

**A. INTRODUCTION**

This chapter of the Final Environmental Impact Statement (FEIS) summarizes and responds to the substantive oral and written comments received during the public comment period on the Draft Environmental Impact Statement (DEIS) for the Shops at the Armory project. Public review of the DEIS under CEQR began on May 14, 2009, with the issuance of the Notice of Completion for the DEIS. The public hearing on the DEIS was held concurrently with the hearing on the project's Uniform Land Use Review Procedure (ULURP) applications on September 9, 2009 at the City of New York Department of City Planning, Spector Hall, 22 Reade Street. Public notices advertising the date, time, and location of the public hearing were published in the City Record on August 6-10, 2009 and in newspapers of general circulation in the potentially affected area. The comment period for the DEIS remained open until 5:00 PM on Monday, September 21, 2009.

Section B identifies the elected officials, organization members, and individuals who commented at the public hearing or in writing. Section C summarizes and responds to each substantive comment. The comments are organized by subject area. Where multiple comments were made on the same subject matter, a single comment combines and summarizes those individual comments. After each comment is a list of the people who made the comment, as referenced in Section B. Where no further elaboration is required to address a comment, or where comments do not relate to the analysis of the proposed project in the DEIS, the response provided is "comment noted."

**B. AGENCIES, ELECTED OFFICIALS, ORGANIZATIONS, AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)****ELECTED OFFICIALS**

1. Bronx Borough President Ruben Diaz, oral comments delivered by Wilhelm Ronda and written statement dated September 4, 2009

**ORGANIZATIONS AND INTERESTED PUBLIC**

2. Stuart Applebaum, Retail, Wholesale and Department Store Union (RWDSU), Kingsbridge Armory Redevelopment Alliance (KARA), oral comments delivered by Lillian Clayman and written statement dated September 9, 2009
3. Kwasi Akyeampong, oral comments
4. Joan Byron, Sustainable and Environmental Justice Initiative, Pratt Center for Community Development, oral comments and written statement dated September 9, 2009
5. Doug Cunningham, Minister, New Day United Methodist Church, oral comments
6. Bettina Damiani, Good Jobs New York, oral comments

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\* This entire chapter is new to the EIS.

7. Jeff Eichler, RWDSU, oral comments
8. Avi Kaner, owner of Morton Williams supermarkets, oral comments
9. Brian Ketcham, representing Morton Williams supermarkets, oral comments and written statement dated September 9, 2009 and written report dated September 14, 2009
10. Marvin Mitchner, Morton Williams land use counsel, oral comments
11. Robert Pauls, Robert B. Pauls, LLC, representing Morton Williams supermarkets, oral comments dated September 9, 2009 and written report dated August 2009
12. Desiree Pilgrim-Hunter, Fordham Hill Cooperative Apartments, KARA, oral comments and written statement dated September 9, 2009
13. John Rozankowski, Bronx resident, oral comments and written statement dated September 9, 2009
14. Morton Sloan, owner of Morton Williams supermarkets, oral comments

## **C. RESPONSE TO COMMENTS**

### **GENERAL/PUBLIC REVIEW PROCESS**

**Comment 1:** We believe that economic development that creates jobs that keep people in poverty achieves nothing and actually causes harm. A proposal that doesn't truly benefit working people and our communities is not worth doing. City resources, public resources should never be put at the disposal of developers who would build and operate in a way that would hurt our community, who would turn a profit at the expense of residents, who would add only poverty-wage, dead-end jobs. Responsible development should never be about turning a quick buck but in making a long-term commitment to building a stronger community and in creating good permanent jobs. (Applebaum)

Using city money to subsidize poverty-wage jobs and eliminate living-wage union jobs is poor economic policy. The mix of uses, as well as the economics of the use, are of the essence in deciding whether the benefit is worth the cost. This project would fly in the face of what the City is trying to achieve in PlaNYC 2030. (Byron)

The current plan will likely be corrosive to our community. We need living wage jobs in the Bronx. Related's plan calls for 1,200 30 hour/week, no-benefit jobs. This is not acceptable, it's not good development, it wouldn't have a positive impact on our community. We must do better. The subsidies going to this project can subsidize living-wage jobs for years. (Cunningham)

[There has been] no promise that the Armory will have living-wage, full-time jobs, although it is identified in the RFP that projects with living wage and benefit provisions would be given priority. The project needs to provide livable-wage jobs and local-source hiring. (Diaz)

The Related Companies is practicing disrespectful, harmful development with their current plans to redevelop the Armory. This economic development plan jeopardizes our economic survival by offering our economically disadvantaged, multi-racial minority community low-wage, part-time, no-benefit jobs with negative environmental impacts.

Related is discriminating against the community willingly. CPC will be complicit with the Related Companies in intentionally targeting our minority community for inflicting the environmental burdens of excessive traffic congestion, pollution, and threats to pedestrian safety in the areas surrounding the Armory. Our community's vision has been for a mixed-use facility with schools, commerce, culture and community services, for good living-wage jobs with benefits and a voice at work, putting Bronx residents to work (construction to the permanent jobs), complimentary businesses that don't drive already existing business from the area, affordable recreational and cultural spaces and more. (Pilgrim-Hunter)

**Response:** Comment noted. Wages and hiring standards are outside the scope of a CEQR analysis.

**Comment 2:** In the beginning the process was widely inclusive. Unfortunately for some reason that has not gone full circle. Important points that were included in the RFP—wages, hiring locally, the need for community and educational space—are no longer being discussed. What we started with was a great opportunity that we want to see go through. This is a large public investment, this is an opportunity to leverage jobs and open space for people in the community. Use this as a genuine opportunity to see that the people in the community benefit. Encourage more of a democratic planning process. (Damiani)

**Response:** The City's RFP process is distinct from the public review process under CEQR. The public environmental review process for the proposed project has been consistent with CEQR requirements, and has included a public hearing on the scope of work and a public hearing on the DEIS. While wages and hiring standards are outside the scope of any CEQR analysis, the project as analyzed in the EIS would create jobs, provide new public open space, and include 27,000 square feet of community facility space, some or all of which could be used for educational purposes.

**Comment 3:** The neighborhood is vehemently opposed to a shopping mall, but the Community Board didn't listen to them. We will not make the same mistakes as Related made at Gateway Center at Bronx Terminal Market and at Yankee Stadium. This project's not good for the entire city. (Akyeampong)

**Response:** Comment noted.

**Comment 4:** Follow the City's living-wage ordinance. Centers that follow this ordinance have been incredibly profitable, such as the Queens Center Mall and the Gateway Center. We should push for it here, particularly because this is a public space and Related is seeking public subsidies to build the project. (Eichler)

**Response:** Comment noted. While wages and hiring standards are outside the scope of the CEQR analysis, the project would nonetheless comply with all local laws and ordinances that it is subject to.

**Comment 5:** The northwest Bronx is in desperate need of a health clinic. A health clinic would address the needs of thousands of people, provide jobs in health care, and draw many people into the area, which would economically benefit everyone. (Rozankowski)

## The Shops at the Armory FEIS

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**Response:** The project's approximately 27,000 square feet of community facility space has not yet been programmed. The project sponsor would work with community stakeholders to determine the appropriate programming of this space.

**Comment 6:** Install decorative street lighting, particularly along Jerome Avenue, which is heavily shadowed by the elevated train. (Diaz)

**Response:** The project's design includes decorative street lighting surrounding the Armory building,

**Comment 7:** [There has been] no identification as to whether internal design components would reflect the Romanesque architectural characteristics and former use of the building. There's no provision of transparency for the archway facing the elevated train along Jerome Avenue, similar to the fenestration along Reservoir Avenue, which would provide visual access from the elevated train. [There has been] no provision of transparency guarantees for all entrances without historically significant elements. [There has been] no transparent landscape plan for Reservoir Avenue and Barnhill Square that the community can comment on, to assure the newly landscaped area is aesthetically pleasing and appropriate. (Diaz)

**Response:** Since the project is seeking federal historic preservation tax credits, the proposed cleaning, repair, and alterations to the Armory (which is listed on the State and National Registers of Historic Places) would be undertaken in consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and in compliance with the Secretary of the Interior's Standards for Rehabilitation. As the project could potentially involve discretionary actions by New York State, OPRHP may also review the project and the proposed alterations to the Armory under Section 14.09 of the New York State Historic Preservation Act of 1980. Because the Kingsbridge Armory is a New York City Landmark, the proposed project requires a Certificate of Appropriateness (CofA) from LPC. LPC's issuance of a CofA would ensure that the proposed alterations to the Kingsbridge Armory would be appropriate to the historic character and context of this historic building.

These measures are largely incorporated into the design of the project and have been vetted with OPRHP and the National Parks Service through the project's application for federal historic preservation tax credits. Specifically, the project will reflect the building's existing architectural characteristics and former use, the archway facing the elevated train along Jerome Avenue would be transparent, decorative street lighting would be provided outside the Armory, and a preliminary landscape plan has been developed. With regard to the transparency of all non-historic entrances, most entrances are historic and not subject to alteration, however, the developer will consider this request for the non-historic entrance from Reservoir Avenue.

