

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Supplemental Environmental Impact Statement (Draft SEIS), issued on May 21, 2010 for Riverside Center (the Proposed Project). Oral and written comments were received during the public hearing held by the New York City Department of City Planning (DCP) on September 15, 2010. Written comments were accepted through the close of the public comment period, which ended September 27, 2010.

Section B lists the elected officials, community board representatives, organizations, and individuals that provided relevant comments on the SEIS. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the SEIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

Some commenters did not make specific comments related to the proposed approach or methodology for the impact assessments. Others suggested editorial changes. Where relevant and appropriate these edits, as well as other substantive changes to the SEIS, have been incorporated into the Final Supplemental Environmental Impact Statement (Final SEIS).

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT**ELECTED OFFICIALS**

1. Gale Brewer, New York City Council, oral comments, September 15, 2010 (Brewer)
2. Thomas K. Duane, New York State Senate, oral and written comments, September 15, 2010 (Duane)
3. David N. Dinkins, Former Mayor of New York, oral and written comments, September 15, 2010 (Dinkins)
4. Ruth W. Messinger, Former Manhattan Borough President, written comments dated September 22, 2010 (Messinger)
5. Jerrold Nadler, United States Congress, oral and written comments, September 15, 2010 (Nadler)

¹ This chapter is new to the FSEIS.

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6. Linda B. Rosenthal, New York State Assembly, oral and written comments, September 15, 2010 (L. Rosenthal)
7. Scott Stringer, Manhattan Borough President, written comments dated August 31, 2010 (Stringer1)
8. Scott Stringer, Manhattan Borough President, oral comments delivered by Mr. Cook on September 15, 2010 (Stringer2)

COMMUNITY BOARDS

9. Manhattan Community Board 7, written comments submitted September 15, 2010 (CB7)
10. Manhattan Community Board 7, “Report and Resolution of Community Board 7/Manhattan Under the Uniform Land Use Review Procedure Concerning Riverside Center As Proposed by the Extell Development Company,” submitted July 2010 (CB7RR)
11. Ken Coughlin, Community Board 7, oral comments September 15, 2010 (Coughlin)
12. Mark N. Diller, Secretary, Community Board 7, oral and written comments, September 15, 2010 (Diller)
13. Noah Gotbaum, President, Community Education Council District 3, oral and written comments, September 15, 2010 (Gotbaum)
14. Klari Neuwelt, Community Board 7, oral and written comments, September 15, 2010 (Neuwelt)
15. Nick Prigo, Community Board 7, oral comments, September 15, 2010 (Prigo)
16. Roberta Semer, Community Board 7, oral comments, September 15, 2010 (Semer)
17. Ethel Sheffer, Community Board 7, oral comments, September 15, 2010 (Sheffer)
18. Eric Shuffler, Community Board 7, oral and written comments, September 15, 2010 (Shuffler)
19. Mel Wymore, Chair, Community Board 7, oral and written comments, September 15, 2010 (Wymore)
20. John Weis, Community Board 4, written comments, September 21, 2010 (Weis)

ORGANIZATIONS

21. Richard T. Anderson, President, New York Building Congress, oral and written comments, September 15, 2010 (NYBC-Anderson)
22. Frederic Bell, AIA New York Chapter, written comments received August 26, 2010 (AIA-Bell+Shirripa)
23. Coalition for a Livable West Side, “Riverside Center—An Alternative Plan,” dated May 3, 2010 and submitted September 15, 2010 (CALW)
24. Tila Duhaime, Upper West Side Streets Renaissance Campaign, oral and written comments, September 15, 2010 (UWSRC-Duhaime)
25. Paul Elston, Riverside South Planning Corporation, oral and written comments dated September 15, 2010 (RSPC)

26. Olive Freud, Vice President, Committee for Environmentally Sound Development, oral and written comments, September 15, 2010 (CESD-Freud)
27. George Haikalis, President, Institute for Rational Urban Mobility, oral and written comments, September 15, 2010 (IRUM-Haikalis)
28. Hudson River Powerhouse Group, written comments, September 15, 2010 (HRPG)
29. Kris D. Kohler, Assistant Director, Mason Tenders' District Council, oral and written comments, September 15, 2010 (MTDC-Kohler)
30. Evelyn Konrad, Attorney, Coalition for a Livable West Side, oral comments dated September 15, 2010 (CALW-Konrad)
31. Landmark West!, written comments, September 15, 2010 (LandmarkWest)
32. Batya Lewton, Coalition for a Livable West Side, written comments, July 21, 2010 and September 14, 2010 (CALW-Lewton1)
33. Batya Lewton, Coalition for a Livable West Side, written comments received September 19, 2010 (CALW-Lewton2)
34. Michelle Lipkin, President, District 3 Presidents Council, oral comments September 15, 2010 (D3PC+P.S.199PTA-Lipkin)
35. Raymond Loving, President, Park River Independent Democrats, oral comments September 15, 2010 (PRID-Loving)
36. Michael Murphy, United Brotherhood of Carpenters and Joiners, written comments received September 17, 2010 (UBCJ-Murphy)
37. New Yorkers for Parks, written comments, September 15, 2010 (New Yorkers for Parks)
38. Madeleine Polayes, President, Coalition for a Livable West Side, oral and written comments, September 15, 2010 (CALW-Polayes1)
39. Madeleine Polayes, President, Coalition for a Livable West Side, written comments, September 21, 2010 (CALW-Polayes2)
40. Anthony Shirripa, AIA New York Chapter, written comments received August 26, 2010 (AIA-Bell+Shirripa)
41. Michael Slattery, Real Estate Board of New York, oral and written comments, September 15, 2010 (REBNY-Slattery)
42. Debbie Stevens, Coalition for a Livable West Side, written comments dated September 19, 2010 (CALW-Stevens)
43. Craig Whitaker, Coalition for a Livable West Side, written comments dated September 20, 2010 (CALW-Whitaker2)
44. Craig Whitaker, Coalition for a Livable West Side, written comments dated September 20, 2010 (CALW-Whitaker3)
45. Craig Whitaker, Coalition for a Livable West Side, oral comments, September 15, 2010 (CALW-Whitaker1)
46. Kitty Williston, Coalition for a Livable West Side, oral and written comments, September 15, 2010 (CALW-Williston)

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47. Tom Wright, President, Regional Plan Association, oral and written comments, September 15, 2010 (RPA-Wright)

INTERESTED PUBLIC

48. Kent Barwick, oral comments, September 15, 2010 (Barwick)
49. Marta Black, oral and written comments, September 15, 2010 (Black)
50. Elliot Bogod, 10 West End Avenue Condominium Board of Managers, oral and written comments, September 15, 2010 (10 West End)
51. Joseph Cliff, oral comments September 15, 2010 (Cliff)
52. Nancy R. Deutsch, written comments received September 20, 2010 (Deutsch)
53. Barbara Fife, oral comments September 15, 2010 (Fife)
54. Steven Ganz, oral comments September 15, 2010 (Ganz)
55. Steven Gavios, 10 West End Avenue Condominium Board of Managers, oral and written comments, September 15, 2010 (10 West End)
56. Mara Gavios, 10 West End Avenue Riverside Center Committee, oral and written comments, September 15, 2010 (Gavios)
57. Nancy A. Gold, undated written comments (Gold)
58. Daniel Gutman, oral comments September 15, 2010 and written comments dated September 22, 2010 (Gutman)
59. Susan Gwertzman, oral and written comments, September 15, 2010 (Gwertzman)
60. Slava Hazin, oral comments, September 15, 2010 (Hazin)
61. Patrick Hynes, written comments received September 19, 2010 (Hynes)
62. Derek Johnson, oral comments, September 15, 2010 (Johnson)
63. Stuart Kaiser, oral and written comments, September 15, 2010 (Kaiser)
64. Richard Kaplan, oral comments, September 15, 2010 (Kaplan)
65. Judith and Milt Kass, written comments received September 20, 2010 (Kass1)
66. Judith and Milt Kass, written comments received September 20, 2010 (Kass2)
67. Judith and Milt Kass, written comments received September 20, 2010 (Kass3)
68. Michael Kramer, Community Sanitation Steering Committee, written comments, September 15, 2010 (Kramer)
69. Veejay Lalia, 10 West End Avenue Condominium Board of Managers, oral and written comments, September 15, 2010 (10 West End)
70. Ira Mofsowitz, oral comments, September 15, 2010 (Mofsowitz)
71. Jan Opalach, written comments received September 19, 2010 (Opalach)
72. Helen Rosenthal, former Chair, Community Board 7, written comments dated September 15, 2010 (H. Rosenthal)

- 73. Elizabeth Servetar, written comments received September 20, 2010 (Servetar)
- 74. Elaine Shulman, oral and written comments, September 15, 2010 (Shulman)
- 75. Paul Willen, oral comments, September 15, 2010 (Willen)
- 76. Howard Yourow, oral comments, September 15, 2010 (Yourow)

PETITIONS

- 77. 10 WEA Riverside Center Committee and Concerned Upper West Siders, “Riverside Center Needs Schools, Neighborhood Retail Center, and a Public Park, Not More Residential” Petition, signed by 232 petitioners (10 WEA Petition)
- 78. “New School on the Upper West Side—Build It First; Build It Big,” signed by 699 petitioners (New School Petition)

**C. COMMENTS AND RESPONSES ON THE DRAFT
SUPPLEMENTARY ENVIRONMENTAL IMPACT STATEMENT
(DSEIS)**

CHAPTER 1: PROJECT DESCRIPTION

Comment 1-1: There must be a Restrictive Covenant that would govern this site—not an amended Restrictive Declaration. (CALW-Polayes1)

Response 1-1: The large-scale development special permit, with an accompanying restrictive declaration, is an established zoning tool for regulating development on large sites. The Proposed Project would still be bound by certain provisions of the 1992 Restrictive Declaration and in addition would be subject to an entirely new Restrictive Declaration that will be recorded against the Riverside Center project site in connection with any approval. Such Restrictive Declaration will run with the land and will be binding against all future owners.

Comment 1-2: Bring the entire site to grade level with sidewalks, to integrate with street life and make open space attractive and accessible from 59th Street and Riverside Boulevard. (CB7RR, Deutsch, Gold, Kass1, Kass3, Nadler,Opalach, RSPC, Sheffer,Wymore)

Response 1-2: Currently, a substantial portion of the project site (approximately 72 percent of the entire perimeter of the site) offers at-grade access to the proposed buildings and the open space. The proposed open space has been designed to be accessible from all four streets surrounding the project site, including 59th Street and Riverside Boulevard. This has been clarified in the FSEIS. In addition, as described in Chapter 28, “Modifications to the Proposed Project,” the project sponsor also expects to file a revised application that would incorporate various

design changes, proposed in response to information, recommendations and comments received during the ULURP process. The modifications include a gradual sloping of the site grade from the plaza area in the center of the site down through a proposed children's play area and adjacent seating area between Buildings 3 and 4 to West 59th Street, allowing for increased access to the open space from West 59th Street. This would increase the at-grade portion of the project site to 91 percent of the site perimeter.

Comment 1-3: There should not be any parking beneath the open space. (Deutsch, Kassl, Opalach, Polayes, Whitaker)

Response 1-3: None of the SEIS analyses identified impacts which could be reduced or eliminated by relocating the parking use to another location on the project site. The parking use would not affect the functioning of the publicly accessible open space.

Comment 1-4: The proposed open space should be surrounded by streets to delineate the open space, improve circulation, including the angled extension of 60th Street along Building 1. (CB7RR, RSPC, Wymore)

Response 1-4: The SEIS identified unmitigated significant traffic impacts along Route 9A south of the project site. Surrounding the open space with streets would not affect these impacts.

Comment 1-5: Maximizing public space at the development to eliminate the exclusive nature of the current design is another component that Extell needs to take into consideration. The Riverside Center development should not be an isolated and exclusive development in the neighborhood but, rather, a welcoming place for all West Siders. The proposed project ignores the context of the area. (10 West End, Gavios, L. Rosenthal, RSPC, Wymore, Yourow)

Response 1-5: As described in Chapter 1, "Project Description," the Proposed Project would include approximately 2.75 acres of publicly accessible open space. This open space would function as an integral part of the overall project and would provide a varied environment that would complement and serve the surrounding neighborhoods. The Proposed Project's substantial amount of new publicly accessible open space is intended to mediate between the Manhattan street grid and the expansive public open spaces west of the site. The new buildings and open spaces are intended to create an active streetscape that includes retail uses as part of a diverse mixed-use program, enhancing the pedestrian experience. The proposed site plan seeks to integrate Riverside Center into the surrounding neighborhood. The Project's approximately 2.75 acres of

publicly accessible open space would create a major pedestrian path linking the Riverside Park South access staircase at West 61st Street to the proposed open space and West 60th Street. The open space has been designed to have no barriers or impediments to public access and would be easily accessible to the public. It would not be an isolated or exclusive area. Also, as described in Chapter 28, “Modifications to the Proposed Project,” the project sponsor expects to file a revised application which would propose various modifications to the project design, including modifications that would further activate 59th Street with ground floor transparency and additional at-grade connections to the publicly accessible open space.

Comment 1-6: It is possible that this publicly accessible privately owned open space has the potential of being perceived as private over time if there is no clear indication that it is open to the public. Therefore, the open space should be clearly marked with appropriate signage to ensure that the public is aware that the space is publicly accessible. Such signage should be in or as near in compliance with public plaza regulations as possible. (RSPC, Stringer1)

Response 1-6: The open space plans include a detailed signage plan which has been developed in consultation with DCP. It will clearly indicate that the open space is publicly accessible. This has been clarified in the FSEIS.

