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March 25, 2024

By Federal Express
and E-Mail

Mayor Mike Spano, Chairman
and Members of the Board of Directors
City of Yonkers Industrial Development Agency
470 Nepperhan Avenue – Suite 200
Yonkers, New York 10701

**Re: Application of 636 South Broadway Partners LLC for the Property Located
at 632 aka 636 South Broadway, City of Yonkers (Section 1, Block 29, Lot 1)**

Dear Mayor Spano and Members of the Board:

On behalf of 636 South Broadway Partners LLC, a related company of Macquesten Development (the “Applicant” or the “Company”), we respectfully submit the enclosed application for financial assistance from the City of Yonkers Industrial Development Agency (the “Agency”). As more fully described in the enclosed application, the Company has recently received approvals in connection with its proposal to construct a new 160-unit multi-family residential building with related parking and infrastructure to be known as The Parker (the “Project”) on real property parcels located at 632 aka 636 South Broadway, City of Yonkers, which are also known and designated on the tax assessment map of the City as Section 1, Block 29, Lot 1 (the “Property”).

The Agency’s financial assistance will induce the Company, and its successors and assigns, to develop the Project which will not only increase employment opportunities in the area, but will provide numerous other benefits to the City of Yonkers including much needed quality affordable housing units in the area and brownfield remediation of the Property. The Project is anticipated to generate approximately 260 construction jobs over a 30-month construction period, and approximately 7-10 new permanent jobs upon completion of construction.

However, given the constraints of public funding sources, and the increased costs of development in Westchester County, and the City of Yonkers, which is higher than in other areas of the State, the Project as contemplated cannot be constructed without the Agency’s assistance.

In support of our application, we respectfully submit the following:

1. One (1) original completed Application for Financial Assistance; and
2. A check in the amount of \$600.00 made payable to the Agency representing the application fee.

We respectfully request that this matter be placed on the Agency's next agenda for purposes of discussion and consideration of the adoption of an inducement resolution. Thank you for your consideration. We look forward to meeting with you to discuss this project in greater detail. In the interim, please do not hesitate to contact me if you have any questions or if you need any additional information.

Very truly yours,



DIANA B. KOLEV

Enclosure

cc: Jaime McGill, Executive Director
Joseph Apicella



APPLICATION FOR FINANCIAL ASSISTANCE

470 Nepperhan Avenue | Suite 200 | Yonkers, New York 10701
(914) 509-8651 www.yonkersida.com

PLEASE NOTE: Confidential information should NOT be inserted in this form as this form WILL BE posted on our public website. All confidential information should be inserted by marking "see confidential attachment note 1" etc.

Form with sections: APPLICANT INFORMATION, PROJECT INFORMATION, PRINCIPAL USE OF PROJECT, and Likelihood of accomplishing proposed project within three (3) years.



ESTIMATED PROJECT COSTS (Use best estimates. Any amendments should be sent as addendum to application)

VALUE OF PROPERTY to be acquired	\$ <u>1</u>
If you intend to leverage property already owned indicate intended mortgage value:	\$ _____
TOTAL COST OF CONSTRUCTION: (labor + materials)	\$ <u>72,372,352</u>
Labor: \$ <u>43,423,411</u> Equipment/Materials: \$ <u>28,948,941</u>	
NON CONSTRUCTION Equipment / Furnishings:	\$ <u>0</u>
SOFT COSTS:	\$ <u>17,226,887</u>
Other (explain): Developer Fee	\$ <u>10,437,323</u>
* add contingency: \$16,082,745	
TOTAL PROJECT COST	\$ <u>116,119,308</u>
What is the estimated Fair Market Value of the project upon completion:	\$ <u>TBD</u>

Is there likelihood that the Project would NOT be undertaken IF NOT FOR financial assistance provided by the Agency?
 Yes No *Included with project narrative provide an statement of why the Project should be undertaken by the Agency*

COST (Financial Assistance) **BENEFIT** (Economic Development) **ANALYSIS**

FINANCIAL ASSISTANCE REQUESTED (check all that apply)			Estimated Value of EXEMPTIONS (to be completed by IDA)
<input checked="" type="checkbox"/> SALES AND USE TAX EXEMPTION: <i>Estimated value of Goods and Services to be exempt from sales and use tax (see "Recapture" on page 8)</i>	Value of taxable purchases: \$ <u>28,948,941</u>	X 8.875%	\$ _____
<input checked="" type="checkbox"/> MORTGAGE RECORDING TAX EXEMPTION: * * benefit not being sought at this time	Estimated Mortgage amount: \$ <u>0</u>	X 1.5%	\$ _____
<input checked="" type="checkbox"/> REAL PROPERTY TAX AGREEMENT (PILOT)* <i>REQUESTED duration of PILOT:</i>	YEARS: <u>30</u> * See attached Exhibit B		\$ _____
<input type="checkbox"/> INDUSTRIAL REVENUE BOND (IRB) Is a purchaser for the Bonds in place? <input type="checkbox"/> Yes <input type="checkbox"/> No	Estimated value of bond: \$ _____		\$ _____
TOTAL ESTIMATED VALUE OF FINANCIAL ASSISTANCE REQUESTED:			\$ _____

Economic Development = BENEFIT

Private Funds invested	\$ <u>59,500,000</u>
Estimated Bank Financing	\$ <u>12,816,000</u>
Tax Credit + Deferred Developer Fee:	\$ <u>21,573,307</u>
Federal, State and Local grant/credit/loans/tax incentives (include Public Funds sum from the attached Prevailing Wage Checklist):	\$ <u>880,000</u>
CEI Funds	\$ _____
Brownfield Credit	\$ <u>15,750,000</u>
ARPA Funds	\$ <u>5,600,000</u>
	*add \$1 for acquisition
TOTAL INVESTMENT IN PROJECT	\$ <u>116,119,308</u>

Expected Gross Taxable Receipts: \$ _____
 Addt'l Revenue to City/School District: \$ _____

OTHER BENEFITS:

- Community Development
- Development that will attract other investment
- Regionally Significant
- Improve the quality of life for the Residents of the City
- Other: _____



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EMPLOYMENT PLAN

			If financial assistance is granted		
	CURRENT # of jobs AT the proposed project location	# of jobs to be relocated TO the project location	Estimate # of FT and PT jobs to be <u>RETAINED</u>	Estimate the # of FT and PT jobs TO BE <u>CREATED</u> upon THREE years after project completion	Estimate the # of residents of the Labor Market Area in which the Project is located that will fill the FT and PT jobs to be created upon THREE years after Project completion*
Full Time - FT		7		7-10	100%
Part Time - PT					
Total FTE*					

*When calculating total FTE be sure to convert PT into the appropriate # of FTE

*Labor Market Area includes: Westchester, Putnam, Dutchess

ESTIMATED SALARY FRINGE BENEFITS FOR JOBS TO BE RETAINED AND/OR CREATED BY DIRECTLY:

JOB CATEGORY	# job RETAINED	# jobs CREATED	SALARY (\$ Average or \$ Range)	FRINGE BENEFITS (\$ Average or \$ Range)
Management		7-10	+/- \$65,000	included
Professional				
Administrative				
Production/Skilled Worker				
Independent Contractor				
Other (NOT including construction jobs)				
TOTAL:		7-10	+/- \$65,000	included

Does the employment plan above include estimated job creation from commercial tenants?