**Comment 8:** [There has been] no identification as to how the City plans to use the \$5 million acquisition price or annual taxes, which I feel should go towards the development and maintenance of the community facility, and not to the General Fund. (Diaz)

**Response:** Comment noted.

**Comment 9:** [There has been] no commitment that parking fees for the garage are eliminated or patrons have the option to validate parking. (Diaz)

**Response:** This is correct. The redevelopment currently envisions that a fee will be charged for parking.

*COMMUNITY BENEFITS AGREEMENT*

**Comment 10:** Until the Related Companies negotiates a legally binding CBA this body must reject this proposal. The CBA we have developed with the Bronx Borough President would make sure that when the Armory is developed, not just Related but the people who live and work here in Kingsbridge and throughout the Bronx would benefit. It is a reasonable and responsible plan and would in no way hinder Related's ability to profitably develop the Armory. Under the CBA, the Armory would be developed in a way that creates living wage jobs for local residents. And those workers would be able to exercise their right to organize without threat or intimidation. Local businesses that already provide many good jobs to local residents would be protected. There would be ample recreational and community space created and there would be construction and retail jobs for Bronx residents. And under the CBA there would be opportunities for locally owned businesses and businesses owned by women and minorities to have a real share in the development. This would be a groundbreaking approach in the Bronx and in New York City. (Applebaum)

KARA stands behind the Bronx Borough President's recommendation to deny the project without a legally-binding CBA. (Pilgrim-Hunter)

The project should be rejected until a binding CBA has been signed. (Byron, Cunningham, Eichler)

The developer has not agreed to a socially equitable CBA. I cannot understand why the developer would not act in good faith with the Bronx and the City as a whole, by not considering the needs of the community. The provisions in the proposed CBA are both fair and negotiable. Among the most important disagreements with the developer is their refusal to assure living wage provisions, defined by Local Law 38 adopted in 2002, as \$10 per hour with health benefits. EDC made it clear in the site RFP that it would favorably view development plans that maximize the number of jobs meeting the City's living wage and health benefit standards. All the community wishes to do is to be a participant in what could be its greatest socioeconomic investment for generations to come. (Diaz)

**Response:** Comment noted. CBA's are outside the scope of a CEQR analysis.

## SOCIOECONOMIC CONDITIONS

**Comment 11:** The project will require a high level of subsidy from the City of New York and would therefore have a competitive advantage over the existing merchants that have received no subsidy. (Pauls)

**Response:** Any competitive advantage conferred by the financing sought by the proposed project is beyond the scope of CEQR assessment. Rather, a CEQR socioeconomic assessment considers the potential for adverse impacts to neighborhood character that may be caused by significant changes at competing retail centers. According to Chapter 3B, Section 332.2 of the *CEQR Technical Manual*, development activity such as shopping facilities may attract sales from existing stores, and while these competitive socioeconomic impacts do not necessarily generate environmental concerns, they can become an environmental concern if they have the potential to affect neighborhood character by affecting the viability of neighborhood shopping areas. Therefore, the EIS assesses whether the competitive pressure generated by the proposed project would result in significant adverse impacts on neighborhood character by affecting the viability of entire retail concentrations. This analysis finds that indirect business displacement due to competition, should it occur, (i) would be limited in extent and (ii) would not have a significant negative effect on neighborhood character. Therefore, it would not be considered a significant adverse socioeconomic impact under CEQR.

**Comment 12:** A subsidized supermarket at the project would destroy Morton Williams. Morton Williams provides flexible job schedules that are a blessing to a vulnerable segment of the work force. The enlightened employment policies of Morton Williams deserve recognition, not a notice of eviction. Exclude a supermarket use in the Kingsbridge Armory. (Rozankowski)

Morton Williams has been on this site for 57 years, we're a fourth generation family business. The store on East Kingsbridge Road/Jerome Avenue is our headquarters store and is also our accounting and hiring office for our 12 supermarkets. We employ 150 people in our two Bronx stores that have a combined total of 45,000 square feet. 50 percent of the stores' employees live in the Kingsbridge area. They are 100 percent unionized, full-time jobs with benefits. A 60,000 square foot supermarket at the Armory would destroy our two Bronx stores and many other grocery stores in the neighborhood. Don't subsidize a business that would put us out of business. Related's plans are in violation of the city's RFP, which stipulated that the developer will not introduce retail use that would disrupt local existing businesses. Assure that the developer abide by the RFP, don't use government subsidies to put us and many other stores out of business. (Sloane)

Morton Williams has over 750 employees and 12 stores, mostly in Manhattan. The RFP states that proposed commercial and retail uses must expand and enhance the current mix of retail offerings in the area, and endeavor to not duplicate or directly compete with the existing retail use. The proposed project is in direct violation of the RFP, and the effect on our business would be catastrophic. If the proposed project goes through, our two

stores in the Bronx would close, and up to 400-500 full-time union jobs would disappear over a few months because our hiring office would close. (Kaner)

**Response:** The EIS assessment of potential competitive impacts finds that the proposed project would not jeopardize the viability of neighborhood retail centers. The actions being sought by the proposed project would support the economic revitalization of the Kingsbridge Heights neighborhood of the Bronx by converting the large, substantially vacant Armory building into productive use. The Kingsbridge Armory project would create new employment opportunities for local residents, would generate new tax revenues for the City, and would provide a new shopping opportunity for area residents.

The EIS follows *CEQR Technical Manual* guidelines in assessing the potential for significant adverse environmental impacts due to indirect business displacement created by competition. According to Chapter 3B, Section 332.2 of the *CEQR Technical Manual*, competitive economic impacts do not necessarily generate environmental concerns; they can become an environmental concern if they have the potential to affect neighborhood character by affecting the viability of neighborhood shopping areas. The EIS assesses whether the competitive pressure generated by a potential large chain supermarket—were such a store to be located within the proposed project—would result in significant adverse impacts on neighborhood character. The analysis finds that the competitive impacts of the proposed project would be limited in extent, would not have a significant negative effect on neighborhood character, and therefore would not be considered to be a significant adverse socioeconomic impact under CEQR.

**Comment 13:** The community board had overwhelming opposition to a supermarket at this location; the emphasis was organic and fresh food. This area is not underserved by food markets, unlike other parts of the Bronx. We support the Borough President’s recommendation to deny the project, especially on the supermarket issue. Restrict your approval of the project, do not allow a big-box supermarket. This is against the intent of the RFP when it was issued. A 60,000 square foot facility is a big-box, warehouse operation. The adjacent Morton Williams supermarket is approximately 23,000 square feet in size, with a 100-space parking lot behind the store. (Mitchner)

**Response:** The Community Board recommended approval of the ULURP actions conditioned upon, among other things, “a supermarket committed to providing our community with a vast selection of organic foods.” While the project sponsor has not signed leases with any tenants for space at the proposed project, the project sponsor continues to keep open the possibility of including in the project the supermarket desired by the Community Board—if not of the full 60,000 square feet analyzed in the DEIS’s worst-case scenario, then potentially of a smaller size to meet the needs of the community.

**Comment 14:** The DEIS economic analysis is deceptive and inaccurate. It treats local supermarkets as convenience stores. Our consultants have concluded that a 60,000 square foot supermarket at the Armory would be a nightmare to the neighborhood, on traffic, parking and local businesses. There are 45 supermarkets within a 2-mile radius of the project site. (Sloane)

**Response:** The analysis of indirect business displacement due to competition follows the methodologies outlined in the *CEQR Technical Manual* in assessing the potential for significant adverse neighborhood character impacts due to competition. The commenter may be confusing the DEIS's use of the term "convenience goods stores" with "convenience stores." For purposes of estimating capture rates all existing and proposed retail stores are categorized as either "shoppers' goods stores," "convenience goods stores" or "eating and drinking establishments." As discussed on page 3-12 of the DEIS, merchandise in shoppers' goods stores are typically higher-priced goods—such as clothing, electronics, or furniture—for which consumers compare quality and price at more than one store before making a purchase. Convenience goods are usually lower-priced goods that are purchased frequently and immediately, often near the workplace, with little or no comparison shopping. The goods sold at supermarkets are consistent with the definition of convenience goods. Within this convenience goods category, the DEIS analysis further distinguishes "grocery store" sales.

The DEIS analysis distinguishes between supermarkets and convenience stores. As discussed on page 3-30 of the EIS, based on retail surveys conducted, there are approximately 450 food stores in the 1.5-Mile Trade Area. Of those, roughly 141 are grocery stores, bodegas, or supermarkets selling a variety of grocery items, 177 are convenience stores, 42 are meat or fish markets, 21 are fruit and vegetable markets, 37 are specialty food stores, and 32 are beer, wine, and liquor stores.

The potential impact of the project—including a potential supermarket use—on area traffic and parking is discussed below under "Traffic and Parking."

**Comment 15:** While it is possible that the proposed supermarket of 60,000 square feet could have an extended trade area given the large amount of destination shopping as part of the project, traditionally urban supermarkets draw from a smaller area by virtue of the density of nearby population and the lack of car ownership in many urban areas of New York. As such there is no support for the notion that the Armory development's supermarket would draw from such an extremely broad area. The DEIS analyzes a trade area consisting of a 3 mile radius and we believe that this is far too extensive an area to analyze. Based on discussions with area supermarket operators, the existing supermarkets in the immediate area serve a customer base that lives no more than ¼-mile to ½-mile away. This is borne out by the existing locations of the various chain supermarkets in the area. It is this area that should have been investigated by the DEIS. Logic also dictates this smaller area of investigation since most convenience store shoppers do not carry large quantities of groceries long distances. A more rational trade area would have far less population (1/7th the people) and lower median incomes (\$24,482, or 31 percent less) and less retail potential (89 percent less). The probable trade area for the supermarket at the Kingsbridge Armory will also be diminished by two other factors. One is the low level of car ownership in the area—only 26 percent of residents within ¾ of a mile from the site have a car, and the other is the severe lack of parking at the proposed project. This lack of car ownership in the area as well as the lack of parking on the site will inhibit



convenience shopping by car on a regular basis and therefore the bulk of the sales volume would be expected to be derived from nearby area residents.

It is hard to imagine that any one supermarket location would have a draw that would effectively compete with the entirety of Bronx County, especially given the presence of large retail complexes throughout the Bronx including Co-Op City, Westchester Avenue, The Hub, Gateway Center and others. Yet that is exactly what the DEIS measured expected sales against, instead of the smaller area from which the existing supermarkets and food stores serving Kingsbridge derive their sales.

Although it is possible that 80 percent of [store sales] may be derived from an area larger than  $\frac{3}{4}$  of a mile due to the presence of destination type retailers serving a regional market area, the vast majority of the sales will come from nearby residents. On a conservative basis we believe that 50 percent to as much as 60 percent of the sales will be from the area within  $\frac{3}{4}$  mile of the site.

