased by over 16%. In fact, there would be little open space in the project other than streets and sidewalks. There would be no grass areas in the project. The truth is that the only real open space (aside from streets) would be outside of the project. (BCA)

Response: As described in Chapter 1, "Project Description," of the EIS, the Proposed Project would include 24,000 sf of publicly-accessible open space distributed across the Project Site and comprising two major public open spaces: (1) Pedestrian Plaza (Beach 51st Street open space area) and (2) Highpoint intersection, located at the intersection of Beach 52nd Street and Peninsula Way. As detailed in Chapter 5, "Open Space" of the EIS, the Proposed Project would result in a significant adverse impact on Open Space based on guidance in the CEQR Technical Manual. The projected impact is addressed through application of the mitigation measures detailed in Chapter 20, "Mitigation" of this FEIS.

Comment 51: The DEIS notes that there is significant open space to the south of the project and across the Freeway on the boardwalk and beach. The DEIS neglects to say that the beach is closed to the public due to piping plover nesting in this area. Further, the Freeway is a solid barrier from Beach 44th Street to Beach 54th Street, making the beach and boardwalk is for all practical purposes inaccessible. (BCA)

Response: As noted in Chapter 5: "Open Space" of the EIS, a portion of Rockaway Beach within the residential and non-residential study areas is designated as the Arverne Shorebird Preserve since it is a breeding location for the piping plover, which is listed as a threatened species on the Atlantic Coast (50 CFR 17.11). To limit disturbance to the breeding grounds, Rockaway Beach is cordoned off from May to September between Beach 44th Street and

Beach 57th Street. As stated in Chapter 5, the quantitative assessment of open space resources only accounts for the portion of Rockaway Beach that is publicly-accessible year-round and the area of the Rockaway Boardwalk that is within the open space study area.

Comment 52: Rockaway Youth Task Force Garden, the Farm Rockaway and the Edgemere Urban Renewal Park community garden should not be considered in the open space analysis because their use is restricted to members of these organizations and the properties are locked when not used by these organizations for their purposes. (BCA)

Response: As detailed in Chapter 5, "Open Space" of this EIS, and in conformance with guidance in the CEQR Technical Manual, the assessment of the potential impact of the Proposed Project on open space resources only considers quantitatively publicly-accessible open space resources as defined by the CEQR Technical Manual and verified by the lead agency in consultation with NYC Department of Parks and Recreation (DPR). Also see response to Comment 50.

Shadows

Comment 53: The height of the Proposed Project buildings should be reduced to avoid a significant adverse impact on sunlight-sensitive resources. (CB14)

Response: As described in Chapter 6, "Shadows," the Proposed Project would not result in any significant adverse shadow impact on the surrounding area sunlight-sensitive resources near the Proposed Project of Arverne Playground or Conch Playground. New incremental shadows would be cast on the southern portions of Conch Playground for less than thirty minutes during the December analysis period which do not constitute a significant adverse shadow impact.

Comment 54: The Proposed Project will put people and apartments in the NYCHA facilities and PS 105 in substantial shadows. Contrary to the *CEQR Technical Manual*, we believe that this is a problem in Rockaway. It is not Manhattan where everyone expects shadows all day long. The *CEQR Technical Manual* is fundamentally defective in that it fails to address the effect of projects such as this on the livability of small neighborhoods. The DEIS diagrams show a significant effect on the surrounding area. But people are not a sunlight-sensitive resource. (BCA)

Response: Comment noted.

Comment 55: The *CEQR Technical Manual* is wrong in defining a shadow adverse impact. (BCA)

Response: Comment noted.

Historic and Cultural Resources

None.