Comment 1-7: As an elected official representing a district with one of the most cost-prohibitive housing markets in the nation, I am also particularly concerned about the provision of affordable housing. Extell proposes to provide 20 percent of the total residential floor area as affordable housing through the city’s inclusionary Housing Program. I share CB7’s position that this development should not be permitted to proceed unless the application is modified to include 30 percent mixed-income permanently affordable housing, primarily integrated in the site. Many recent large-scale land use actions have demonstrated the viability of roughly this proportion of affordable housing, including the redevelopment of the Domino Sugar Factory and the rezonings of Hudson Yards and West Chelsea. (CB7RR, Duane)

The project will set aside housing units for affordable apartments, which are urgently needed citywide. (AIA-Bell+Shirripa)

The current proposal by Extell includes 20 percent affordable housing under the city’s Inclusionary Housing Program. I support the inclusion of 30 percent affordable units in the development to be targeted to households earning 80 percent or less Area Median Income. Community Board 7 has recommended 30 percent of units to be made

affordable, and I believe that that recommendation is sound and responsible. The affordable housing must be permanent. (L. Rosenthal, Brewer, CALW-Polayes, Nadler, Wymore)

Response 1-7: The DSEIS did not identify any significant adverse impacts with respect to indirect residential displacement and an increase in affordable housing would not be necessary in order to address any identified significant adverse impact. As described in Chapter 28, “Modifications to the Proposed Project,” subsequent to the issuance of the DSEIS (which assumed that 12 percent of the number of residential units would be affordable), the project sponsor has filed an amended application with DCP that would extend the City’s Inclusionary Housing Program to the project site which would further the City’s overall housing goals. Based on the amended application, Chapter 28, “Modifications to the Proposed Project” in the FSEIS analyzes 20 percent of the residential floor area proposed as affordable housing.

Comment 1-8: All streets must be mapped and built by the developer before a certificate of occupancy is issued for a building. (10 WEA Petition, CALW-Polayes1, Deutsch, Gold, Kass3, Opalach, RSPC). Either the streets remain private (like Rockefeller Center), or they must be deeded to the city after project approval under an agreement with Extell for their construction and maintenance. If the streets remain private, the applicant should be responsible for maintaining them. (CALW-Whitaker2)

Response 1-8: This comment does not relate to the analyses presented in the SEIS. The Restrictive Declaration will set forth the requirements the project sponsor must meet with respect to the construction of the streets. As described in the SEIS, Freedom Place South and the extension of West 60th Street within the project site are proposed as Public Access Easements. This designation would allow for these streets and the area below them to be privately owned and maintained, but look, function, and be regulated like mapped city streets. Chapter 1, “Project Description,” of the FSEIS includes updated information related to the requirements of the Restrictive Declaration.

Comment 1-9: The applicant should map and construct West 60th Street as promised in the 1992 approvals in the event of a future modification that eliminates the studio use on Parcel N. (RSPC)

Response 1-9: This comment does not relate to the analyses presented in the SEIS. The Restrictive Declaration will set forth the requirements for the Proposed Project with respect to the extension of West 60th Street into the project site. See also the response to Comment 1-8.

Comment 1-10: There should be no curb cut at West End Avenue (CB7RR, Deutsch, Kassl, Opalach, Polayes, Williston, Whitaker)

Response 1-10: As shown on Figure 1-6 of Chapter 1, “Project Description,” the curb cut proposed on West End Avenue, while technically described as a “curb cut,” is functionally the western side of the intersection of West End Avenue with the extension of West 60th Street.

Comment 1-11: The site should be limited to two residential buildings instead of five, with no hotel/convention center. (10 WEA Petition)

Response 1-11: Such a proposal would not meet the goals and objectives of the project sponsor. As described in Chapter 1, “Project Description,” the residential component of the Proposed Project, (which includes affordable housing units) would contribute to the achievement of the City’s overall housing goals. The Proposed Project intends to integrate commercial and retail development throughout the proposed development for residents, neighbors, and visitors and provide commercial uses that are complementary to the proposed residential development. The project sponsor is not proposing a convention center as part of the Proposed Project. See also response to Comment 23-1.

Comment 1-12: The proposed changes to the project (as presented by the project sponsor at the City Planning Commission public hearing on September 15, 2010) are not part of the application and need to be nailed down and codified. (Wymore)

Response 1-12: The modifications proposed by the project sponsor are described and analyzed in Chapter 28, “Modifications to the Proposed Project” of the FSEIS. Modifications will be reflected in a revised application expected to be filed by the project sponsor.

Comment 1-13: The proposed parking garage should be reduced to one level. (Sheffer)

Response 1-13: As described in Chapter 1, “Project Description,” the Proposed Project includes 1,800 parking spaces. A facility with this capacity on the project site would require two levels below-grade. Reducing the number of parking spaces would not eliminate any unmitigated significant adverse impacts identified in the SEIS. See also response to Comment 16-11.

Comment 1-14: The physical and visual connection of the proposed park and open space to the future extension of Riverside Park South is impossible under the current conditions. (CALW-Whitaker3, RSPC) If the highway were located in a tunnel, Riverside Boulevard would be on the roof and

would need to transition to grade before 59th Street on either side of the highway. At 59th Street, the West Side Highway would cease to be a limited access expressway and would require a complex set of traffic signals. If the West Side Highway were buried, it would not only be very expensive and would need to be waterproofed and protected from flooding, it would also not be able to rise steeply enough to meet the intersection at 59th Street. There would also need to be a bridge constructed at 60th Street to cross over the service roads. Or if the West Side Highway were covered at 60th Street, the highway would be approximately 11 feet lower than the intersection of 60th Street and Riverside Boulevard. However, if the highway were brought to grade in its present location and covered, there would also need to be 16 feet of clearance above the roadway; it would be 10 feet higher than the intersection of 60th Street and Riverside Boulevard. (CALW-Whitaker3)

Response 1-14:

The relocation of the elevated Miller Highway is independent of the proposed actions and is not the responsibility of the project sponsor. As stated in the 1992 FEIS, “The relocation of the highway is a separate and independent action from the approvals and plans of the Riverside South project, and would be subject to its own independent and separate environmental review pursuant to SEQRA and NEPA.” Such environmental review was completed by the New York State Department of Transportation in 2002, and any modification to the Miller Highway Relocation project would be based on that analysis. For purposes of a more complete analysis the SEIS considered an additional scenario in which the Miller Highway is relocated by 2018, and found that such a condition would not alter SEIS conclusions with respect to significant adverse impacts. See also response to Comment 16-9.

As described in Chapter 1, “Project Description,” a significant objective of the open space plan is to connect the West 60th Street corridor to Riverside Park South. A path would be created along the south and west sides of Building 1 to link the central plaza to a stair and ramp to Riverside Park South at the intersection of Riverside Boulevard and West 61st Street. This would become the most direct connection from Central Park and Columbus Circle to the Hudson River waterfront (see Figure 1-15 in Chapter 1). Three other pedestrian connections would be made available from the open space to Riverside Boulevard, and a fourth connection would create an access point from the open space to West 59th Street via a staircase.

Comment 1-15:

The proposed amendment has the potential to unacceptably reduce the public benefit received in exchange for in the increased FAR by giving

the developer too much latitude to concentrate the affordable units on less desirable floors in a development. Inclusionary housing should be inclusionary. (Weis)

Response 1-15: The amended application that has been filed by the project sponsor with respect to Inclusionary Housing Program is described and analyzed in Chapter 28, “Modifications to the Proposed Project.” The Restrictive Declaration will require that the design and location of the affordable housing units for each building be reviewed and approved by the New York City Department of Housing Preservation and Development. This has been clarified in the FSEIS.

Comment 1-16: The applicant’s proposal to continue incorporating technologies with a payback period of five years is no longer sufficient. As green technologies rapidly advance, maintaining a standard based on a payback period is no longer a meaningful way to ensure environmental sustainability. The applicant should instead identify specific sustainable practices and technologies that will be incorporated into the proposed development and work to achieve the equivalent of the highest level LEED rating possible. (CB7RR, RSPC, Stringer1)

The LEED certification standards and the green technologies used should pay back within 10 years. The Developer should immediately retain a LEED-accredited professional to join the design and construction team. (CB7RR)

Response 1-16: Since the issuance of the DSEIS, the project sponsor has included additional measures as part of a program aimed at reducing energy consumption and GHG emissions. These measures are described in Chapter 18, “Air Quality and Greenhouse Gas Emissions,” in the FSEIS.

Comment 1-17: Riverside Center is inextricably linked to the original large-scale development and the related environmental impacts, because it modifies the original actions and the conditions analyzed in the original Environmental Impact Statement (EIS). By ignoring the impacts of the original project and failing to adequately mitigate those impacts, the applicant is effectively segmenting the environmental review process, which is contrary to the intent of the State Environmental Quality Review Act. (RSPC, Stringer1)

Response 1-17: Since the completion of the original FEIS in 1992, 12 out of the 15 development parcels of Riverside South have been developed in accordance with the original City approvals and related restrictive declaration, including implementation of mitigation measures identified

in the FEIS. Riverside Center, the proposed modified plan for the southernmost parcel, L/M/N, is now the subject of this supplemental environmental review, prepared in accordance with SEQRA/CEQR. As explained in the Project Description chapter of the SEIS, the purpose of the supplemental analysis is to consider the differences between the program and site plan for this parcel as analyzed in the 1992 FEIS and those currently proposed, in order to determine whether development resulting from the proposed modifications may result in significant adverse environmental impacts not identified in the 1992 FEIS. Under SEQRA (6 NYCRR Part 617), a lead agency may require a supplemental EIS limited to the specific significant adverse impacts not addressed or inadequately addressed in the original EIS that arise from: (a) changes proposed for the project; or (b) new discovered information; or (c) a change in circumstances related to the project. See 6 NYCRR Section 617.9(a)(7).

Specifically, the SEIS summarizes the conclusions of the 1992 FEIS in technical areas and assesses whether changes in the analysis year and background conditions, as well as variations between the currently proposed project and what was proposed for this parcel in 1992, could result in new or different significant adverse impacts compared to those disclosed in the 1992 FEIS. Existing conditions have been updated as necessary. The analyses project existing conditions forward into the “Future without the Proposed Project,” incorporating the most recent information available on known land-use proposals and, as appropriate, changes in anticipated overall growth. Finally, each chapter describes the “Future with the Proposed Project” and measures the difference between the Future “with” and “without” the Proposed Project, identifying any significant adverse environmental impacts not previously identified in the 1992 FEIS. The SEIS also identifies feasible mitigation measures for any significant adverse environmental impacts not previously identified in the 1992 FEIS. Some of the mitigation measures identified in the 1992 FEIS that continue to apply to the new Riverside Center project, such as those with respect to hazardous materials and historic resources, have been updated to reflect current testing standards and administrative oversight and have been incorporated into the proposed project. The implementation of “Project Components Related to the Environment” (PCREs), along with the identified measures to mitigate the significant adverse impacts projected to result from the Riverside Center project, will be required through the restrictive declaration that the project sponsor will execute and record in connection with a City approval of the project. The remainder of Riverside South will continue to be bound by the provisions of the 1992

restrictive declaration, including the mitigation measures that were required at that time.

Contrary to what the comment suggests, the SEIS has been prepared in accordance with SEQRA/CEQR, not in circumvention of it. The SEIS considers development in Riverside South, including the incorporation of mitigation measures identified in the 1992 FEIS, in its evaluation of existing and future no build conditions, and appropriately focuses impact analysis under the SEIS on the differences between the currently proposed development program for parcel L/M/N and that which was approved almost 20 years ago.

Comment 1-18: The site plan also poses significant concerns about open space and accessibility, due to the steep grade planned for the site. The applicant (Extell) must reduce the inaccessibility to the public open space, and to the development itself, by better integrating the buildings into the neighborhood and making the open spaces located within the development easily reachable by all neighborhood residents, including those with disabilities, or parents with strollers who cannot easily reach an above-grade park space. The proposed open space is too fragmented and is not inviting. The private driveway should be reduced or removed in order to bring plantings to the edge of the site and promote a sense that the entry serves as public access to public space. (CB7RR, Duhaime, New Yorkers for Parks, RSPC, Deutsch, Kass2, Kass3, Nadler, RSPC, Stringer1)

Response 1-18: As described in Chapter 28, “Modifications to the Proposed Project,” the project sponsor expects to file a revised application that would incorporate various design changes, proposed in response to information, recommendations, and comments received during the ULURP process. The modifications would include removing the driveway and auto court that had been proposed between Buildings 3 and 4, and including a play area in that location. The modifications would also include a gradual sloping of the site grade from the plaza area in the center of the site down through the play area between buildings 3 and 4 to West 59th Street, allowing for increased access to the open space from West 59th Street. As clarified in the FSEIS, the open space would comply fully with the American with Disabilities Act (ADA) requirements.

Comment 1-19: The above-grade level of Riverside Center needs to fully integrate the community’s needs within its design. These recommendations include creation of open space, including mixed retail along West End Avenue, maximizing transportation circulation through incorporation of public

roads on the site, and providing the new school with an appropriately sized grade-level playground. (CB7RR, Opalach, L. Rosenthal)

Response 1-19: As described in Chapter 1, “Project Description,” the Proposed Project would provide substantial new public open spaces; a mix of retail uses within the ground floor of all proposed buildings; public access easements that extend the street pattern of the surrounding area through the project site; and space for a new public school. This mix of uses is intended to create an inviting and functional center for the surrounding residential neighborhood, with amenities needed to both establish and serve the Proposed Project and provide the existing Riverside South neighborhood and the growing nearby residential community with services not currently available in the immediate vicinity. The FSEIS has been clarified to note that the appropriate sizing and location of playground facilities for the school would be determined in consultation with SCA.