The total amount of dollars available from the area served by the existing supermarkets is only about \$150 million. In total the existing stores within  $\frac{3}{4}$  of a mile of the Armory produce over \$158 million in sales and derive almost \$110 million from nearby residents. Since area residents rarely produce more than 80 percent of a store's sales (in this case \$120 million of the \$150 million in total sales) the existing stores have a penetration rate of almost 92 percent. In reality this area is not underserved by food stores.

Total sales from the trade area by existing or proposed projects other than the Armory development would be in excess of \$135 million. Since there is only \$150 million in available spending (money that can be spent anywhere) there is little if any excess to flow to the proposed supermarket that will not come out of the sales of the existing merchants.

On a conservative basis we believe that 50 percent to as much as 60 percent of the sales will be from the area within  $\frac{3}{4}$  mile of the site. This means that of the \$55 to \$65 million in expected sales from the 60,000 square foot supermarket, up to \$39 million of existing business will be siphoned off from existing markets from this market segment alone.

Additionally, a large percentage of the typical inflow (non-trade area sales) of 15 to 20 percent that accrue to existing markets from area employees and visitors may also be transferred to the proposed 60,000 square foot supermarket at the Armory. This will potentially put an additional \$10 to \$15 million of existing sales at risk.

While not all stores will suffer equally, it is certain that those in close proximity will suffer the most. This means that the two Morton Williams stores, the Kingsbridge Road and the Jerome Avenue Pioneer stores as well as Sedgewick Avenue C-Town will bear the brunt of the sales losses. The five supermarkets closest to the proposed Armory development represent over \$28 million in sales and have over 240 employees.

Given the narrow profit margins of the supermarket industry, only 3 to 4 percent, a small reduction in sales of 10 to 15 percent will put these markets in the red and jeopardize their existence. Additionally many small food stores, delis and bodegas will also be at risk of closing. In essence, all the proposed 60,000 square foot supermarket will do is

transfer existing sales and jobs if built as well as putting many small locally and family owned food stores out of business.

The combination of underestimating sales and measuring it against an over-extended trade area significantly under-estimates the current level of service provided by the existing supermarkets and the impact that a large supermarket at the Kingsbridge Armory site would have on the nearby existing competitive alignment. (Pauls)

**Response:** The analysis of indirect business displacement due to competition follows the methodologies outlined in the *CEQR Technical Manual* in finding that the proposed project would not result in significant adverse socioeconomic impacts. According to the *CEQR Technical Manual*, an analysis of the potential effects of competition should encompass a primary trade area from which the bulk of new stores' sales are likely to be derived. As defined by the Urban Land Institute's *Shopping Center Development Handbook*, trade areas for shopping centers similar in size to the proposed project generally extend 12 miles from the project site, and typically can be reached within a 30-minute drive. The DEIS analysis recognizes that trade areas for retail projects in New York City are typically much smaller than the national standards cited in the *Shopping Center Development Handbook*, due primarily to the density of development in the New York metropolitan region (see page 3-14 of the DEIS for more detail). Therefore, a 3-mile primary trade area was selected based on the attraction that would be created by the introduction of approximately 494,960 square feet of commercial and community facility space.

As described on page 3-15 of the DEIS analysis, there is an expectation that within the 3-mile primary trade area, the proposed project would draw a larger portion of its business from residents that live closest to the proposed project, as a result of more convenient access, shorter travel time and distance, and propensity to take advantage of a major shopping resource close to home. Those living farther from the proposed project would likely have a greater selection of large shopping resources in closer proximity to their homes. For this reason, the competition analysis focused on both the 3-mile trade area and a smaller trade area within 1.5 miles of the project site, referred to in the DEIS analysis as the "1.5-Mile Trade Area." This 1.5-mile area encompasses a total of 13 different retail concentrations, including Riverdale, upper Manhattan, Marble Hill, Norwood, Bedford Park, University Heights, Fordham-Bedford, East Tremont, West Farms, and Belmont.

The EIS analysis examined each of the retail concentrations within the 1.5-Mile Trade Area to determine whether competition with stores in local shopping areas could undermine the viability of retail concentrations, thereby leading to a significant adverse impact to neighborhood character.<sup>1</sup> The analysis focuses on grocery stores in particular, because grocery stores often serve as anchors for retail concentrations.

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<sup>1</sup> Competition in itself does not constitute a significant adverse impact under CEQR guidelines. According to Chapter 3B, Section 332.2 of the *CEQR Technical Manual*, development activity such as shopping facilities may attract sales from existing stores, and while these competitive socioeconomic impacts do not necessarily generate

Retail concentrations within the 1.5-Mile Trade Area contain a wide variety of food and beverage stores, including several supermarkets as well as smaller independent stores such as delis and grocery stores, meat and fish markets, fruit and vegetable markets, and specialty markets. Supermarkets in the 1.5-Mile Trade Area include a few large chain supermarkets, such as Pathmark and Stop & Shop. Some of these supermarkets are located within major retail concentrations, and some are located in free-standing buildings in primarily residential neighborhoods. In addition, there are many smaller supermarket chains, such as Associated, C-Town, and Met Food, which are often located on major shopping streets.

The DEIS analysis concluded that competitive pressure generated by a potential large chain supermarket—were such a store to be located within the proposed project—would be felt most strongly by major supermarkets within the 1.5-Mile Trade Area. Smaller food stores and shoppers' goods stores would likely experience more moderate competitive pressure, if any, and neighborhood services stores and eating and drinking places are not expected to be significantly affected. Local residents would continue to shop at existing grocery stores for reasons including convenience, public transit accessibility, size, free parking availability, and supply of ethnic food and beverage products. The proposed project is not expected to significantly alter the number of businesses and services that are located in retail concentrations within the 1.5-Mile Trade Area, and vacancy rates are not expected to notably change in the future with the proposed project. While the possibility of some limited indirect business displacement due to competition could not be ruled out, it was concluded that any displacement that might occur would not have a significant negative effect on neighborhood character, and therefore would not be considered to be a significant adverse socioeconomic impact under CEQR.

It is reasonable to assume that a considerable percentage of sales from a 60,000-square-foot supermarket—were such a store to be located within the proposed project—would draw from a larger area than that suggested by the commenter. The supermarket analyzed in the DEIS would be considerably larger than other supermarkets in the local area, and therefore would not have a directly comparable trade area (i.e., its trade area would be larger). The supermarket also would be part of a larger 494,960-square-foot retail and community facility center that would be expected to draw customers from throughout the Bronx; some customers would combine a shoppers' goods trip with a trip to a supermarket within the same retail center. With respect to low car ownership in the immediate area, the proposed project site is well-served by public transportation, which expands a trade area beyond a population within walking distance and/or those with access to an automobile.

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environmental concerns, they can become an environmental concern if they have the potential to affect neighborhood character by affecting the viability of neighborhood shopping areas. If the proposed project has the potential to affect the operations of competitive stores located on neighborhood commercial strips, and if these competitive stores anchor the neighborhood commercial strips, there would be the potential for neighborhood character impacts.

As detailed on page 3-31 of the DEIS, the development of a grocery store as part of the retail mix of the proposed project would not be expected to have a significant adverse effect on the area's small and medium-sized food and beverage stores. Meat and fish markets and other specialty food stores are generally patronized by the neighborhood residents who value the convenience of shopping at a smaller store located near their home as well as the high quality of goods and personal service that can be offered by stores that specialize in certain food products. A grocery store at the proposed project—possibly a large chain supermarket—would not offer this same convenience or specialized service. Small- to medium-sized, independently-owned grocery stores, bodegas, and delis serve a retail function similar to specialty food stores, though they offer a wider variety of food items. In general, these smaller stores tend to act as convenience stores, where customers make frequent trips and purchase fewer items that are in immediate demand, such as milk or bread, or housekeeping supplies such as light bulbs. While shoppers may sometimes purchase these types of goods at large chain supermarkets, they typically do not make frequent trips for convenience goods to large supermarkets that are long distances from their homes. Instead, they are likely to continue to fill their more frequent convenience food and beverage needs at smaller, nearby grocery stores.

As detailed on page 3-32 and 3-33 of the DEIS, individual supermarkets in the 1.5-Mile Trade Area were found to not be critical to the survival of local shopping areas or essential to the character of surrounding neighborhoods. As described in the response to Comment 11, indirect displacement due to competition in itself does not constitute a significant adverse impact under CEQR guidelines. Only if a proposed store has the potential to affect neighborhood character by affecting the viability of neighborhood shopping areas is there a potential for a significant socioeconomic adverse impact. The 1.5-Mile Trade Area contains approximately 141 supermarkets and other grocery stores, of which 13 are larger chain supermarkets (see Table 3-15). Smaller supermarkets with less than 10,000 square feet of space primarily serve the convenience shopping needs of local residents, i.e., frequent trips for smaller purchases, and so would not directly compete with a grocery store within the proposed project. Even though one or more of these smaller supermarkets may be present on a local shopping street, they do not typically anchor the commercial mix and are not critical to the survival of surrounding stores, and so would not adversely alter neighborhood character even if they were to be negatively affected by competition.

Smaller grocery stores and food stores in the 1.5-Mile Trade Area were analyzed in the DEIS. The DEIS concluded that these stores are likely to experience moderate competitive pressure, if any. Local residents would continue to shop at existing grocery stores for reasons including convenience, public transit accessibility, size, free parking availability, and supply of ethnic food and beverage products.