Urban Design and Visual Resources

Comment 56: Community Board 14 has requested a 12-story cap on building heights. The heights of the tallest buildings should be lowered to be more in character with the heights of area buildings. (Katz)

Response: Comment noted. As detailed in Chapter 8, "Urban Design and Visual Resources," of the EIS, the Proposed Project would result in built forms that are similar in height but of greater density than buildings that currently exist in the study area. It is noted that lower buildings on the periphery of the Project Site would conform with the lower heights of buildings to the east, west, and south of the Project Site along Beach Channel Drive and Rockaway Beach Boulevard. It was determined that the Proposed Project would not result in significant adverse impacts on urban design or visual resources. Also see response to comment 53

Comment 57: The project design should include grass areas instead of all asphalt and cement covering. The building heights are too high and there is no grass area proposed on the development. The project design is out of character for the neighborhood. (BCA)

Response: The Proposed Project includes approximately 24,000 square feet (sf) of publicly-accessible open space and would range in height from approximately 90 feet to 200 feet (8 to 19 stories). As detailed in Chapter 8, "Urban Design and Visual Resources," of the EIS, the Proposed Project would not result in significant adverse impacts on urban design or visual resources. The Proposed Project as facilitated by the Proposed Actions would result in built forms and building types that are similar in height but of greater density than buildings that currently exist in the study area. The arrangement of lower buildings on the periphery of the Project Site would conform with the lower heights of buildings to the east, west, and south of the Project Site along Beach Channel Drive and Rockaway Beach Boulevard.

Hazardous Materials

Comment 58: The examination of the site for hazardous materials does not appear to have included a search for radioactive material despite the fact that the hospital used a variety of radio isotopes for diagnosis and treatment over the years. (BCA)

Response: The assessment of the potential impact of the Proposed Project on hazardous materials was completed based on the results of Phase I Environmental Site Assessments (ESA) and Phase II Site Investigations for the three lots that constitute the Project Site in conformance to applicable American Society for Testing and Materials (ASTM) International Standards. As detailed in Chapter 9, Hazardous Materials," of the EIS, the Proposed Actions would not result in significant adverse impacts due to hazardous materials upon implementation of Brownfield Cleanup Agreement and placement of (E) designation on the Project Site.

Water and Sewer Infrastructure

Comment 59: The project's proposal to raise the land in the project area to create Highpoint Plaza will displace rainwater onto surrounding properties. This design sounds like it will turn the surrounding neighborhood into a moat. There is not adequate consideration of this possibility. (BCA; Klapinski)

Response: As noted in Chapter 10, "Water and Sewer Infrastructure" of the EIS, the Proposed Project would connect to both the municipal water supply and separated wastewater and stormwater conveyance and treatment systems (sanitary sewage flows to a wastewater treatment plant and stormwater flows untreated through outfalls into nearby waterways). As noted in Chapter 10, NYCDEP plans to install new stormwater sewers along Rockaway Beach Boulevard with an anticipated completion of summer 2021. The Proposed Project would also incorporate selected best management practices (BMPs) that would be required as a part of the site connection approval from NYCDEP. Therefore, as stated in Chapter 10, with the incorporation of appropriate BMPs and the planned sewer infrastructure improvement project, the overall volume of stormwater runoff and the peak stormwater runoff rate would be reduced, and there would be no significant adverse impacts on stormwater conveyance infrastructure.

Comment 60: While the Applicant proposes to entrain some water in tanks during the height of a storm or flooding, the Proposed Project will transfer significant amounts of water from the Project Site to the surrounding area due to elevation and sloping of the Project Site. Either the center of the project roadways must be at surrounding grade level or lower, or the design must capture 100% of drainage from the project streets before it leaves the Project Site and enters the public streets. (BCA)

Response: The analysis of stormwater management and drainage related to the Proposed Project is detailed in Chapter 10, "Water and Sewer Infrastructure" of the EIS. On-site detention and on-site infiltration measures in each phase of the Proposed Project are noted in Table 18-5, "Project Phasing," of the EIS. See response to Comment 59.

Comment 61: While the new traditional sewers are under construction in the community, the low-lying topography, high ground water and tidal influence in the neighborhood prevent the area from draining quickly. This issue is projected to worsen as sea level rise increases with the frequency of tidal flooding which temporarily decreases the capacity of sewers to drain the streets. We see this already with regular high tides and rain rendering streets impassable. The City's own model predict sunny day flooding in much of the area by 2050. (Klapinski)

Response: Comment noted. See response to comments 28 and 60 .

Solid Waste and Sanitation Services

None.