- YES
- NO
- Not Applicable

If your employment plan above includes estimated jobs that are not directly employed by the Project please explain below:

N/A



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INTER-MUNICIPAL MOVE DETERMINATION

Will the project:

- a) Result in the removal or abandonment of a plant or facility of the applicant from one area of the State of New York to another? Yes No
- b) Result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York? Yes No
- c) Result in the abandonment of one or more plants or facilities located in the State of New York? Yes No

If Yes, to any of the above explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupants position in its respective industry:

CONSTRUCTION

Estimated length of construction: 28-30 MONTHS

Estimated start of construction: 07 / 2025
MM YY

Estimated completion of construction: 11 / 2027
MM YY

Estimate cost of project construction: \$ +/- \$72,372,352

Total cost attributable to materials: \$ +/- \$28,948,941

Total cost attributable to labor: \$ +/- \$43,423,411

Estimate how many construction jobs will be created as a result of this project: 260

Estimated aggregate number of work hours of manual workers to be employed in project construction: 600,000

Will project construction be governed by a project labor agreement ("PLA") with the Building and Construction Trades Council of Westchester and Putnam Counties, New York AFL-CIO ("Council")¹? Yes No

If you have answered YES to the preceding question, please attach a copy of the PLA; and you need not Complete the remaining portions of this Section (but please see note below).



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CONTRACTOR INFORMATION <small>If contractor/subcontractor has a permanent location in or around Westchester County please use address.</small>	
List each Project Construction Contractor or Subcontractor below (currently known or reasonably expected to be hired)	
<input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor	
Name: Rella Fogliano	Company Name: Macquesten Construction Management LLC
Address: c/o Macquesten Companies, 438 Fifth Avenue, Suite 100 Village of Pelham, NY, 10803	
<input type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor	
Name:	Company Name:
Address:	
<input type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor	
Name:	Company Name:
Address:	

¹ This may be either a PLA already in effect with the landlord of the Project facility, or a PLA made (or to be made) between the Applicant and the Council directly in connection with Project Construction.



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CONSTRUCTION (continued)

If some or all of the Contractor(s) or Subcontractor(s) to be involved in Project construction cannot reasonably be identified at this time, state whether it is Applicant's intention to require the following in its contract(s) for Project construction:

- a) Local hiring (100 mile radius from project site): Yes No
- b) Will contract require local hiring? Yes No
If Yes, percentage of manual workers that will be local: 80+/- %
- c) Union Labor?: Yes No
- d) If Non-Union, will contract require payment of Prevailing Wage?: Yes No

If the answer to question "(b)" or "(c)" above is NO, explain omission:
In light of the Project type (100% affordable) and size, the project is not viable if union labor is employed or payment of prevailing wage is required.

NOTES:

For purposes of this Application, "Prevailing Wage" shall mean the "prevailing rate of wage" as defined in Article 8 of the New York Labor Law.

If Applicant has indicated herein that Project Construction will involve a PLA, union labor, local hiring, and/or payment of Prevailing Wage, the Agency reserves the right to include such requirements in the Project Documentation as conditions for the extension and retention of tax benefits.

SITE PLAN AND ENVIRONMENTAL REVIEW:

Does this project have site plan approval?

Yes No N/A

Has the required environmental review under the State Environmental Quality Review Act (SEQRA) been completed?

Yes No

If yes, coordinated by which Lead agency?: City of Yonkers Zoning Board of Appeals

Please attach all documentation (e.g. environmental assessment form, environmental impact statement, findings and determinations of lead agency, to the extent applicable).

See attached Exhibit C: Negative Declaration adopted by the Zoning Board of Appeals and supporting EAF.



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PREVAILING WAGE CHECKLIST & MWBE GUIDANCE (NY Labor Law § 224-a)

On January 1, 2022, certain projects receiving financial assistance from a public entity (e.g., industrial development agencies (IDA) and local development corporations (LDC)) will be subject to prevailing wage requirements. While prevailing wage was previously limited to government contracting, this legislation will subject certain projects approved by an IDA or an LDC to prevailing wage under the New York Labor Law and MWBE requirements. Please use the following table as a checklist to confirm if a project will be subject to prevailing wage if approved:

1. Exempt Project:	<ul style="list-style-type: none"> a. Residential real estate (less than 4 units), b. Certain not-for-profit corporations with revenue under \$5 million, c. Certain Affordable Housing projects, d. Certain manufactured home park projects, e. Certain projects performed under a pre-hire collective bargaining agreement (e.g., labor peace agreement or project labor agreement), f. Projects funded by § 16-n of the Urban Development Corporation Act or the Downtown Revitalization Initiative, g. The installation of renewable energy systems, renewable heating or cooling systems, or energy storage systems with a capacity of five (5) megawatts (AC) or less, h. NYC IDA Food Retail Expansion to Support Health projects, i. NYC EDC Small Business Incubator programs under 10,000 sq. ft., j. NYC Dept. of Education school construction under 60,000 sq. ft., and k. Projects that receive certain tax benefits related to historic rehabilitation. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Covered Project:	Construction projects throughout the state whose total costs exceed \$5 million and for which at least 30% of these costs are met through use of public subsidies. ¹	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Public Fund Exemptions:	<ul style="list-style-type: none"> a. Affordable New York Housing Program benefits, b. Funds that are not provided primarily to promote, incentivize, or ensure that construction work is performed, which would otherwise be considered public funds (as defined below), c. Funds received for sewer projects or connections to existing sewer lines, d. Tax benefits where the value is unknown at time of construction, e. Tax benefits for the Brownfield Cleanup program, f. Funds for charter school facilities, and g. Any public monies, credits, savings or loans deemed exempt by the Public Subsidy Board. 	Exclude from above total
4. Public Funds (Public Subsidies):	<ul style="list-style-type: none"> a. Public entity grants, b. Savings from fees, rents, interest rates, or loan costs, or insurance costs that are lower than market rate costs, c. Savings from reduced taxes as a result of tax credits, tax abatements, tax exemptions (i.e., sales tax and mortgage recording tax), or tax increment financing, PILOTs, and d. Savings from reduced, waived, or forgiven costs (e.g., contingent loan repayments). 	Total: \$ _____
5. Effective Date	The prevailing wage and MWBE requirements take effect on January 1, 2022, and shall apply to contracts for construction executed, incentive agreements executed, procurements or solicitations issued, or applications for building permits on or after such date.	
6. Reporting Requirement	A project beneficiary must certify to the State Labor Commissioner if a project is a Covered Project within five (5) days of commencement of construction. A Covered Project is subject to stop	

¹ "Notice of Expanded Legal Obligations under NYS Prevailing Wage" published on or about September 21, 2021 by the NYS Department of Labor



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MWBE & SDVOB

Additionally, a Covered Project must comply with the objectives and goals of minority and women-owned business enterprises (MWBE) pursuant to Article 15-A of the New York Executive Law and service-disabled veteran-owned businesses (SDVOB) pursuant to Article 17-B of the Executive Law.

The newest participation goal is 30% for MWBE and 6% for SDVOB. Contractors must demonstrate a "good faith" effort to comply with the MWBE and SDVOB requirements. Good faith efforts can include the identification of participation areas for MWBEs and SDVOBs and full utilization of lists of certified MWBEs and SDVOBs.

If, despite good faith efforts, a contractor is not able to retain an MWBE or SDVOB for a project, the company must submit a Request for Waiver along with documentation of good faith efforts and the reason they were unable to obtain an MWBE or SDVOB.

Good faith efforts can be evidenced by:

1. Copies of solicitations (advertisements in MWBE or SDVOB-centered publications, those made to vendors in MWBE or SDVOB directories, those made to MWBE or SDVOB-oriented trade and labor organizations, etc.)
2. If these solicitations are answered, the contractor must also record specific reasons why the MWBE or SDVOB enterprise was not selected. Dates of any pre-bid, pre-award or other meetings attended by the contractor, if any, scheduled by the Department of Labor with certified MWBE or SDVOB enterprises. Information describing the steps taken to ensure MWBE and SDVOB participation in a project. Descriptions of any other actions undertaken by the bidder to document good faith efforts to retain MWBE and SDVOB enterprises.

Compliance:

Although full participation compliance is the preferred method, partial or no participation is acceptable so long as the project beneficiary conforms to the requirements to fulfill and receive the waiver. Project beneficiaries of Covered Projects may want to engage monitoring firms to ensure that good faith efforts are met and properly documented to avoid penalties.