**Comment 16:** The DEIS purports to have analyzed the existing food stores in their 1½ mile trade area. Time did not allow us to confirm all of their figures but they discuss and map 13 supermarkets within that 1½ mile radius. Our investigation indicates that there are at least

13 markets within  $\frac{3}{4}$  of a mile from the site, and at least 16 that serve the residents within  $\frac{3}{4}$  of a mile from the Kingsbridge Armory. In all there are 14 supermarkets and 135 bodegas, fruit stands, etc. within the  $\frac{3}{4}$ -mile trade area. In addition, the DEIS identifies 605 convenience goods stores in the  $1\frac{1}{2}$  mile radius but does not distinguish the amount of grocery stores. (Pauls)

**Response:** The DEIS surveyed and analyzed existing food stores within the 1.5-Mile Trade Area. Based on the retail surveys conducted, the DEIS identified 605 convenience goods stores within the 1.5-Mile Trade Area, of which 141 were supermarkets or grocery stores (see page 3-30 of the DEIS or Appendix A, “Socioeconomic Conditions”).

The 13 supermarkets discussed in detail in the DEIS do not represent a comprehensive inventory of every supermarket or grocery store within the 1.5-Mile Trade Area. Rather, these 13 supermarkets represent the type of store that would experience the strongest competitive pressure from a potential large chain supermarket, were one to be located within the proposed project. As discussed in the DEIS, these stores are large chain supermarkets with more than 10,000 square feet. As noted above, the analysis focuses on grocery stores in particular, because grocery stores often serve as anchors for retail concentrations.

**Comment 17:** By utilizing the *Dollars and Cents of Shopping Centers* as a guide they have taken national averages and applied them to the extraordinary circumstances of New York City. Sales volumes in New York City are considerably higher than any national or regional averages. This is due to the extremely high operating costs such as rent, utilities, taxes and wages.

In fact, while the DEIS estimates food store sales at the Kingsbridge Armory at \$41.3 million from the 60,000 square feet of space, the Pathmark supermarket in Co-Op City produces over \$50 million in less space. A typical New York area Costco will produce as much as \$200 million in total volume with over 33 percent derived from food store type merchandise. This is in excess of \$66 million in food sales annually. A typical 60,000 square foot market in New York City will do between \$55 and \$65 million in sales. (Pauls)

**Response:** The EIS analysis does not apply the national average sales volume; according to the *Dollars and Cents of Shopping Centers: 2008*, the national average for supermarket sales is \$479 per square foot. To estimate potential sales from a 60,000-square-foot supermarket at the project site, the EIS analysis used \$688 per square foot, which is the median sales per square foot amount from the top 10 percent of stores nationally (in terms of sales per square foot) and is a reasonable assumption for analysis. The EIS analysis uses the *Urban Land Institute’s Dollars and Cents of Shopping Centers: 2008* as a guide because it is the suggested source for sales volume data cited in the *CEQR Technical Manual*. It should also be noted that the Pathmark supermarket in Co-Op City referenced by the commenter is approximately 62,000 square feet, which is larger than the 60,000-square-foot supermarket analyzed in the EIS.

**Comment 18:** There is no mention of a viable market study. The DEIS actually states “it is not possible to know exactly who is spending money in the area.” This is especially disturbing to me, as companies around the country spend thousands of dollars to accurately determine their customer base and proper uses, yet it is suggested infeasible in the Bronx. This is critical in terms of determining the best uses for the community and the impact on the surrounding area. This includes the impact of a proposed 60,000 square-foot supermarket will have on the surrounding communities, which have a number of viable supermarkets and grocery stores. (Diaz)

**Response:** The DEIS includes a detailed analysis of the potential for indirect business displacement due to competition, including a description of retail employment and sales trends, specific types of stores, and an analysis of retail expenditures in the area (see analysis beginning on page 3-12). The quote from the DEIS is incomplete (i.e., words were omitted) and is taken out of context. The statement reads as follows (bold and italics added):

“Capture rates are also affected by an inflow of money from people who do not live in the area. Some of the sales in the Primary Trade Area, for example, may be from people living in other areas of the Bronx, other New York City boroughs, and elsewhere, shopping at stores in the Primary Trade Area. **It is not possible to know exactly who (*residents or non-residents*) is spending money in the area.** This is particularly true for employment-intensive areas such as Fordham Road, where a large portion of shoppers do not live, but rather work in the area.”

The statement was used to explain how capture rate analyses cannot predict with a high level of precision whether sales are coming from residents or workers. It was never meant to indicate that the analysis could not tell where the customer base is located.

**Comment 19:** [An analysis of the project’s] impact on River Plaza is missing entirely. This key shopping destination includes Target, Marshall’s and Applebees, and is located ¾-mile from the Armory, almost where West Kingsbridge Road becomes West 225th Street. It is crucial to know if this major investment will be affected by the proposed uses at the Armory. (Diaz)

**Response:** The comment is incorrect. The DEIS contains a detailed analysis of every substantial retail concentration within a 1.5-Mile Trade Area of the project site, including the Broadway/Marble Hill concentration which includes River Plaza (identified as “Area 4” on page 3-19 and in Figure 3-3 of DEIS). In fact, “River Plaza” is explicitly identified on page 3-19. Page 3-32 of the DEIS explicitly states that “Many of the retail concentrations in the 1.5-Mile Trade Area, such as...Broadway/Marble Hill...would continue to draw significant numbers of customers from the local population...Thus, it is unlikely that they would be significantly affected by the proposed project.”

**Comment 20:** [The project’s potential] impact on Fordham Road and its major chain stores is not clear. (Diaz)

**Response:** The DEIS contains a detailed analysis for “Area 8: Fordham Road” on Figure 3-3, on page 3-20, and on page 3-34. For reasons cited in these sections and in the competition

analysis more generally, the conclusion is that there is not likely to be significant impacts from displacement of Fordham Road chain stores.

**Comment 21:** The community does not need a 60,000 square-foot supermarket, when there are a number of viable, successful, union supermarkets within ½ mile of the Armory. (Diaz)

**Response:** The “need for” a supermarket is outside the scope of CEQR analysis; the analysis in Chapter 3, “Socioeconomic Conditions,” follows *CEQR Technical Manual* guidelines in assessing the potential competitive effects of the proposed project, and conservatively assumes the project would include a 60,000-square-foot supermarket for purposes of analysis. See also the response to Comment 13.

### COMMUNITY FACILITIES

**Comment 22:** [There has been a] lack of assurance from the Department of Education (DOE) that siting of at least two schools occurs. (Diaz)

**Response:** The only action that relates to the property along West 195th Street is EDC’s demapping application, which will result in an additional 20 feet of land along the south side of West 195th Street currently used as a street. This property is not being disposed to the developed and the developer has no control of its future use or development. Neither the mapping action nor any of the other actions are projected to preclude any future use or development of this property (see DEIS page 2-8).

**Comment 23:** [There has been] no commitment to develop a community facility adjacent to a school along West 195th Street to assure street life after school hours. [There has been] no identification for non-DOE educational facilities within the Armory, such as space for Lehman College, or practice, rehearsal and performance space for performing arts, as desired by the community. (Diaz)

**Response:** As described in the DEIS, the project will include approximately 27,000 square feet of community facility space within the Armory, some or all of which can be used by educational facilities. The developer has committed to working with stakeholders to pursue the creation of a viable youth recreation facility inside the Armory. Development adjacent to a school along West 195th Street is outside the scope of the project.

### TRAFFIC AND PARKING

**Comment 24:** There are three unmitigated intersections during peak hours: West Fordham Road-Major Deegan Expressway Northbound Ramp; West Fordham Road-Major Deegan Expressway Southbound Ramp; and West Kingsbridge Road-University Avenue. The first two intersections are already immitigable. The Northbound Ramp also connects at Cedar Avenue and Landing Road, which provide additional northbound and southbound traffic. The Southbound Ramp intersects with the University Heights Bridge to Manhattan. There is also additional development anticipated along Landing Road, which will increase traffic. The DEIS predicts that the southbound and westbound lanes of the intersection of West Kingsbridge Road and University Avenue will triple in terms of traffic delays. This

is a wide intersection with a steady traffic flow. I find it troubling that this will not only become a problem intersection, but it is anticipated there is nothing DOT can do about it. (Diaz)

**Response:** As the commenter notes, the intersections of the Major Deegan Expressway ramps with Fordham Road are already unmitigatable; given prevailing conditions, any substantial project in the vicinity of this intersection would aggravate the existing traffic congestion and result in impacts. With regard to the intersection of West Kingsbridge Road and University Avenue, the DEIS identifies all practicable mitigation measures to reduce traffic impacts projected for this intersection. One further action not suggested in the DEIS, but available in the future if needed, would be to prohibit left turns from key approaches to the intersection. It was thought that this might be more disruptive to overall neighborhood residents' traffic patterns than the benefits potentially available at this one intersection, so it was not introduced at this time.

**Comment 25:** There are no traffic studies done for Van Cortlandt Park South at the intersections of the Major Deegan Expressway (Deegan), Bailey and Sedgwick Avenues. The Van Cortlandt Park South exit off the Deegan provides a viable travel alternative given the connection to Goulden Avenue, which is an extremely long stretch of street with only two traffic lights that feeds into the Armory garage. (Diaz)

**Response:** The scope studied in the DEIS, including the traffic study area, was the subject of a scoping meeting held on October 2, 2008. During that hearing, the Borough President's office requested that the scope of study be enlarged from a ¼-mile radius to a ½-mile radius from the project site, stating that "a ½ mile [study area] will also capture key street intersections for evaluation of vehicular and pedestrian traffic impacts." The intersections now raised as concerns to the Borough President are more than one mile from the site, well beyond the ½-mile radius that the Borough President had stated would be sufficient to evaluate traffic impacts. Most importantly, the analyses conducted for the DEIS do not envision a significant volume of traffic passing through these intersections en route to and from the proposed project, so detailed analyses were not warranted. Finally, these locations were also not requested by the New York City Department of Transportation (NYCDOT) in their review of the scope of work for the DEIS.