Transportation

Comment 62: Residential parking should be increased to a minimum of 75% of the total DUs introduced by the Proposed Project. (CB14)

Response: As described in Chapter 12, "Transportation", the Proposed Project would have a parking shortfall related to residential parking demand for the overnight hours, however this shortfall would not be sufficient to result in a significant adverse parking impact.

Comment 63: The Proposed Project will have a severe adverse impact not only on roads, but also subway and bus service. (BCA; Homeowners Association)

Response: As described in Chapter 12, "Transportation", the Proposed Project would result in significant adverse traffic, pedestrian, and bus impacts. No subway impacts were identified.

Comment 64: Within a year of approval there should be a reassessment to determine the adequacy of the proposed parking and whether there are any opportunities to find more spaces to meet any unanticipated need. (Katz)

Response: As described in Chapter 12, "Transportation", the Proposed Project would result in a parking shortfall related to residential parking overnight. Per the analysis, it was determined that this shortfall does not constitute a significant adverse parking impact warranting mitigation.

Comment 65: Rockaway is a resort area with significantly different traffic patterns in the summer vs. winter. The analysis appears to be based on winter traffic which is significantly lighter. (BCA)

Response: The transportation analyses provided in Chapter 12, "Transportation", analyzed the Weekday AM peak hour for the non-summer condition and the Weekday MD, Weekday PM, and Saturday MD peak hours for the summer condition to capture the variation in traffic during the summer months. The selection of the seasonal peak hours was made by lead agency in coordination with NYCDOT.

Comment 66: The DEIS fails to analyze the effect of increased pedestrian traffic (and jaywalking) on the vehicular traffic. (BCA, Homeowners Association)

Response: The transportation analyses provided in Chapter 12, "Transportation", consider the effects of pedestrians on vehicle operations and the effects of vehicles on pedestrian operations. In accordance with CEQR Technical Manual guidelines, illegal movements are not incorporated into the analysis. As described in Chapter 12, "Transportation", the Proposed Project would result in significant adverse traffic and pedestrian impacts during one or more analyzed peak hours. Mitigation measures for those impacts are discussed in Chapter 20, "Mitigation."

Comment 67: The Applicant proposes eliminating parking at various locations from Far Rockaway to Beach 116th Street. Emergency vehicles will be delayed due to the Proposed Project. Busses will be over capacity. People from the Rockaway Park will never get a seat on the "A" train when they transfer at Broad Channel. There will be pedestrian traffic jams in the project's vicinity. (BCA)

Response: As described in Chapter 12, "Transportation", the Proposed Project would result in traffic, pedestrian, and bus impacts. No subway or parking impacts were identified. Measures to mitigate the traffic, pedestrian, and bus impacts are described in Chapter 20, "Mitigation".

Comment 68: The proposed 35% parking is completely inadequate. Not all of the spaces in the New York City Housing Authority (NYCHA) lots are rented because residents can't afford the fees. Their cars fill all of the streets for blocks past the projects. The police recognize the problem and allow double parking on Edgemere Avenue, adjacent to the Freeway for this reason. (BCA)

Response: See response to Comment 62. As described in Chapter 12, "Transportation", the Proposed Project would not result in a significant adverse parking impact.

Comment 69: There are no data provided to justify the sponsor's choice of peak hours, so a proper analysis is impossible. Analyzed peak hours do not appear to be reasonable to residents familiar with traffic in the area. (BCA)

Response: See response to Comment 65.

Comment 70: The DEIS makes the absurd argument that “the Project Site is well-served by public transit.” That is obviously the reason for the very high level of automobile ownership in Rockaway, and area that has generally been described as a “transit desert.” Yes, we have buses, but they do a rotten job in terms of transit. People have described traveling on the Q22 as death by old age. A fifteen-minute trip the length of Rockaway typically takes an hour or more. A half hour trip to central Queens on the Q52 takes an hour and a half even with the bus lanes that slow traffic and are supposed to speed up the bus. And let’s not discuss a trip to Jamaica or Queens College. Yes, the ferry is nice – if you are going to Wall Street, but it is still roughly an hour and a half, as is the subway to midtown Manhattan. But the Applicant’s statement that the ferry stops just one block from the project just isn’t true. The ferry landing is at Beach 108th Street. The bus to the ferry (hourly) does stop nearby, but it adds an additional half hour to the trip to Wall Street. Thus, a ferry trip to Wall Street is an hour and a half while a trip to the east side of midtown Manhattan is approximately two hours. (BCA)