Comment 1-20: The developer must build a public park at the front end of construction, and be completed before a certificate of occupancy is issued for any building. Maintained through contributions from units surrounding it is just like Riverside Park South. Extell’s private/public space is really an eccentric private enclave. (10 WEA Petition, CALW-Polayes1, CALW-Whitaker1, Kass3, RSPC)

Response 1-20: As stated in the FSEIS, the phasing of the open space will be addressed in the Restrictive Declaration. Maintenance of the open space will be the responsibility of the property owners, including any condo association, and the Restrictive Declaration will contain appropriate provisions imposing this obligation. The Restrictive Declaration will also ensure that the open space is fully accessible to the public. As described in Chapter 1, “Project Description,” all sidewalks and streets will be accessible 24 hours a day. The publicly accessible open space areas will be accessible between 6 AM and 1 AM daily. This has been clarified in the FSEIS.

Comment 1-21: I urge Extell to heed CB7’s other recommendations for modifying its site plan, including extending West 60th Street to Riverside Boulevard, bringing the entire site to grade, and surrounding the open space with public streets or broad pathways. These modifications would improve the circulation of the site, contextualize the entire development and render it more inviting to the general public. Building lobbies would open onto public streets and the open space would be clearly separated from the narrow lawns that serve as building setbacks. (Deutsch, Duane, Gold, Kass1, Kass3, Opalach)

- Response 1-21:** The modifications described in the comment would not be necessary in order to address any identified significant adverse impact. Additionally, the project sponsor expects to file a revised application that would incorporate various design changes, which would address some of the issues raised in this comment. These modifications are described and analyzed in Chapter 28, “Modifications to the Proposed Project.”
- Comment 1-22:** Riverside Center should be designed in a manner that improves access, encourages walking, and has a positive net benefit to the health of local residents. (CALW-Lewton2, CALW-Polayes1, CALW-Williston, Deutsch, Kass1, Kass3, Opalach)
- Response 1-22:** The modifications described in the comment would not be necessary in order to address any identified significant adverse impact. As described in Chapter 1, “Project Description,” the design of the proposed open space plan is intended to provide easy access to and from the open space (and to Riverside Park South), and encourage passive and active recreation within the site. Criss-crossing paths through the open space would also provide seating opportunities and would connect to the streets at the perimeter of the site enabling pedestrians to move easily among destinations.
- Comment 1-23:** The existing uses are not active, they’re heavily automotive and they generally deter from the development of neighborhood. Redevelopment of this site could fix a lot of those conditions, and is generally desirable not only for that but for the potential economic benefit. However, the question is not whether or not redevelopment should occur, but in what form and how it can occur in such a way that it both integrates with the community as well as doesn’t overwhelm it. We believe at this point the development fails to meet that standard of development.
- Response 1-23:** As described in Chapter 1, “Project Description,” the Proposed Project intends to create an inviting mix of commercial, retail, and residential uses. The goals and objectives of the Proposed Project include providing an attractive connection to Riverside Park South and the Hudson River waterfront while creating an inviting and functional center for the surrounding residential neighborhood. Retail is currently lacking in the neighborhood and the proposed retail space would accommodate restaurants and local retail to serve both the tenants of the new buildings and community residents. Each of the proposed buildings would contain ground-floor neighborhood retail uses, with the proposed automotive service uses located primarily below grade in order to maximize the proposed project’s at-grade local retail offerings. Retail frontage would be provided principally along West End Avenue and

West 60th Street, intended to draw people into the project site. The proposed auto showroom would occupy only 14 percent of the project's ground floor retail space.

Comment 1-24: If the application is approved, RPA believes that a portion of the \$268 million windfall profit created by the rezoning should be redirected to relocating Miller Highway and ensuring that the new park space enhances the waterfront park. Completion of Riverside Park South was a central element of the bargain made with the developer in 1992. While the optimal use and size of the development has changed over 20 years, the community's need for a world-class park has not. (RPA-Wright, RSPC)

Response 1-24: See response to Comment 1-14. For purposes of a more complete analysis the SEIS considered an additional scenario in which the Miller Highway is relocated by 2018, and found that such a condition would not alter SEIS conclusions with respect to significant adverse impacts.

Comment 1-25: There should be retail on West End Avenue (Sheffer, Whitaker) and uses that serve the needs of the community (10 WEA Petition, CB7RR, Wymore, Yourow)

Position and configure retail spaces and destination uses along the site perimeter, particularly along West End Avenue and West 59th Street, close to the street line and at sidewalk elevation, varying sizes of stores to invite pedestrian traffic and support a mix of large destination and small business retail that best serve the community. (CB7RR)

Response 1-25: As described in Chapter 1, "Project Description," the Proposed Project would include retail uses along West End Avenue that are intended to serve demand from the surrounding community. As shown in Figure 1-6 in Chapter 1, the majority of the frontage along West End Avenue is proposed to be occupied by retail uses including auto showroom. Also, as described in Chapter 28, "Modifications to the Proposed Project," more street-level retail/community facility space would be added along West 59th Street and West End Avenue.

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

Comment 2-1: The applicant proposes an increase in density. This density is proposed despite the fact that a lot of the impacts on recreation, the spaces, community facilities, mass transit and congestion remain unmitigated. While the applicant is proposing to mitigate some of their impact, they really have failed to adequately plan for a large neighborhood and particularly for the original impacts that were associated with this

project from Riverside South. (10 WEA Petition, Kass2, Kass3, Opalach, RSPC, Stringer1, Stringer2)

The reduction should reflect an amount that is, at minimum, equivalent to the density gained from not mapping West 60th Street—approximately 480,000 square feet. Any additional density should only be granted if the applicant can demonstrate that the development’s proposed density does not create or contribute to additional adverse impacts that cannot be mitigated. It is not sound public policy to encourage development with unmitigated impacts that strain existing infrastructure and reduce the quality of life of all residents in the neighborhood. Consequently, the density increase remains unwarranted. (CB7RR, Stringer1)

The new developer has proposed to build an extra 1,292 residential units, which I believe would make this site too dense. (Black, Hynes, Opalach, L. Rosenthal, Shuffler, Toder, Yourow)

RPA supports the proposed change in use from studio to residential, but believes that the additional density requested by the applicant should be denied. Approving the additional density requested by the applicant will create a dangerous precedent for other large-scale development applications, and does not allow for the creation of truly open and accessible open space which connects to the waterfront park. (RSPC, Wright)

Response 2-1:

The SEIS examined the potential for significant adverse environmental impacts resulting from a Lesser Density Alternative that reflected the 1992 Restrictive Declaration floor area limit of approximately 2.4 million zoning square feet. The SEIS analysis found that the Lesser Density Alternative would generally result in the same significant adverse impacts as the Proposed Project, including the same unmitigated impacts. In areas where the Proposed Project is anticipated to result in significant adverse impacts, the Lesser Density Alternative would lessen, but not eliminate those impacts. Also, the unmitigated impacts would be of lesser intensity but would nevertheless remain unmitigated. As stated in Chapter 1, “Project Description,” the open space plan for the Proposed Project would connect the West 60th Street corridor to Riverside Park South.

Comment 2-2:

The CPC should consider past agreements between the applicant's predecessor and civic organizations and city officials; the public policy impact is totally ignored in the SEIS (RSPC)

Response 2-2:

In approving the Riverside South general large-scale development in 1992, the CPC took into consideration feedback and comments from

city officials and the community, and required oversight or additional review with respect to various provisions in the associated Restrictive Declaration. The Proposed Project would still be bound by certain provisions of the 1992 Restrictive Declaration and in addition would be subject to an entirely new Restrictive Declaration that will be recorded against the Riverside Center project site in connection with any approval. Such Restrictive Declaration will run with the land and will be binding against all future owners. To the extent the commenter is referring to private agreements entered into by the original developer, to which neither DCP nor the City Planning Commission was an interested party, such agreements are not enforceable by the City.

Comment 2-3: As a matter of public policy, it is questionable whether non-essential Use Group 16 uses, which are classified as semi-industrial, should be encouraged in a residential neighborhood. (Stringer1)

Response 2-3: As detailed in Chapter 2, “Land Use, Zoning, and Public Policy” of this SEIS, the blocks surrounding the project site contain a mix of land uses and changing land use patterns. The proposed above grade automotive showroom and below grade service space would be compatible with existing retail uses in the study area, including automotive uses on the blocks immediately east of the project site, medium-density automotive-related uses in the southwest portion of the study area, auto dealerships on West 57th Street between Tenth and Eleventh Avenues, and numerous auto uses on Eleventh Avenue south of West 58th Street.

Comment 2-4: I strongly agree with CB7 that, in the interest of sustainability as well as the needs of the community, Extell should eliminate the proposed auto showroom and auto repair center and replace them with community-oriented retail or other uses that will attract visitors to the site. This modification would have the added benefit of enabling Extell to eliminate the connecting 30-foot curb cut on West 59th Street that, if heavily trafficked, could pose a danger to the pedestrians and bicyclists who use the street to access Riverside Park South. In general, commercial facilities in Riverside Center, including the sites of the proposed automotive uses, should be designed to accommodate a diverse mix of small businesses that serve the local community. Replace the proposed automotive showroom and service center with vibrant, community-friendly retail. (10 WEA Petition, 10 West End, Black, CB7RR, CALW-Polayes1, Duane, Gavios, Deutsch, Kass1, Kass3, Opalach, Wymore)

The project in many ways turns its back on the public streets. A lot of the retail could benefit from activation and less of an emphasis on

automotive uses, which are not particularly active. Successful developments usually have active retail, such as grocery stores, and other neighborhood-oriented retail. While a cinema is a positive neighborhood amenity, the proposed automobile showroom is a destination use that does not serve a local need. The applicant should work with the local community to identify needed neighborhood retail. (CB7RR, Stringer1)

The auto showroom is not an appropriate use and does not meet the needs of the community (10 WEA Petition, Black, CB7RR, Deutsch, Duhaime, Kass1, Wymore)

Response 2-4:

As detailed in Chapter 2, “Land Use, Zoning, and Public Policy” of this SEIS, the proposed above-grade automotive showroom and below-grade service space would be consistent with existing retail uses in the study area, including automotive uses on the blocks immediately east of the project site, medium-density automotive-related uses in the southwest portion of the study area, auto dealerships on West 57th Street between Tenth and Eleventh Avenues, and numerous auto uses on Eleventh Avenue south of West 58th Street. Moreover, the Proposed Project would provide commercial uses that are complementary to the proposed residential development. Retail is currently lacking in the neighborhood and the proposed approximately 140,168 square feet of ground-floor retail space would accommodate restaurants and local retail to serve both the tenants of the new buildings and community residents. The automobile showroom would only account for 14 percent of the ground-floor retail space. This has been clarified in the FSEIS. All of the proposed buildings would contain local retail uses at the ground floor, while the proposed automotive service uses would be located below grade. In addition, the project sponsor expects to file a revised application that would address various project design changes. These include modifications that would eliminate the proposed curb cut for the automobile service center and combine it with the curb cut for the public parking garage, further activate 59th Street with ground floor transparency and at-grade connections to the publicly accessible open space. These modifications are described more fully in Chapter 28, “Modifications to the Proposed Project.”

Comment 2-5:

The proposed development will greatly increase the commercial uses in the area. The applicant should work with the local community to identify needed neighborhood retail and resources and should focus the development of the commercial space on those resources. (Nadler)

Response 2-5:

Comment noted. As described in Chapter 2, “Land Use, Zoning, and Public Policy,” the Proposed Project intends to integrate commercial

and retail development throughout the proposed development for residents, neighbors, and visitors and provide commercial uses that are complementary to the proposed residential development. As noted in Chapter 1, retail is currently lacking in the neighborhood and the proposed retail space would accommodate restaurants and local retail to serve both the tenants of the new buildings and community residents.

Comment 2-6: The front half of the site should not be rezoned to allow more unneeded residential development; rather, this area should be developed as a neighborhood retail center and public park only. (10 WEA Petition)

Response 2-6: As described in Chapter 1, “Project Description,” the residential component of the Proposed Project, (which includes affordable housing units) would contribute to the achievement of the City’s overall housing goals. Moreover, the Proposed Project would also provide substantial retail opportunities and approximately 2.75 acres of publicly accessible open space.

CHAPTER 3: SOCIOECONOMIC CONDITIONS

Comment 3-1: It is expected that construction of Riverside Center will provide 8,159 person years of employment, \$209 million in construction taxes and \$110 million in mortgage recording fees and taxes alone. Annual project tax revenues include: projected \$70 million in retail sales will lead to total tax revenue of \$4.34 million annually; \$3.4 million in hotel occupancy tax revenues to the city, state, and MTA, of which \$1.72 million will go to the city; and projected city tax revenue of \$454,000 from parking. (REBNY-Slattery)

The economic benefits of Riverside Center are quite substantial. Thousands of construction jobs will be created, and many more indirect jobs as a result of construction during the completion of the project. Direct and indirect wages and salaries from construction of the project are estimated at \$89.8 million in New York City and \$1.1 billion in New York State. The total effect on the local economy, measured as economic output or demand, from the construction is estimated at about \$3.1 billion in the city and \$3.6 billion in the state during the course of construction. Additionally, post-construction there will be more than 1,400 full and part-time jobs created by Riverside Center. In a period of economic decline such as we are suffering through now, these projections can not be ignored.

Including the indirect and induced economic activity that will occur off-site as a result of this project, the total employment in New York City from the operation of Riverside Center is estimated at 2,549 jobs.