**Comment 26:** The proposal for spillover parking to be mitigated by on-street parking in the community is unacceptable. The anticipated worst-case scenario is that 330 vehicles will need to find on-street parking spaces within the community on Saturday afternoons. One recommendation includes parking on Bedford Park Boulevard, which would cause people to walk 2/3-mile to one mile along train yards to the Armory. (Diaz)

**Response:** The DEIS uses conservative trip generation factors to estimate the number of vehicles generated by the proposed project. While on-street parking space is available to accommodate projected peak traffic demand within ½ mile from the project site, in reality, the limited number of parking spaces within the project is likely to result in substantially fewer drivers to the site and less parking demand, and substantially more patrons taking public transportation since the site is well served by subway and bus. For



the River Plaza shopping development on 225th Street and Broadway, private automobile trips are much lower than what was anticipated before the project was built, resulting in a highly underutilized parking lot. The DEIS does not include any recommendation that people park along Bedford Park Boulevard; it merely points to the availability of parking there should people need to park there if they cannot find spaces closer to the site. Shoppers who do park there could walk along Goulden Avenue and Reservoir Avenue to get to the Shops at the Armory and would not need to walk along train yards.

**Comment 27:** Although on-street parking is suggested as a mitigable option for the Saturday parking overflow, “No Standing” is proposed at the same time from 11AM-2PM for West Kingsbridge Road and Jerome Avenue, thus cancelling some proposed on-street parking options, as well as directly impacting community parking. (Diaz)

**Response:** This mitigation measure results in the loss of approximately three parking spaces, an insignificant number of spaces as compared to the total number of on-street spaces in the area, and only during the Saturday midday peak period. If it is determined that on-street parking should be retained at this location then this intersection would not be mitigated during this period.

**Comment 28:** Traffic comparisons to Willets Point and Plaza at the HUB are inappropriate. Willets Point is an entirely different community that is isolated by highways, parks and the East River, while Plaza at the HUB has no anticipated start date and was developed in a different economic environment. (Diaz)

**Response:** Willets Point and Plaza at the HUB data were used only for the purposes of estimating mode split and average vehicle occupancies since the Willets Point and Bronx Hub areas have similar public transportation and roadway network features as the vicinity of the proposed project. The two projects were not used to evaluate traffic conditions at all in the vicinity of the Kingsbridge Armory development. Use of the mode split and average vehicle occupancy data were reviewed with and approved by NYCDOT as being appropriate for the project site.

**Comment 29:** [There has been] no promise to allow only school-related vehicles, including teacher and school administrative vehicles, along West 195th Street between 2-4 PM on weekdays. [There has been] no commitment to restrict truck access to the ramp leading from West 195<sup>th</sup> Street to the Armory, particularly during school hours. (Diaz)

**Response:** This request is not supported by any traffic conclusions of the DEIS. The number of vehicles projected to be generated by the Armory project along West 195th Street during this time is less than three per minute and no significant traffic or pedestrian impacts or safety concerns are projected in this area.

Upon completion of the project, the ramp leading from West 195th Street to the Armory will be used for emergency pedestrian egress only and will not typically be used for truck access.

**Comment 30:** The Related Companies knows the increase in congestion is going to be significantly worse and admits there's nothing they are willing to do about it—so the traffic congestion that was rated from letter A through F will become an F, the worst possible rating, due to this current plan. (Pilgrim-Hunter)

**Response:** The detailed traffic analysis included in the DEIS followed the *CEQR Technical Manual* procedures. The DEIS presents a reasonable worst-case description of projected future conditions, consistent with CEQR guidelines; all procedures and analyses were reviewed and approved by NYCDOT and includes a wide array of traffic improvements intended to mitigate significant impacts to the maximum extent possible.

**Comment 31:** Any large retail use in the area would have a terrible effect on traffic in the area. There's already tremendous traffic on Jerome Avenue. (Sloane)

**Response:** The DEIS included a detailed traffic analysis at key locations along Jerome Avenue following *CEQR Technical Manual* procedures and was reviewed and approved by NYCDOT. It identified locations that would be significantly impacted and traffic capacity improvements needed to mitigate those impacts to the extent possible.

**Comment 32:** Adding a warehouse-style, big-box supermarket will significantly increase the impact of this project, significantly increase traffic volumes, and produce even more locations where project impacts cannot be mitigated. The full impact of the proposed 60,000 square foot, big-box supermarket has not been accounted for in the DEIS. The trip generation characteristics assumed in the DEIS are relevant to a shopping center (the DEIS refers to destination retail as inclusive of warehouse supermarket club land use), not a supermarket land use that generates 2 to 4 times the number of trips per square foot of retail space as does an equivalent designation space for the Armory. The Institute of Transportation Engineers *Trip Generation Manual* reports the trip generation rate for a warehouse supermarket [is] about three times that for the destination retail rates used in the DEIS. As a result, the DEIS is fatally flawed and must be fully revised before any action is taken on this project. Correcting for the flawed analysis results in a severe under count of project impacts. This report shows that the project will produce at 16 to 24 percent increase in overall vehicular travel, resulting in 137 more trips in the PM peak hour and 319 more trips midday on Saturdays. (Ketcham)

**Response:** At this time, the proposed project has unprogrammed retail space; that is, specific tenants have not been identified for any of the space. While, as reflected in Chapter 1, "Project Description," it is possible the program may provide a supermarket use, it is not anticipated to include a warehouse-style big box supermarket. Consequently, the application of a warehouse supermarket use for trip generation purposes is not appropriate. Specifically, a warehouse type supermarket, which is typically larger than 100,000 square feet, would not be feasible within the up to 60,000 square foot space assumed in the EIS. Moreover, based on the information presented in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition*, warehouse or discount supermarkets are free-standing retail stores, and therefore do not reflect the character of the retail space at the project site. Rather, the proposed project would not

provide any free-standing retail establishments, but would instead accommodate a variety of uses—including retail, cinema, fitness club, restaurant space, and community facility space—which would be provided within the existing renovated landmark structure of the Armory. Therefore, the application of the trip rates for the free-standing warehouse style retail establishment to a multi-use development is not appropriate. Furthermore, the commenter’s assessment of 16 to 24 percent increase in overall vehicular travel with a warehouse-style, big-box supermarket is also flawed because it does not account for the linked<sup>1</sup> and pass-by trips, that are to be expected given the character and location of the project.<sup>2</sup> Accounting for the linked and pass-by trips would reduce the overall vehicular trips cited by the commenter for the warehouse-style, big-box supermarket use by approximately 15 to 25 percent. The analysis presented in the DEIS is reasonable since it takes into account the multi-use development characteristics of a shopping center, which based on the information presented in the *ITE Trip Generation Handbook, 2nd Edition* can be considered as a single land use for trip generation purposes.

**Comment 33:** The trip generation analysis of the EIS is deficient. Most importantly, the trip generation analysis is based on a mix of destination retail tenants and does not include the 60,000 square foot discount supermarket that Related now plans to include in the project. A discount supermarket will generate a far higher proportion of car trips than the retail mix assumed in the DEIS. Even the DEIS projects that 13 to 14 intersections will have unacceptable levels of service with the project, and this doesn’t account for the much greater impacts that would be generated by a big-box supermarket or other big-box stores. This level of traffic congestion would have a negative impact on local businesses. It will disrupt what is now a walk-to-shop culture of the neighborhood and make it more driving and car-dependent. (Byron)

**Response:** The commenter’s assertion that trip generation analysis of the EIS is deficient is not correct. The project is not envisioned to house a discount warehouse style supermarket use, which typically occupies more than 100,000 square feet of space, and the vehicle trips forecasted in the EIS applied reasonable trip generation factors to estimate the number of vehicles generated by the proposed project. The traffic impact analysis presented in the EIS followed *CEQR Technical Manual* procedures, and was reviewed and approved by NYCDOT.

**Comment 34:** Since the parking is so limited here people won’t drive from a larger area to this [supermarket] store, business will be primarily from walk-in trade. (Pauls)

**Response:** The forecast of the extent to which people will drive to the proposed project was based on mode split data from other projects and was determined in conjunction with NYCDOT and approved by NYCDOT for application to this project. In the event that more people

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<sup>1</sup> Percentage reduction applicable to the trip generation estimates for individual land uses within a multi-use site (*ITE Trip Generation Handbook, 2nd Edition*).

<sup>2</sup> Trips attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator (*ITE Trip Generation Handbook, 2nd Edition*).

can be expected to walk to this proposed development, the DEIS will have conservatively overestimated traffic impacts and parking demand.

**Comment 35:** The DEIS very significantly understates the level of traffic and congestion the project will create. The future conditions that EDC describes would be bad enough, but an independent analysis reveals that the DEIS may be significantly understating the levels of traffic and congestion that the project will generate. The actual impacts of the giant shopping mall that Related proposes are likely to be much more widespread and severe than the DEIS describes them. And without an accurate analysis, it is impossible to know whether those impacts can be mitigated. (Byron)

This project's impacts are much greater and more wide-spread than reported in the DEIS. (Pilgrim-Hunter)

**Response:** The assumptions and analyses in the DEIS are conservative and do not understate the amount of traffic expected to be generated or the traffic impacts. The DEIS' detailed traffic analyses followed *CEQR Technical Manual* procedures and present a reasonable worst-case scenario. All analyses were reviewed and approved by NYCDOT.

**Comment 36:** The DEIS uses "average" traffic days to estimate the number of car trips the project will generate, but actual conditions during major sales and the entire Christmas holiday period are likely to be much worse. (Byron)

**Response:** The analysis follows *CEQR Technical Manual* guidelines and analyzes the four peak hours that represent typical conditions on weekdays and Saturdays. The traffic analysis periods selected were identified during project scoping and in conjunction with NYCDOT, and present typical conditions that would prevail for the vast majority of the year as is standard procedure in NYC and has been followed on other major shopping center projects under CEQR.