Response: Comment noted. Transit mode share and trip assignments for analysis purposes were made by the lead agency in consultation with NYCDOT and the Metropolitan Transportation Authority – New York City Transit (MTA-NYCT). Based on this consultation with expert agencies, project-generated ferry trips were assigned to the local bus/shuttle to travel between the Project Site and the ferry landing.

Comment 71: The DEIS summary of the potential traffic issues is likely to be worse in reality. There is no discussion of how traffic impacts will affect other areas on the Rockaway peninsula that are further away from the project. (BCA)

Response: The transportation analysis follows standard CEQR Technical Manual methodologies. The study intersections/elements and peak hours identified in Chapter 12, “Transportation”, were determined by the lead agency in coordination with NYCDOT based on the screening assessments and include key intersections at least two miles in either direction from the Project Site.

Air Quality

Comment 72: The DEIS ignores the pollution that will result from traffic congestion and the adjacent MTA bus depot and repair facility. (BCA)

Response: A detailed assessment of the impact of the mobile sources that would be generated by the Proposed Project is provided in Chapter 13, “Air Quality,” of the EIS. The results of this assessment indicate that mobile sources generated by the Proposed Project would result in a significant adverse air quality impact related to mobile sources. Measures to fully mitigate this impact are identified in Chapter 20: “Mitigation” of the EIS.

Comment 73: Under the heading “Large or Major Sources” the DEIS discusses a facility at the NYCHA Bayside Houses complex of 31 nine-story buildings comprising 1.3 million sf. The DEIS reports that no permits appear on the record, but fails to explain how these buildings are heated and concludes that since it has no permits it must not generate any pollution! (BCA)

Response: Consideration of large or major sources was conducted as detailed in Chapter 13, “Air Quality,” of the EIS. Currently, the NYCHA Bayside Houses, which are heated by natural gas, does not have a state facility permit or a Title V permit or a Prevention of Significant

Deterioration permit. As noted in Chapter 13, "Air Quality," of this FEIS, since the DEIS, NYCHA submitted boiler permits for the individual buildings to NYCDEP. However, since they do not constitute large or major sources, they do not require further analysis for this EIS.

Comment 74: The Applicant has committed to generating additional pollution by using a fossil fuel (natural gas – if available) based HVAC systems rather than a readily available geothermal system. The DEIS claims that there will be no pollution from the PTAC HVAC units because no fossil fuel is consumed in their operation, ignoring the fact that fossil fuel will be consumed in generating electricity for their operation, possibly at the nearby National Grid Far Rockaway Generating Station. (BCA)

Response: The impact of regional power generating facilities on air quality is outside the scope of this EIS.

Comment 75: The DEIS analysis is flawed. Based on overall car ownership in Rockaway, including the immediately adjacent NYCHA projects, car ownership will likely be between 85% and 110% of the apartments (allowing for two-car families). Since the Proposed Project would only providing parking for a small fraction of the likely cars, and parking on the surrounding streets is already taken up at night (including areas where the police allow double parking) it seems likely that there will be substantial additional pollution generated from vehicles cruising in search of parking. The DEIS analysis fails to take this into account. (BCA)

Response: As detailed in Chapter 12, "Transportation" of the EIS, the Proposed Project would not have a parking-related significant adverse impact. As described in Chapter 13, "Air Quality," an analysis of mobile air quality associated with increased vehicular trips due to the Proposed Project is provided in the EIS.