Riverside Center will provide much-needed tax revenue during and after construction. Tax revenues will include a projected \$204 million during construction and \$110 million projected from mortgage and recording fees alone. With unemployment rates hovering around the double digits, this project is too important to our city's economic recovery to pass up. (Etherington, MTDC-Kohler)

This project will provide hundreds of jobs for construction workers, architects, and project managers immediately and thousands of more job opportunities for years to come. (UBCJ-Murphy)

The project also creates much needed construction and permanent jobs, while providing long-term economic returns to the city estimated in the billions of dollars. (Messinger, NYBC-Anderson)

Response 3-1:

The economic and fiscal benefits generated by the construction and operations of the proposed project are not the subject of CEQR analysis. The commenter is citing the findings of economic and fiscal impact analyses conducted by the project sponsor, which for informational purposes has been included in this FSEIS (please see Chapter 3, "Socioeconomic Conditions," and Chapter 20, "Construction"). In summary, the applicant's analysis estimates that the proposed project would generate 11,298 person-years of construction employment, 2,190 permanent jobs in New York City, and up to \$100.3 million dollars of annual tax revenues for the City and State. Salaries from construction of the project would be approximately \$898 million (not \$89.8 million).

Comment 3-2:

While I would hope that Extell also shares the belief so beautifully expressed by CB7 that "the social good generated by including affordable units is best achieved when affordable units are integrated among market-rate units," I was troubled to learn that the company is considering providing separate entrances for residents of affordable and market-rate units. Such segregation is unseemly, outdated, and abhorrent, and the City of New York must not tolerate it. (Black, Duane, Wymore)

Response 3-2:

The Restrictive Declaration will require that the design of the buildings with respect to entrance locations for the affordable housing component would be reviewed and approved by HPD. It will also prohibit a building core from being served by separate entrances or lobbies for residents of affordable and market-rate units.

Comment 3-3:

The development has an opportunity to not only increase employment opportunities in the area, but also to make those jobs available to local residents, some of whom may lack the proper training. As part of any

approvals, the applicant should explore and commit to local hiring practices and a job training program for low-income community members in order to ensure that the economic benefit of this development is retained within the community over the long run. (Stringer1)

The developer should provide job training that will have a long-term impact on the community. Ensure that residents of Community District 7 fill at least 20 percent of all jobs related to construction and operation of the site. (CB7RR)

I support the calls on the developer to increase employment opportunities in the area and also to explore and commit to local hiring practices that will have a long-term impact on the community. (Nadler)

Response 3-3: This comment is beyond the scope of the environmental review and does not relate to the environmental impacts of the Proposed Project as examined in the SEIS.

CHAPTER 4: COMMUNITY FACILITIES AND SERVICES

Comment 4-1: The developer has an agreement with the Department of Education and School Construction Authority to provide—at its own expense—the core and shell for a 75,000 square foot elementary/middle school and to contribute, at no cost to the SCA, an additional 75,000 square feet of floor area up to a total of 150,000 square feet. This provision of school space meets the number of school seats needed for the students that Riverside Center is projected to generate and the project will not impact local schools. (AIA-Bell+Shirripa, REBNY-Slattery)

Response 4-1: Comment noted.

Comment 4-2: The proposed Riverside Center project fails to provide a new, fully programmed 6-section per grade pre-K through 8 school of at least 151,598 gsf for the District, built in the first building constructed at the site, and fully funded by the Developer.

Instead, the developer proposes to fund only the exterior walls and floors of raw space of a school half the size needed for the community, leaving the cost of the conversion of that raw space to the School Construction Authority (“SCA”). It also seeks to transfer to the SCA the total cost (exterior walls, floors and fit-out) for the balance of the school needed by the community. The proposed school fails to meet the community’s needs. Extell should fund the entire school needed by the community. (10 WEA Petition, Black, Brewer, CALW-Polayes1, CB7RR, CESD-Freud, CB7, Deutsch, Diller, D3PC+P.S.199PTA-

Lipkin, Duane, Gotbaum, Kaplan, Kass2, Kass3, Nadler, Opalach, PRID-Loving, L. Rosenthal, H. Rosenthal, Semer, Servetar, Shuffler, Wymore)

The applicant should be responsible for building the larger school, not just the core/shell, in the first building (Diller, Nadler, Servetar) and with a ground level playground (Black, L. Rosenthal).

The proposed school should not serve only the number of students the project is expected to generate. (L. Rosenthal)

Over 1,000 local residents signed a petition calling on the applicant to build and pay for a 150,000-square-foot school. (H. Rosenthal)

The new school should: be built in the first building constructed on the site; serve grades Kindergarten through 8; be big enough to house six sections per grade; be big enough to serve the whole district's needs; include adequate space for science, art, music, a gym and a cafeteria; and provide outdoor play and recreation space appropriate for all ages served. (New School Petition)

The goal of an inclusive, diverse school can only be achieved if the school has capacity to welcome students from differing backgrounds and areas. Thus, the goals underlying public education and affordable housing reinforce one another, and add a further reason to require the applicant to build and fully fit-out the entire 151,598 gsf school called for in CB7's Report and Resolution. (10 WEA Petition, CB7RR, Diller)

Response 4-2:

The Restrictive Declaration will require that the project sponsor fund the construction of the core and shell structure for an approximately 75,000-square-foot public school, which would provide the capacity needed to accommodate the project-generated demand for elementary and intermediate school seats. In addition, the Restrictive Declaration would require the project sponsor to make available to the SCA an additional approximately 75,000 square feet for the development of an approximately 151,598-square-foot elementary and intermediate public school. This has been clarified in the FSEIS. As described in Chapter 4, "Community Facilities and Services," of the SEIS, the full 151,598 square feet of space would be made available to SCA for future use as an approximately 1,332-seat public school—a capacity well in excess of the 360 elementary seats and 120 intermediate seats needed to accommodate project-generated demand for elementary and intermediate school seats. At some agreed-upon time prior to the start of construction of Building 2, the SCA would determine whether or not to exercise the option of developing the full space for use as a public school. For the purposes of the community facilities analysis, it is assumed that the school will contain a minimum of approximately 360

elementary and 120 intermediate seats on the project site, which would accommodate all of the project-generated demand for elementary and intermediate school seats. The analysis showed that with the provision of 360 elementary seats and 120 intermediate seats on the project site, there would be no significant adverse elementary and intermediate school impacts. Irrespective of its size, the public school would be developed as part of Building 2, and the Restrictive Declaration will require that it be one of the first two residential buildings to be constructed on the project site. The appropriate sizing and location of playground facilities for the school would be determined in consultation with SCA.

Comment 4-3: The applicant should work to mitigate the cumulative impact of the Riverside South development by constructing as large a public school as possible. (Stringer1)

Response 4-3: As part of the original general large-scale special permit approvals, and as provided in the 1992 restrictive declaration, the developer of Riverside South was required to offer the Board of Education (BOE) space on Parcel I of the GLSD sufficient to accommodate 60,000 square feet of floor area and six hundred elementary school students, in order to mitigate the potential school impact disclosed in the 1992 FEIS. In 2006, space was offered to the BOE, which declined the offer. The project sponsor of Riverside Center has proposed to set aside and offer the School Construction Authority (SCA) a minimum of 75,000 square feet and up to approximately 150,000 square feet of floor area in Building 2 of the Proposed Project for a school, which would provide sufficient capacity to accommodate all of the project-generated demand for elementary and intermediate school seats. This is memorialized in a letter of intent, dated May 3, 2010 between the project sponsor and the SCA and in the Restrictive Declaration that will be recorded as part of any City approval of the project, along with additional requirements regarding the school siting and offering.

As described in Chapter 4, “Community Facilities and Services,” assuming a school of approximately 75,000 gsf, the Proposed Project will not result in any significant adverse school impacts.

Comment 4-4: The DSEIS did not include two major residential developments, which will add 120 elementary school students to demand. (H. Rosenthal)

Response 4-4: The DSEIS conservatively accounted for all known projects under construction or proposed within and adjacent to the ½-mile study area. The two residential developments cited by the commentor—Columbus Village and Ariel East/West—are located outside the ½ mile study area.

School projections, in accordance with the *CEQR Technical Manual*, are derived from the DOE projections for the subdistrict and the number of dwelling units for No Build projects within the ½ mile study area.

Comment 4-5: The school is needed now, not when the project gets going 7 or 10 years from now. The applicant owns the two buildings, J and K. There is no reason why the school can't be put in one of those two buildings. (Freud).

Response 4-5: The Proposed Project does not include any modification to the 1992 approvals as they relate to Buildings J and K. The 1992 Restrictive Declaration required that the project sponsor offer the City a site for a school within the Riverside South development. Consistent with the 1992 Restrictive Declaration, the project sponsor offered the City a site on Parcel I but the City decided not to accept the offer. Building J is currently under construction and expected to be completed in early 2011. Building K is not being developed by the project sponsor. Moreover, an application has already been filed for a building permit for Building K and construction will start when market conditions permit.

CHAPTER 5: OPEN SPACE

Comment 5-1: There should be a playground in the open space. The applicant should reconsider the site plan in order to increase the total amount of active open space and reconfigure the site to reduce the visual obstructions to the open space. Increasing the open space would allow the applicant to at least partially mitigate the development's impact on active recreational space in the area. (CB7RR, RSPC, Stringer1)

Response 5-1: As described in Chapter 28, "Modifications to the Proposed Project," the project sponsor expects to file a revised application that would include modifications to the open space plan. The modifications would add slightly to the amount of total open space. A portion of the additional open space would be dedicated to a children's play area. This would result in an increase in the amount of active open space on the project site and would partially mitigate the active open space impact identified in Chapter 5 of the SEIS.

Comment 5-2: Extell is required to keep approximately one-third of the land as open space. They are counting Freedom Place, the private road that will bifurcate the project, as open space. Sidewalks, ramps into parking garages, and paved (water-scrimmed) plazas are called open space. They are proposing a rooftop playground on the school, which they would also claim as open space, allowing them to build out closer to

sidewalks. The community wants a park with lawns, trees and shrubs as open space. (Black)

Response 5-2: There is no current requirement under the existing Restrictive Declaration that the project sponsor provide one-third of the land as open space. As described in the FSEIS the Proposed Project would introduce approximately 2.75 acres of publicly accessible open space. The calculation of 2.75 acres of open space does not include any of the following: the roadbeds of Freedom Place South and the extension of West 60th Street within the project site, the driveways providing vehicular access to the proposed Buildings 3 and 4, sidewalks within the project site, the rooftop playground for the school, and outdoor dining areas. The proposed open space would include lawns and several landscaped areas containing a variety of trees and shrubs.

CHAPTER 6: SHADOWS

Comment 6-1: The applicant must also demonstrate that the location of buildings will not unduly obstruct access of light and air to uses on the development site. (Stringer1)

Unmitigated negative impacts specific to Riverside Center are largely related to the proposed density of the project. While the 1992 restrictive declaration for Riverside South permits 2,372,192 sf of development on these parcels, Extell seeks to build 3,014,829 sf. The proposed configuration of buildings relegates much of the site's open space to narrow, unusable and inaccessible strips along building perimeters; casts shadows on the rest of the open space through the fall, winter, and part of the spring; and sets this space apart in such a way that, depending on the site's retail uses and other elements, would likely discourage use of the site by the general public. (Duane, RSPC)

Large portions of the proposed open space will be in permanent shadow. (Whitaker)

Response 6-1: With respect to shadows, the analysis in Chapter 6, "Shadows," describes the shadows that would be cast on this new open space. The project's proposed open spaces would experience a mix of sun and shade throughout the day in the fall, winter and early spring. Areas of the central open space area would be in direct sunlight throughout the day on the March 21/September 21 analysis day representing the spring and fall. On the December 21 analysis day areas of the open space would be in direct sunlight in the late morning and early afternoon. The availability and duration of sunlight that this open space would experience was considered in its design, and will be taken into account in the selection of appropriate plantings. However, as per CEQR

guidelines, the determination of impact significance does not consider the effects of shadows on open spaces introduced by the Proposed Project. Access to light and air is not analyzed under CEQR.

As shown on Figure 1-4 in Chapter 1, “Project Description,” the areas west of Freedom Place South would provide a substantial amount of contiguous open space that would be easily accessible to pedestrians and available for active and passive uses. The proposed open space would function as an integral part of the overall project and would provide a varied environment that would complement and serve the surrounding neighborhoods.

- Comment 6-2:** The project’s podium casts the Powerhouse in shadows. (HRPG)
- Response 6-2:** The 59th Street Con Edison plant was determined not to have any sun-sensitive architectural elements. Further, no features of this structure depend on sunlight as a determinant of its historical significance. Therefore, as shown in Chapter 6, “Shadows,” this structure was not identified as a sun-sensitive resource for the purposes of the analysis of shadows from the Proposed Project.
- Comment 6-3:** Building 4 should be removed from the proposed project; it would open the site up to sunshine and the community. (CB7RR, Duane, New Yorkers for Parks, RSPC, Stringer1, Willen, Wymore)
- Response 6-3:** The removal of Building 4 is not required to address any significant adverse impacts identified in the SEIS with respect to shadows. As described in Chapter 6, “Shadows,” the shadows analysis in the DSEIS describes the shadows that would be cast on this new open space; however, as per CEQR guidelines, the determination of impact significance does not consider the effects of shadows on open spaces introduced by the Proposed Project.

CHAPTER 7: HISTORIC RESOURCES

- Comment 7-1:** The Extell plan completely ignores and depreciates the beauty of the adjacent IRT powerhouse, which is being considered for Landmark designation. Adverse impacts that must be considered include impacts to the visual prominence or context of a historic building, screening or elimination of public views of a historic building, and/or introduction of significant new shadows over a historic building. (RSPC, Yourow)
- The proposed project ignores the historic context of the Powerhouse (HRPG, Landmark West)

Removing Building 4 would improve the project's relationship to the Powerhouse (RSPC, Willen)

Response 7-1: The SEIS considered the Consolidated Edison Power house as an S/NR eligible historic resource and concluded that the Proposed Project would not result in any significant adverse impacts in the areas of Historic Resources, Urban Design and Visual Resources, or Shadows with respect to this resource. See also the response to Comment 6-2.