**Comment 37:** The DEIS reports rates in terms of person trips per 1,000 square feet of retail space and cites various sources including the Plaza at the Hub EAS (2005) as the source for their data. However, we have no idea if the data used in the DEIS is based on empirical data or is simply estimated. This is a serious problem in New York City where conditions are so different from those in moderate to low density suburbs where most of the ITE data is derived. NYCDOT should require all projects of the size and unique characteristics of the Kingsbridge Armory to collect field data to support their assumptions, especially for truck trips, which are drastically under reported. In general, the DEIS uses trip generation rates slightly above or below the "average" ITE rates for shopping centers and may therefore under report project impacts for a high density location like Kingsbridge. All supporting documentation for trip generation and temporal characteristics should be included in the revised DEIS. In order to reinforce this discussion, we are also reporting on the results of two studies completed over the past decade that provide more recent empirical data on large scale or discount supermarkets: "Trip Generation Characteristics of Discount Supermarkets" by Christopher L. Brehmer, P.E. and Marc A. Butorac, P.E. PTOE, ITE Journal, November 2003, and "Trip Generation and Travel Characteristics

Associated with Mega Food Markets,” by Paula F. Benway and Cindy McCormick, P.E., presented at the 1998 Annual Meeting of the ITE. The rates [in these studies] are considerably higher than used in the Kingsbridge Armory DEIS. (Ketcham)

**Response:** The person and truck trip generation estimate rates for the retail use are based on the information presented in the Plaza at the Hub EAS (2005). The person trip rate used in the Plaza EAS was derived from the *ITE Trip Generation Handbook, 6th Edition for Land Use # 820 (Shopping Center)*, whereas the truck trip rate was based on FHWA’s *Curbside Pickup and Delivery and Arterial Traffic Impacts* publication. The shopping center land use is described as an integrated group of commercial establishments that is planned, developed and managed as a unit in the *ITE Trip Generation Handbook*, and is a relevant source for developing the trip generation estimates for the Armory project as it would be also a multi-used facility consisting of various retail establishments and managed as unit. In preparing the DEIS, the travel demand assumptions for the proposed project were developed in consultation with NYCDOT, which reviewed and approved the rates applied in the analyses. The travel demand forecast for the project by definition is speculative, particularly in light of the lack of specific programming, but the estimates applied to the EIS are reasonable. Moreover, the auto share assumed can be regarded as conservative and may tend to overstate the percentage of auto trips that occur; to the extent that the market share is more concentrated around the project site, rather than at greater distances, it will draw from a population with a lower auto ownership and presumably a lower auto usage than accounted for with the larger study area.

**Comment 38:** The analysis of peak hours fails to report that these conditions will last throughout the day and also fails to account that supermarket shoppers, compared to other retail shoppers, will be more likely to drive to the Armory. The supermarket would be expected to add another 150 additional trips on a PM peak hour on weekday, up to 250 on a Saturday. Project impacts will be roughly the same from noon till 9 pm, weekdays and weekends. (Ketcham)

[There will be] increased traffic and pedestrian impacts from 12 noon to 9 pm weekdays and weekends. (Pilgrim-Hunter)

**Response:** For a typical shopping center, the temporal distribution would remain fairly consistent during the midday hours but would drop during the evening hours. As per the CEQR guidelines, the traffic analysis considers the peak activity hours for the proposed project, the peak hours of background traffic already existing in the study area, and which combinations of two may generate significant impacts. It should be noted that the background volumes would be maximum during the peak hours analyzed and as such represent the worst prevailing conditions during the day.

**Comment 39:** Combined with a 16 to 24 percent increase in traffic, the addition of a warehouse style supermarket club will significantly increase pedestrian-vehicle conflicts. This must be addressed in the Kingsbridge Armory DEIS. Under reporting the effects of a warehouse style big box supermarket club by 16 to 24 percent affects many other parts of the DEIS

in addition to traffic and pedestrian impacts, including parking, transit, traffic noise, air pollution, and the need for further mitigation. (Ketcham)

**Response:** The project is not envisioned to house a warehouse style supermarket use, which typically occupies more than 100,000 square feet of space, and the travel demand forecast used in the EIS is reasonable. Please refer to the response for Comments 32 and 37.

**Comment 40:** Most of the traffic accessing the Armory appears to be dispersed through nearby local residential streets. Seven percent of the total traffic is stated in the DEIS to use the Major Deegan, although 11 percent is illustrated on Figure B-15. The DEIS fails to provide the basis for trip distribution; nor does it provide any graphic depiction of assumed traffic assignments. (Ketcham)

**Response:** All trip assignments were finalized after discussions and reviews with NYCDOT. The DEIS is accurate when it mentions that seven percent of the project-generated trips would be expected to use the Major Deegan Expressway. Approximately one percent of the trips were assigned to travel south along the Major Deegan Expressway and exit onto Bailey Avenue via West 230th Street. This, combined with approximately six percent of the trips traveling north on the Major Deegan Expressway assigned to exit at Fordham Road accounts for the seven percent of trips along the Major Deegan Expressway. This is correctly reflected in Figure B-15. However, an additional four percent of the vehicles are expected to travel along Bailey Avenue, which may have been misconstrued by the commenter as totaling to 11 percent along the Major Deegan Expressway.

**Comment 41:** Ignored in the DEIS is the effect of the added traffic along the Major Deegan Expressway. Ignored in particular are the effects of the thousands of hourly trips the massive Gateway Plaza project at Yankee Stadium would add to the Major Deegan, increasing significantly the effects of any traffic produced by the Armory project. The DEIS must be corrected for these omissions. (Ketcham)

The DEIS fails to account for the congestion generated by Related's recently-opened Gateway Center near Yankee Stadium; that mall is already causing traffic backups along the Deegan Expressway and local roads. Armory traffic is likely to merge into those backups, creating massive traffic jams that could paralyze much of the west Bronx on busy shopping days. (Byron)

**Response:** The scope of what is studied in the DEIS was the subject of a scoping meeting held on October 2, 2008. During that hearing, analysis of the Major Deegan Expressway was not requested by borough officials, community representatives, community residents, nor was it requested by NYCDOT. An annual background traffic growth rate of 0.5 percent per year was applied to existing volumes along with anticipated developments within the neighborhood, in order to determine future No Build baseline conditions. The Gateway Center project referred to by the commenter is approximately two miles away and trips made to it by the Major Deegan Expressway would pass by the Kingsbridge Heights community and not pass through its study area intersections. It was therefore not included in the proposed action's traffic study area analysis locations.

**Comment 42:** The DEIS reports the obvious congestion problems at the Major Deegan and West Fordham Road, impacts that cannot be mitigated. The DEIS does not report the impacts at the Major Deegan interchange at 230th Street, where the DEIS reports 5 percent of project traffic to be entering and leaving the expressway. The 230th Street interchange at the Major Deegan is frequently over capacity. The *CEQR Technical Manual* reports (page 3O-27) that “if the no action LOS F condition already has delays in excess of 120 seconds, 1.0 second or more of (added) delay should be considered significant unless the proposed action would generate fewer than five vehicles through that lane group in the peak hour.” The Kingsbridge Armory will generate two to three times this threshold level of five vehicles per hour at the two Major Deegan interchanges referenced above. Using the same criterion for identifying effects at heavily congested intersections, the intersection of 225th Street and Broadway, where the project assigns approximately 20 peak hour trips (double the threshold), should likewise be evaluated for project impacts and potential mitigation. (Ketcham)

**Response:** The DEIS assumes that no more than one percent of the project-generated trips would travel south along the Major Deegan Expressway and exit onto Bailey Avenue via West 230th Street, as opposed to the five percent mentioned by the commenter. This is based on trip distribution analyses that determined additional intersections to be studied in the DEIS and that were reviewed and approved by NYCDOT.

**Comment 43:** Attachment A shows the results from the Konheim & Ketcham Synchro traffic simulation modeling for 2006 for the PM peak hour completed for the NYSDOT study. It shows most intersections along 230th Street already exhibited in 2006 LOS F conditions with many approaches exhibiting average vehicle delays greater than 120 seconds. The DEIS must consider project impacts along 230th Street. (Ketcham)

**Response:** The Kingsbridge Armory project is not expected to generate a significant volume of traffic along 230th Street and is explained in response to Comment 42 above.

**Comment 44:** Travel through the Kingsbridge area, characterized as free flowing in the DEIS, is actually constrained by narrow high-density residential streets with parking on both sides. While some major roads are wide and can accommodate more traffic during off-peak conditions, many are congested during peak commuter-hours. Plus streets are discontinuous and effectively cut off to the east with narrow underground passageways under the Grand Concourse that have short sight distances forcing motorists to slow down, blocking traffic. None of these observations are disclosed in the DEIS. Plus actual traffic operation is further impeded by the huge number of local residents who spend a lot of time on the street with their families during much of the day crossing already hazardous locations like Jerome Avenue (frequently against the light) with its elevated subway line and columns blocking motorist’s sight line. The methodology used in the DEIS for quantifying these conditions—the *Highway Capacity Manual*—fails to fully account for these congesting conditions. Nor does the DEIS account for traffic spill-back blocking nearby intersections as congestion levels increase during peak hours. (Ketcham)

**Response:** Chapter 13, “Traffic and Parking” of the DEIS describes the general travel character of each of the significant streets in the neighborhood and along feeder routes that are expected to be significant traffic carriers to and from the proposed project. These streets include, for example, Kingsbridge Road, Jerome Avenue, West 195th Street, Reservoir Avenue, University Avenue, the Grand Concourse, Fordham Road, and Webster Avenue. For Jerome Avenue, it does note that it extends “below the elevated No. 4 subway viaduct” and that “it has one travel lane in each direction between the columns that support the subway viaduct overhead. On the outside of the columns, there is curb parking on each side of the street with a narrow lane between the curb parking lane and the columns that allows for cars to negotiate into parking spaces and provides a very limited ability at intersections for a second travel lane”, thus accurately depicting what the commenter is saying. The DEIS, while not describing each and every street in the neighborhood, need not do that since many of the residential streets would not be substantially used by traffic heading to and from the proposed development. Each intersection analyzed in the DEIS uses *Highway Capacity Manual* procedures, as specified in the *CEQR Technical Manual*, as described in the DEIS’ scoping documents, and as discussed and approved by NYCDOT. The procedures are tailored to fit conditions at each intersection accounting for physical conditions as exist at each, including lane widths and physical impediments such as the presence of columns, for pedestrian crossings, and all other appropriate factors. The traffic analyses were reviewed in full and approved by NYCDOT.