Comment 76: In a demonstration of segmentation and sophistry, the DEIS states that examination of New York City Department of Environmental Protection (DEP) and NYSDEC databases reveal no "permitted industrial facilities within 400-feet of the Project Site, supplemented by field reconnaissance." This is a true statement that results in false conclusions. The discussion of the MTA bus facility only considers bus traffic on city streets. Even a cursory observation of the facility would reveal extensive bus operation as buses are moved around the parking lot and repositioned in addition to bus maintenance. The MTA bus maintenance facility and parking lot that the DEIS has identified may not qualify as a "industrial facility" but there can be no doubt that a very large number of diesel buses generate a very significant amount of air pollution, particularly particulate matter from burning fuel and compressed air used to clean engine and wheel parts, especially brakes. Thus, the analysis of traffic patterns and bus routes/schedules ignores the effect of the depot on local air pollution. (BCA)

Response: As detailed in Chapter 13, "Air Quality," an air quality analysis for the MTA Far Rockaway Bus Depot is provided in the EIS.

Comment 77: There is no analysis of the effect of the increased traffic on air pollution. (BCA)

Response: See response to Comment 72.

Greenhouse Gas Emissions

Comment 78: The DEIS only accounts for the on-site consumption of natural gas for heating stores, medical offices, etc. and perhaps common areas assuming that the apartment "energy-

efficient package terminal air conditioning” units use no energy. The fact that the fuel is burned off site is irrelevant to its consumption. (BCA)

Response: The assessment of the potential impact of the Proposed Project on greenhouse gas emissions was completed in conformity with the CEQR Technical Manual. The results of this assessment as detailed in Chapter 14, “Greenhouse Gas Emissions and Climate Change,” of the EIS concluded that the Proposed Project would not result in significant adverse impacts related to greenhouse gas as it would be consistent with the City’s GHG emissions reduction goals.

Comment 79: There is little reason to believe that the true impact of the Proposed Project would be a real reduction of greenhouse gas emission overall. (BCA)

Response: Comment noted. The Proposed Project, as stated in Chapter 14, “Greenhouse Gas Emissions and Climate Change,” of the EIS, would support the attainment of the City goal of a 30% reduction in GHG emissions below 2005 levels by 2030 based on goals stated in the CEQR Technical Manual, including the promotion of transit-oriented development, generation of clean, renewable energy, construction of a resource- and energy-efficient building, and encouragement of sustainable transportation.

Noise

Comment 80: The issue of noise is not seriously addressed at all. (BCA)

Response: Analysis of the potential effects of the Proposed Project on sensitive noise receptors, and potential effects of noise levels on new sensitive uses introduced by the Proposed Project, is provided in Chapter 15, “Noise,” of the EIS. As noted in Chapter 15 of this FEIS, a more detailed analysis was conducted between the DEIS and FEIS and concluded that the Proposed Project would not result in a significant adverse noise-related impact.

Public Health

Comment 81: There will be significant public health effects as a result of increased traffic congestion. This will be due to air pollution from traffic congestion and worse response from the City’s emergency services (NYPD, FDNY, and EMS). (BCA)

Response: As detailed in Chapter 16, “Public Health” of this FEIS, the Proposed Project would not result in significant adverse public health impacts. As described in the relevant analyses of this EIS, the Proposed Project would not result in unmitigated significant adverse impacts in the areas of air quality, water quality, or hazardous materials. However, the Proposed Actions could result in unmitigated construction noise impacts as defined by CEQR Technical Manual thresholds. As such, it was determined that a public health assessment as to noise was appropriate. Based on a preliminary assessment, it was determined that the noise impacts would not have the potential to result in a significant adverse public health impact since the predicted overall changes in noise levels would not be large enough for a sufficient period of time to significantly affect public health.

Neighborhood Character

Comment 82: The project design may be appropriate for midtown Manhattan, but not for Rockaway. People move to Rockaway because of the open spaces, not despite them. The majority of housing density in the Rockaway is from 25-99 persons per acre. The project certainly would not be in character with the neighborhood in terms of height, open space, grass area, or density. The Applicant proposes 2,200 apartments housing 6-7,000 people on roughly 10 acres of land. That is a density of 600 people per acre. The area neighborhood density would skyrocket to a ratio of 235 persons per acre – which is extremely dense. The only other location in the city that has 600 people per acre is Manhattan. (BCA)

Response: As detailed in Chapter 17, “Neighborhood Character” of this EIS, the potential for the Proposed Actions to result in a significant adverse impact on neighborhood character was conducted in conformance to CEQR Technical Manual guidelines and determined it would not result in a significant adverse impact to the area’s neighborhood character. While the Proposed Actions would have significant adverse impacts related to open space and transportation (traffic and pedestrians), these elements in of themselves do not define the whole of the study area’s character. In addition, the Proposed Project would provide play areas and passive open space accessible to the public. Also see responses to Comments 1 and 57.