Resources:

Helpful resources and administration forms for the MWBE and SDVOB programs can be found on the NYS Department of Labor website in the middle of the page at the following address: <https://dol.ny.gov/contract-bid-grant-opportunities>.



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REPRESENTATIONS by the APPLICANT

THE APPLICANT UNDERSTANDS AND AGREES WITH THE AGENCY AS FOLLOWS:

- A) Job Listings – In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives and Financial Assistance from the Agency, except otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the administrative entity (collectively with the DOL, the “JTPA Entities”) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (“JTPA”) in which the Project is located.
- B) First Consideration for Employ – In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives and Financial Assistance from the Agency, except otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) Annual Sales Tax Filings – In accordance with the Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the Annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D) Annual Employment Reports – The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency on an annual basis, reports regarding the number of people employed at the project site including corresponding payroll records for the year ending.
- E) Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- F) Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.



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REPRESENTATIONS by the APPLICANT (continued)

- G) **False and Misleading Information:** The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency’s involvement the Project.
- H) **Recapture:** Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- I) **Absence of Conflicts of Interest** – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described:

- J) All indemnifications and representations made by the Applicant in the within Application for Financial Assistance are made both to YIDA and YEDC.
- k) YIDA and YEDC are represented by Harris Beach PLLC as transaction counsel, or if Harris Beach PLLC has a conflict then YIDA and YEDC will identify an alternative law firm to act as Transaction Counsel. You are responsible for the costs and expenses of YIDA and YEDC Transaction Counsel and YIDA and YEDC will establish and have you maintain escrowed funds as the project progresses to pay Transaction Counsel fees. YOU WILL RECEIVE AN ACKNOWLEDGEMENT AFTER SUBMISSION OF THIS APPLICATION THAT OUTLINES ALL COSTS AND BENEFITS AND YOU WILL NEED TO SIGN THE ACKNOWLEDGMENT BEFORE FINAL APPROVALS ARE MADE AVAILABLE.
- l) The Company has completed the Agency’s Prevailing Wage Checklist, which is attached to this Application.
- m) The Company hereby acknowledges and agrees that any “financial assistance”, as such term is defined in the Act, received from the Agency constitutes “public funds” unless otherwise excluded under Section 224-a(3) of the New York Labor Law, and by executing this Application, (i) confirms that it has received notice from the Agency pursuant to Section 224-a(8)(d) of the New York Labor Law and (ii) acknowledges its obligations pursuant to Section 224-a(8)(a) of the New York Labor Law. The Agency makes no representations or covenants with respect to the total sources of “public funds” received by the Company in connection with the Project.



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HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Yonkers Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, and agrees that the Agency shall not be liable for and the applicant agrees to indemnify, defend, pay and hold the Agency harmless from and against any and all liability arising from or expense incurred by the Agency concerning (A) the Agency's costs and expenses in the examination and processing of, as well as action pursuant to or upon, the attached Application, as well as verification of assertions in the application or other applicant submittals or applicant claims made now or in the future, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's costs and expenses in reviewing any acquisition, construction and/or installation of the Project described therein and (C) and further action, costs and expenses taken by the Agency – with respect to the project; including without limiting the generality of the foregoing, all causes of action and fees and expenses for Agency attorneys, accountants, economists, engineers, architects or other professionals or consultants incurred regarding any part of the application or the review and/or approval and/or monitoring of compliance by the applicant with all laws, rules and regulations and/or in defending any suits or actions which may arise as a result or any for the foregoing. If, for any reason, the applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the applicant are unable to reach final agreement with the respect to the Project, then, in the event, upon presentation of an invoice itemizing the same, the applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including fees and expenses for Agency attorneys, accountants, economists, engineers architects or other professionals or consultants, if any.

Applicant upon approval shall be responsible for any reasonable costs incurred by the Agency to verify employment or use of benefits received by the YIDA or other information required under the Public Authorities Accountability Act or other law, rule or regulation otherwise at the time said Verification is required.

This Indemnity and Hold Harmless Agreement shall survive any closing or other transaction in which benefits are sought or received by the applicant and shall continue for a period of time up to and including three years after the last benefit is received by the applicant from the City of Yonkers Industrial Development Agency.



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CERTIFICATION

The applicant and the individual executing this application on behalf of the applicant acknowledge that the Agency will rely on the representations made herein when acting on this application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

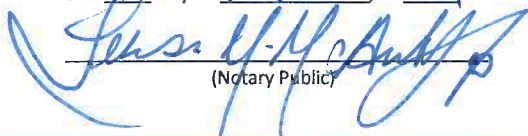
Rella Fogliano, being first duly sworn, deposes and says:

- That I am the Sole Member of 636 South Broadway Partners LLC and that I am
(Corporate Officer) (Applicant)
duly authorized on behalf of the Applicant to bind the Applicant.
- That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

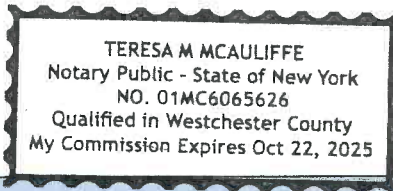


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 21 day of March, 2021.



(Notary Public)



APPLICATION FEE & PROCESSING

Enclose with this Application is the non-refundable Application Fee in the amount of \$600.00 to remittance address:

YONKERS INDUSTRIAL DEVELOPMENT AGENCY
470 Nepperhan Avenue, Suite 200
Yonkers New York 10701

FEES

AGENCY CLOSING FEE:

The Agency will collect an Agency Fee at the time of IDA closing. Fees are based on the type of financial transaction. (Please see fee schedule below)

Agency Fee Type	Fee
Straight Lease Transactions	.5% of Total Project Cost
Bond Transactions	1% of Total Project Cost

ANNUAL ADMIN FEE:

The Agency will collect an Annual Administrative Fee based on your project type and amount. This fee will be due annually on Feb 28th, after IDA benefits are provided to the project. (Please see fee schedule below)

Project Type: Straight Lease	Annual Fee
Up to \$10M	\$ 500
Over \$10M	\$1,000
Project Type: BONDS	Annual Fee
Up to \$10M	\$1,000
Over \$10M	\$2,000

PLEASE NOTE: Confidential information should NOT be inserted in this form as this form will be posted on our website. All confidential information should be inserted by marking "see confidential attachment note 1" etc.

EXHIBIT A

The Parker
632-636 South Broadway
Yonkers, NY 10701

PROJECT NARRATIVE

Introduction

MacQuesten Development (MacQuesten), through its related company 636 South Broadway Partners, LLC, proposes the construction of 160 new units of all affordable housing in an elevator building, with on-site parking (the "Project") at 632-636 South Broadway, Yonkers, NY (the "Property"). The housing units will be priced for families with incomes at or below 80% of the area median income (AMI). MacQuesten will seek financing from the New York State Housing Finance Agency (HFA). Macquesten will also seek the support of the City of Yonkers, Westchester County, and New York State in the form of financing subsidies.

When completed, the Project, also known as "The Parker Apartments" or "the Parker," will be a 100% LIHTC project and consist of 7 studios, 69 one-bedrooms, 64 two-bedrooms, and 20 three- bedrooms, including a 2-bedroom unit reserved for the on-site superintendent. The building will be 16 stories high and will accommodate approximately 146 on-site parking spaces, with access to parking at-grade from South Broadway and from Caryl Avenue, where internal ramps will lead to two lower parking levels and three upper parking levels. The Project is proposed to be connected to municipal sewer and water. Forty-three (43%) of the units will be targeted to families earning up to 50% of Area Median Income (AMI), forty-seven (47%) of the units will be targeted to families earning up to 60% AMI, and ten percent (10%) of the units will be targeted to families earning up to 80% of AMI. The building will offer amenities such as a fitness center on the ground floor and a laundry facility conveniently located on the second floor.