**Comment 45:** Unlike the City, NYSDOT requires traffic simulation for all of its projects. Even NYCDOT requires traffic simulation for difficult projects. Why should the Armory, for which the developer has been using overly optimistic procedures, has already reported significant impacts that cannot be mitigated based on overly optimistic assumptions, do otherwise. In order to get a clear indication of project impacts the City must require the Related Companies to undertake traffic simulation modeling using software like that used for all New York State Department of Transportation projects. Failure to do so ignores the full impact of the Kingsbridge Armory on the community and gives a false impression to review agencies that this project will not impact the Kingsbridge community too greatly. (Ketcham)

**Response:** Traffic impacts have been appropriately disclosed consistent with the *CEQR Technical Manual* and the DEIS scope of work. A traffic simulation study is typically not undertaken in conjunction with CEQR for individual projects of this scale. The proposed project is no more complex than numerous other development projects that have not been required to conduct traffic simulations. In general, such simulations have been presented for highway analyses or larger-scale projects.

**Comment 46:** Parking is a huge problem in the Kingsbridge area. (Pilgrim-Hunter)

Parking is a huge problem. The DEIS does not report that it will be worse in future years with future No Build development, and will be even worse if a big-box supermarket is introduced into the mix. Parking on-street within a half mile of the Armory is already



difficult, especially in the evening peak hours and on Saturdays. Yet this project fails to provide adequate parking. Shoppers will drive to the site, find no parking available, and begin to circle nearby streets looking for parking; or they will double park as occurs at other similar sites in all New York City boroughs. This behavior is ignored in the DEIS. Saturdays are even worse. On-street spaces that might normally be available on weekdays because some nearby residents drive to work will not be available on Saturdays. Plus, as reported in the DEIS, only 450 motorists out of 1,300 will actually get to access Armory parking midday Saturday. The rest will have to fend for themselves, circling nearby streets, getting increasingly frustrated and placing the Kingsbridge community in further jeopardy. The DEIS ignores the severity of this problem as well. The *CEQR Technical Manual*, page 3O-28, states that for areas like the Kingsbridge community, "... a parking shortfall that exceeds more than half the available on-street and off-street parking space within ¼ mile of the site may be considered significant." It is clear that more off-street parking must be found for this project, especially if it includes a warehouse style big box supermarket club, before the City Planning Commission can approve this project. (Ketcham)

**Response:** Comment noted. The DEIS presents a conservative analysis of the projects parking demand, and identifies the extent to which there could be a parking shortfall.

**Comment 47:** Truck traffic has been under-reported. Based on local experience the addition of a warehouse supermarket will double the impact of truck trips from what is reported in the DEIS. Morton Williams Supermarkets reports that their 20,000 square foot stores attract between 25 and 30 trucks a day and that this is typical for all their stores. Should a 60,000 square foot warehouse type supermarket club be included in the proposed project, it would attract between 75 and 90 trucks a day, or upwards of 180 daily truck trips, well in excess of the 144 trips reported for the entire project on a typical weekday. (Ketcham)

The DEIS uses outdated assumptions about truck trips. It assumes that the entire 410,475 square feet of retail space will generate only 72 truck trips in and out per day. This calculation is based on figures dating back to the 1960s, before stores began to rely on just-in-time delivery via FedEx, UPS, etc. Today, even a 2,000 square foot boutique might receive a dozen truck deliveries per day. The actual number of trucks entering and leaving the Armory each day could easily be two to three times as many as EDC predicts. (Byron)

**Response:** Truck traffic was estimated based on standard truck trip generation rates and temporal distributions used for New York City EISs that have been reviewed and approved by NYCDOT. Also, please refer to the response for Comment 37.

**Comment 48:** The DEIS also reports that all trucks will access the site from the Major Deegan. However, the trip distribution reported in the DEIS fails to account separately for trucks and simply assumes 7 percent of all trips will utilize the Major Deegan. Trucks must be dealt with independently and their impact on the Major Deegan, already impacted by the Gateway Plaza project, must be reported. The DEIS should include a graphic depicting and justifying the assignment of truck trips separately. (Ketcham)

**Response:** The DEIS states that “Truck delivery trips for all land uses were assigned to NYCDOT-designated truck routes. Trucks were assigned to the study area from regional origins via the Major Deegan Expressway, Fordham Road, University Avenue, Jerome Avenue, and Bailey Avenue. Trucks were assigned along regional and local truck routes as long as possible until reaching the project site.” All assignments were done independently by mode—for autos, taxis and trucks—and the trip assignments were reviewed and approved by NYCDOT. As stated previously, analyses of the Major Deegan Expressway were not requested during scoping and only a modest volume of traffic is expected to be generated via this highway. Separate graphics are not needed.

**Comment 49:** Trucks and motorists seeking off-street parking will enter and leave the Armory in very close proximity on Reservoir Avenue, a stretch of road that has limited sight distances. The DEIS fails entirely to address the conflicting traffic movements (including double parking and traffic backups) as parking capacity is approached and motorists are forced to circulate through the Kingsbridge community seeking on-street parking. Traffic impacts for project cars and trucks entering and leaving the Armory along Reservoir Avenue must be reported. Use of a traffic simulation model to study this location should be done and would provide visual results that are easy for the community to understand. (Ketcham)

The DEIS ignored bottlenecks that will be caused by the entrance to the mall’s parking garage on Reservoir Avenue; traffic entering the garage will be in conflict with cars and taxis dropping off passengers there. The DEIS also ignores the congestion that will be caused by double-parking that inevitably occurs around major retail destinations, and by cars roaming the surrounding streets in search of parking. (Byron)

**Response:** The DEIS fully addresses traffic and parking impacts throughout the community and complies with the scoping document and the scoping process. It identifies significant impacts using approved methodologies and traffic measures needed to mitigate those impacts, and all analyses have been reviewed and approved by NYCDOT. Additional analyses, such as simulations are not needed to identify impacts or to illustrate those impacts to the community, reviewers or decision-makers; they have not been requested by anyone else. Queuing is not expected on Reservoir Avenue approaching the project site; and, it should be noted, Reservoir Avenue is one of several entrances to the shopping center where patrons may be dropped off or picked up.

**Comment 50:** The DEIS fails to show how truck deliveries will be accommodated (on-site along Reservoir Avenue). Reportedly (City Planning Commission public hearing, September 9, 2009) the proposed Armory will include 12 loading docks. Assuming 180 truck arrivals each weekday (if a warehouse Supermarket club is included) with 11 percent arriving during the midday peak hour the Armory would have to accommodate 20 trucks each hour. To do so would require a turnover rate of 20 spaces per hour (i.e., it would permit each truck an average of 36 minutes for each delivery, including time to enter, position the truck, unload and leave). The DEIS should include a schedule over a typical weekday showing truck arrivals and departures, the large majority of which are assumed to occur

from approximately 8 am to 3 pm. The DEIS must prove that the demand for truck docking can be met with 12 docking stations and that this activity will not disrupt traffic flow along Reservoir Avenue. Arrivals and departures should be based on empirical data from other Related projects. (Ketcham)

**Response:** The figure of 180 weekday truck arrivals overstates the delivery levels anticipated at the project. To minimize disturbance to adjacent uses from loading and trash removal, the 12 loading docks and three trash compactors are entirely enclosed within the building and all loading, truck maneuvering and trash handling will occur inside the building. Any security checks of trucks entering the Armory can occur on the property, along a driveway more than 80 feet in length that leads to the loading dock entry. In the worst-case development scenario analyzed in the DEIS, approximately 11 trucks are projected to enter the loading area during the highest analyzed peak hour of activity. The 12 loading docks would accommodate this worst-case level of truck activity without requiring on-street queuing by trucks.

**Comment 51:** The DEIS fails to depict impacts on Kingsbridge Road, where huge numbers of cars will pick up and drop off passengers with shopping carts. (Ketcham)

**Response:** The project does not provide a designated pickup and drop-off area along West Kingsbridge Road. Pickups and drop-offs, in fact, can occur on three sides of the site where there are entrances to the Armory and not just on the Kingsbridge Road side. This would disburse the effect of pickups and drop-offs to multiple block faces.

**Comment 52:** The addition of 3.6 million more car and truck trips, approximately 7 million added vehicle miles of travel, to the already congested and heavily populated Kingsbridge area, will clearly result in more congestion with increased travel times for all current motorists along with lost productivity to nearby businesses. This increase in travel will result in a significant increase in traffic accidents and personal injuries. The estimate of 7 million more miles of travel in the Kingsbridge community does not account for the thousands of motorists driving around and around seeking free on-street parking. (Ketcham)

The Related Companies is discriminating against my community by willingly placing excessive environmental burdens on this community. For example, 3.6 million more cars and trucks, under reported by the DEIS to the Kingsbridge area each year; additional 7 million more vehicle miles of travel into and out of our area. 10,000 more cars and trucks on average during weekdays; 43,000 more every weekday once the project is completed; 40 percent more activity from 60,000 people traveling in 15,000 cars. (Pilgrim-Hunter)

**Response:** It appears that the commenter's claim about 3.6 million more car and truck trips and approximately 7 million added vehicle miles of travel, is possibly an annualized number, and certainly not a peak hour volume that is used under CEQR in determining a proposed action's potential impacts. Therefore, this information, which does not have backup or validation, is merely a multiplication of peak hour trips into daily and then annual estimates that are not part of any development project analysis under CEQR. The DEIS fully addresses traffic and parking issues in compliance with *CEQR Technical Manual*

procedures and guidelines, identifies significant impacts, and identifies measures needed to mitigate such impacts. Its analyses and findings were fully reviewed and approved by NYCDOT. Comment noted.