CHAPTER 8: URBAN DESIGN AND VISUAL RESOURCES

Comment 8-1: We take fundamental issue with the assertion that proposed project would be compatible with the Con Edison Power House. The relegation of West 59th Street to a service corridor with four curb cuts for a loading dock plus below-grade parking garages and an auto dealership effectively kills the potential for a vital interface between Riverside Center and the Powerhouse. So does raising the development on a podium, a time-tested way to deaden street life. By turning its back on the Powerhouse, treating it like a piece of infrastructure rather than a neighborhood showpiece, and limiting the possibilities for its future reuse, Riverside Center risks doing the present and future community—and the city—a great disservice. (RSPC, CB7RR, LandmarkWest, Opalach)

Good urban design dictates that the grade should remain constant along 59th Street so that the new Riverside South development does not sit on a podium overlooking the Powerhouse and casting it in shadow. (10 West End, Gavios, HRP, LandmarkWest)

Response 8-1: The proposed site plan does not relegate West 59th Street to a service corridor, and does not turn its back on the Consolidated Edison Power House. The proposed plan includes the widening of the sidewalk, which is intended to enhance the pedestrian experience along West 59th Street, and seating opportunities facing the Consolidated Edison Power House at the entrance to the publicly accessible open space between Buildings 3 and 4. Also, by extending Freedom Place South through the project site to West 59th Street the Proposed Project would provide views from this street south to the power house. As described in Chapter 8, "Urban Design and Visual Resources," the Consolidated Edison Power House, a large, industrial structure, exists in a mixed context that includes structures small and old, tall and of contemporary design, including completed portions of Riverside South. The Proposed Project, with its mix of residential, commercial, retail uses, and publicly accessible open space would therefore be compatible with the Consolidated Edison Power House. As concluded in Chapter 7, "Historic Resources," which

was reviewed by the Landmarks Preservation Commission (LPC), the Proposed Project would not result in any significant contextual impacts to architectural resources. Also, as described in Chapter 28, “Modifications to the Proposed Project,” the project sponsor expects to file a revised application which would propose various modifications to the project design, including modifications that would further activate 59th Street with ground floor transparency and at-grade connections to the publicly accessible open space. With respect to shadows, see response to Comment 7-1.

Comment 8-2:

The proposed dead zone along West 59th Street is not simply a result of permitted development under the existing zoning, but rather created by the requested zoning actions to increase the number of curb cuts, reduce the ground-floor transparency of the buildings, and re-grade the site (most affecting West 59th Street). The applicant should modify its development proposal to provide greater connectivity to the open space from West 59th Street, create new active uses, and reduce the number of curb cuts and service entrances along the street. (CB7RR, Stringer1)

The project’s treatment of West 59th Street as a service corridor creates a dead zone. (AIA, HRP, RSPC)

We are concerned with the treatment of West 59th Street as presented. The location of the development’s loading docks, garage and service entrances on this street without providing for features to activate the corridor will exacerbate the problems prevalent in relatively desolate areas of the city.

Optimize loading/ unloading and circulation below-ground to minimize curb cuts and surface truck traffic. (CB7RR)

West 59th Street is an important westbound access point that could benefit from a different treatment and could correct an unsafe condition. The future of the Con Edison IRT Powerhouse to the south should be a critical element in thinking of this edge as more than just a service corridor—the new development should complement the beauty and strength of this important piece of industrial architecture. We recommend, as did CB7, that instead of relegating 59th Street to service corridor status, the developer should extend the same design-sensitive approach to the development's southern-most border. (10 West End, AIA-Bell+Shirripa, CB7RR, Gavios)

Response 8-2:

Please see response to Comment 8-1.

Comment 8-3:

In order to meet the findings of the large-scale development special permit, the applicant must produce a site plan that results in a better

relationship among buildings and open space to public streets. (RSPC, Stringer1)

Response 8-3: The findings with respect to the special permits required for the proposed project will be considered by the CPC.

Comment 8-4: The proposed buildings are “citadel” like, physically raised and removed from their surroundings (Duhaime, Wymore); the layout doesn’t connect to the community (RSPC, Yourow)

Response 8-4: As presented in the SEIS, the Proposed Project would not result in any significant adverse impacts with respect to urban design and visual resources. As stated in Chapter 1, “Project Description,” the new buildings and open spaces are intended to create an active streetscape that includes retail uses as part of a diverse mixed-use program, enhancing the pedestrian experience. The proposed site plan seeks to integrate Riverside Center into the surrounding neighborhood. As described in Chapter 28, “Modifications to the Proposed Project,” the project sponsor also expects to file a revised application that would incorporate various design changes, proposed in response to information, recommendations and comments received during the ULURP process. The modifications would include a gradual sloping of the site grade from the plaza area in the center of the site down through a proposed play area between Buildings 3 and 4 to West 59th Street, allowing for increased access to the open space from West 59th Street.

Comment 8-5: The design of the open space is fragmented, elevated above the community, and not inviting or pedestrian friendly (CB7RR, Duhaime, New Yorkers for Parks)

Response 8-5: As presented in the SEIS, the Proposed Project would not result in any significant adverse impacts with respect to urban design and visual resources. As shown on Figure 1-4 in Chapter 1, “Project Description,” The areas west of Freedom Place South would provide a substantial amount of contiguous open space that would be easily accessible to pedestrians and available for active and passive uses. The proposed open space would function as an integral part of the overall project and would provide a varied environment that would complement and serve the surrounding neighborhoods. See also response to Comment 1-2.

Comment 8-6: The street system and the open space and their relationship to the buildings don’t work well. (Sheffer)

Response 8-6: As presented in the SEIS, the Proposed Project would not result in any significant adverse impacts with respect to urban design and visual resources.

Comment 8-7: The project site should be platted with mapped streets, and there should be a sky exposure plane. (Whitaker)

Response 8-7: As presented in the SEIS, the Proposed Project would not result in any significant adverse impacts with respect to urban design and visual resources. Although the extensions of Freedom Place South and West 60th Street would not be mapped as public streets, they would be designated as Public Access Easements, which would allow them to be privately owned and maintained, but look, function, and be regulated like mapped city streets. In accordance with the general large-scale development provisions of the Zoning Resolution, the bulk of the buildings would be governed by the large-scale special permit plan that will be subject to approval by the City.

Comment 8-8: Include breaks in the faceted façade of the buildings to reflect traditional set-backs and minimize the canyon-like effect on West 61st Street, a narrow residential way. (CB7RR)

Response 8-8: As presented in Chapter 8, “Urban Design and Visual Resources,” the Proposed Project would not result in any significant adverse impacts with respect to urban design and visual resources. The proposed buildings would create strong streetwalls along portions of West 61st Street, the east side of Freedom Place South, and portions of West End Avenue and West 59th and West 60th Streets.

CHAPTER 9: NEIGHBORHOOD CHARACTER

Comment 9-1: We understand that under the 1992 Restrictive Declaration, Extell can build as-of-right a project of approximately 2.4 million square feet. We do, however, object to this project without modifications because it is too big as planned, it is poorly integrated into the surrounding community, and it ignores the very reasonable modifications to the plan as suggested in Community Board 7’s report on the proposed project. (CB7RR, Hynes, Kass3, PRID-Loving, RSPC)

Response 9-1: With respect to the proposed project’s density, please see the response to Comment 2-1. With respect to the proposed project’s integration into the surrounding community, please see the response to Comment 1-2. Also, as described in Chapter 28, “Modifications to the Proposed Project,” the project sponsor expects to file a revised application which would propose various modifications to the project design, including

modifications that would further activate 59th Street with ground-floor transparency and at-grade connections to the publicly accessible open space.

Comment 9-2: Modify the Footprint of Building 5 to accommodate the “straightening” of Freedom Place South, expand the public open space, further reduce density, reinforce the city grid, and provide visual perspectives of the historic powerhouse. (CB7RR)

Response 9-2: Re-aligning Freedom Place South would not reduce or eliminate the significant adverse impacts identified in the SEIS.

Comment 9-3: Greater density is a burden to the neighborhood and to the larger community. It reduces sunlight, blocks significant views, overloads local facilities, and increases traffic from service vehicles and other users of these buildings. (Fife, Hynes, RSPC)

Response 9-3: As described in Chapter 9, “Neighborhood Character,” the Proposed Project would not result in any significant adverse impacts on neighborhood character. The SEIS examines the potential for significant adverse environmental impacts resulting from the Proposed Project for all of the concerns cited by the commenter, including sunlight (see Chapter 6, “Shadows”), significant views (see Chapter 8, “Urban Design and Visual Resources”), effects on local facilities (see Chapter 4, “Community Facilities and Services”), and increases in traffic (see Chapter 16, “Traffic and Parking”). Please also see the response to Comment 2-1.

Comment 9-4: We believe that any new construction should consider the potential reuse of the IRT Powerhouse on 11th Avenue in the block between 58th and 59th Streets as a publicly accessible community and cultural resource at some point down the road.

For reasons of the Powerhouse’s current historic relevance and potential future reuse, HRPB would urge Extell to thoughtfully consider how it might be celebrated and integrated into a comprehensive urban design plan for Manhattan's west side. (10 West End, Gavios, HRPB, LandmarkWest, RSPC)

Response 9-4: The IRT Powerhouse, also referred to in this chapter as the Con Edison Powerhouse and the 59th Street Con Edison plant, is an active steam generation facility and not under the control of the project sponsor. Alternate uses for this building have not been considered in the SEIS. The Proposed Project would not preclude the reuse of the 59th Street Con Edison plant for the uses specified in the comment.

Comment 9-5: Extell boasts about the financial benefits to the city of their proposal, but these claims are hollow. The only way to ensure that the city sees its fair share of financial benefits over the long run is to require that a true neighborhood be created in the best tradition of this great city and the surrounding community. (Gavios)

Response 9-5: As described in the SEIS, the Proposed Project would be consistent with the character of recent development in the surrounding neighborhood. The Proposed Project would introduce much-needed affordable housing to the community, which would foster economic integration in the Proposed Project and the surrounding neighborhood, consistent with the goals of the City’s Inclusionary Housing Program. The Proposed Project would also provide area residents with new publicly accessible open space and improved access to the waterfront and introduce a concentration of neighborhood retail, which would serve both project and community residents.

Comment 9-6: Some consideration must be given to maintaining the river ambiance of the site. (Hynes)

Response 9-6: As discussed in Chapter 9, “Neighborhood Character,” the Proposed Project would more fully open the site to the Hudson River waterfront, compared with either existing conditions, or No Build Scenario 1 or 2. The proposed open space would also provide an important connection to Riverside Park South and is designed to draw people through the complex to the Hudson River waterfront (see Figure 1-15).

Comment 9-7: The inclusion of retail-activated privately owned public-space in a mixed-use project well designed by landscape architects, Mathews-Nielsen will be a benefit. (AIA-Bell+Shirripa)

Response 9-7: Comment noted.

CHAPTER 10: NATURAL RESOURCES

Comment 10-1: From the environmental point of view, one that factors in global warming and rising sea levels, we must no longer encourage construction of excessively tall buildings in low-lying areas. (CESD-Freud)

Response 10-1: As described in Chapter 10, “Natural Resources,” under current and projected flood conditions, no significant adverse impacts are expected.

CHAPTER 12: WATERFRONT REVITALIZATION PROGRAM

Comment 12-1: New waterfront development often negatively impacts a community's access to the water, a concern that New Yorkers for Parks frequently encounters. In the case of Riverside South, the elevated Miller Highway provides an additional hindrance to waterfront access. The current alignment of the elevated highway sits atop eight acres of waterfront park, blocks river views, and creates a substantial physical barrier to the community entering Riverside Park. The original Riverside development plan, which called for replacing the elevated Miller Highway with a below-grade roadway, would significantly expand the park's acreage, provide better connection to the waterfront for the upland community and increase the amount of open space in the neighborhood. While necessary government approvals and funding are not in place for such a project at this time, New Yorkers for Parks urges the developer to continue building the section of the tunnel they have agreed to construct and to take no actions that would hinder future construction of the below-grade highway. (New Yorkers for Parks)

Response 12-1: As described in Chapter 12, "Waterfront Revitalization Program," the Proposed Project would maintain existing westward views to the Hudson River along West 60th Street. The new open space to be created would also provide an important connection to Riverside Park South and is designed to draw people through the complex to the Hudson River waterfront. The issue of relocation of the highway is independent of the proposed actions and is the responsibility of entities other than the project sponsor. As stated in the 1992 FEIS, "the relocation of the highway is a separate and independent action from the approvals and plans of the Riverside South project, and would be subject to its own independent and separate environmental review pursuant to SEQRA and NEPA." Any modification to the Miller Highway Relocation project would be subject to its own independent environmental review. The Proposed Project would not preclude any future implementation of the Miller Highway relocation project. See also response to Comment 16-9.

Comment 12-2: The proposed project is a barrier to waterfront access (RSPC, Yourow)

Response 12-2: As stated in Chapter 12, "Waterfront Revitalization Program," the Proposed Project would be consistent with WRP Policy 8.2. The Proposed Project would include approximately 2.75 acres of new privately owned, publicly accessible open space. A path would be created along the south and west sides of Building 1 to link the central plaza to a stair and ramp to Riverside Park South at the intersection of

Riverside Boulevard and West 61st Street. This would become the most direct connection from Central Park and Columbus Circle to the Hudson River waterfront. Three other pedestrian connections would be made available from the open space to Riverside Boulevard, and a fourth connection would create an access point from the open space to West 59th Street via a staircase (see Figure 1-15).