The Project will be developed and constructed by The MacQuesten Companies, whose Principal is Rella Fogliano, an experienced real estate owner/developer/builder. The architect firm is Nexus Creative Design, which has an extensive record of designing multifamily housing in New York State. Development consulting services are provided by Best Development Group LLC.

The Project site is located at the southeast corner of South Broadway (U.S. Route 9) and Caryl Avenue, directly north of the border with the Northern Riverdale neighborhood of the Bronx and Van Cortlandt Park. It is immediately adjacent to the 1,146-acre Van Cortlandt Park, which includes playgrounds, dog runs, BBQ area, swimming pools, sports fields, trails, riding stables and other amenities. It is also located near major roadways including U.S. Route 9, the Saw Mill River Parkway and the New York State Thruway (Interstate 87). The Westchester County Bee-Line Bus System provides local transit. The Project is located within the City of Yonkers Public School System. It is anticipated that the new building will attract "Millennials" and families from Yonkers, Westchester, and New York City. Within walking distance of the project site are two childcare centers and other neighborhood amenities.

MacQuesten is seeking assistance from the Yonkers Industrial Development Agency (the "Agency") in the form of sales and use tax and real property tax exemptions. MacQuesten respectfully submits that the viability of the Project would be compromised without the assistance available through the Agency, given the constraints of public funding sources, and the increased costs of development in Westchester County, and City of Yonkers, which is higher than in other areas of the State. MacQuesten respectfully submits that if the Agency supports the proposed Project, the Project will help revitalize the area, provide much needed middle- and low-income housing options for Yonkers residents, and will provide a number of economic benefits. The Project is expected to create approximately 260 construction jobs over the 30 months construction period, and approximately 7-10 new permanent jobs upon completion of construction. The Agency's support of the Project would also permit the Applicant to carry out its intended remediation of contamination at the Project site in accordance with the New York State Department of Environmental Conservation Brownfield Cleanup Program ("BCP").

Project location and Current use

The Project site is located at the southeast corner of South Broadway (U.S. Route 9) and Caryl Avenue, directly north of the border with the Northern Riverdale neighborhood of the Bronx and Van Cortlandt Park. It consists of 16,639.50 square feet or 0.3819 acres and is currently improved with a one-story masonry warehouse type building. The Property is currently used as a sports training facility, with prior uses including a furniture store and automobile service station. The existing building will be demolished to accommodate the project.

The proposed development will increase the supply of affordable/middle income/market rate housing. This in turn will create a sustainable neighborhood in which people can live, work, shop and have easy access to services. The proposed development will encourage the use of public transportation by lowering the number of new parking spaces created without compromising street parking.

Zoning, Legal Requirements and Program

This Project is located in the City of Yonkers South Broadway District ("SB District") under the City of Yonkers Zoning Ordinance ("Zoning Ordinance"), which the City adopted in 2011, to replace the B and BR Zoning Districts in the South Broadway corridor and permit increased height and density in the area. The SB District is divided into four subdistricts: North Subdistrict, Central Subdistrict, Core Subdistrict, and South Subdistrict. The Project site is located within the South Subdistrict area, which permits multi-family developments such as apartment houses and live/work buildings.

The building is proposed as 16 stories high, with 160 Affordable residential units, residential amenity spaces, laundry facility, and on-site parking spaces. The Project is proposed to be connected to municipal sewer and water.

Following meetings with City professional staff, MacQuesten submitted in September 2022 its plans to the City Department of Housing and Buildings for review and issuance of a Building Application Review and to the Planning Board for informal review. On February 21, 2023, the City Zoning Board granted variances to accommodate the Project: (1) variance from Section 43-47(C)(3)(f) to permit an increase in the maximum permitted floor area ratio to 11.8 where 10 is permitted; (2) variance from Section 43-47(C)(3)(g) to permit an increase in the maximum permitted building height to 166.5 feet where 120 feet is permitted; (3) variance from Section 43-47(C)(3)(c) to permit a reduction in the rear yard setback to zero (0) where a minimum of 25 feet is required; (4) variance from Section 43-47(C)(3)(j) to permit an increase in the maximum permitted lot coverage to 99.8% where 90% is permitted; (5) variance from Section 43-47(C)(5) to permit reduced ground floor transparency of 56% where 70% is required; and (6) variance from Section 43-128, Table 43-4 to permit a reduction in provided off-street parking spaces from 243 (required) to at 144 (proposed), for a variance of 99 spaces (collectively, the "Variances"). In addition, on June 16, 2023, the City Planning board granted full site plan approval for the Project. On January 17, 2024, the Zoning Board granted a one-year extension of its prior approval for the Variances.

Separately, an application has been made to the New York State Department of Environmental Conservation to enter into the Brownfield Cleanup Program. Phase 1 and 2 environmental studies have been completed and a formal application is being considered by the NYSDEC.

PROJECT DESIGN AND CONSTRUCTION

Architectural Elements

The building will stand at 16 stories with an ambitious architectural signature structure and providing gracious views of Yonkers and Van Cortlandt Park. Architecturally the building embraces modern elements and finishes in a transitional manner. The building's volumes are stepped and faceted to further modulate scale. Active Design elements feature a signature stair volume along Caryl Street both as an architectural feature and as an engaging vertical circulation experience encouraging the use of stairs which capture copious natural light, provide view shed experiences and are finished to a higher level than typical internal emergency exit stairs. Resident amenities are envisioned at sidewalk level as a synergistic planning notion both activating the street plane while providing convenient resident access to the neighborhood and Van Cortlandt Park. In addition, sustainable 'green building' means and methods will be implemented throughout the building's design.

Construction Methods

Construction will be type 1-A and will comply with 2020 International Building Code adopted by NYS and 2015 International Energy Conservation Code and 2016 Supplement to the NYS Energy Conservation Code.

The project will utilize cast in place concrete frame structure technology currently configured as 2.5 levels of below grade parking, 2.5 levels of parking above grade and 13 levels of residential floors above the parking levels. A one-story segment adjacent to 14 Caryl Ave hosts the main entry and misc. building services. The one-story segment includes a 2-level corresponding basement footprint. Resident amenities are located on the Caryl/S Broadway sidewalk level.

Building envelope assembly consists of metal stud wall infill framing sheathed and waterproofed. Exterior sheathing is clad with rigid/continuous R-12 insulation coupled with R-19 interior stud cavity insulation yielding high performance thermal characteristics. Exterior finish cladding materials include a range of materials blending thin-brick, cementitious cast panels, metal panel/trim assemblies and architectural metal mesh/screen panels. Exterior glazing [windows & curtain wall areas] utilize high performance thermally isolated aluminum insulated glass systems. 'U -Value' glazing performance will achieve 0.27. Roof assemblies will achieve R-50 performance utilizing a high performance TPO Membrane roofing material. Below grade water barrier systems include passive and active components and assemblies. Parking levels will be isolated/insulated relating to thermal, air-infiltration and fire rating performance requirements.

The all-electric Mechanical systems in conjunction with building Infrastructure systems will meet the above referenced standards. Building plumbing systems and finish fixtures utilize high efficiency performance standards both in water consumption use and thermal efficiency metrics for hot and cold-water distribution. All motor driven and electric consuming systems, controls and appliances will reflect Energy Star rated and approved components High performance energy saving and energy extracting elevator technology will be used in two primary elevators and one secondary ancillary elevator. Life Safety/Fire Protection systems will be supported by an on-site emergency generator.

Interior finishes will utilize a wide range of sustainable and durable surfaces, materials and sourcing. Design threads reflect forward thinking finish themes which enhance positive resident/visitor experiences achieving improved active and passive health metrics. 'Active Design' initiatives are promoted via the placement of a fully glazed primary exit stair on an exterior wall encouraging use as opposed to traditional utility type interior stairs as an only option for active vertical circulation. 'Active Design' initiatives are also embedded in building amenities spaces including fully equipped resident Fitness Facility and Resident Community Gathering spaces. A primary contextual building attribute includes immediate adjacency to Van Cortlandt Park. South facing units will enjoy commanding views of the park.