**Comment 53:** There are only 400 spaces for over 500,000 square feet of commercial uses, and that is less than 1 per 1,000 square feet of space. That is far less than the typical standard of 5 spaces per 1,000 square feet recommended by the ICSC and also far less than most of the provisions of the New York City Zoning Code, which typically mandate 3-4 spaces per 1,000 square feet. We suspect that the artificially low availability of parking was guided by the severe traffic impacts of the proposed garage and the impossibility to mitigate impacts of a larger, more appropriate parking garage. (Pauls)

**Response:** The amount of on-site parking provided is in compliance with the provisions of the New York City Zoning Resolution for the proposed zoning district and appropriate given the project's close proximity to multiple mass transit options.

#### **TRANSIT AND PEDESTRIANS**

**Comment 54:** There is no analysis of the Bx1 and Bx2 bus lines. These are heavily-used buses located three blocks from the site. (Diaz)

**Response:** Detailed analyses of the five most relevant bus routes in the vicinity of the project site were conducted including the Bx3, Bx9, Bx22, Bx28 and Bx32 routes. Significant impacts were not identified to any of these routes. The Bx28 and Bx32 routes (operating on Jerome Avenue) provide similar north/south connections as the Bx1 and Bx2 routes (operating on Grand Concourse), and have bus-stops located in the immediate vicinity of the project site as compared to the Bx1 and Bx2 stops which are located approximately 3-blocks away. Therefore, it is anticipated that few, if any, of the patrons would use the Bx1 and Bx2 lines and no quantified analysis is warranted.

**Comment 55:** The DEIS analyzes weekend service to the Armory for the Bx22. The Bx22 does not serve the Armory on the weekends, terminating at either East Fordham Road-Valentine Avenue or Boston Road-Pelham Parkway. (Diaz)

**Response:** The comment is correct that the Bx22 does not service the project site during weekends. Accounting for this service condition does not alter the DEIS conclusion that the project would not result in significant impacts on bus loadings in the project area. The bus analyses presented in Chapter 14, "Transit and Pedestrians" in the FEIS have been modified to reflect the fact that the Bx22 does not provide Saturday service to the site.

**Comment 56:** There is no suggested service increase on the BX9, which connects Fordham Road, Riverdale, Kingsbridge and West Farms. Ridership will undoubtedly increase with the advent of the Armory. Also, location of the current BX9 stop on the eastern side of Jerome Avenue will cause traffic delays due to bunching and increased ridership. This should have been considered in the DEIS. (Diaz)

**Response:** The analysis for Bx9 route identified no impacts on the service conditions based on the CEQR methodology. Therefore, no service increase is warranted on this route as per the CEQR standards. In the event there is a need for service changes in the interim, it would be addressed by NYCT as part of their regular service evaluation.

**Comment 57:** Install bump outs or neck outs at the northwest corner of Jerome Avenue and West Kingsbridge Road to provide more space for people waiting for area buses, and assure proper traffic flow. (Diaz)

**Response:** The project sponsor has been discussing this aspect with NYCDOT, and the FEIS analysis includes a bump out/neck down at the northwest corner of West Kingsbridge and Jerome Avenue.

**Comment 58:** The Kingsbridge Armory project will attract as many as 4,800 pedestrians an hour to the site (Saturday peak hour), ultimately concentrating most of them along Kingsbridge Road, the main entrance to the site. Combined with upwards of 900 more cars and trucks each hour weekdays and 1,300 on Saturdays (and far more when adjusting for a supermarket), the Kingsbridge community will clearly face increased hazards as more conflicts occur between pedestrians and vehicles. The result can only be a significant increase in pedestrian injuries and fatalities. These consequences are ignored in the DEIS. (Note that pedestrian-vehicle accidents will increase in direct proportion to any increase in traffic from the proposed project. This assumption is standard engineering practice for NYSDOT.) Traffic simulation, which includes pedestrian movements, would help to answer this question ignored in the DEIS. (Ketcham)

**Response:** Consistent with the requirements of the *CEQR Technical Manual*, the DEIS includes a detailed assessment of pedestrian conditions in the study area with increased pedestrian and vehicle levels due to the proposed project (please refer to Chapter 14, “Transit and Pedestrians”). In addition, the DEIS includes an assessment of pedestrian safety conditions as well as the impact of the proposed project on school safety in Chapter 14, “Transit and Pedestrians.” It should be noted that the assessment of potential environmental impacts (including the impacts on traffic and pedestrian conditions) for the proposed project were based on CEQR procedures; these procedures do not assume an increase in pedestrian-vehicle accidents in direct proportion to any increase in traffic.

**Comment 59:** Pedestrian impacts appear to have been under-reported by at least 20 percent and perhaps much more. The assignment of pedestrians entering and leaving the site in this figure, while understated, actually disappears near the site; for example, at the northwest corner of Jerome and Kingsbridge where 97 trips vanish. Also, the assignment of pedestrian trips do not reflect the large number of shoppers who will be forced to park on-street, some at great distances from the Armory; they are simply not represented in the DEIS or in Appendix C. (Ketcham)

Pedestrian impacts are 20 percent or more under reported in the DEIS. (Pilgrim-Hunter)

**Response:** All of the pedestrian trips—including the large number of shoppers who will park on-street— have been accounted for in the analysis (see the figures contained in Appendix C). As identified in Chapter 14, “Transit and Pedestrians,” based on the results of the pedestrian analysis, the proposed project would not result in any significant adverse pedestrian impacts.

**Comment 60:** The DEIS must provide diagrams showing pedestrians entering and leaving the site at all proposed entrances. (Ketcham)

**Response:** Comment noted. The potential impacts due to the project generated pedestrian trips are assessed for sidewalks, crosswalks, and corners. The peak hour pedestrian volumes at these elements are presented in the figures contained in Appendix C.

**Comment 61:** It is estimated that 135 vehicles will be traveling to and from the Armory weekdays between 3-4 PM. Students will still be exiting school at this time. How will this impact student pedestrian flow? (Diaz)

Related is ignoring the impacts of traffic on nearby schools, playgrounds, churches, public libraries, and in particular traffic congestion/pedestrian safety. (Pilgrim Hunter)

Also largely ignored are the impacts of traffic on nearby sensitive sites like schools, playgrounds, churches, public libraries, etc. For example, P.S. 86 is directly across West 195th Street from the northeast corner of the Armory. The DEIS reports approximately the same number of auto trips during the 3 to 4 pm hour as during the evening peak traffic hour when students leave P.S. 86, thereby increasing the hazards borne by residents of the Kingsbridge community, yet the DEIS reports no impact. Similarly, the heavily used St. James Park, just a block south of the site down Jerome Avenue, where families take their young children every day is likewise jeopardized by any increase in traffic volumes. And these effects are true all over this heavily populated area. The EIS must account for these impacts on a site by site basis, not just assert that P.S. 86 is safe. (Ketcham)

**Response:** The commenter’s assertion that the impacts of traffic on nearby sensitive sites like schools were largely ignored is not correct. The DEIS included a detailed assessment of pedestrian safety conditions as well as the impact of the proposed project on school safety (please refer to Section F, “Pedestrian Safety” in Chapter 14, “Transit and Pedestrians”). An assessment of pedestrian safety conditions was performed for 18 intersections in the study area based on the most recent 3-year accident data obtained from the New York State Department of Transportation (NYSDOT). Based on this assessment, two of the study area intersections (including the intersection of Jerome Avenue at West Kingsbridge Road) were identified as high-accident locations based on the CEQR criteria. The DEIS identified additional safety measures for the intersection of Jerome Avenue at West Kingsbridge Road to enhance pedestrian safety.

**AIR QUALITY**

**Comment 62:** The DEIS under-reports the traffic impacts of destination retail and totally ignores the real impact of including a warehouse big box supermarket club which, by itself, will increase overall project traffic by 16 percent on weekdays, 24 percent on Saturdays. For this reason alone the air pollution and noise sections of the DEIS must be updated. (Ketcham)

**Response:** As described above under “Traffic and Parking,” the DEIS did not under-report overall project traffic or the projected traffic impacts of the proposed project. Therefore, no changes are required to the air quality analysis of the EIS.

**NOISE**

**Comment 63:** The DEIS under-reports the traffic impacts of destination retail and totally ignores the real impact of including a warehouse big box supermarket club which, by itself, will increase overall project traffic by 16 percent on weekdays, 24 percent on Saturdays. For this reason alone the air pollution and noise sections of the DEIS must be updated. (Ketcham)

**Response:** As described above under “Traffic and Parking,” the DEIS did not under-report overall project traffic or the projected traffic impacts of the proposed project. Therefore, no changes are required to the noise analysis of the EIS.

**PUBLIC HEALTH**

**Comment 64:** Adding 3.6 million more cars and trucks to the Kingsbridge area each year will generate approximately 7 million more miles of vehicular travel within two miles of the Armory site. Air pollution and traffic noise dismissed in the EIS as unaffected by this project, will certainly be impacted, especially by the huge increase in diesel trucks that emit cancer-causing particulates and other unhealthy chemicals. Three million six hundred thousand additional vehicle trips annually must cause some environmental impacts in an area of the Bronx known for its very high asthma rates. (Ketcham)

A store the size of K-mart would have the same traffic impact on our community. These areas are where the additional congestion is going to be worst surrounding my [Fordham Hill Cooperative] complex where children, senior citizens, those like me who suffer with respiratory illnesses such as asthma live. Health impacts on areas with the highest asthma rates and other lung diseases generated by the pollution/dust/contaminants coming from the additional cars and trucks during construction and after the project is completed. The Bronx has one of the highest asthma rates in the nation. (Akyeampong, Pilgrim-Hunter)

**Response:** As noted above in the response to Comment 52, without backup and validation it is difficult to address and respond to this global comment. The DEIS fully addresses traffic issues, identifies significant impacts, and identifies measures needed to mitigate such impacts. The public health analysis of the DEIS provided an overview of health effects related to asthma—including a general discussion of particulate matter (PM) emissions—and found that the proposed project would not result in any significant adverse public health impacts related to air quality, noise, hazardous materials, groundwater, or unusual solid waste management practices. \*