CHAPTER 14: SOLID WASTE AND SANITATION SERVICES

Comment 14-1: We ask that a CB7 Sanitation Garage be part of the Extell plan. The idea was for a “stand-alone” garage to be sited underground in place of the proposed automobile showroom. This would provide room for the CB7 District Garage to “grow” in order to meet increased demand and deliver better services. Locating over an active rail yard might take advantage of an environmentally friendly method of transport to move trash out of the district by rail car without increasing “dirty” truck mileage as is done in the outer boroughs.

DSNY had discussed the possibility of designating basement space with Extell back in 2008. They were told by the Developer “that the planned ceiling heights for the basement areas and column spacing would prevent the use of this area for a trucking operation” and did not pursue the matter any further. We feel that this should be re-considered by Extell, as this would probably be the tenant with the “highest and best use” for their problematic basement because the city pays “top dollar” for the rights to build their garages.

We are asking that the city site a CB7 Sanitation district garage under the proposed Riverside Center to better serve the requirements of its Upper West Side residents and their downtown neighbors. (Kramer)

Response 14-1: The Proposed Project does not include a sanitation garage on the project site nor, according to the project sponsor, are there any plans to do so. Additionally, as described in Chapter 14, “Solid Waste and Sanitation Services,” the Proposed Project would not result in any significant adverse impacts with respect to solid waste.

CHAPTER 16: TRAFFIC AND PARKING

TRAFFIC

Comment 16-1: The project sponsor needs to use more sophisticated analytical tools for evaluating traffic impacts in the project area.

The *Highway Capacity Manual* (HCM) contains this note on methodological limitations on page 16-1 of Chapter 16, Signalized

Intersections: “The methodology does not take into account the potential impact of downstream congestion on intersection operation. Nor does the methodology detect and adjust for the impacts of turn-pocket overflows on through traffic and intersection operation.” These types of operational conditions, cited by the HCM as a limitation to their analytical models, are prevalent within the study area. CEQR does allow for the use of other analytical tools such as microsimulation so long as they can provide the same performance measures as the HCM procedures and that they are demonstrably consistent with traffic engineering principles.

Synchro/SimTraffic is a widely-used software package that is based on the HCM procedures. This software package also includes a vehicle simulation capability to understand intersection-to-intersection interactions.

While the overall approach to evaluating traffic impacts in the study area has been comprehensive, its inability to account for vehicle-to-vehicle and intersection-to-intersection interactions systematically yields overoptimistic projections of future operating conditions. CEQR allows for more sophisticated tools to be used. (CALW-Lewton1)

Response 16-1:

The traffic analysis in the SEIS was performed following the methodologies in the *CEQR Technical Manual*. Consistent with this guidance, HCM analysis methodology was utilized to identify where and how severe potential impacts are likely to be. The lead agency, in consultation with NYCDOT, deemed the use of HCM analysis appropriate for the purposes of the project’s traffic analysis for this SEIS.

Comment 16-2:

We are surprised by the relatively light traffic volumes projected for the study area for the peak periods analyzed in 2018. SEIS Chapter 16 notes that existing 2008 traffic conditions were obtained by a number of counts conducted in September 2008 and March 2009. These counts were augmented with counts from other already-approved EISs including the *Western Railyards Draft EIS*, the *770 Eleventh Avenue FEIS*, and others.

Our experience with working with diverse data sources is that the data are challenging to work with. The traffic volume maps provided in SEIS Chapter 16 show a well-behaved system, where traffic leaving one signal is equal to the traffic arriving at the next (Figures 16-2 to 16-5, and other). Traffic counts, particularly ones from such disparate sources, very seldom end up this way, leaving the analyst to decide which counts to use as a foundation and which to modify to obtain volume balance.

We have no information regarding the raw traffic data; thus, the judgments made by the traffic analysts are unknown.

The fact that the data come from so many sources, and that the volumes overall appear light suggest a need to groundtruth the data (additional turning movement counts, delay studies and saturation flow rate studies). The need for better groundtruthing is also suggested by the Applicant's most common mitigation measure—the shifting of traffic signal green time from one phase to another.

Addressing congestion is seldom this simple or automatic. Conducting the analysis suggested above—obtaining updated traffic engineering data and using these data to construct and calibrate a microsimulation model of the project area—will lead to a much more accurate portrayal of travel conditions in the project area and to more effective mitigation measures as a result. (CALW-Lewton1, CB7RR)

Study (in conjunction with MCB7 and NYCDOT) the traffic directions of roads surrounding the site, including West End Avenue, West 59th, West 60th, West 61st Streets, Riverside Boulevard, and Freedom Place South. (CB7RR)

Response 16-2:

Many days of vehicle counts and delay studies were conducted during the data collection effort. In addition, many automatic traffic recording (ATR) devices were used to gather 24-hour count data for an entire week. The traffic information gathered by the ATRs throughout the project study area was used to meld the data collected at each intersection to form a cohesive traffic volume network. The data collection methodology was deemed appropriate for use in the analyses of the SEIS by the lead agency in consultation with NYCDOT. Furthermore, the traffic network and corresponding analysis presented in the SEIS has been reviewed by NYCDOT and DCP and these agencies concur with its findings.

Comment 16-3:

Auto traffic is certain to increase on all of the affected streets, to the detriment of people in the area, because in addition to the truck facilities, a boulevard design that facilitates speeding, and lack of traffic signals, the plans also include parking facilities that far exceed average residents' needs. (Deutsch, Gold, Kass1, Kass3, Opalach, UWSRC-Duhaime)

Incorporate specific plans to accommodate and manage a substantial influx of vehicular, bicycle, and pedestrian traffic along West 59th Street. (CB7RR)

Response 16-3:

The effects of project-generated traffic have been analyzed in the SEIS and, where practicable, mitigation measures have been proposed to

address identified significant adverse traffic impacts. The parking spaces being proposed for the site would accommodate both the project demand and a portion of the vehicles that currently park on-site.

Comment 16-4: Traffic safety for vulnerable street users is a low priority, with no provisions to calm traffic, or to ensure that pedestrians and cyclists can use the area without encountering the vehicular mayhem common to most of our major boulevards. The proposed project is unsafe for cyclists due to trucks and lack of traffic signals.

Indeed, we have learned from Extell’s current management of the area that we should not even assume basic traffic control measures like signals or crosswalks will be part of the Riverside Center plan. (UWSRC-Duhaime)

Take immediate steps to address traffic safety concerns of residents in Riverside South buildings along Riverside Boulevard and Freedom Place. (CB7RR)

Response 16-4: Traffic-calming measures are not required to avoid a significant adverse impact. Traffic-calming measures are generally employed to slow high-velocity traffic on major thoroughfares, and thus would not be applicable to the local streets within the project site. The project sponsor will be required through the Restrictive Declaration to coordinate final street designs with NYCDOT including adequate traffic control measures for traffic safety. As stated in the SEIS the Proposed Project would not raise any traffic safety concerns at locations along Riverside Boulevard and Freedom Place.

Comment 16-5: The completion of Riverside Boulevard from 61st Street to 59th Street should occur at the start of construction. A road parallel to West End Avenue will alleviate traffic congestion and was a priority of the 1992 agreement. (CB7RR, CESD-Freud)

Response 16-5: The existing Mapping Agreement for the entire Riverside South project including the Proposed Project provides that Riverside Boulevard must be built in conjunction with the adjacent buildings.

Comment 16-6: A 276,011-square-foot “auto showroom” is one of the uses specified for Riverside Center. In other parts of the SEIS this use is described as “automotive showroom and services.” We note that a use primarily involved in displaying and selling automobiles will have very different trip generation characteristics than a use primarily involved in automotive servicing. The SEIS does not describe the character of the proposed automotive-related use, but relies on trip estimates developed

for the 2001 *West 57th Street Rezoning FEIS*, a copy of which could not be located for our review.

It is relevant if this trip generation source is based on an auto showroom only, or on some mix of showroom and service. The 2001 *West 57th Street Rezoning FEIS* sets forth an average weekday trip generation rate for an Auto Showroom of 2.63 vehicle trips per 1000 gsf. For the proposed 276,011 use within Riverside Center, this equates to 726 vehicle trips per day. Of this amount, 87 trips (12 percent) occur during the AM peak hour.

We understand the preference for local trip generation counts expressed within the *CEQR Technical Manual*. CEQR does allow for application of national data from the *Institute of Transportation Engineer's (CITE) Trip Generation Manual* (8th ed.) when there are insufficient local data. ITE does not provide a trip generation estimate for an "auto showroom" land use, but they do provide a trip generation estimate for an "automobile care center" (Land Use 942). This land use type describes the trip generation characteristics for "businesses that provide automobile-related services, such as repair and servicing; stereo installation; and seat cover upholstery."

As a basis of comparison to the "auto showroom" trip generation based on the 2001 FEIS, ITE has an average trip generation rate of 2.94 vehicle trips per 1000 gsf for the AM peak hour. The rate for one hour of operation for an automotive service use is larger than the rate for 24 hours of operation based on the auto showroom use. This discrepancy focuses on the need to determine more precisely how the 276,011 gsf will be used. We understand the need of the Applicant to maintain flexibility since a tenant for this space may not yet have been identified. However, the enormous range of traffic that would result from different allocations of the 276,011 gsf needs to be narrowed in order to have a firmer grasp on the project's traffic impact. (CALW-Lewton1)

Response 16-6:

As described in Chapter 16, "Traffic and Parking," different trip-generation rates were used for the two uses (auto showroom and auto service). The showroom itself in the area above grade is designated as retail space and includes trip generation rates based on retail use. Under the Reasonable Worst Case Development Scenario (RWCDS) examined in the SEIS for traffic, the auto-service center makes up the 276,011 gsf in the below grade space. The trip-generation rates were deemed appropriate for use in the SEIS traffic analysis by the lead agency in consultation with NYCDOT.

Comment 16-7:

The auto showroom analysis in the DSEIS was based on an outdated study. (Kass1)

Response 16-7: The showroom itself in the area above grade is designated as retail space and includes trip generation rates based on retail use. These rates were reviewed and deemed appropriate by NYCDOT and DCP for use in the traffic analysis presented in the SEIS. See also response to Comment 16-6.

Comment 16-8: There are no planned on-street facilities for cyclists in that area: no bike lanes, no bike racks, no connector path or wayfinding signs to the country's busiest bike path only a few hundred yards down the hill. (UWSRC-Duhaime)

Include bicycle parking to encourage cyclists to visit and shop. (CB7RR)

Response 16-8: As described in SEIS, bicycle paths are planned for Freedom Place South and West 60th Street within the project site. Bicycle racks would be provided on the Freedom Place South and West 60th Street Public Access Easements and storage would be provided in project buildings in accordance with the Zoning Resolution.

Comment 16-9: A new highway is one of the essential elements of the Riverside South agreement reached in March 1991, among the city, the state, the developer, and a consortium of civic groups. The highway relocation should be completed over the next 8 to 10 years while Riverside Center is being constructed. However, the 1991 agreement did not say who would pay for the new highway proposed by the developer, and the highway relocation project is now at a standstill.

Normally, as a condition for approval, a developer is required to complete the public amenities that he proposes at the same time as he completes his development. In this case, however, the development was allowed to proceed in 1992, without the developer committing to pay for the highway. That happened because the development simply couldn't support the cost of a highway in addition to the cost of other large infrastructure requirements, including the park, streets, subway improvements, etc.

Although the new highway alignment was approved by the Federal Highway Administration in 2001, there is still no resolution to the funding issue. It is clear to me that if the 1991 agreement is to be fulfilled, the main parties to the 1991 agreement—the city, the state, and the developer—will all have to contribute to funding the new highway. The current ULURP approval process is the only opportunity to require the developer to contribute.

I would urge that the Commission reassess whether the developer is now reasonably able to contribute more toward completion of the public amenities that it proposed. The change in use of Parcel N from studio to residential will greatly increase the value of the developer's property. The increase in value makes it possible for the development to support more of the cost of a new highway. It is time for the Commission to act. Indeed it would seem highly unusual, if not unprecedented, for the Commission to allow a developer to complete his buildings without doing everything it reasonably can to complete the public amenities at the same time. The applicant should build the roadway for a relocated Miller Highway or fund its construction. (Gutman)

If the Commission decides to grant these applications, as part of the approval I urge you to require the developer to complete six blocks of the southbound lane of the tunnel shell. The tunnel shell has already been partly constructed, and it is critical to keep this feature moving forward. (Fife)

The developer should agree to dedicate about 36 percent (\$94 million) of the increased value (that would result from the change in use) to the construction of the tunnel shell. (RSPC)

Response 16-9:

Neither the original developer of Riverside South nor its successors had any obligations under the City's approval of the general large-scale development in 1992 and related restrictive declaration to construct any portion of a tunnel or relocated roadway for the Miller Highway or provide funding therefor. At that time, the elevated Miller Highway structure was being rehabilitated, and the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA) had not approved or committed funding to its subsurface relocation. Given this uncertainty, the proposed Riverside South park plan and environmental analysis contemplated two possible future scenarios: (1) the Miller Highway relocated to an inboard location running adjacent and underneath the proposed Riverside Boulevard; and (2) the Miller Highway remaining in place. To allow for scenario (1), the original developer set aside space, mapped as public place, along Riverside Boulevard to allow for the highway's potential relocation. The developer's obligations with respect to constructing the phases of Riverside Park South also reflected the potential highway relocation. As set forth in the 1992 restrictive declaration, the project included two different designs for the latter three phases of the park: Phases 5A, 6A, and 7A and Phases 5B, 6B, and 7B, contingent upon the "Miller Highway Relocation Approval" The declaration defined the "Miller Highway Relocation Approval" to mean "the grant of approvals from the [FHWA] and NYSDOT and all other necessary governmental

agencies, for the relocation of the existing elevated Miller Highway. 'Approval' for the purposes of this section shall include final plans and specifications and a commitment to funding."