Comment 83: The proposal is to construct buildings almost two times as tall as the NYCHA projects across Beach Channel Drive from this project and seven times as high as the one- and two-family houses to the east of the Proposed Project. (BCA)

Response: Comment noted. See responses to comments 1, 53 and 84.

Comment 84: Housing must fit into the neighborhood in terms of scale and amenities. This project does not. It would grossly alter the character of the neighborhood in terms of size, scale, effect on transportation throughout the Rockaways, and deal a punishing blow to an already suffering educational environment. (BCA)

Response: See response to Comment 82.

Construction

Comment 85: There is no consideration of the impact of pile driving noise on vulnerable populations, particularly students at P.S. 105 and the nursing homes. (BCA)

Response: As described in Chapter 18, “Construction,” of the EIS, noise from construction equipment was analyzed to determine the noise levels that would be experienced for the buildings close to the construction site, including P.S. 105 and the Peninsula Nursing home. The construction activities that were analyzed included pile driving equipment. As described in Chapter 20, “Mitigation,” the Applicant has committed to implement various measures to reduce or eliminate significant adverse construction-period noise impacts. Even with these measures, a significant adverse noise impact would occur on portions of the Peninsula Nursing Home, which has a direct line-of-sight to project-related construction activities.

Alternatives

None.

Mitigation Measures

Comment 86: Given the significant adverse impact on public elementary and public intermediate schools, as disclosed in the DEIS, the City should commit to funding capital investment toward the construction of a new public elementary school (PK-8) within the zoned Community School District (CSD) to address overcapacity issues at existing public elementary and intermediate schools. (CB14)

Response: Comment noted. As was stated in the DEIS, mitigation measures were to be explored between DEIS and FEIS by the lead agency in coordination with SCA/DOE. Based on that coordination, measures to mitigate the significant adverse impact of the Proposed Project on public schools were determined and are described in Chapter 20, "Mitigation," of this FEIS.

Comment 87: The NYC Housing Preservation and Development (HPD)-owned property located approximately between Beach 51st Street and Beach 48th Street to the north of the Project Site should be deeded to NYC Parks to require the developer to provide capital funding for the planning and construction of a community park to include amenities such as a Park House, multipurpose field and running track, and a children's playground with water features. The developer should provide funding and maintenance for the park on a yearly basis. (CB14)

Response: Comment noted. As was stated in the DEIS, mitigation measures were to be explored between DEIS and FEIS by the lead agency in coordination with NYC Parks. Based on that coordination, measures to mitigate the significant adverse impact on publicly-accessible open space resources were determined and are described in Chapter 20, "Mitigation," of this FEIS.

Comment 88: When this development is complete it will leave a deficit of almost 2,000 elementary school seats and the elementary schools will be operating at 135% of capacity. The current Peninsula Hospital proposal has no provision for addressing community concerns surrounding public schools in this area. (Amato; Katz; CB14 - Paez; BCA; RRRD)

Response: As detailed in Chapter 20, "Mitigation" of the FEIS, practicable and feasible measures to fully mitigate the public schools significant adverse impact have been identified, and the Applicant will record and execute a Restrictive Declaration to address the Proposed Project's anticipated impact on local schools. Also see response to Comment 86.

Comment 89: In response to the significant adverse traffic, pedestrians, and public transit impacts disclosed in the DEIS, examine if a transportation and traffic plan can be created with funding from the City to mitigate those transportation-related impacts. The plan should be developed in coordination with the Community Board and community members. (CB14)

Response: Comment noted. As detailed in Chapter 20, "Mitigation" of the FEIS, mitigation measures were developed in consultation with NYCDOT. The transit mitigation measures were developed in consultation with MTA.