Active design

As discussed above, Active Design initiatives will be embedded throughout the Project. In addition, this Project is a brownfield cleanup that will improve the residential options in the area.

Street trees will be planted along Main Street and will be planted in planting strips that vary in length to add visual interest, act as a green buffer between pedestrian and vehicular traffic, spaced to highlight entries into the building.

Sustainability

At the heart of planning, design, and construction strategy for The Parker is a focus on affordable, durable, and efficient design solutions to reduce energy consumption and environmental footprint, improve resident health, comfort, and well-being, add critical resources to benefit the surrounding community, and provide facilities that enhance public health and wellness.

The project is being designed to Passive House certification through the PHIUS program. In addition to PHIUS certification, the project will include rooftop solar panels. The solar panels will be designed, financed, installed, and maintained by the solar developer. The Parker Owners LLC will enter into a Power Purchase Agreement (PPA) with the solar developer. The Parker Owners LLC will pay \$.09 per (kW) which is approximately \$.40 lower than current Con Edison rates.

As part of this undertaking, the design and development team has engaged MaGrann Associates in green building consulting, certification, and verification services and has set forth goals for achieving a successful green project utilizing an integrative design approach. Successful implementation of these goals will be the responsibility of all project team members and stakeholders, as outlined below.

Goals:

- 1) Maximize affordability: Create 160 units of affordable rental housing for low-income families and individuals.
- 2) Reduce energy for resiliency: Achieve reduction in building energy and emissions beyond minimum code requirements.
- 3) Improve occupant and surrounding community well-being: Enhance community assets and resources and improve quality of life.

Strategies & Outcomes:

- 1) The core mission of The Parker development team is to create affordable housing for the local community, with pride and purpose for the health of the people of Yonkers. This mission is accomplished through this project by providing more people with affordable and improved housing with integral connections to the surrounding community and life-enhancing resources. Finding, unlocking, and increasing value for tenants and neighbors is at the cornerstone of the team's development work.
- 2) Energy reduction will be achieved through the utilization of increased levels of continuous insulation in thermal envelope components and high-performance, right-sized, smart mechanical systems. These systems include high-efficiency PTHP units for heating/cooling, local and whole-home mechanical exhaust in apartments with fresh air supply to shared spaces, 100% LED lighting with smart occupancy, daylight, and bi-level lighting controls, and ENERGY STAR appliances. In addition to above-code thermal envelope assemblies, the building and apartment units (compartmentalization) will meet a stringent air-leakage (infiltration) limit of 0.30CFM per square foot of enclosure area. High-performance windows will have a U-factor and SHGC not greater than 0.30 to further increase efficiency, comfort, sound mitigation, and maintain healthy levels of natural daylight. Furthermore, in alignment with New York State electrification objectives the building will be fossil-fuel-free with the latest in heat pump technology, thereby minimizing carbon emissions and maximizing utility incentives. By providing the above-mentioned high-performance building systems, the project is expected to surpass certification energy goals and help keep operation costs low for building owners, as well as ease the financial burden of utility costs for tenants. To implement, measure, and monitor these energy goals, throughout the design, construction, and post-occupancy phases, the green building consultant will inspect, test, and verify all energy measures and provide a report to document successful delivery of energy efficiency measures.

- 3) The development team will create a health and well-being action plan and integrate it into the project process; this includes a building/site-wide no smoking policy and measures that improve indoor air quality and comfort like the use of toxin-free building and finishing materials. While pest prevention will be meticulously integrated into the building design, O&M protocols also include best-practice pest control and green cleaning products and schedules. Residents and facility managers will be trained on how to properly use their building systems and information will be provided to take advantage of building and neighborhood resources to ensure successful operation and longevity of project/community functions.
- 4) The development team plans to maximize incentives by taking advantage of the NYSERDA New Construction Housing program (PON 4337) and achieving carbon neutral ready status via electrification which enables the development to obtain higher tier incentives. Additionally, The Parker will qualify for New York State Clean Heat incentives accessible from Con Edison – all heat pump equipment specified will qualify for these generous incentives, which are estimated at a minimum of \$2,000 per dwelling unit, plus additional incentives for electrification of the central domestic water heating system.

Rent Structure and Populations Served

159 Apartments +1 Rental Free Two Bedroom Super’s Unit

50% AMI Units

2 studios at	\$1,174
30 one-bedrooms at	\$1,246
35 two-bedrooms at	\$1,479
2 three-bedrooms at	\$1,696

60% AMI Units

3 studios at	\$1,431
34 one-bedrooms at	\$1,522
22 two-bedrooms at	\$1,810
15 three-bedrooms at	\$2,078

80% AMI Units

2 studios at	\$2,471
5 one-bedrooms at	\$2,073
6 two-bedrooms at	\$2,471
3 three-bedrooms at	\$2,842

146 Parking Spaces @ \$0/month Laundry income 160 @\$120/month

Description of Ownership Entity

The Proposed Borrower will be 636 South Broadway Partners, LLC, a limited liability company ("the LLC"), or its affiliated successor or assignee. The managing member of the LLC is Rella Fogliano. Also, at construction loan closing, the LLC will admit a Tax Credit Investor as the 99.99% Limited Liability Partner.

Rella Fogliano is the Managing Member of the LLC and will hold a 0.01% interest once the Tax Credit Investor is admitted with a 99.99% interest.

Financing Structure

The subject project will be financed with New York State Housing Finance Agency (HFA) tax exempt bonds, as of right 4% tax credit equity, HFA NCP subsidy loan proceeds, ARPA funds from Westchester County, Brownfield Credits Equity, and CEI funds. The developer will also defer a portion of the developer fee as long-term equity in the project.

The sources and uses for the construction and permanent sources are attached in the excel model.

MWBE Utilization Goals

Macquesten Development is a woman owned company and has been successful in meeting New York State HCR MWBE goals. For this project it is anticipated that approximately \$40,000,000 in sources will come from NYSHFA. As such, 22% (\$15,435,200) of contracts will be awarded to MBE firms and 10% (\$7,016,00) will be awarded to WBE firms. For recent projects MacQuesten has awarded over \$20,000,000 in contracts to MWBE firms. MacQuesten will invite bids from its existing pool of MWBE contractors as well as perform reach out to other qualified MWBE firms.

EXHIBIT B

EXHIBIT C



Mayor Mike Spano

CITY OF YONKERS

Sam Borrelli
Commissioner
March 17, 2023

DEPARTMENT OF HOUSING AND BUILDINGS
87 Nepperhan Avenue, 5th Floor
Yonkers, NY 10701
Building Tel. 914.377.6500
Fax 914.377.6521

Diana B. Kolev, Esq.
DelBello Donnellan Weingarten
Wise & Wiederkehr, LLP
1 North Lexington Avenue
White Plains, NY 10601

Re: Area Variance #5802
632 aka 636 South Broadway
Block: 29 Lot: 1
Zone: SBS

To Whom It May Concern:

Please be advised that at a meeting of the Zoning Board of Appeals held on February 21, 2023, your application for Area Variance, to build a 16-story affordable housing apartment building with 160 residential units and 144 off-street parking spaces, having:

- *Exceeding maximum permitted floor area ratio, Section 43-47. C. (3)(f). (required 10.0, proposed 11.8);*
- *Exceeding maximum permitted height, Section 43-47. C. (3)(g). (required 120 ft., proposed 166.5 ft.);*
- *Insufficient rear yard, Section 43-47. C. (3)(c). (required 25 ft. proposed zero ft.)*
- *Exceeding Maximum permitted lot coverage, Section 43-47. C. (3). (j) (required 90%, proposed 99.8%)*
- *Reduction in minimum ground floor transparency, Section 43-47. C.(5) (required 70%, proposed 56%)*
- *Insufficient parking, Section 43-128, Table 43-4 (required 243 spaces, proposed 144)*

has been approved subject to the attached Special Conditions.