As noted in Chapter 1, "Project Description," NYSDOT completed a separate Environmental Impact Statement for the highway relocation in 2002, which determined that the relocation should occur when the current structure is in need of major repair. In 2004, New York City DOT required Extell Development Co., as part of its obligation to construct Riverside Boulevard (which was required through the mapping agreement between the original developer and the City as a result of the 1992 approvals), to concurrently construct the northbound tunnel shell for a relocated highway between West 61st and West 65th Streets. To date, Extell has completed the tunnel shell between West 65th and West 63rd Streets. The NYSDOT intended to begin construction on the southbound tunnel shell between West 62nd and West 67th Streets in 2008, but that has not happened because federal funds have not been committed for the entire relocation project.

Based on the analyses in the FSEIS, the proposed project has the potential to result in significant adverse environmental impacts in certain areas requiring the implementation of mitigation measures. The project sponsor's provision of public improvements to address these impacts is directly related to the potential impacts resulting from the Proposed Project. By contrast, a requirement for the developer to construct or contribute funds for a relocated Miller Highway on the basis of an estimated market value increase or rate of return derived from the proposed change of use for Parcel N from studio to residential would have no nexus to the land use or environmental impacts of the proposed action.

PARKING

Comment 16-10:

The development's below-grade area needs to address the possible congestion the site will create. Currently, Extell proposes to build 1,800 parking spaces and an auto repair center in their underground level, which would make it the largest parking garage in the city. The 1992 Restrictive Declaration allowed for 743 parking spaces, and Extell's intent to more than double that number and supply auto services will only create more traffic congestion in the area. We are already concerned with the overcrowding the 2,500 residential units will create; adding more parking spaces in the parking garage will only serve to encourage traffic, not prevent it. It is Extell's obligation to make sure that Riverside Center does not create problems but works to curtail congestion. (CB7RR, Deutsch, Kass1, Kass3, L. Rosenthal)

Extell's proposed parking garage would be one of the largest such facilities in the city. A facility of these dimensions is unnecessary and would only cause needless cost to our community in congestion, pollution, and danger. (Coughlin, Kass3)

Response 16-10: As described in Chapter 22, "Mitigation," the Proposed Project would not result in any unmitigated significant adverse traffic impacts at any locations in the immediate vicinity of the project site.

There are currently 2,357 parking spaces on-site today with approximately 1,649 vehicles utilizing those spaces during the weekday midday (see Chapter 16, "Traffic and Parking"). The RWCDs for parking would create an overnight demand of approximately 1,374 parking spaces. The 1,800 parking spaces being proposed for the site would accommodate both the project demand and a portion of the vehicles that currently park on-site.

Comment 16-11: Limit parking to 1,000 or 1,100 spaces to constrain added vehicular traffic and associated impacts. (CB7RR, Stringer1, Wymore)

The proposed parking spaces should be reduced to 768 spaces or less, which number is adequate to meet the overnight parking needs (Deutsch, Opalach, Toder).

The parking should be reduced to 750 spaces. (Kass1)

Response 16-11: The traffic analysis methodology set forth in the *CEQR Technical Manual* which was used in the SEIS does not constrain traffic volumes based on the availability of parking. As described in Chapter 16, "Traffic and Parking," the Proposed Project (under RWCDs 1) would have a projected parking demand of approximately 1,374 vehicles. Therefore, a public parking garage with the capacities suggested in the comments above would not provide sufficient parking to satisfy this projected parking demand. In addition, none of the existing 1,649 vehicles that currently park on-site could be accommodated in the future with the suggested number of parking spaces in the comment.

Comment 16-12: If you have five individual parking garages, you've got constant in and out across sidewalks, many, many more curb cuts, and it's a huge safety problem. And you still have a lot of spaces in a very small area, it doesn't reduce the spaces at all. (Coughlin)

Response 16-12: The below-grade parking facility proposed for the Proposed Project would either be designed as one contiguous parking garage or five individual garages, one for each building (see Chapter 1, "Project Description"). In either case, each building would have a dedicated entrance to the parking facility beneath its building. Therefore, the

number of curb cuts for five individual garages would be the same for the one combined or for five individual garages. For the SEIS analysis, the number of vehicles that travel in and out of the garages was based on the uses of the buildings above and would be identical in both cases. Furthermore, the proposed curb cuts will be designed to provide for a safe pedestrian environment.

Comment 16-13: Below grade parking, more than doubling the previously approved number of spaces, will create more traffic congestion (L. Rosenthal)

Response 16-13: As per CEQR guidelines, traffic volumes in the SEIS are generated by the uses proposed as part of the Proposed Project, not as a function of the amount of parking proposed on site. Consequently, reducing the parking provided on-site would not result in a decrease in overall area-wide traffic congestion. The unmitigated significant adverse traffic impacts identified in the SEIS are not associated with the amount of parking provided on-site.

CHAPTER 17: TRANSIT AND PEDESTRIANS

Comment 17-1: There is also the need to reduce the number of cars that that enter the city each day, Remember the Mayor's Congestion Pricing initiative. To reduce auto traffic we need more mass transit facilities. The Amtrak railroad that runs along the west side of Manhattan is a unique opportunity to implement a commuter facility. We should take advantage of the last chance to build a station on that line between 61st Street and 59th Street as part of the Riverside Center Project. (CESD-Freud)

I oppose this project because it does not provide for a rail station envelope. If you look at this location, it's eleven and a half city blocks to the closest rail transit. How could one not provide an envelope at this location, which means underground and at the surface so you can get to it. How much more valuable would be real estate be here if you had a rail station? We are not asking that it be built, we're asking that provisions be made for it. (Cliff)

Response 17-1: MTA and Metro-North Railroad have completed their evaluation of the feasibility of providing a station in the project area as part of the Penn Station Access Study. The feasibility study concluded that the project site is not a feasible location for a Penn Station Access station. For more information on the Penn Station Access Study please see the MTA's website at <http://www.mta.info/mta/planning/psas>. Also see Appendix I.

Comment 17-2: IRUM urges the Commission to include preservation of an easement for platforms and passenger access for a Regional Rail Station at Riverside Center between 61st Street and 59th Street as part of this zoning amendment. A regional rail station in this densely developed part of Manhattan is much needed to reduce traffic congestion and pollution. Amtrak's two-track West Side Line is an extraordinary, underutilized transportation asset passing through this development. Unfortunately, MTA's decade-old Penn Station Access planning study that is considering addition of regional rail service on this line remains stalled, with virtually no activity taking place and no public outreach planned. Several opportunities for new stations along this line have already been foreclosed by MTA's inaction. It is critical that this not happen at the Riverside Center station site. (IRUM-Haikalis)

Response 17-2: See response to Comment 17-1.

Comment 17-3: The analysis of pedestrian impacts in the project impact area is narrowly focused to an east-west pedestrian flow along 60th Street, ignoring important pedestrian generators north and south along West End Avenue. The project area is a phase 2 pilot site for NYCDOT's Safe Routes for Seniors program, which will affect the traffic capacity analysis.

The SEIS evaluates pedestrian conditions along W. 60th St. only. Considering the presence of several schools and a concentration of housing in the study area, and the need to analyze pedestrian trips associated with off-site parking, pedestrian impacts should be evaluated at many more intersections in the study area.

For example, from the SEIS Figure 16-6, a total of 452 parking spaces in public parking lots are available within a ¼ mile distance of the site to the north; a total of 1,084 parking spaces are available within a ¼ mile distance to the south. No analysis of pedestrian flow north and south along West End Avenue has been conducted. The *CEQR Technical Manual* states that “the major (pedestrian) elements en route to/from the site from/to the subway stations, bus stops and parking lots reasonably expected to be used.” (16-45).

Given that the Upper West Side in the heart of the study area is a Phase 2 pilot area for NYCDOT's Safe Routes for Seniors program, the SEIS is ignoring a critical, publicly-acknowledged issue in the project impact area. As part of this program, additional crossing time at 41 traffic signals, timed for a 3.0-3.5 feet/second walking speed is to be implemented. There is no indication in the level of service analysis that this factor has been taken into account. (CALW-Lewton1, CALW-Lewton2)

Response 17-3: As discussed in Chapter 17, “Transit and Pedestrians,” in the SEIS, new pedestrian trips generated by the Proposed Project are expected to be most concentrated along West 60th Street, which would be the most direct route between the project site and the 59th Street-Columbus Circle subway station. The analysis of pedestrian conditions therefore focuses on sidewalks, crosswalks and corner areas along this corridor from West End Avenue to Broadway. Sidewalks adjacent to project entrances located on West End Avenue and West 59th Street are also analyzed. As further discussed in the SEIS, with the exception of some existing parking demand displaced from the project site, all of the project-generated parking demand would be accommodated in the 1,800-space on-site parking garage and would not directly generate new pedestrian trips on sidewalks and crosswalks to the north and south. While it is possible that some project-generated pedestrian trips related to displaced parking demand would occur on sidewalks and crosswalks connecting the project site to off-site public parking facilities, these trips would become widely dispersed with increasing distance from the project site due to the dispersed locations of these facilities. Overall, given the relatively low existing pedestrian volumes in the study area, significant adverse pedestrian impacts are not anticipated on sidewalks and crosswalks to the north and south of the project site, unlike along the West 60th Street corridor where greater numbers of subway-related pedestrian trips would be concentrated.

As described in Chapter 16, “Traffic and Parking,” the signal timings utilized for the No Build and Build traffic and pedestrian analyses were provided by NYCDOT and reflect the department’s current plans with respect to traffic signals in the study area and take into account provisions for the Safe Streets for Seniors campaign. In addition, the pedestrian impact analyses conservatively assume an average walking speed of 3.0 feet per second in recognition of the slower walking speeds of the many seniors and young children who live and/or attend classes in the area.

Comment 17-4: Riverside Center’s streets must be designed to 21st Century standards to account for extensive pedestrian traffic, including appropriate auto traffic management measures like curb extensions, attractive midblock chicanes to discourage speeding, highly visible crosswalks, traffic signals programmed with leading pedestrian intervals, and on-street bike parking or other low-profile public facility to improve sightlines at intersections. (CB7RR, Duhaime)

Response 17-4: All streets and sidewalks would be designed to meet all NYCDOT safety specifications, as ensured through the Proposed Project’s Restrictive Declaration.

Comment 17-5: The plan exacerbates problems on 59th Street: whereas now it is merely uninviting and uninteresting to pedestrians, under the proposed development it will become downright hostile to them, serving as the back alley to the towers and encouraging large trucks, disproportionately responsible for injuring cyclists and pedestrians in the city, to encroach on the sidewalk. Area cyclists will be left worse off with increased vehicular traffic on that corridor and no viable greenway access to the north for miles. (RSPC, UWSRC-Duhaime)

Response 17-5: As described in the SEIS, with the Proposed Project, the north sidewalk and roadway of West 59th Street would be widened and improved between West End Avenue and Riverside Boulevard. The north sidewalk would provide a 15-foot-wide sidewalk that would be enhanced with street trees. These features are intended to enhance the pedestrian experience and further promote this corridor as an access route to Riverside Park South. Riverside Park South has an entrance at both West 61st Street and West 59th Street. Bicycle paths are also planned for Freedom Place South and West 60th Street within the project site.

Comment 17-6: Move the pedestrian refuge planned for West 61st street and West End Avenue to West 62nd street and West End Avenue. (CB7RR)

Response 17-6: Installation of a pedestrian refuge island on the south crosswalk was implemented by NYCDOT as part of the Safe Streets for Seniors campaign, independent of the Proposed Project. Relocating this refuge island would not reduce or eliminate any significant adverse impacts identified in the SEIS.

Comment 17-7: Capacity and routing adjustments should be added for the M57, M31, M66 and M72 buses, to better serve the site. (CB7RR)

Response 17-7: Bus impacts due to the Proposed Project are discussed in Chapter 17, "Transit and Pedestrians," and mitigation measures proposed for the identified significant adverse impacts are discussed in Chapter 22, "Mitigation."

Comment 17-8: The developer should investigate the opportunity to access the light rail easement on the site to make mass transit more accessible to local residents. (CB7RR)

Response 17-8: The Proposed Project would preserve the existing light rail easement. Providing light rail transit is outside the scope of the SEIS.

CHAPTER 18: AIR QUALITY AND GREENHOUSE GAS EMISSIONS

Comment 18-1: I urge the New York City Planning Commission to require the developer to adhere to the principles of PlaNYC 2030 and to secure the highest possible Leadership in Energy and Environmental Design certification. This long-planned development should serve as a model for green building and sustainable development, maximize energy and water use efficiency and promote good environmental stewardship among its residents. For example, CB7 has recommended the inclusion of a below-grade car sharing facility, plug-in connections for electric cars, a car rental facility below-ground on the site that serves the community and supports local residents who don't own cars, on-site clean energy sources, and an energy management system. The developer should also consider allotting space for an urban and/or rooftop garden that could be integrated into the on-site school's curriculum. (10 West End, CB7RR, Duane, Gavios)

It would be unconscionable to approve any plan of this enormity, at this time on our planet, without taking every practical measure to achieve the highest standards of environmental sustainability. (Wymore)

Response 18-1: Since the issuance of the DSEIS, the project sponsor has proposed a program of measures aimed at reducing energy consumption and GHG emissions. These measures are described in Chapter 18, "Air Quality and Greenhouse Gas Emissions," in the FSEIS. Provisions for these sustainability measures are included in the Restrictive Declaration.

Comment 18-2: A highly energy-efficient Riverside Center could save upwards of one million gallons of oil per year as compared to a standard multi-family building in New York City. (Prigo)

Response 18-2: As described in Chapter 18, "Air Quality and Greenhouse Gas Emissions," the project will incorporate energy efficiency measures and is expected to be substantially more energy efficient than standard multi-family buildings in New York City.