Comment 90: Perhaps most concerning of all is that they fail to discuss the effect of their proposed adjustments to traffic signal timing. What will be the effect of travel time between Far Rockaway and Beach 116 Street? What will the overall impact be on air quality? It seems clear that there must be an environmental impact study for their proposed transportation mitigation measures. (BCA)

Response: Chapter 20, "Mitigation", identifies measures to mitigate or partially mitigate the traffic impacts identified in Chapter 12, "Transportation." All proposed mitigation measures were reviewed and approved by the lead agency in coordination with NYCDOT between DEIS and FEIS and follow guidelines and methodologies described in the CEQR Technical Manual. The effects of the proposed traffic mitigation measures on air quality are included in Chapter 20, "Mitigation".

Comment 91: The developer admits that bus service would be affected but ignores the effect on traffic of adding additional buses. (BCA)

Response: Discussion of mitigation measures identified to address the impact to public bus service is provided in Chapter 20, "Mitigation" of the EIS

Comment 92: There is no serious discussion of measures to mitigate adverse impacts on public spaces. (BCA)

Response: See response to Comment 87.

Unavoidable Adverse Impacts

None.

Growth Inducing Impacts

Comment 93: The Proposed Project would not generate any additional growth beyond the project boundary in view of the fact that virtually all available land is occupied by various government agencies including the NYCHA, MTA, and FDNY and any new businesses are expected to become parking facilities. (BCA)

Response: As noted in Chapter 22: "Growth Inducing Impacts" of the EIS, the Proposed Actions are site-specific. While the Proposed Actions would result in more intensive land uses on the Project Site than currently exist, the Proposed Project would not trigger further development that would generate secondary impacts. As described in Chapter 3, "Socioeconomic Conditions," the Proposed Project would not introduce a new trend that is not already observable in or near the study area. Local economic development engendered by the Proposed Project would not induce additional notable growth outside the Project Site. Overall, the Proposed Project would not induce any growth beyond that identified and analyzed in this EIS.

Irreversible and Irretrievable Commitments of Resources

Comment 94: A number of statements in this chapter don't appear to have anything to do with commitments of resources but appear to be a summation of arguments in favor of the project. (BCA)

Response: Comment noted.

Miscellaneous

Comment 95: Continued efforts to bring Article 28 emergency medical facilities into the area. Cardiac and other Article 28 critical emergency treatment facilities must be made available on the Rockaway Peninsula. (Katz)

Response: Comment noted.

Comment 96: Need workforce development during the construction of the Proposed Project to consist of a prevailing wage agreement for all workers. (CB14)

Response: Comment noted.

Comment 97: The developer should meet with Community Board 14 every five months for project updates and an opportunity to discuss the project as it moves forward. Developer needs to maintain communication between the community and the Applicant by way of regular reporting to detail the development progress of the Proposed Project to respond to community issues. The Applicant should maintain a website to document status updates regarding the Proposed Project and related job opportunities to foster community investment and workforce development in the area. (Katz; CB14)

Response: Comment noted. Workforce development is outside the scope of CEQR analyses.

Comment 98: Develop a Community Benefits Agreement (CBA) to be signed between the developer and CB14 to guarantee that construction and other jobs be made available to the community at the development site and proposed retail and supermarket uses. (CB14)

Response: Comment noted.

Comment 99: Ensure that residents of CB14 receive at least 50% of all available residential units at the completion of each phase of development for the Proposed Project. (CB14)

Response: Comment noted. HPD and New York City Housing Development Corporation's Marketing Handbook: Policies and Procedures for Resident Selection and Occupancy (<http://www.nychdc.com/pages/Marketing-Guidelines.html>) provides for local community board preference within the affordable housing marketing plan and lottery. Both agencies have supported the public policy of a 50% preference for residents within the local community board within affordable housing marketing plans since the 1980s.

Comment 100: Successful retail requires disposable income and the Proposed Project ensures that residents will have minimal disposable income and it is very heavily biased against working families. Assuming a fifteen dollar per hour minimum wage and 2,000 work hours per year, a husband and wife earning minimum wage would have a gross annual income of \$60,000, near the top of the development's income range. (BCA)

Response: Comment noted.