Prior to the issuance of any permits you will be required to serve written notice of all Zoning Board of Appeals Special Conditions by registered or certified mail on all the known property owners within a radius of 200 feet of the area of land affected by the Grant, as specified in G.O. 43-157.

Proof of service of a copy of the said notice and conditions set forth by the Zoning Board of Appeals is to be filed with the Clerk of the Zoning Board of Appeals within ten days after receipt of this letter.

Certificates of Occupancy will be issued only after all conditions are complied with.

Very truly yours,

ZONING BOARD OF APPEALS

Wilson Kimball SA

WILSON KIMBALL
CHAIRPERSON

cc: ZBA File
Plan File
Assessors File
Planning Dept.
Denise Egiziaco (Mayor's Office)
Engineering/Traffic Engineering

SPECIAL CONDITIONS:
AREA VARIANCE #5802
632 aka 636 SOUTH BROADWAY
BLOCK: 29 LOT: 1
ZONE: SBS

February 21, 2023

1. All fire, health, environmental, safety, building and zoning codes shall be adhered to at all times.
2. Any taxes or fines, if owed, shall be paid within 60 days from today's date.
3. The 144 parking spaces will be reserved exclusively for the building's tenants.
4. The Applicant will pay, if necessary, to relocate the fire hydrant on South Broadway where the commuter bus stop would be relocated.
5. This approval shall be immediately rescinded should the owner violate any of these conditions.
6. All expenses associated with these conditions shall be the responsibility of the owner.
(NOTHING BELOW THIS LINE)



Mayor Mike Spano

CITY OF YONKERS

Louis J. Albano
Commissioner

Lee J. Ellman, AICP
Deputy Commissioner

Zachary J. Nersinger
Planning Director

DEPARTMENT OF PLANNING AND DEVELOPMENT
PLANNING BUREAU
87 Nepperhan Avenue
Suite 320
Yonkers, NY 10701
Tel. 914.377.6555
Fax 914.377.6552
planninginfo@yonkersny.gov

Date: June 16, 2023

To: Sam Borelli, Commissioner
City of Yonkers Department of Housing and Buildings
87 Nepperhan Ave, 5th Floor, Yonkers, NY 10701

Re: Planning Board Site Plan Approval Resolution with Conditions

The following matter was referred to the Yonkers Planning Board pursuant to DHB Application No.: B0031218.

A REQUEST TO APPROVE A SITE PLAN APPLICATION FOR A 16-STORY, 160-UNIT ALL AFFORDABLE APARTMENT BUILDING WITH ASSOCIATED SITE IMPROVEMENTS LOCATED AT BLOCK: 29, LOT 1 ON THE PROPERTY KNOWN AS 632 AKA 636 SOUTH BROADWAY, ZONED SOUTH BROADWAY ("SB") – SOUTH SUBDISTRICT, PURSUANT TO ARTICLE IX OF THE YONKERS ZONING ORDINANCE.

The site plan application presented to the Planning Board at its meeting of **June 14, 2023** was approved with twelve (12) conditions in the attached resolution.

A copy of the text from the resolution in its entirety will be included on the final site plan drawings. A copy of the approved signed site plans will be provided to the DHB for its records.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. Kozicky".

Roman Kozicky, Planning Board Chairman

Attachment: Planning Board Approval Resolution 06/14/2023

cc: V. Spano, City Clerk
Applicant
File

**CITY OF YONKERS
PLANNING BOARD RESOLUTION**

RESOLUTION TO APPROVE A SITE PLAN APPLICATION FOR A 16-STORY, 160-UNIT ALL AFFORDABLE APARTMENT BUILDING WITH ASSOCIATED SITE IMPROVEMENTS LOCATED AT BLOCK: 29, LOT 1 ON THE PROPERTY KNOWN AS 632 AKA 636 SOUTH BROADWAY, ZONED SOUTH BROADWAY (“SB”) – SOUTH SUBDISTRICT, PURSUANT TO ARTICLE IX OF THE YONKERS ZONING ORDINANCE.

Findings:

1. The proposed application is for 16-story, 160-unit affordable housing apartment building to be known as “The Parker” (the “proposed project”). All 160 dwelling units are proposed to be maintained as affordable housing units for the life of the project as represented by the Applicant, Macquesten Development, LLC.
2. On February 21, 2023, the Zoning Board of Appeals (the “ZBA”), as Lead Agency for the environmental review of an Type I Action with Coordinated Review adopted a Negative Declaration of Environmental Non-Significance for the proposed project and granted the following area variances for Case #5802.
 - a. Exceeding maximum permitted floor area ratio, per Section 43-47. C. (3) (f). Required 10.0, proposed 11.8.
 - b. Exceeding maximum permitted building height, per Section 43-47. C. (3) (g). Required 120 feet, proposed 166.5 feet.
 - c. Insufficient rear yard setback, per Section 43-47. C. (3) (c). Required 25 feet, proposed zero (0) feet.
 - d. Exceeding maximum permitted lot coverage, per Section 43-47. C. (3) (j). Required 90%, proposed 99.8%.
 - e. Reduction in minimum ground floor transparency, per Section 43-47. C. (5). Required 70%, proposed 56%.
 - f. Insufficient off-street parking, per Section 43-128, and Table 43-4. Required 243 spaces, proposed 144 spaces.
3. During the course of the ZBA’s environmental review process of the proposed project the Applicant submitted a Traffic Impact Study and a supplemental parking analysis for the ZBA’s review and consideration. While the traffic study demonstrated the proposed project is anticipated to have little to no impact on the existing traffic conditions of the surrounding area, the ZBA expressed its concerns for the proposed number of off-street parking spaces totaling only 144 spaces for the 160-unit building, as this posed a potential impact to the surrounding area.

The Applicant’s supplemental parking analysis examined parking utilization of tenants at multiple existing affordable housing apartment sites within the city of Yonkers. The ZBA required the data collection of these local sites to better evaluate parking demand of tenants in all-affordable buildings with multiple tiers of Area Median Income (AMI) levels, similar to the proposed project. The results of the parking utilization study and its analysis of affordable housing sites in Yonkers demonstrated the proposed 144 parking spaces for a 160-unit building could accommodate the anticipated demands of the tenants and their guests with minimal impact to the available street parking in the surrounding area.

The parking analysis also stated the proposed project could provide as little as 114 parking spaces based on the calculated parking ratio from the local sites that were studied. The Traffic Engineering Department and the ZBA reviewed this supplemental parking analysis and concluded the Applicant's proposed 144 off-street parking spaces was an acceptable amount to support the anticipated parking demand for the 160-unit all-affordable housing apartment building.

4. The Planning Board has reviewed the Applicant's latest site plans and architectural drawings submitted respectively on May 24, 2023 and April 25, 2023. The Planning Board expressed several concerns for layout of the separated parking levels within the building accessed from either Caryl Avenue – with full turning movements – or South Broadway – with a restricted right turn in and right turn out only driveway. The Board also considered the architectural design elements of the building given the proximity of Van Cortlandt Park located immediately to the south of the project site. After multiple revisions to the site plan, architectural plans and building materials, the Planning Board has no additional comments at this time.
5. Regarding the Board's comments on the parking layout, the Applicant shall be responsible for developing an enforceable parking management plan with assigned parking spaces to ensure that all tenants have clear instructions on where to park their vehicles and which driveway entrance they will be restricted too.
6. The Planning Board has reviewed the applicant's Maintenance and Protection of Traffic (MPT) Plan. The revised MPT Plan submitted on May 24, 2023, illustrated the Applicant's intention to work with the Engineering Department to implement the necessary protection measures for vehicular and pedestrian circulation during the construction process of the proposed project.