Comment 18-3: The sustainable requirements in the 1992 special permit should be strengthened in terms of enforceability and incorporating the following standards into the design of the buildings:

- Require investment in any sustainable developer opportunity with a 5-year payback:
 - Carpet, painting, wall coverings, building insulation, gypsum board, ceramic tile, acoustical ceilings, wood flooring, resilient flooring and kitchen casework

- Exterior skin or envelope of the building including glass type, wall construction and insulation, roofing insulation and built-in shading
- HVAC system including boilers, heat exchangers major pumps, chillers and other major equipment
- Plumbing system including domestic hot water heaters
- Electrical system including common area lighting, electric heating, control systems for major motors
- Appliances and lighting in the public areas and in the apartments
- Require implementation of PlaNYC initiatives to control runoff and drainage
 - High level storm sewers
 - Green roofs
 - Grey water system
- Require that the buildings meet a LEED Gold standard
- Require that the buildings achieve 20 percent or better efficiency than State Energy Code, with offsets for greenhouse gases produced by the development (RSPC)

Response 18-3: Since the issuance of the DSEIS, the project sponsor has proposed a program of measures aimed at reducing energy consumption and GHG emissions. These measures are described in Chapter 18, “Air Quality and Greenhouse Gas Emissions,” in the FSEIS.

Comment 18-4: This is an auto/pollution-friendly project. (Kass1)

Response 18-4: As presented in Chapter 18, “Air Quality and Greenhouse Gas Emissions,” the Proposed Project would not result in any air quality impacts from mobile sources.

CHAPTER 20: CONSTRUCTION

Comment 20-1: All buildings in Riverside Center must be built in compliance with the NYC Earthquake Code. The site is rated as an S4 - liquefaction in an earthquake. (CALW-Polayes1)

Response 20-1: All buildings will be constructed in compliance with all applicable building codes including those related to structural stability, as described in Chapter 20, “Construction” of the SEIS.

CHAPTER 22: MITIGATION

Comment 22-1: Facilities for affordable childcare should be included to address the impact of new families joining the neighborhood. (CB7RR)

Response 22-1: Mitigation measures related to child care are described in Chapter 22, “Mitigation,”

Comment 22-2: The proposed development results in several unmitigated impacts on open spaces, day care facilities, pedestrian intersections, cross-town buses, and traffic. These impacts result not only from the increase in density on the site and the new uses, but also from the related introduction of a significant population to the area. According to the DSEIS, these impacts would still exist in a lower density alternative, but to a lesser extent. Since the potential environmental impacts would exist even under a lower-density alternative, no change should be made to the 1992 restrictive declaration or the original large-scale development plan without a corresponding plan to mitigate these impacts. (Stringer1)

Response 22-2: As presented in Chapter 23, “Alternatives,” of the SEIS, the Lesser Density Alternative, like the Proposed Project, could result in unmitigated significant adverse impacts in the areas of open space, traffic, and construction noise. However, the Lesser Density Alternative would be less effective in meeting the Proposed Project’s housing goals and in contributing to the achievement of the city’s overall housing goals, including the provision of affordable housing. Chapter 22, “Mitigation,” outlines the practicable mitigation measures for the Proposed Project.

Consistent with SEQRA, the CPC will consider the environmental impacts of the Proposed Project, proposed mitigation measures, and unmitigated environmental impacts, as disclosed in the SEIS, in relation to the social, economic, and other benefits of the project.

Comment 22-3: The project will strain an already overused Riverside Park South, which is also lacking in recreational space. As a condition for approval of any version of this project, the Developer should, as CB7 has recommended, be required to contribute substantially to completion of the permanent Riverside Park South, and toward its full maintenance and other financial needs. All of this mitigation would be mitigation for the effects of the project on the scarce recreational space in the park. (CALW-Whitaker2, CB7RR, Kass3, Neuwelt, RSPC, Wymore)

- Response 22-3:** Under the 1992 Restrictive Declaration, the developer is required to pay for, construct and maintain Riverside Park South. These obligations are not affected by the Proposed Project.
- Comment 22-4:** Significant impacts are not good in this crowded neighborhood. (Freud)
- Response 22-4:** See response to Comment 22-2.
- Comment 22-5:** The Parks Department has studied a number of measures that could help mitigate the Project’s impact on Riverside Park South, including capital work—such as removing the now abandoned West 72nd Street off-street ramp—and opportunities for active recreational facilities by requiring the applicant to construct the southbound tunnel shell between West 61st and West 67th Streets to bury the Miller Highway, on top of which new ball fields and a small maintenance facility could be built. This ULURP review process creates a unique opportunity to amend the Restrictive Declaration in ways that meet current and future infrastructure and financing needs for Riverside Park South. (Barwick, Fife, Neuwelt, New Yorkers for Parks, RSPC, Wright, Wymore).
- Response 22-5:** Although an active open space impact has been identified in the SEIS, the active open space impact is not on Riverside Park South or any other specific open space resource. Mitigation measures for the active open space impact identified in the SEIS were explored by the lead agency in consultation with the New York City Department of Parks and Recreation (DPR) between the Draft and Final Supplemental Environmental Impact Statement (SEIS). Potential on-site mitigation measures considered for the active open space ratio deficit included: ball fields, handball courts, basketball courts, playgrounds, volleyball courts, and skate parks. Additionally, existing open spaces in the study area were examined with respect to their condition and utility. No practicable opportunities for off-site mitigation have been identified as of the date of this FSEIS. See also response to Comment 16-9.
- Comment 22-6:** The applicant should re-examine the existing traffic analysis based on an assumption that the proposed mitigation on West End Avenue may not be feasible and that additional traffic may divert to other thoroughfares such as Riverside Boulevard. Additionally, if a new impact on Riverside Boulevard is identified, the applicant should explore signaling those intersections. (Stringer1)
- Response 22-6:** The Proposed Project mitigation measures have been reviewed by NYCDOT and have been deemed appropriate. The Restrictive Declaration will require that the developer prepare a traffic monitoring plan for NYCDOT’s review and approval that will enable the City to

determine when and to what extent the identified measures to mitigate traffic and pedestrian impacts will be implemented as the project is developed.

Comment 22-7: Several intersections within the study area do not meet CEQR standards for operational performance even after mitigation is evaluated.

The *CEQR Technical Manual* describes in detail the conditions under which a determination of significant impact is met. Chapter 16 of the SEIS summarizes operational performance (level of service) for each intersection in the study area. In all there are 59 cases of operations Significantly impacting intersection operations between No Build and Build traffic conditions.

Of these, adverse traffic impacts are not mitigated in 5 cases:

- Route 9A/12th Avenue at West 56th Street (AM and PM peak hours)
- 12th Avenue/West 54th Street (PM peak hour)
- 12th Avenue/West 52nd Street (AM and PM peak hours)

No feasible mitigation measures are proposed for these cases.

In addition, overcapacity parking conditions have been measured for off street parking within ¼ mile of the site for the weekday mid-day condition, where 104.3 percent parking utilization is estimated. No mitigation for this overcapacity condition is recommended. (CALW-Lewton1)

Response 22-7: As described in Chapter 22, “Mitigation,” of the FSEIS, NYSDOT is reviewing a possible mitigation measure for one of the three impacted intersections along Route 9A (i.e., at West 56th Street) that are projected to result in an unmitigated impact. If this measure is approved for implementation by NYSDOT, this intersection would be fully mitigated. If it is not approved, it would remain unmitigated. No feasible mitigation measures were identified for the two other impacted intersections along Route 9A (i.e., at West 52nd and West 54th Streets); therefore, these impacts would remain unmitigated. Also, as described in Chapter 16, “Traffic and Parking,” while parking utilization within the ¼-mile radius would be overcapacity, there would be sufficient capacity within the ½-mile radius to accommodate projected parking demand. No significant adverse parking impacts would result from the Proposed Project.

Comment 22-8: There is a need for a modeling effort to understand the travel dynamics associated with the new street hierarchy that would result from a key

element of the proposed mitigation plan—converting 59th Street to one way westbound between West End and Amsterdam Avenues.

A major element of the proposed mitigation package is to convert the two-way 59th Street to one way westbound between 10th and 11th Avenues. The traffic simulation of this change shows increased queuing on 58th Street, which is the eastbound pair to 59th Street westbound. And, as described above, there is much other evidence of adverse queuing that arises because the simulation considers the street network as a system—no intersection is isolated from any other.

Converting a street to one-way operation is a serious proposal that needs to be reviewed at a hierarchical level incorporating the system of one-way pairs and two-way arterials. The only reasonable way to understand the consequences of this is to simulate a multi-block area using a simulation package supporting origin-destination assignment. The traffic analysis is based on assumptions for how traffic will respond to the change in 59th Street's function, but these assumptions are unknown to the reviewer and are most likely based on professional judgment. A well calibrated traffic simulation model would provide a defensible basis for estimating the change in travel flows when a significant change to the local street network occurs.

It is our understanding that 59th Street has been one-way westbound during John Jay construction, which is a real time test of the proposed mitigation plan. Our anecdotal information of this change communicated by Coalition members suggests there have been significant adverse consequences resulting from the travel restriction. The applicant proposes to make this change permanent in order to mitigate project impacts.

A more complete assessment using state-of-the-art analytical tools should be employed before agreeing to this mitigation measure. (CALW-Lewton1)

Response 22-8:

The Restrictive Declaration will require that the developer prepare a traffic monitoring plan for NYCDOT's review and approval that will enable the City to determine when and to what extent the identified measures to mitigate traffic and pedestrian impacts will be implemented as the project is developed. The proposal to convert West 59th Street from two-way to one-way westbound between West End Avenue and Amsterdam Avenue has been identified as appropriate mitigation that would fully mitigate the significant adverse impact identified at West End Avenue and West 59th Street.

Comment 22-9: The applicant should commit to implementing all construction mitigation measures identified in the DSEIS, including those relating to pollution and noise mitigation. (Stringer1)

Response 22-9: The Restrictive Declaration will set forth a process for the implementation of construction traffic and noise mitigation measures identified in the SEIS to minimize the environmental effects of construction activities, and it will require that the Project Sponsor implement all Project Components Related to the Environment (PCREs) related to reducing potential construction-related air emissions and noise levels.

CHAPTER 23: ALTERNATIVES

Comment 23-1: The overall density of the proposed development should be reduced. There is no better way to mitigate the impact this project will have on our infrastructure than to reduce the amount of new people coming to the neighborhood. The idea to remove Building 4 not only achieves this necessary objective but simultaneously provides a community enhancement by improving the quality of the open space of the project. (10 West End, CB7RR, Gavios, Shuffler)

The towering, dense units that are being put on our waterfront are going to be there casting their shadow and spewing up people in cars for decades to come. Has the Commission given thought to the immense density, that is people, thousands of people spewing out into the impassable sidewalks of Columbus Circle and Broadway. Cars, more cars than are there now, coming in there. (CALW-Konrad)

Remove Building 4 to increase open space, reduce density, and reduce impacts of shadow and wind. (CB7RR, Duane, Wymore)

The SEIS should consider alternatives that don't eliminate views of the Con Ed Powerhouse, such as the removal of Buildings 3 and 4, which would also result in additional public open space. (RSPC)

I want to address one particular aspect of the Community Board's proposals, which is for the elimination of Building 4. It's a tough nut to crack. It's a very bold idea to actually take one of the buildings out of the whole scheme. But I think you can easily see, if you can see the sketch from that distance, the tremendous advantages that it has for the scheme in terms of its accessibility to the community, its introduction of sunlight into the center of a rather, what could be for large parts of the day a dark area, and also the inclusion of the IRT, the IRT power house in as part of this scheme. It opens it up. (Willen)

When Donald Trump gained control of the entire site in 1992, he signed a Restrictive Declaration which, among other provisions, capped the number of apartments at 5,700. (Black, Brewer, CALW-Polayes1, CB7RR, Deutsch, Gold, Kass1, Kass2, Kass3, Opalach, RSPC, Toder, Wright)

Response 23-1:

As described in Chapter 1, “Project Description,” the project sponsor proposes to develop Parcels L, M, and N as one integrated site with five architecturally distinctive mixed-use buildings, intended to transform the project site—which is currently underutilized—into a thriving new development. The substantial residential component, which would include affordable housing units, would contribute to the achievement of the City’s overall housing goals. In addition, (as described more fully in Chapter 28, “Modifications to the Proposed Project”), since the issuance of the DSEIS, the project sponsor has filed an amended application that would extend the City’s Inclusionary Housing Program to the project site. Based on the amended application, and as analyzed in Chapter 28, “Modifications to the Proposed Project” of the FSEIS, 20 percent of the residential floor area proposed would be affordable housing. Removing Building 4 from the proposed plan would remove approximately 358,971 gsf of residential floor area from the development, 20 percent of which represents an opportunity for affordable housing. The SEIS did not identify significant adverse impacts with respect to historic resources, urban design and visual resources (including pedestrian winds), neighborhood character, or shadows. While the removal of Building 4 would have the potential to lessen the active open space impact identified in the SEIS, doing so would be inconsistent with the project goals and objectives.

In terms of reduced density, the SEIS examined the potential for significant adverse environmental impacts resulting from a Lesser Density Alternative that reflected the maximum permitted floor area under the 1992 approvals of approximately 2.4 million zoning square feet. The SEIS analysis found that the Lesser Density Alternative would generally result in the same significant adverse impacts as the Proposed Project, including the same unmitigated impacts. In areas where the Proposed Project is anticipated to result in significant adverse impacts, the Lesser Density Alternative would lessen, but not eliminate those impacts. Also, the unmitigated impacts would be of lesser intensity but would nevertheless remain unmitigated. With respect to connecting to the waterfront park, a significant objective of the open space plan for the Proposed Project is to connect the West 60th Street corridor to Riverside Park South. This would be achieved with the currently proposed configuration of the buildings and density for the Proposed Project. *