The application as presented to the Planning Board at its meeting of June 14, 2023 is approved with the following conditions:

1. The Applicant shall comply with all conditions of the Zoning Board Appeals resolution for Case #5802 dated February 21, 2023.
2. Regarding the requirement for an enforceable parking management plan for the proposed 144 parking spaces servicing a 160-unit affordable housing building and to ensure the spaces are used by building tenants, the Applicant's management company shall require tenants to provide status of vehicle ownership at the time of application and shall include a clause in the tenant lease agreements that all tenants must notify the management of any change to their car ownership status. In the event a tenant does not own a car the developer may assign that unit's space to others in the building who have expressed interest in occupying an additional parking space. All parking spaces shall be monitored on a month-to-month basis. Parking spaces shall be made available to tenants that obtain vehicles so as to prevent any adverse impacts to the current street parking demands of the surrounding neighborhood area.
3. The Applicant's trash collection shall be coordinated for times occurring after the peak AM (morning) traffic hours. All trash containers shall be transported by the building maintenance staff to the identified collection area on the day of collection and all containers shall be returned to the interior refuse room on the same day. No containers shall be stored outside overnight.
4. The Applicant shall activate a pest prevention program immediately and maintain the program during demolition and construction phases. Results of all pest prevention programs shall be submitted to the Planning Bureau, the Department of Housing and Buildings, and the Department of Engineering prior to the commencement of site work.

5. The proposed building will increase the sanitary flow to the Westchester County Treatment plant. The Engineering Department recommends a ratio of 3:1 for inflow/infiltration (“I and I”) mitigation. The Applicant shall provide all measures that will achieve the inflow/infiltration mitigation to the sanitary sewer treatment plant or submit the total daily water demand in gallons per day for the project to determine the “I and I” remediation fee. The Applicant response letter dated March 27, 2023 states the proposed project anticipates an average sanitary flow of 16 gallons per minute and a peak flow of 47 gallons per minute. The final approved “I and I” fee amount shall be provided to the Engineering Department during permit review.
6. The Applicant shall submit a final MPT Plan to the Engineering Department for review and approval prior to the commencement of site work.
7. The Applicant shall comply with all requirements of the New York City Parks Department for the required tree removal and subsequent replanting plans within the limits of disturbance shown on the site plans.
8. The Applicant shall comply with all requirements of the Westchester County Department of Transportation and the City Traffic Engineer for the proposed relocation of the existing bus stop at the southeast corner of the intersection at South Broadway and Caryl Avenue.
9. The Applicant shall comply with all requirements of the Yonkers Parking Authority for the temporary closure of any metered street parking spaces during construction.
10. Any modifications to the approved site plans and building designs shall be submitted to the Planning Board for a site plan amendment.
11. A copy of the text from this Planning Board resolution and the Zoning Board of Appeals resolution in their entirety shall be included on the approved site plans.
12. The applicant shall submit three (3) printed sets and electronic PDFs of the site plans to the Planning Bureau for endorsement and circulation within two weeks of the Board’s approval.

The Planning Board renders its decision based upon facts and findings available to it, specifically:

1. Report by the Fire Department, dated June 8, 2023.
2. Report by the Department of Engineering, dated March 3, 2023.
3. Report by the Project Review Committee, dated June 8, 2023.
4. General knowledge of the area.

Date: June 14, 2023

Motion by: M. Forsberg

Seconded by: J. Larkin

By a vote of: 5 – 1 (1 absent)

Roll Call Vote	Aye	Nay
M. Forsberg	Aye	
Y. Tovar	Aye	
J. Larkin	Aye	
R. Pfaffenbach Nova	Aye	
A. Landi		Nay
J. Wallace - absent		
R. Kozicky	Aye	

State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

Project Number ZBA Case #5802

Date: February 17, 2023

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Yonkers Zoning Board of Appeals as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

"The Parker" - 632 aka 636 South Broadway

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

ZBA Case #5802: An application by Macquesten Development LLC for the redevelopment of property with sixteen story residential building containing 160 affordable dwelling units and 144 off-street parking spaces, having:

- Exceeding maximum permitted floor area ratio, Section 43-47.C.(3).(f). (required 10.0, proposed 11.8);
- Exceeding maximum permitted height, Section 43-47.C.(3).(g). (required 120 ft, proposed 166.5 ft.);
- Insufficient rear yard, Section 43-47.C.(3).(c). (required 25 ft proposed zero ft);
- Insufficient parking, Section 43-128, Table 43-4 required 243 spaces, proposed 144 spaces;
- Exceeding maximum permitted lot coverage, Section 43-47.C.(3).(j). (required 90 percent), (proposed 99.8 percent);

on premises known as 632 aka 636 South Broadway, Block: 29, Lot: 1, Zone: South Broadway District ("SB") - South Subdistrict (Building Application No.:0031218)

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

632 aka 636 South Broadway, Yonkers, NY 10705 - Location Map Attached

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

The City of Yonkers Zoning Board of Appeals has reviewed the submitted application materials, including a Full EAF Part 1, and public testimony for its review as lead agency of the proposed Type 1 Action pursuant to SEQRA and has determined the proposed action is not anticipated to have any adverse negative impacts on the project site and its surroundings.

See Attached completed Parts 2 and 3 of Full EAF.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Wilson Kimball, Zoning Board Chairperson

Address: 87 Nepperhan Ave, 5th Floor, Yonkers, NY 10701

Telephone Number: 914.377.6535

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of Yonkers

Other involved agencies (If any)

See Attached

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750 (Type One Actions only)

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part I is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: The Parker		
Project Location (describe, and attach a general location map): 632 South Broadway, City of Yonkers, Westchester County, New York 10701 (WCTM# Section 1 - Block 29 - Lot 1) (see attached Site Location Map)		
Brief Description of Proposed Action (include purpose or need): The Proposed Action involves the development of a multi-family residential building located at 632-636 South Broadway in the City of Yonkers, Westchester County. The Subject Property is located at the corner of South Broadway and Caryl Avenue and is within the City's South Broadway (SB) - South Subdistrict zoning district. The site currently contains a one-story commercial building used as a sports training facility, with no on-site parking. The Proposed Action includes the demolition of the existing building and the redevelopment of the site with a 16-story building consisting of 160 apartments, totaling approximately 239,945± gross square feet, and 144 on-site parking spaces. Access to parking within the building will be at-grade from both South Broadway and Caryl Avenue, where internal ramps will lead to two lower parking levels and three upper parking levels. The building will offer amenities such as a fitness center on the ground floor and a laundry facility conveniently located on the second floor. The project is proposed to be connected to municipal sewer and water. Variances will be required from the City of Yonkers Zoning Board of Appeals for height (166.5ft where 120ft max), rear setback (0ft where 25ft required), lot coverage (99.8% where 90% max), FAR (11.8 where 10 max), and off-street parking (144 where 243 required). Site Plan approval from the Planning Board will also be required.		
Name of Applicant/Sponsor: Macquesten Development LLC - Joseph Apicella, Managing Director of Development	Telephone: (914) 667-7227	E-Mail: j_apicella@macquesten.com
Address: 438 Fifth Avenue, Suite 100		
City/PO: Pelham	State: New York	Zip Code: 10803
Project Contact (if not same as sponsor; give name and title/role): See Applicant information above.	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): 632 South Broadway LLC	Telephone: (914) 224-1569	E-Mail:
Address: 1590 Troy Avenue		
City/PO: Brooklyn	State: New York	Zip Code: 11234

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City of Yonkers Planning Board – Site Plan Approval	
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City of Yonkers Zoning Board of Appeals – Variances for Height and Parking Count	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City of Yonkers Department of Housing and Buildings – Building Application Review; City of Yonkers IDA – Tax Benefits; City of Yonkers City Council – HOME Funding	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Westchester County Planning Board – Section 239-m; Westchester County Department of Health – Water and Sewer; Westchester Cnty Board of Acquisition and Contract - Property Purchase Agreement	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	New York State Housing Finance Agency – Funding Assistance	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s):	
<u>Bronx River Intermunicipal Watershed Management Plan</u>	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
City of Yonkers South Broadway District - South Subdistrict

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Yonkers School District

b. What police or other public protection forces serve the project site?
City of Yonkers Police Department

c. Which fire protection and emergency medical services serve the project site?
City of Yonkers Fire Department

d. What parks serve the project site?
The project site is immediately adjacent to the 1.146-acre Van Cortlandt Park, which includes playgrounds, dog runs, BBQ areas, swimming pools, sports fields, trails, riding stables and other amenities.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Proposed mixed-use building consisting of ground level commercial with multi-family residential above.

b. a. Total acreage of the site of the proposed action? _____ 0.39± acres
 b. Total acreage to be physically disturbed? _____ 0.39± acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.39± acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ 30± months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	160
At completion of all phases	_____	_____	_____	160

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 1
 ii. Dimensions (in feet) of largest proposed structure: 163± height; *101.5± width; and *185.25± length
 iii. Approximate extent of building space to be heated or cooled: 171,211± square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? Excavation will be undertaken to prepare the underground levels of parking
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): 16,400± CY
 • Over what duration of time? TBD
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Material removed includes earth and rock. Excavated materials will be disposed of in accordance with applicable City, County and State regulations.
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ 0.38± acres
 vi. What is the maximum area to be worked at any one time? _____ 0.38± acres
 vii. What would be the maximum depth of excavation or dredging? _____ 26.5± feet
 viii. Will the excavation require blasting? Yes No TBD
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

*The maximum length of the building is 185.25± feet, the building steps back to 160.25± feet at the upper levels. The maximum width at the base of the building is 101.5± feet with stepping back above; the width at first step is 92.25± feet and the width at the second step is 83.25± feet.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ 31,588± gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: City of Yonkers
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ 28,716± gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: Yonkers Joint Wastewater Treatment Plant
- Name of district: South Yonkers Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
- Describe types of new point sources. _____

- Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 8:00 AM - 6:00 PM* • Saturday: _____ N/A* • Sunday: _____ N/A* • Holidays: _____ N/A* 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ typical residential multi-family • Saturday: _____ typical residential multi-family • Sunday: _____ typical residential multi-family • Holidays: _____ typical residential multi-family
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*Represents permitted construction hours per the City of Yonkers noise regulations at Chapter 66 of the City Code.

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
Ambient noise levels may be temporarily increased during construction activities, which would be performed between the hours 8:00 am and 6:00 pm on weekdays, in accordance with the City of Yonkers noise regulations at Chapter 66 of the City Code.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Lighting has not yet been designed; however, lighting would be shielded to minimize or eliminate the potential for light spillover onto adjacent properties and roadways. Fixture types, heights and exact location are to be determined as part of the site plan process.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ TBD tons per _____ TBD (unit of time)
- Operation : _____ 23.6± tons per _____ month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: TBD
- Operation: Solid waste collection would meet the City of Yonkers's sanitation requirements as well as the Westchester County Source Separation Law.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: TBD
- Operation: Solid waste generated by the residential component of the project will be collected by the City of Yonkers Environmental Services Division.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): Open space/recreational

ii. If mix of uses, generally describe:

The Subject Property consists of a commercial use, within an area of commercial and multi-family residential uses with single-family, multi-family, open space and commercial uses beyond.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.39±	0.39±	0.0±
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:
Park Gardens Rehabilitation and Nursing Center is located approximately 1,173 feet southwest from the Subject Property; Landscape Happy Kids Inc is located approximately 1,339 feet northwest from the Subject Property; Mariposas Family Day Care is located approximately 530 feet northwest from the Subject Property; De Jesus De Plmentel, Arliana is located approximately 685 feet east from the Subject Property _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No *
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

*No spills have occurred nor has remedial actions been conducted on the Subject Property to date. However, due to previous uses on the Subject Property a Phase I Environmental Site Assessment (ESA) has been prepared by Sesi Consulting Engineers in September 2022 which identified that there is evidence to indicate areas of recognized environmental concern on the site and that additional investigation of these areas is warranted. As such, a Phase II ESA will be prepared to further assess the site and potential contamination.

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 119± feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: Uf - Urban Land _____ 100 %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 6± feet below grade surface (bgs)

e. Drainage status of project site soils: Well Drained: _____ % of site (The USDA does not provide drainage status for urban land soil types)
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Song birds, raccoons, and squirrel _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 According to search results from the NYSDEC Environmental Resource Mapper, there are no designated significant natural communities on the site
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 According to search results from the NYSDEC Environmental Resource Mapper, there are no site specific endangered or threatened species listed for the Subject Property.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____
 According to search results from the NYSDEC Environmental Resource Mapper, there are no site specific rare species or species of concern listed for the Subject Property.

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No*

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: Palisades Interstate Parkway and Bronx River Parkway

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): New York State Scenic Byway

iii. Distance between project and resource: 1.95± and 2.07± miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

*Although the Subject Property is located in an archaeologically sensitive area, as designated by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Cultural Resource Information System (CRIS), the property has been previously disturbed for development activities. As such, it is not anticipated that archaeological resources would be disturbed as a result of the Proposed Action.

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Joseph Apicella/MacQuesten Development Date September 19, 2022

Signature  Title Senior Project Manager
Gina Martini, AICP

Figure 1: Site Location

The Parker | 632 South Broadway, Yonkers, Westchester County, New York



Subject Property

Source: ESRI

Path: \\vhb.com\gbl\proj\WhitePlains\22057.00 MacQuesten S Broadway Yonkers\Project\MyProject\aprx ickastalek_9/14/2022.r

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project : 632 aka 636 S Broadway, Case 5802
 Date : 01/17/2023

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: See response to FEAF Part 1, E. 3. h. - dated 09/19/2022 _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: <u>See response to FEAF Part 1, E. 3. f. - dated 09/19/2022</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

 NO YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

 NO YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

 NO YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: <u>Multi-family residences permitted in the South Broadway District (SB), South Subdistrict</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Regarding the proposed action of:

Case #5802 – Area Variance – Diana B. Kolev, Esq., on behalf of Macquesten Development LLC, contract vendee, for redevelopment of property with sixteen story residential building containing 160 affordable dwelling units and 144 off-street parking spaces, having:
 Exceeding maximum permitted floor area ratio, Section 43-47.C.(3).(f). (required 10.0, proposed 11.8);
 Exceeding maximum permitted height, Section 43-47.C.(3).(g). (required 120 ft, proposed 166.5 ft.);
 Insufficient rear yard, Section 43-47.C.(3).(c). (required 25 ft proposed zero ft);
 Insufficient parking, Section 43-128, Table 43-4 required 243 spaces, proposed 144 spaces;
 Exceeding maximum permitted lot coverage, Section 43-47.C.(3).(j). (required 90 percent, proposed 99.8 percent);
 on premises known as 632 aka 636 South Broadway, Block: 29, Lot: 1, Zone: SBS (B31218)

The City of Yonkers Zoning Board of Appeals has reviewed the submitted application materials, including a Full EAF Part 1, and public testimony for its review as lead agency of the proposed Type 1 action pursuant to SEQRA and has determined the proposed action is not anticipated to have any adverse negative impacts on the project site and its surroundings.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
CITY OF YONKERS ZONING BOARD OF APPEALS as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Case #5802 - 632 aka 636 South Broadway

Name of Lead Agency: CITY OF YONKERS ZONING BOARD OF APPEALS

Name of Responsible Officer in Lead Agency: WILSON KIMBALL

Title of Responsible Officer: ZONING BOARD OF APPEALS CHAIRPERSON

Signature of Responsible Officer in Lead Agency:

Wilson Kimball

Date: 01/17/2023

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: CITY OF YONKERS DEPARTMENT OF HOUSING & BUILDINGS

Address: 87 NEPPERHAN AVENUE, 5th FLOOR, YONKERS, NY 10701

Telephone Number: 914-377-6500

E-mail: ZBAPublic@yonkersny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM